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SOME CONSIDERATIONS ON HOW HUMAN SECURITY HAS BEEN AFFECTED BY THE COVID-19 PANDEMIC, WHICH HAS BROKEN HUMAN LIFE, FREEDOM, AND DIGNITY (PART I)

Abstract:	*Today we are experiencing a deep crisis in society, accentuated by the pandemic with this Coronavirus, but chronicled and accentuated by the gloomy prospects after the end of the plague. What is happening is not at all proof of the lucidity of the world, no testimony of solidarity, and no proof of vigilance in the service of universal values. What is happening is simply evidence of gross manipulation, produced against the background of the lack of education and culture of the population. Everyone who goes to a serious school and accumulates enough knowledge of general culture - not necessarily historical - knows that each historical epoch has its own values and prejudices.* *Many times, what had been perfectly moral and legal in the past had become immoral and illegal in newer times. Of course, over time things have changed gradually, in stages and now the pandemic, artificially created and premeditated, has profoundly affected human security with the immediate consequence of altering life, dignity, rights, and fundamental freedoms, the rule of law being on the verge of dissolution. How did you get here and what to do, here are the questions that this study is trying to answer.*
Keywords:	**Human security; pandemic; health crisis; freedom; dignity; human rights; criminal law; rule of law**
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1. Argumentum: starting points and terminological clarifications

1.1. Clarifying issues

We all live in turbulent times today, and human security is "living" in difficult times. We have all been marked and provoked by the COVID-19 crisis, to

which is added the amplified humanitarian crisis caused by Russia's invasion of Ukraine. So, we decided that it would be appropriate to meet them with this study on deeply affected human security. Obviously, it is not enough to consult international or national doctrine or jurisprudence if the interest is not in the sense of studying and applying them. With the health crisis we have experienced, the interest that human security has aroused is not at all surprising, but it must be encouraged. The COVID-19 pandemic will pass, but its repercussions will continue to exist, and it is important not to forget (both health and legal professionals) how necessary and useful updated and coherent legislation would have been in times of crisis. Now that the economic crisis caused by the COVID-19 pandemic has left deep wounds in the global business environment. Entrepreneurship in Romania, part of the planetary economic ecosystem, has suffered from the negative effects of coronavirus, being foreshadowed by medium- and long-term implications. In this unfortunate period for business, the financing and good administration of the company are, for entrepreneurs, the main daily concerns. The pandemic of spread of COVID-19 worldwide has changed the entire ecosystem of the functioning of society and has greatly affected the professional activity and personal life of each person. All public authorities have prioritized public health insurance, assuming the inherent negative effects on the economy, justice, or other areas of social life. That being said, when I received the invitation to participate in the International Conference "Human Security - Theoretical Approaches and Practical Applications, October 22-23, 2022, organized by the Center for Research in Political Science, International Relations and European Studies within the Department of Relations International, Political Science and Security Studies of the "Lucian Blaga" University of Sibiu I did not hesitate for a moment, knowing closely the professional and organizational capacity of the teachers who form this wonderful team, with whom I collaborated over time. But decisive was the chosen theme "The concept of human security between normative requirements and practical consequences", especially since it occurs after a pandemic that simply demolished human security, freedom, and human dignity with the consequence of the profound violation of fundamental human rights. In this context, I started the documentation and work for this study. And how any approach to scientific research begins by clarifying the nature of the problem that will be analyzed, in our case human security, to proceed.

1.2. Human security analysis - a clarification of the terms

Human security is an extremely debated concept today in the fields of international relations, security studies, economics, and the social sciences and humanities. Human security, along with other concepts such as global civil society, human development, and human rights, appears as a response to new challenges within states or to recent international confrontations[1]. The concept of human security, originally defined in the 1994 Human Development Report by the United Nations Development Program as "protection against permanent threats such as

[1] Kaldor Mary, *Human security*, CA Publishing, Cluj-Napoca, 2010, pp. 19-23

hunger, disease and repression" and as "protection against sudden and damaging effects on daily life"[1] later developed in relation to fundamental human rights, freedoms, capabilities or needs that together determine the idea of the vital core of human lives because human security does not cover all aspects of human life and not even all important aspects of human life, but is limited to its vital core.[2] This core life concerns three considerations: those related to survival, livelihoods, and minimum dignity, even if the rights and freedoms corresponding to these aspects are not specified. According to the simplest wording of the definition, human security protects or defends this vital core of all human lives. Another clarification of the idea of human security states that its objective is either to protect the vital core of all human lives from global threats, in a way that is compatible with long-term human fulfillment, or to guarantee a set of freedoms and rights vital to all people, without compromising them, unjustifiably, the ability to pursue other goals, or the creation of political, economic, social, cultural and environmental conditions in which people live, knowing that their vital rights and freedoms are ensured. The concept most often used in security analysis, in the new context, is that of human security. This is determined by the fact that the subject and object of reference of security is the human individual, and the security status of individuals must be the starting point of any study in this field, regardless of the level analyzed (national, regional, or global). Man is the essential element of any form of social organization, and the degree of achievement of his security is reflected in the security of the group to which he belongs. Human security is a state that expresses the perception of the absence of risks, dangers and threats to the existence, values, and interests of human individuals (in any form of constitution), but also the processes of managing this perception and its formation. The existence of the human individual cannot take place outside the global system and, consequently, the security analysis cannot ignore its elements:

