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Protecting Women and Children under the Doctrine of Human Security (Focusing on Armed Conflicts and Climatic Changes)

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Abstract: Women and children have always been considered amongst the weakest groups of vulnerable classes in the span of human history. They have always and in all the areas of human history been on the first line victims in a catastrophe. Providing protection and paying attention to them not only strengthens and empowers them, but it also causes considerable decline in the ratio of the damages. A different look based on human dignity is necessary for the achievement of such an important goal. Such an evolution has been crystalized in the human security doctrine in such a way that human beings have been realized therein as the pivot of development, peace and security of mankind. The human security doctrine came into existence with a human development report in 1994, and has adopted a new approach to perfectly protect human life and security. Based on this doctrine's analysis of human security, women and children should be considered the focal point of domestic and international attentions during such disasters as armed conflicts and bioenvironmental crises so that they sustain the least damage and receive the most humanitarian aids. To this end, humanitarian interventions can be utilized in necessary cases via acquiring legal permits. The 21st century can be considered the century of women and children, as with deeper understanding of their hidden potential, we can witness their highlighted and increased presence on the global stage. This study attemtps to express protection for women and children in times of armed conflict and environmental catastrophe under thee human security doctrine.

Keywords: Human Security, International Peace and Security, Women and Children, Armed Conflicts, Bioenvironmental Crises, Humanitarian Interventions.

INTRODUCTION

The two very important challenges ahead of today's world are armed conflicts and ecological (bioenvironmental) disasters. The civilians, mostly consisted of women and children, are the primary victims of armed conflicts. Massacres, sexual violence, slavery and so on are but a part of the harmful results of the armed conflicts imposed on these individuals. The crimes that occurred in Bosnia and Herzegovina (1995) against the muslim women and children by the Serbs will be never forgotten in human history (Nikoo Harf Mofakham, 1999, 25-40). In bioenvironmental catastrophes, like in armed conflicts, the harmful effects are generally directed at the vulnerable individuals. Calamities such as the Katrina storm or droughts in some African countries is indicates their serious effects on the mankind's life.

The Human Security doctrine, throught a precise and new definition of the concepts of peace, security and development, considers the maintenance of safeguarding of humanity and promoting their well being as its main purposes. The UN's approach towards peace and security underwent wonderful transformation and expansion after 1990s, therefore peace is no longer limited to a lack of war. Any incident that threatens the international security should be fought back and controlled. Nowadays, drought in Africa, melting of the ice caps in the poles and women and children slavery are all issues that can threaten the international peace and security. Moreover, damages caused by each of these incidents might be as devastative and irreparable as a war. In other words, since the contemporary international system has been changed in its nature, the shadow of security can be seen everywhere therein.

Nowadays, the approach of the international law and UN regulations has changed significantly in comparison to the past and the government-oriented society has been substituted by the individual-oriented society. Now, all individual members of humanity have equal values and enjoy identical rights and the entire human race is placed along at the axis of international law and human security. Women and children are also part of the mankind's society in today's world. The changes in attitudes and the transformation of the international literature in regard to the mankind, along with human beings at the center of global attentions are all products of such a delicate and smart look at human security. Human security serves the human development and this issue has been posited since 1990s in the United Nations' Development Plan (UNDP). In its report in 1994 regarding the human development, UNDP considered development as an example of human security.

Human security contains seven important indicators that, if realized, signify security, development and growth in a less challenging manner. Economic security, food security, social security, individual security, health security and political security and bioenvironmental security are the seven indicators that have to be carefully considered by every society parallel to its elevation of the life levels of citizens therein (UNDP, 1994). There are researches performed in this regard, including the effects of climatic changes on the human security and peace (Afshari, 2010), Security Council of the UN and the sexual crimes against women in the armed conflicts after cold war (Paryab, 2008) and a book named human security and international rights (Van Tigerstorm, 2010). Articles have also been used such as the "climatic changes and the UN's legal strategies" (Abdollahi, 2010) that could be related to the present study's subject.

Armed conflicts and ecological changes of the planet earth are two events that have always.boggled the mind of the international community Were these incidents to occur, they would affect human life. The damages resulting from them are sometimes reparable such as the financial losses resulting from natural calamities; however, there are instances of irreparable harms including the physical and psychological damages caused by sexual violence against women and children.or their murder The present study aims to investigate the way the grounds can be set for protecting women and children during armed conflicts and during the bioenvironmental calamities in the light of the human security doctrine.

Literature Review

Human Security:

Human security can be considered as a modern security phenomenon as well as a sort of change in the security studies at the turn of 21st century because security, in the traditional sense, is only_limited to the use of military force and preservation of territorial integrity. Security was conceptualized more widely with the emergence of new topics such as human security, also covering social, economic, political and bioenvironmental aspects.

With regards to the degree of the human security in every country, the threats can be categorized in five levels:

- 1) Individual threats
- 2) Local threats

- 3) National threats
- 4) Regional threats
- 5) Global threats

Each level not only has its own specific problems and issues but it is also associated with the problems in the other levels. Therefore, the improvement and enhancement of human security in a level can have positive effects on the other levels in the same way that the threats to human security in a level can threaten that of the other levels (Ghasri and Dustdar, 2009, 61). Moreover, the local policies will not be realized unless cooperation and assistance are achieved at a national level (Rahimi, 2009, 232). The current application of the concept of human security in academic literature and policy-making stems from the closeness and gathering of ideas in the two fields of security studies and international development (Van Tigerstorm, 2010, 9). Both of the aforesaid grounds demand directing of attentions towards the effect of the adopted policies on human individuals. The discussions regarding the meaning of security gave birth to a new conceptual framework, meanwhile, human development put forth an individual-oriented paradigm for designing and evaluating the policies (Van Tigerstorm, 2010, 9-10).

The first definition of the human security appeared in a human development report related to UNDP in 1994 (Kaldor, 2007, 183). It is stated in the foresaid report that "security was meagerly interpreted for a long period of time and it was used to refer to a country's security against the foreign invasions or protection of the national interests of a country in the foreign policy or as the international security against nuclear threats and so forth. The part that has been forgotten is the ordinary people who seek for security in their daily life" (UNDP, 1994, 22). It is continued therein that "security has two essential aspects: the first is security against severe (old) threats such as hunger, disease and oppression and the second is the protection against harmful distresses in the daily life patterns, whether at home and work or in communities".

Mahboob Al-Hagh believed that human security refers, above all else, to the security and welfare of all the people everywhere, in their houses, workplace, streets, communities and public environments (KANTI, 2000). Preserving human security entails the adoption of a sevenfold approach that coveing economic, food, political, individual, health, bioenvironmental and social security. This specific understanding of security is considered as one of the extensive definitions of security, causing discrepancies over the meaning of human security (COOLINS, 2010, 122). Human security includes human beings' safety against all the threats that jeopardize their daily life and personality. Threats like environmental destruction, human rights violation, organized crime, narcotics' smuggling and human trafficking and making constant efforts for fighting such threats is a part of the human security process (King, 2004, 781).

Human security includes protection of all human beings' vital aspects of life against common and serious threats in such a way that is in compliance with the human dignity and satisfaction (Farzadpour, 2008, 547). Human security_means ,freedom_from need and fear and respecting human dignity and the right to participate in society (Gharayan Zandi, 2008, 576). Human security pertains to the individuals and communities' security apart from thes states' security and this is, in fact, an amalgamation of two issues, namely human right and human development (Kaldor, 2007, 183). Japanese Foreign Ministry,has also offered a comprehensive definition of human security: in a general sense, security incorporates all the risks threatening humans' survival, daily life and honor. For example, it is viewed as corroboration of efforts for encountering all threats such as environment destruction, human right violation, transnational organized crime, drug smuggling, homelessness, poverty and contagious diseases like AIDs (Ghasri and Dustdar, 2009, 77-78).

Four essential characteristics can be specified for human security:

- 1) Human security indicators are correlative.
- 2) Human security is a global concern and is related to all the people around the globe, poor or rich.

- 3) Human security and fighting its related threats are guaranteed through prevention not by taking corrective measures after their occurrence.
- 4) Human security is people-oriented hence it is closely interrelated with the quality of life and traditions and customs (Frerks and Klein Goldewijk, 2007, 26-27).

Human security is a newly emerging pattern for understanding the global vulnerabilities wherein the national security_approach is challenged. In such an approach, as it was mentioned, the emphasis is placed on the individuals and the human-oriented perspectives that are useful for national, regional and international stability (Bakhshi, 2009, 199). Human security is a part of the discussions currently made about the social justice, which encompasses concerns serving the generalization of security to all the human areas (Ashraf Nazari and Sazmand, 2010, 21). Citizens' expectations of regarding human security varies around the world. For instance, in a first world country, the main concerns are related to the general threat of terrorism and cilamte change, whereas in pooer and underdeveloped countries, it could be where their next meal, if any, comes from.