- the structural and historical context, which defines the basic parameters or circumstances;
- culture, i.e., the ideological perspectives, cognitions, feelings, and judgments that give the system value, meaning, and orientation;
- the structure of actors and their resources, with the help of which they achieve the established goals, as well as the processes, dynamic cooperative, or antagonistic relations, through which the actors pursue the achievement of short or long-term goals, but also the consequences of processes.

The notion of human security as formulated in the above-mentioned Report has become a benchmark for a new security model, a new paradigm of

[1] Human Development Report, 1994, p. 23, https://upwikiro.top/wiki, (29.08.2022). The Human Development Report (HDR) is an annual report published by the Human Development Report Office of the United Nations Development Program (UNDP)

[2] Horațiu-Traian Crișan, *Human Security. An analysis from the perspective of individual rights*, in Cătălina-Daniela Răducu, Bogdan Ștefanachi, *Human Security. Contemporary challenges*, ProUniversitaria, București, 2015, pp. 71-87

security. According to this vision, human society must quickly embark on a two-level process of transformation, the result of which will be on the one hand the transfer of the center of gravity from territorial security to that of the people, and on the other hand the transfer the means of achieving security from the acquisition of weapons to sustainable human development. This report identifies seven elements specific to the concept of human security, which include a wide range of threats to people, grouped into:

- economic security - ensuring a minimum income necessary for each individual;
- food security - guaranteeing physical and economic access to basic food;
- health security - guaranteeing minimum protection against diseases and an unhealthy lifestyle;
- ecological security - protection of people against environmental damage and natural disasters;
- personal security - protecting people from physical violence, whatever its source;
- community security - protecting people from the loss of traditional relationships and values, ethnic and sectarian violence;
- political security - providing a living environment based on respect for human rights in society.

Overall, human security is ensured through various actions, peacekeeping, humanitarian intervention, support for refugees, etc. Human security seeks to protect the individual and the society to which he belongs in the face of a wide range of dangers, ranging from physical security to economic security and, more recently, environmental security. Human security is not just about the survival of the individual or society. It is intended to give individuals the freedom to make the decisions they want and to allow them to develop in the way they choose. State security is complemented by human security in several ways:

- the traditional concept of security was built based only on the need of the state to protect itself, while human security wants to protect the state, its role becoming the protector of the individual;
- the traditional dangers to state security have diminished, but new dangers have emerged that primarily target the security of the individual, dangers such as ecological disasters, pandemics, or cancer, and actors in the field of international relations have changed.

The state is no longer the only actor, nor the most important. International organizations, such as NATO, or supranational organizations, such as the EU, have an increasingly difficult word on the international stage. Transnational corporations, international corporations, and NGOs have already clarified their international roles. Human and state security complement each other. While state security is, by definition, focused on territorial or economic security, human security has a wide area, covering the whole sphere of the welfare of individuals and society, not just territories within borders. In the case of traditional security,

the essential role was played by the state, while in the case of human security, the central role is played by the individual or the society of which he is a part[1].

The concept of human security is closely linked to the security of human development and human rights. Human development cannot take place without ensuring respect for universal human rights, and for ensuring human rights it is necessary to ensure the development of society and the individual so that he understands their importance. Human security embraces both concepts and transforms them by creating a unitary whole. But precisely because of the quality of human security to encompass everything related to human society, the definition of the concept is almost impossible, just as it is impossible to classify the needs of the individual in order of importance. The concept of human security may include the objective, the dangers, and threats, the right to ensure security, and the ways to ensure it. The goal of human security is the individual, not the state as was customary until recently. The human security paradigm borrows terms and nuances from a plethora of political, economic, and social concepts, doctrines, and models, especially those centered on the individual. But there is also a new dimension of the concept, the security of the community, of which the individual is part, thus trying to protect the living environment of the individual in the face of disruptive or even destructive elements characterized by its non-military dimensions.