Human security is seeking to create a protective and normative umbrella within the format of treaties and other international documents aiming at the protection of the vulnerable people against the despotic international players, especially the governments. The codification and development of the global norms is not only of great importance_from an ethical perspective, but it also contributes to the expansion and enhancement of the international and domestic security of the countries. Some countries like Canada and Norway are stubborn proponents of human security, which is somewhat a product of their own political tastes and interests and this has been to the extent that their protecting of such a concept rendered fruitful their efforts for acquiring a chair of non-permanent membership in the Security Council of the UN during the 1990s (Kerr, 2008, 604).

The ancient human-oriented philosophical and political tradition has been recently transformed to its new concept under the title of human security in the declarations and resolutions issued by the UN during the mid-1990s, especially in the UN's development plan (UNDP) that was proposed in 1994. In this document, human security has been defined as a set of certain conditions based on which people are freed of the psychological and mental obstacles and pressures preventing their growth and development (Shihan, 2009). Mahboob Al-Hagh was not the first person who posited such expressions as freedom from of fear and needs in security discussions. Indeed Roosevelt¹ had previously put them forth within the format of a part of the fourfold freedoms in the US congress in 1941.

The Concept of Law of Armed Conflict:

The law of armed conflicts regulate the rights and duties of the warring parties and generally has nothing to do with the legitimacy of using armed forces (P. V. Rogers and Malerb, 2003, 261). This branch of law accepts that armed conflicts happen regardless of their reasons and, accordingly, tries applying certain restrictions on the methods of fighting, aiming to reduce casualties as much as possible (P. V. Rogers and Malerb, 2003, 261). Better said, the law of armed conflicts can be defined as follows: a) they are part of international law; b) they govern the interstate relations during armed conflicts; c) they aim at alleviating the pains, damages and losses caused by war to the maximum possible extent; d) they assign duties to the individuals residing in these countries, especially members of armed forces; and e) as described, their goal is not hindering the military efficiency of states (P. V. Rogers and Malerb, 2004, 31).

The laws of the armed conflicts (war laws), also recognized under the title of international humanitarian law includes two primary concepts: the first one is that the governments' rights in selecting the methods and weapons of war is not limitless during armed conflicts and they are limited to methods of battle which prevent any unnecessary casualty; the second part is that they have to protect the life, health and dignity of human

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 $^{^{\}rm 1}$ Franklin D. Roosevelt was the $32^{\rm nd}$ president of the US.

beings who have not participated in the conflicts or have terminated their participation, including civilians, war prisoners and injured and sick individuals (Afchangi et al, 2011, 14).

Women and children are amongst the civilian population. Civilians are not members of armed forces and they are considered as non-military individuals (Henckaerts et al, 2006, 82). Based on this definition, civilians are comprised of all the non-warring individuals who have not involved, directly or indirectly in armed conflicts or reinforcing their allied forces. Of course, it has to be stated that harm and damage to the civilians in the armed conflicts is inevitable due to the merciless and indiscriminative nature of war and conflict (Gerdon, 2013, 339).

An armed conflict between two or more countries is called and international conflict (Zia'ei Bigdeli, 2013, 51). Humanitarian law is essentially enacted for both of the parties to a conflict protecting the individual or group which has not taken part in the conflict or has deserted it. These individuals may be the civilian population like women and children, military and civilian detainees and so forth (Morovvat, 2006, 154).

Non-international armed conflict may include civil war, in its specific sense, which is an armed clash that occurs within the territory of a country, conflict between the members of a national confederation, conflict between the members of a personal union and the conflict between a sovereign state and its protectorate (Zia'ei Bigdeli, 2013, 52). The humanitarian law's regulations protect the armed forces that have not taken part in a conflict or have abandoned fighting such as injured warriors or the sick persons who have been deprived of their freedom following the inception of the war as well as the civilian population including women and children medical and religious personnel (Siah Rostami, 2002, 22).

According to the reports by the independent international rescuers in Darfur "homeless women have been forced to sexual intercourse and their raping has become prevalent in a worrisome manner. But, refraining from accepting the aspects of the catastrophe, the Sudanese authorities stated that there have been no more than a few cases of rape" (Oskou'ei, 1998, 26). It can be stated that women and girls' personal security has been destroyed and this endangers the international peace and security as a result of the expansion in the chains of human threat from an individual to a global level. The crisis in Darfur, Sudan, is reflective of the need for a supreme (large) humanitarian necessity (D. Williams and J. Bellamy, 2005, 30).

protecting the Women against Armed Conflicts:

1) General protection:

General protection refers to all the affairs, obligations and humanitarian actions in order to protect all civilians from the dangers of armed conflict, whether international or non-international, and helping relieve them from the direct effects of catastrophe. Some of these protective measures are: announcement of danger, evacuation of the danger zones, fire extinguishing, cleaning, accommodation, urgent re-establishment of the useful and necessary services and, in general, performing rescuing services (Zia'ei Bigdeli, 2013, 108).

2) Special protection:

Based on a general classification, all women are considered civilians, hence they should be provided with the following protections:

The women should be particularly respected in all forms of armed conflicts and they should be protected against disrespectfull attacks (article 76 of the first appended protocol, 1977) and be provided with all their specific protective, medical and ancillary needs (rule 134 of the collection of the customary regulations of the international humanitarian laws). Women are protected against any sort of disrespectful attack and harm to their honor, especially against the various kinds of sexual violence and physical and psychological harm. Annoyance and performing any action that causes damage to their personality and rights is absolutely prohibited (article 27 of the fourth Geneva convention; article 75 of the first appended protocol; article 4 of the second appended protocol and rule 93 of the customary regulations of international humanitarian laws).

It has to be added that all of the abovementioned misbehaviors and other forms of sexual and non sexual cruelties have been criminalized as crimes against humanity or war atrocities by the grace of the international criminal court's charter (Rome Statute, articles 7&8)2. After the commence of a war, the conflicting countries can provide shelter and protect the pregnant women and the mothers of the children below 7 years of age against war effects (article 14 of the fourth Geneva Convention, passed in 1949). The pregnant women have to be especially protected and respected (article 16 of the fourth Geneva Convention, passed in 1949). Local agreements are made between conflicting countries for the evacuation of women who have recently given birth to their children from locations under siege (article 17 of the fourth Geneva Convention, passed in 1949). The hospitals built for taking care of the women who have recently given birth to their children in a country shall not be attacked by any other country, and the conflicting parties should both respect and protect them (article 18 of the fourth Geneva Convention, passed in 1949). Respect should also be given to the road or sea transportation of the women who have recently given birth to their children and they should be protected under any circumstances (article 21 of the fourth Geneva Convention, passed in 1949). The conflicting states allow the free passage of any necessary food, clothing and nutrients' cargos specific to pregnant women and/or those who have recently given birth to their children (Article 23 of the fourth Geneva Convention, passed in 1949). Pregnant women and mothers of children below 7 years of age who are residing in the territories of the conflicting parties should recive utmost respect and be treated equally to a state's citizens (Article 38 of the fourth Geneva Convention, passed in 1949). Male and female prisoners shall be kept in separate cells, if however an exception occurs wherein women from different families have to be detained alongside men, their sleep and infirmary accommodations shall still be kept separate(article 85 of the fourth Geneva Convention, passed in 1949; the first additional protocol; article 5 of the second additional protocol and rule 119 of the collection of the customary rules of international humanitarian law).

3) United Nations' Actions:

The explicit use of the phrase "human security" is a rare sight in the action taken by the UN for the protection of the women and children during armed conflicts, but it is clearly evident that, first of all, any action taken for the protecting women and children during armed conflicts are humanitarian and parallel to the preservation of their prestige and honor and further serve the greater concept of human security and, secondly, the majority of international documents codified by the UN, like the security council's resolutions after 2000, can be considered as examples of implementing human security consideration and implementing these teachings into international documents.

4) Security Council:

Resolution 1325 (31st of October, 2000): This resolution is a strategic document and a turning point in the protective measures taken by the Security Council in favor of women that has mentioned the highly important cases to expand and develop the concept of international peace and security preservation and, expressing the concerns regarding normal citizens, especially women and children, introduces them as a majority adversely influenced by armed conflicts. Next, emphasizing on the important role of women in preventing and resolving the conflicts and creating peace, it underlines the significance of their equal participation and involvement in efforts for preserving and promoting international peace and security (UNDOC.S/RES/1325, 2000).

Resolution 1820 (2008): The resolution was approved in June, 2008, and proves commitment to the continuation and complete execution of resolutions 1325 (2000) and 1612 (2005) and 1677 (2006). The resolution confirms the women's important role in preventing and resolving armed conflicts and institutionalization of peace and emphasis on women's participation in preservating and promoting

² International criminal court's charter, passed on 17th of July, 1998.

peace and security. It also welcomes the initiatives for taking measures in line with UN's intervention against sexual violence during the armed conflicts for informing and termination of them. It also condemns sexual violence as a method of causing civilian casualty and cruelty in times of armed conflict (UNDOC.S/RES/1820, 2008).