1.3. The non-military dimensions of human security

Most security studies consider that the dimensions of human security, as the fundamental problem of mankind, limited to the broad process of globalization, fall within those of security in general; these are the military dimension; the political dimension; the economic dimension; the social dimension; the cultural dimension; the ecological dimension. The stated dimensions are just as important for achieving security status and, moreover, they interrelate. Thus, the political dimension concerns both the relationship between the state and its citizens, as well as the international relations of the respective state. The economic dimension considers the economic substantiation of military power, but also the purely economic component of security at all its levels, with emphasis on the individual. This last level is also the one targeted by the social dimension of security: the security of the state is extremely important, but it cannot be achieved without being based on the security of individuals, and the security of people. The cultural dimension concerns the delicate issues of ethnicity and religion, the sources of some of the most important conflicts of recent decades. Finally, the ecological dimension, a problem under study in the last years of the last century, includes three aspects that cannot be ignored: environmental problems caused by war,

[1] Sabina Alkire, *A Conceptual Framework for Human Security, Center for Research on Inequality, Human Security and Ethnicity*, Crises Working Paper, 2003, https://www.gov.uk/research-for-development-outputs/a-conceptual-framework-for-human-security, (28.09.2022)

natural resources whose possession or control can give rise to international disputes, and natural disasters.

It is certain that the right to human security cannot be conceived only as a negative right, respectively as a right that imposes only negative obligations on others. It is not a right that requires others to just refrain from acting to the detriment of the freedom of other individuals who hold that right. If according to the theory of will, rights are conceived as freedoms to which correspond exclusively negative obligations, and the right to human security obviously has in its composition also positive obligations - to provide goods or services - it becomes clear that the foundation of the right to human security within the theory based on the will is incomplete, as it does not cover the area of positive obligations. The type of action required by the need to ensure human security can be translated into a special type of "duty", such as helping those in need, when doing so requires a small amount of effort. This type of "debt" of a charitable nature plays the role of a kind of "imperfect" obligation. They are characterized as "imperfect", as they do not correspond to any right, but represent simple moral duties, which are, however, like moral rights, universalizable. The responsibility for fulfilling this type of "imperfect" debt is not clearly attributed to any entity - agent, institution, or community - but rather it is left to the entities willing to get involved in contexts that require "humanitarian" interventions. Then, another attribute of 'imperfect' obligations is the imprecise nature of their content. There are, therefore, moral obligations that may not have any correspondence in a moral right. However, human security obligations cannot be treated only as "imperfect" debts, as ensuring human security requires specifying the exact type of (non) action required by that context, as well as identifying the entities responsible for their execution to ensure the desired major of each person, his safety.[1]

1.4. The security of the individual - a major desideratum of each person and of the human community

The notion develops by transforming the concept of "human individual development", a widely used lexical group in the 1960[s] and 1970[s]. The concept has in its center the individual as an element of society, the focus being not on the state but on the community to which the individual belongs[2]. The security of the individual or human security in the narrow sense, according to other authors[3], aims to ensure the physical integrity of the individual against any form of violence, resulting or not from a conflict. Security is a fundamental need of human being. It is a pervasive concern of any human community. That is why most individuals seek security. Improving security as an explicit goal can be a considerable

[1] H.T. Crișan, *Op. cit*., p. 90

[2] Aurel Băloi, *Methodology and security indicators. Analysis of international security: conceptual delimitation*, p.1, http//: www.studiidesecuritate.ro, (12.09.2022)

[3] Julliette Voinov-Kohler, *La sécurité globale: Une approche exhaustive de manaces envers la sécurité de l'individu*, p.7, http//:www.deza.admin.ch/ressourses/deza.produit-f 332.pdf, (12.09.2022)

mobilizing force. The security of the individual is more than the absence of risks and threats to the physical or mental integrity of one person or another. This is a state in which the dangers and conditions that can cause harm to a human being are controlled in such a way that the individual is protected in all respects. Therefore, it can be appreciated that human security is an indispensable resource of daily life that allows the individual and the community to freely realize their aspirations and ideals. At the same time, the security of the individual can be considered as a state resulting from the dynamic balance that is established between the different components of the given living environment. It is the result of a complex process in which the human being interacts with his environment. "By environment is meant not only the physical environment but also the cultural, technological, social, political, economic and organizational environment"[1]. In conclusion, the security of the individual presupposes adequate control of the dangers, not their total absence, it entails with itself a feeling of well-being, of peace for the whole of humanity.