Resolution 2106 (2013): All states are obligated to respect and guarantee human rights for all of mankind by, first of all, warranting the protection of civilians during armed conflicts (UNDOC.S/RES/2106, 2013). Observation of the four Geneva Conventions of 1949, and their additional protocols is the least of human rights available for civilians during armed conflict. The international humanitarian rights can be embedded within the format of the human security doctrine because their goal is seminally protecting and preserving the personal security of civilians, especially women and children and this is only a small part of the human security's general idea (UNDOC.S/RES/2106, 2013).

Protecting Children against Armed Conflicts:

1) General protection:

Generally, children are considered civilians and enjoy general protection under international humanitarian law appointed for such people. (ICRC, 2014). One of the most important rights that civilians enjoy and conflicting parties should respect is the principle of distinction. This principle prevents armed assault by armed forces against civilians .With the occurrence of a non-international conflict, the common article 3 of the four Geneva Conventions, adopted in 1949, and the second additional protocol are enforced (Ramezani Ghavam Abadi, 2004, 135&143). The humanitarian laws' regulations protect the armed forces who have not taken part in the conflict or deserted it, such as the injured warriors or the sick individuals who have been freed of their freedom following the occurrence of the war like the women and children and medical and religious personnel (Siah Rostami, 2002, 22).

2) Special protection:

Article 77 of the first protocol anexxed to the four Geneva conventions is amongst the articles that specifically deals with children's protection. According to this article, captivated children should be kept in a section separate from the adults and/or it is generally prohibited to detain children below the age of 18. Another example of such types of protection is that the children should be provided with special protection even if they have taken part in the war. According to article 50 of fourth Geneva Convention, the occupying state shall, in cooperation with national and local authorities, facilitate the good will of special child protective services.

The required measures should be taken for identifying the identity of the children and registering their names and no change in the personal status of them is permitted. Furthermore, the occupying state should not prevent the implementation of the advantageous interventions that might have been executed before occupation in favor of the children below 15 years of age in terms of food, medical care and protection against the war effects. It is worth mentioning that the human right documents emphasize on the right to have food, house, medical care and social services (Habibi Majandeh, 2008, 12-14).

- a) Prohibition of the occupying state from compelling the children below 18 to hard labor (article 51, Geneva Convention 4).
- b) Taking necessary steps for protecting the children who have been separated from their families and facilitation of the education and religious instruction of children. Moreover, taking measures in line with identifying the identity of the children below 12 by the means of their carrying of an identity plaque or by any other possible means (article 24, Geneva Convention 4)
- c) It is forbidden to execute a person who has been below 18 during the perpetration of a crime (article 68, Geneva Convention 4 and article 77 of the supplementary protocols, 8th of June, 1977)

Based on paragraphs 2 and 3 of article 77 of the first protocol appended to Geneva Conventions, the conflicting parties should avoid calling the children below 15 into armed forces and if, in exceptional cases, they are arrested, as war prisoner or otherwise, they will be still enjoying the special protection specified in the foresaid article (Dashab, 2006).

3) UN's Interventions:

According to the extensive hostilities and their effects on children, Security Council issued numerous resolutions to protect the civilians and children: UNDOC.S/RES/2597, 1969; UNDOC.S/RES/2674; 1970, UNDOC.S/RES/2675;1970 and UNDOC.S/RES/224, 1968). Through creating a system of reporting on the status of the children by the peace guards, Security Council demanded the secretary general to guarantee the creation and implementation of such a reporting system (Ibid, paragraph 10). In addition, the Security Council linked the subject of protecting civilians, especially women and children, to the trafficking of small and light arms and terrorism and realized the smuggling of the small and light weapons as a factor elongating the hostilities period and, resultantly, causing more harmful effects to the non-military population. The council emphasized on the states' commitment for fighting such an illegal phenomenon (UNDOC.S/RES/1379, 2001, paragraph 9).

The issuance of the resolution 51/77 called on the states for the observation of the international regulations regarding the protection of the children and has always reminded of a deep concern about the regretful status of the children in armed hostilities (UNDOC.A/RES/51/77, 1997, paragraph 11).

In resolution 55/2 all member states gathered around, vowing to strengthen and deepen their protectiom of children, in accordance with international humanitarian law(UNDOC.A/RES/55/2, 2000).

On the other hand, the other documents related to this discussion were offered within the framework of human security doctrine because the majority of these documents' parts can be analyzed based on those valuable teachings due to the remarkably careful and attentive consideration of the human beings, including the children, in this doctrine. Amongst these, the declaration for protecting the women and children in emergency situations during armed conflicts (1974), convention on children rights, the African charter on the children's rights and welfare, agreement letter no.182 of the international labor organization (passed by the general conference in 1999), the optional protocol appended to the convention on child rights regarding the participation of the children in armed conflicts and some others can be pointed out³.

Protecting Women and Children in Climatic Changes and Emergence of Bioenvironmental Crises:

The climatic change is a phenomena mostly pertinent to the increase in greenhouse gases in the atmosphere and the clear result of the dangers of the world's industrialization because the extensive emission of greenhouse gases (GHG) into the atmosphere causes the disordering of the earth's energy balance (Rumi, 2008, 758). According to article 1(2) of the climatic change convention (UN's framework convention), "the climatic change is the variegation of weather, which is a direct or indirect result of the human activities that cause changes in the components of the universal atmosphere. These changes are different from the natural alterations that come about in the climate during the similar temporal periods" (Abdollahi, 2010, 194).

In an announcement made in a UN's conference on the human and environment in 1972 in Stockholm Sweden, efforts were made to associate the human right issues to the environment so that a relationship can be established between them for the fact that human beings' essential rights make it expedient for all of them to have a proper life in various living environments (Mosaffa et al, 2011, 312).

The occurrence of armed conflicts between people can be possibly considered as one of the most important outcomes of climatic changes and bioenvironmental crises. The endeavors and competition for obtaining food

³ The optional protocol to the convention on the children's rights in regard of involvement in armed conflict (25th of May, 2000)

and water can result in the emergence of conflict if accompanied by violence and it is highly evident that the vulnerable civilians and weak individuals of the society are the main victims. In a UNDP report, in1994, the relationship between the environment destruction and bioenvironmental crises and the emergence of violent conflicts has been posited (UNDP report, 1994).

The legal environmental documents associating environment and human rights have emerged since early 1972. Stockholm announcement on the human beings' living environment asserts that the mankind has the essential rights of freedom, justice and proper life in a level of quality that allows the mankind to live a valuable and comfortable life (Robinson, Kur and Colasuria, 2011, 759). It was attempted to associate the subjects of human rights and environment and also to establish a relationship between them because the human beings' essential rights render it expedient for all of them to have a proper life in various environments (Mosaffa et al, 2011, 312). Another resolution that was issued by the general assembly in 1991 (UNDOC.A/RES/45/94, 1991) emphasized on the climatic changes and their adverse effects on the human life by stating that it is necessary for the international communities to cooperate in this regard to overcome the crisis. Additionally, the UN's conference, in 1992 in Rio De Janeiro, Brazil, that became known as the earth summit, demanded serious intervention from the states regarding environment. 1979 convention explicitly underlined the elimination of all forms of discrimination against women and it was stated that the member states should guarantee the women's enjoyment of proper life conditions, especially in relation to water supply (article 14(2). In 1989 convention, the "children's rights" points to the needs for drinking water as well as the dangers resulting from the bioenvironmental pollution for the children. In addition, the member states were required to fight the diseases and malnutrition (article 24 of the convention on child right). Another very important resolution is the 1318 resolution by the Security Council. In this document, it was endeavored to take the security aspect of the bioenvironmental changes and environment destruction into account (UNDOC.S/RES/1318, 2000).

A poor society surely has a low income hence it is difficult for it to pay treatment costs and take care of its patients. The everpresent contagious diseases, children mortality, death of pregnant women and high rate of pregnancies and population growth are parts of the direct and indirect effects of the diseases in the poor countries. Such a crisis is also worrying given the increase in earth temperature which will be witnessed by lower living classes (Azari, 2008, 80). The threats with which individuals encounter following the climatic changes and their adverse effects, can be of human right or bioenvironmental types but they can also be transformed into security threats if they exceed a certain threshold (Owen, 2004, 382).

Conclusion:

Human security doctrine can be realized as the most comprehensive approach to the concept of security, human development and human right up to the present point in time (2014). This approach takes human beings as its focal point and knows the safeguarding of the human security and paying attention to his life as the only way for achieving development.

The exertion of various kinds of violence onto the women and children, prevalence of contagious and dangerous diseases, famine, drought, poverty and hunger of the children and women are all issues that are envisioned as serious threats to the international peace and security based on UN's practice. Effective and useful protective measures have always been taken by UN and the other international and non-international institutions, as well, for eliminating these threats, which are being constantly strengthened. The military or non-military humanitarian intervention, as a legal and resolving instrument, is one useful solution for the removal of the threats and establishment of peace and security.