1.5. Global human security, a constant concern of the international community

After the end of the Cold War, the internal security of states, that is, the security of their population begins to be the object of attention of the international community. For the first time in 1991, the Security Council described as a threat to peace a violation of the security of civilians within a state, thus opening the door to all the consequences of Chapter VII of the UN Charter, including the use of force. This humanitarian intervention was followed by others when the international community considered that in one state or another fundamental human rights had been violated, thus the respective population was in an advanced state of insecurity. Putting the human individual and populations at the center of international concerns is, in fact, a new direction of aid policy in support of human development. Now, the well-being of the individual, in addition to the role played by the economic factor, is beginning to be associated with other factors, such as longevity, health, access to education, or an adequate standard of living, increasing the choice of each, active involvement in political and social life. The emphasis on the human individual and the population to which he belongs, regardless of race, religion, ethnicity, etc., has led to a crystallization of the way of defining the concept of "global human security"[2].

In a relatively broad sense, global human security aims not only at a range of threats to the individual and the population to which he belongs but also about the concern of all state and non-state responsible factors to ensure the well-being of the human being. In this context, we consider all types of threats that can affect, significantly, consistently, and over a long period of time, the human being physically, mentally, and materially, but also its free and sustainable development. Global human security is a constant concern of the UN, which, through its

[1] *Sécurité et promotion de la sécurit*é, http//:www.cspq.qc.ca/oms/promotion, (12.09.2022)
[2] H.T. Crisan*, Op. cit*., p. 91

specialized agencies, is working to establish this beneficial status for the international human being and community. In this context, the goal set by the UN, in terms of security, is a world free of fear. At the same time, it is recognized that in addition to the military threat, there are other serious dangers that hover over human security. These include: the systematic violation of human rights in several countries around the world; the prohibition for humanitarian organizations to help the population in precarious living conditions; repeated violations of international humanitarian law; the development of transnational crime[1], inequality of opportunities in terms of access for all to education, health care, social protection, etc. There are several sources of insecurity. Among them, according to Julliette Voinov-Kohler's[2] study, are: economic security (unemployment); security of use (access to work, poverty); food security (unequal access to food); health protection (existence of serious diseases, different and differentiated access to medical care); environmental security (water, soil, air pollution, deforestation, natural disasters); personal security (physical violence, domestic violence, child abuse, gender-specific issues, human dignity, drugs, etc.); cultural security (infringement of the value system, discrimination, oppression); political security (interstate conflicts, freedom of expression, torture, repression, human rights violations). Therefore, it can be appreciated that global human security not only targets a wide range of threats but also seeks to ensure the well-being of human being. However, human security, as we approached it, theoretically, in the previous ones had terrible practical applications, especially in Romania, during the pandemic caused by COVID - 19.

2. How human security has been affected by the pandemic caused by COVID-19

2.1. Introductory considerations

The present paper includes the results of research on the theoretical and practical aspects that led to the shaping of the legal identity of this phenomenon. So high was the legislative inflation adopted for the legal arrangement of the pandemic genocide that we can talk about a real law of the pandemic. So, the goal of this analysis is to see how fundamental human rights have been affected, even altered, or even eliminated. More clearly, how human security has lost its fundamental values. We set out to carry out a scientific research approach, but without claiming an exhaustive analysis of the whole issue, since, as will be seen, the evolution of legislation, the dynamics of practice in this matter, implicitly the jurisprudence of courts, such as and the transdisciplinary of the subject could be the subject of a treaty. Disputes over our social health insurance system caused by the difficulties of qualifying contracts for the provision of medical services,

[1] *Cracking down on transnational crime*, in "Révue électronique du Departement d'Etat des Etats-Unis", âout 2001, Vol. 6, No. 2, Le département d'État publie son rapport 2021 sur la transparence fiscale - United States Department of State, (12.09.2022)

[2] Julliette Voinov-Kohler, *Op.cit*., p.8

medicines, and medical devices have led the legislator to produce a real "legislative pandemic", unifying the provisions of public and private law in an only matter, even if it is an exceptional institution of law. For example, health insurance companies "play" the role of legal entities under private law, although, according to the law, they are legal entities under public law, so the specificity of the field cannot be fully claimed by private law. The interest in the scientific research of these challenges is determined by their often-controversial legal nature, so we aim to gain a better understanding of this institution. In the alternative, we intend to highlight the distinction between the military command act and the normative administrative act issued for the application of the state of emergency or for removing the consequences of the epidemic, developing some clarifications on the possibility of challenging before the administrative contentious court military orders issued by the Ministry of Affairs. The internal pandemic caused by COVID-19. So, let's take them one by one and start with the way in which the rule of law received a strong blow to death, even from the Romanian state, through the newly created medical state. So, we are talking, state by state, each with mutual values and influences, most of them negative, on the citizens.

2.2. Rule of law vs. medical status

The contemporary period represents a historical moment in the evolution of society and the rule of law in terms of organized reactions to the pandemic situation generated by the world occult, as well as the conflict in Ukraine. Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) is a viral respiratory syndrome that led to the coronavirus epidemic from 2019–2020. The name COVID-19 is an abbreviation in English, respectively CO = corona, VI = virus, D = disease, 19 = 2019, which indicates that it is used to indicate infectious disease caused by this severe acute respiratory syndrome and not the virus per se, which is known as SARS-CoV-2, initially using the title "2019 novel coronavirus (2019 - nCoV)". As the World Health Organization stated at the press conference on 11.03.2020 that at that time COVID -19 can be considered a pandemic, being the first pandemic caused by a coronavirus[1], it is necessary to make the appropriate distinction between "epidemic", this being an extension, through contamination, with an unusual frequency, of infectious disease, to a large number of people from a certain locality, region and "pandemic", which reflects an extension on the continental territories of an epidemic. So, we are experiencing a deep crisis in society, accentuated by the pandemic with this new Coronavirus, but chronicled for several decades and accentuated by the gloomy prospects after the end of the plague.

During large-scale crises, there were always violent demonstrations in the streets, with barricades, arson, robberies, riots, physical assaults, murders, etc. What is happening is not at all proof of the lucidity of the world, no testimony of

[1]https://www.who.int/docs/default-source/coronaviruse/transcripts/who-audio-emergencies-coronavirus-press-conference-full-and-final-11mar2020.pdf?sfvrsn=cb432bb3_2, (19.09.2022)

the fight against discrimination, and no proof of vigilance in the service of universal values. What is happening is simply evidence of gross manipulation, produced against the background of the lack of education and culture of the population. Everyone who attends a serious school and who accumulates enough knowledge of general culture knows that each historical epoch has its own values and prejudices. Many times, what had been perfectly moral and legal in the past had become immoral and illegal in newer times. For example, the law of retaliation ("eye for an eye, tooth for a tooth") has ruled primitive mankind for hundreds of thousands of years. War was a moral practice throughout the Middle Ages, tournaments and duels were occasions for the manifestation of chivalric honor, and the oppression and persecution of marginalized groups of society was a duty of the authorities and some individuals. Of course, over time things have gradually changed. However, the war that bled our borders takes us back in time to the dark Middle Ages! Strangely, this conflagration seems to have stopped another war, the bacteriological one, caused by the pandemic that claimed millions of lives. This world is increasingly shaken by crises that come from the Earth's biosphere or that affect the biosphere in one way or another. And finally, man, the one who forgets or tries to forget that he is an integral and inseparable part of the biosphere of this planet.

From a historical perspective, we highlight the legislative course and the legal regime of the defining notions underlying the legal institution of the provision of medical services, medicines, and medical devices, identified both in national legislation and in the legislation of other European states, given that the system of Social health insurance developed and implemented in our country is based on the Bismarck model, the oldest health system, German legislation, introduced in the late nineteenth century in Germany by Chancellor Otto von Bismarck. From a sociological perspective, the transition from the Semaşko-type to the Bismarckian-type health insurance system is of great importance in the context of the evolution of the legal regime, but also the need to comply with the relevant legislative framework developed under European Union law. internal framework with European public health standards. Hermeneutic research integrates the components that make up the system, namely the social dimension and the legislative dimension. For this reason, we allocate space for awareness and contextualization of the elements that shape the legal identity of the health protection system, the authorities involved, as well as legal subjects, beneficiaries of health protection, analysis that will transcend the internal borders of public and private law, reaching the limits of public international law, so that we will identify elements from several branches of law.

Whereas the legal institution, which ensures the protection of policyholders against the costs of medical services in the event of illness or accident, is organized in a state governed by the rule of law, within which health and the right to health are exercised within a well-established legal framework; their exercise implies precise legal guarantees, in this study our attention is focused on the considerations that led to the birth of this institution, namely the analysis of

the manifestations of health and their connection with health systems. Thus, we consider the understanding of the adjacent concepts of “health” and “public health”, but also of those of “right to health” and “right to health”, as well as their relationship with other factors that influence them. The motivation is given by the importance of health and the right to health for the individual, group, community, or society, but also by the need for systemic and legal organization of health, so that modern society can meet the general interest determined by the need to higher health care. Determined by the same desire to capture as many of the elements that shape the legal identity of the institution, we will highlight its image as it has emerged and developed in the internal social and economic context. This aspect will lead us to an interdisciplinary approach, as the legal reality implies the interference between areas of law and dimensions of political, economic, and social factors.