We will be bearing witness to the emergence of bioenvironmental crises with the global warming and creation of climatic changes. These natural calamities cause the imposing of very severe damages to the life of the included humans, women and children. The occurrence of drought and destruction of the agricultural lands,

struggling for finding water, intensification of poverty and hunger and exacerbation of the dangerous diseases' prevalence are amongst the results of the occurrence of the bioenvironmental crises.

There are many threats that endanger women and children during the emergence of armed conflicts or bioenvironmental crises or bioenvironmental conflicts. The most common of them are cruel massacres and exertion of various kinds of sexual and non-sexual violence. Poverty, hunger and infliction with such contagious diseases as AIDs (HIV) are amongst the other harmful effects of these crises on women and children.

As the largest and the most effective international organization with such a mission as achievement of development, human right, peace and security for the mankind, the UN has performed many considerable interventions that are admirable. However, these are not sufficient and adequate in regard of the set goal. The approval of various resolutions by the Security Council, general assembly and the other institutions and functionaries of this organization for highlighting the subject of women and children, offering various reports by the UN's secretary general and explication of the women and children's situation and offering suggestions for the improvement of the statuses, codification of various conventions regarding the preservation of the children and women's rights and their protection, establishment of some women-specific functionaries and using women for managing these sections, making efforts for the application of the women and children's workforce in societal arena, empowering the women and children and increasing their awareness and many of the other interventions that are all parallel to the protection of the vulnerable social classes, have been carried out based on the human security doctrine. Women and children have always been confronted with numerous problems that were taken into consideration in the present research work. In comparison to men, women feature a weaker body and a more brittle spirit. The existence of the physical differences between women and men has caused the first group to always be the subject of the misuses and violence.

References

- 1. Abdollahi, Mohsen, (2010), "climatic changes and the legal strategies of the UN", seasonal journal of law, journal of the law and political sciences department, no.1.(in Persian)
- Afchangi, Mohsen; Hossein Nejad, Katayun and Siah Rostami, Hajar, (2011), "the international humanitarian laws on the protection of individuals in armed conflict (collection of Geneva Documents)", 1st ed., Tehran, the applied sciences higher education institute of Helal-e-Iran(in Persian)
- 3. Afshari, Maryam, (2010), "the effects of climatic changes on the human peace and security", MA dissertation, Law Department of Shahid Beheshti University.(in Persian)
- 4. Ashraf Nazari, Ali and Sazmand, Bahareh, (2010), "human development and security: human security as the axis of development", the journal of law and politics research, Spring and Summer, no.28(in Persian)
- 5. Azari, Mahdi, (2008), "climatic changes and poverty issue", political economy, no.1.(in Persian)
- 6. Bakhshi, Ahmad, (2009), "a framework for the codification of human security system in western Asia", collection of articles from human security conference in Western Asia (perspectives and criticisms), Tehran, cultural and social research center .(in Persian)
- 7. Collins, Alan, Security Studies, (Oxford: Oxford University Press, 2010)
- 8. Dashab, Mehryar, (2006), "the evolution trend of the movement for the annulment of death penalty in European Council", journal of research and politics, no.18(in Persian)
- 9. Farzadpour, Sa'eid, (2008), "human security in the law of Islamic Republic of Iran", seasonal journal of strategic studies, no.3.(in Persian)
- 10. Frerks, George & Klein Goldewijk, Berma, Human Security & Inernational Insecurity, (Wageningen Academic Publishers, 2007), P.22