2.3. Some clarifications regarding the definition and delimitation of the branch of medical law

Any scientific approach involves determining its object. As for the object of medical law, we must start from the delimitation of the notions of "medical law" and "health law", to see what the meaning of these notions is and whether they are synonymous. The phrase "medical law" of course encompasses not only the forms and procedures of the medical act but also the substantive issues that have arisen in medical practice. The two notions are fundamentally different, the notion of "health law" being much broader than that of medical law. Medical law is that part of the law of health that includes the rules of law governing the profession of medical science. In our country, there is no unitary opinion regarding the recognition of medical rights as a distinct branch in the legal field, although several countries recognize it as such. This branch of law is a relatively new one in the Romanian legal system, the reason for which the limits of its scope are uncertain due to its interferences with other branches of law. Without a long existence, medical law is constituted as a frontier science in the medical and legal disciplines. With the development of society and social and legal needs, medical law has evolved naturally, being closely related to the progress of medical sciences, whose patronage it holds[1].

In the field of medical law in our country, there is impressive legislation that is based on the regulation of social relations in the medical field. Therefore, there is not only medical legislation but a distinct branch of law that includes all the legal norms that regulate the medical relations between the natural and legal persons who carry out their activity in the field of health. From the desire to correlate medical issues with legal ones, the necessity of establishing the branch of medical law was affirmed. Most medical rules are valued and objectified in medical law. Summarizing the above, medical law can be defined as "the set of legal rules governing the patrimonial and non-patrimonial professional relations

[1] Alina Doina Tănase, *The particularities of medical law in the current legal system in Romania*, in ”Universul Juridic Premium”, No. 4, 2021, p. 2

established between those who practice the medical professions and patients, as well as the specific relations of health institutions, characterized by the legal equality position of participants. to these legal relations". Also in the Romanian legal literature, medical law has been defined as "that branch of law that includes all the norms and legal institutions of public or private law, which regulate the relations between medical service providers and patients born, in principle, by agreement of the parties, having as object the provision of medical services for prevention, diagnosis, and treatment"[1]. Within the science of medical law, there is a well-ranked structure, based on a series of legal rules in the medical field.

However, from the theoretical research of the phenomenon to the practical aspects that the population of Romania faced during the two academic years, things are shocking, even if only from one perspective, the financial one. Specifically, according to the official communication of the Government, incredible figures related to vaccines against CODVID-19 were bought by Romania. Vaccine doses have been contracted for three times the vaccinable population, with a total cost of over one billion euros for them and we have already lost about 17 million euros on expired or unused vaccines, purchased by the Romanian Government. The resulting figures are staggering. Specifically, in the context of the hysteria caused by the COVID-19 pandemic, Romania contracted 79,713,749 doses of vaccine in two doses, 8,520,538 doses of vaccine in a single dose, and another 20,000 doses of non-vaccines. still not even approved. Romania has bought Covid vaccines for almost three times the country's population. So, in total, our country has reached 88,234,287 doses of approved vaccines that can be administered in two doses. Basically, enough to vaccinate 48 million people. In other words, we bought or were forced to buy, according to the contracts, vaccines for almost three times the population of the country, if we made a presence, we would have 16,000,000 people vaccinated against COVID in the country. Why did the allogeneic, anti-Romanian, traitorous state and country decide to buy so many vaccines? Nobody knows and probably won't be able to give a coherent answer. The explanations regarding the obligations imposed by the European Commission may be plausible, but I do not think that there was a tax that would reach such a large number that it cost us 1,236,837,607 euros. More than we can imagine, Romania donated almost half of the vaccine doses it administered. Well, here's the most interesting part financially. 17 million euros is the value of the losses, in other words of expired and unused vaccines, until March 30, 2022. Considering that we must receive 2022, 2023 over 46 million doses of vaccine it is very clear that these losses will increase quite enough. It should also be noted that Romania has so far administered 17 million doses of vaccine to its population, while 3,571,410 doses have been resold to other states, and 3,600,000 doses have been donated or are being donated. So, I donated or sold almost half of what I used. Unfortunately for the Romanian state, the donations were often accompanied by the payment of transport and related customs duties. In conclusion, the pandemic

[1] *Idem*

was and will be extremely costly for the Romanian poppy related exclusively to what vaccination meant. Who is responsible for the waste of these dizzying amounts collected from taxes and duties to the Romanian taxpayer? No one, as in all cases of pandemic corruption installed in Romania after the coup d'état of December 1989.

In the field of medical law, the applicable legal provisions in this field deal with the regulation and arrangement of the following areas: organization of primary and outpatient care, organization and management of hospitals, social health insurance, rules on the exercise of medical professions (doctor, dentist, pharmacist, nurse), as well as a series of legal norms that regulate the way of employing the professional civil liability of the medical staff and of the provider of medical, sanitary and pharmaceutical products and services. Thus, the hybrid character of the medical law can be deduced, this expressing the diversity of the protection systems adopted by the national legislation. The transformations that we have tried to evoke schematically have determined the adoption of the critical position by the doctrine in our country towards the current system of regulation of the medical law. Considering the opinions expressed in the legal literature of our country, the concept according to which there is or is not a distinct branch of medical law, is a controversial one. It all started with the lack of specific regulations for the evolution of medical science regarding various aspects related to the medical act, but also with the establishment and delimitation of the object of medical law. In this context, a "country of droughts, a minor country, shamefully failed in the aptitude test in front of Europe. Ordinary politicians, moralized thieves today, ministers who have sold themselves for a lifetime, and smuggled deputies have brought us here. We are not collapsing with the enemy's numbers or his weapons, we have the disease in our souls, it is a frightening epidemic of moral meningitis", to regulate the problematic issue of the pandemic was issued vast legislation, often unconstitutional, illegal, and immoral which has caused material and moral damage, irretrievable not only for the present generation but also for the future. Let us leisurely investigate the "legal work" drafted "with mastery" by the political tricksters of the occult, allogeneic and anti-Romanian state, which is waging a deaf fight against the Romanian people.

2.4. The object of medical law

While the object of regulation of medical law, as a branch of law, is the medical act with all its rigors, the object of study of the medical act, in the sense of legal science, is the norms of medical law. Having the character of scientific research, the study of the norms of medical law is not limited to an accumulation of medical knowledge about their content and scope, but on the contrary, this knowledge is gathered in a systematized set of concepts, principles, and theories. The provision of medical services, medicines, and medical devices within the social health insurance system is the way in which the legislator has materialized the constitutional obligation to guarantee the "protection of the health of the population" and to organize systemically "public health" and "social health insurance". „Which ensures" access to a package of basic services for the insured".

Thus, "the protection of the insured against the costs of medical services in the event of illness or accident" and "the protection of the insured in a universal, fair and non-discriminatory manner, under the efficient use of the Single National Health Insurance Fund" become the objectives of this legal institution. relatively new in our legal system. The institution of providing medical services, medicines, and medical devices has over time had an evolutionary path, adapting to the needs of society, but constantly keeping in touch with the foundation that marked its identity, namely the interest of the status to ensure and finance health care. population, by developing a complex system of social health insurance[1].

The protection of public health, the activity of providers of medical services, medicines, and medical devices in the realization of this fundamental right, and moreover, all subjects of public and private law involved, are directly influenced by the decisions of public authorities and institutions belonging to the executive. positive or negative legal order. "Contracting" is the main activity carried out in the social health insurance system, for which the state is fully responsible, a strategic option through which the performance of this system is ensured, and which is carried out by health insurance companies and service providers. medical, medicines and medical devices, natural or legal persons, public or private law. The state makes use of the contractual instrument, and as an effect of its use, it has a significant influence on the way health care is financed. However, the state must also act as a regulator of contractual practices, by supporting contractual relations (defining the legal framework, developing the IT system, control, evaluation, etc.), incentives, especially financial, but also the development, implementation, and evaluation of policies. contractual. Moreover, while requiring the development of contractual practices, the state must also ensure their coordination[2].

At the same time, the state must be able to exercise its role of "guardian" of the general interest, that of protecting the health of the population, putting in the center of interest patients - insured persons, but also the interests of professionals and professionals-traders, who in addition to the main objective of providing quality medical services and medicines needed by the population, they have professional and economic interests[3]. Therefore, in compliance with the mandatory legal norms enshrined in the fundamental right to health of citizens, the state must limit contractual freedom, which infringes the autonomy of will, a foundation that has known various dimensions and meanings throughout the history of legal and

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[1] Smaranda Angheni, Laura-Valeria Malinetescu, *Provision of medical services, medicines and medical devices*, Bucharest 202, file:///D:/Documents/CONFERIN%C8%, (19.09.2022)

[2] J. Perrot, E. de Roodenbeke, *La contractualisation dans les systèmes de santé - Pour une utilisation efficace et appropriée,* Editions Karthala, Paris, 2005, pp. 541-547

[3] George Gîrleșteanu, *The legal value of contractual freedom in Romanian and French law*, in ”Revista de Ştiinţe Juridice”, No 3, 2006, Themis Publishing House, Craiova, 2006, p. 175

philosophical doctrine. the theory of its decline because of the extension of the obligation to conclude contracts for the provision of medical services, medicines, and medical devices in the form imposed by the legislator. But only in such conditions does a contract become a useful tool for improving the health care services that the population needs. Specific, unique contractual regulations can enhance relationships between legal subjects, which can help improve the efficiency of the health insurance system, but there is a significant risk that these specific contracts will lead to some modest or even adverse results in certain circumstances[1].