- 11. Gerdon, Joy, (2013), "hidden war, the US and Iraq's embargos", tr. Zahra Kesmati, Tehran, Nay
- 12. Gharayan Zandi, Davud, (2008), "human security panorama in Middle East", seasonal journal of strategic studies, no.3.(in Persian)
- 13. Ghasri, Muhammad and Dustdar, Reza, (2009), "conceptual and functional approach to human security in Islamic Republic of Iran's 2025 vision plan", collection of articles from the international conference on the human security in Western Asia (perspectives and criticisms), Tehran, cultural and social studies research center, p.61.(in Persian)
- 14. Habibi Majandeh, Muhammad, (2008), "the health right in the international human right system", seasonal journal of human rights, no.1.(in Persian)
- 15. Hen Ckaerts, Jeam, doswald, Marie, Beack, Louise, customary international Humanitarian law. (Cambridge, 2006)
- 16. ICRC. Protection of Childeren in Armed Confilict. Pp.1-4, Available at: www.Icrc.Org/Web/Eng/Siteengo.Nsf/Htmlall/54jmlg?25/06/2014
- 17. Kaldor, Mary, Human security, (2007). Cambridge:polity press.
- 18. Kanti, Bajpai, Human Security: Concept and Measurement, (New Dehli: School for International Studies, Jawaharlal Nehru University, 2000), P10, Available At: Www.Hegoa.Ehu.Es/.../Human Security: Concept And Measurement.Pdf>
- 19. Kerr, Pauline, "human security", tr. Sayyed Jalal Dehghani Firuz Abadi, seasonal journal of strategic studies, 11(3): 601-626
- 20. King, Garry, (2004), "rethinking the human security", tr. Mortaza Bahrani, seasonal journal of strategic studies, no.4
- 21. Morovvat, Mojtaba, (2006), "children's rights in armed conflicts", journal of law and politics, no.14.(in Persian)
- 22. Mosaffa, Nasrin; Makhdoom, Majid and Almasi, Zia'a Al-Din, "an approach to environmental planning based on human rights", journal of law, winter, no.24.(in Persian)
- 23. Nikoo Harf Mofakham, Hasan, (1999), "protecting the women and children in humanitarian laws", MA dissertation, Law Department, Tehran University, pp.25-40.(in Persian)
- 24. Oskou'ei, Shahin, (1998), "women, the plundered objects of war", women's rights, March, 1(8).(in Persian)
- 25. Owen, Taylor, (2004). "Human Security –Conflict, Critique And Consensus: Colloquium Remarks And A Proposal For A Threshold-Based Definition", Security Dialogue, Vol. 35(3).
- 26. P. V. Rogers, Anthony and Malerb, Paul, (2003), "applied rules in the laws on the armed conflicts", tr. the national committee of humanitarian laws, Tehran, Amir Kabir
- 27. Paryab, Samereh, (2008), "UN's Security Council and sexual crimes against women in armed conflicts after cold war", MA dissertation, international relations' faculty of Foreign Ministry.(in Persian)
- 28. Rahimi, Muhammad, (2009), "cooperation between Afghanistan and Iran in the area of human security: barriers and solutions", collection of articles from the international conference on human security in Western Asia (perspectives and criticism)", Tehran, cultural and social research center.(in Persian)
- 29. Ramezani Ghavam Abadi, Muhammad Hussein, (2004), "contemplation over the conventional sources of the laws on the non-international armed conflicts", specialized journal of theosophy and law, Razavi Islamic Sciences University, no.13.(in Persian)
- 30. Robinson, Nichols, Kolasuria, Lal Kur, (2011), "basics of the international environmental laws", tr. Mohammad Mahdi Hasani, Tehran, Mizan
- 31. Rumi, Farshad, (2008), "security of the international system in the light of climatic changes", seasonal journal of foreign policy, 22(3).(in Persian)

- 32. Shihan, Michael, (2009), "international security", tr. Sayyed Jalal Dehghan Firuz Abadi, Tehran, strategic studies research center, pp.241-243
- 33. Siah Rostami, Hajar, (2002), "the international humanitarian laws", 1st ed., national committee of humanitarian laws, Amir Kabir
- 34. The first protocol appended to Geneva Convention on 12th of August, 1949, regarding the protection of the victims of the international armed conflicts, Geneva, June, 1977
- 35. The fourth Geneva Convention on the protection of the statesmen during war, approved on 12th of August, 1949
- 36. The optional protocol appended to the convention on children's rights regarding the children's involvement in armed conflicts, passed on 20th of May, 2000
- 37. The second protocol appended to Geneva Convention on 12th of August, 1949, regarding the protection of the victims of the non-international armed conflicts, Geneva, June, 1977
- 38. United Nations Development Programme, (1994). Human Development Report, New York, Oxford University Press, Pp.25-33
- 39. Van Tigerstorm, Barbara, (2010), "human security and international laws", tr. Ardeshir Amir Arjomand and Abbas Ghanbari, 1st ed., Tehran, Majd
- 40. Williams D., Paul, J. Bellamy, Alex," the responsibility to protect and the crisis in Darfur", security dialogue, vol36. archno 1 .(may 2005)
- 41. Zia'ei Bigdeli, Muhammad Reza, (2013), "international humanitarian laws", Tehran, Ganj-e-Danesh.(in Persian)