On the other hand, a contractual policy in the field of the provision of health care services provides a framework for the controlled development of specific contracts, which may require the necessary coherence to ensure their effectiveness. In order to give us an overview of the financial dimension of contracting health care services under the social health insurance system, we must not lose sight of the fact that the funds allocated annually in the budget of the Single National Health Insurance Fund, the second largest in Romania, after the state social insurance budget, are about 35 billion lei, of which over 50% are allocated for the payment of hospital medical service providers (public and private hospitals), about 25% are allocated for medicines dispensed through community pharmacies, primary care services, which are provided through family doctors, have allocated more than 8% of the budget, while paraclinical medical services (laboratory tests and radiological and high-performance investigations) they have allocated funds of about 4% of this budget. The rest of the funds are allocated for the payment of medical services in the outpatient clinic for various clinical specialties, rehabilitation services, medical transport, home health care, and palliative care, as well as for the payment of medical services provided based on international documents. Contextually, we set out to highlight the image of the institution providing medical services, medicines, and medical devices, as it has emerged and developed upwards, at a time when the approach to multidisciplinary, interdisciplinarity, and transdisciplinary is manifested by interference between areas of law and dimensions of economic and social factors, but also political.

The multidisciplinary nature of the issues related to contracts for the provision of medical services, medicines, and medical devices reveals the difficulties in identifying the basis of their existence, but also in the preliminary acts or those deriving from their application, as well as in establishing the applicable legal regime. With regard to the interdisciplinarity of matters relating to the institution of the provision of medical services, medicines, and medical devices, but also with regard to the legal nature of contracts used in the health

[1] Smaranda Angheni, *Legal relations between professionals-traders*, C.H. Beck, București, 2014, pp. 3-6; *Law no. 287/2009 regarding the Civil Code*, republished in the Official Gazette of Romania, No. 505/2011, https://legislatie.just.ro/Public/DetaliiDocumentAfis/109883, (12.08.2022)

insurance system and of acts before or after their conclusion or jurisdiction In this matter, we considered it interesting to study the decision of the legislator to introduce these contracts under the scope of application of civil law, which established them as a legal institution specific to civil law, while having strong administrative rights. The provision of medical services within the social health insurance system is a real legal institution of civil law, but it can also be represented as an individualized institution in a newer field of law, that of health law, which goes beyond private law. and extends to the units of public administration, right in interference with the monistic system implemented by the Civil Code[1], at the border between the two major divisions of law, public and private, driven by both the principles promoted at the EU and international level. A ubiquitous constant is represented by the interest of the state, in terms of respecting the right of insured persons to benefit from health care services and its significance in the legal relations of private law that arise between health insurance companies and public or private health units, regardless of the legal form of their organization. Arguments can also be found in domestic, international, and European international law, jurisprudence, or doctrine, as well as in various studies. Invoking the public interest, but more precisely the interest of the insured and the sovereignty of the statute is the foundation of the measures regarding the way of regulating, negotiating, and concluding contracts for the provision of medical services, considered to prevail over the principle of freedom of will.

The epidemiological context that our country is going through is an application point of the theoretical notions analyzed, to show that considering the interest of the insured is mandatory, especially in terms of the legal effects of contracts for the provision of medical services, medicines, and medical devices. the health of citizens. To capture as much detail as possible about the legal institution of the provision of medical services, medicines, and medical devices, we appreciate these relevant aspects being researched[2]. These are issues that demonstrate the usefulness and timeliness of the topic and reflect the reasons that led to the choice and positioning in the research interest of the exceptional institution of civil law of the provision of medical services and, consequently, the development of this scientific research. to develop a research topic that offers a broad spectrum of analysis, in a transdisciplinary manner, a topical topic, with new perspectives of approach, and that represents a real interest for professionals in the field, but also for the environment's current and future socio-economic situation. To legal regulation of pandemics, it has been issued in vast legislation, often unconstitutional, illegal, and immoral, which has caused material and moral damage, irretrievable not only for the current generation but also for the future. Let us leisurely investigate the "legal work" drawn up "with masters" by the political

[1] *Law no. 287/2009 regarding the Civil Code*, republished in the "Official Gazette of Romania", No. 505/2011

[2] Smaranda Angheni, Malinetescu Laura-Valeria, *Op.cit.*, p. 7

tricksters of the occult, allogeneic and anti-Romanian state, which is waging a deaf fight against the Romanian people.

2.5. The legal framework of the plan or the legal implications of the health crisis

In a challenging environment, the process of complying with the provisions of the Constitution must be continuous and personalized, according to the specific activities carried out by each entity, whether from the public or private environment. Given that law is the cornerstone of any analysis of these institutions, given the novelty of the pandemic and the innovative way of working in the healthcare system, unlike any other activity so far, the preliminary understanding and clarification of these issues are especially necessary for the researcher concerned with the legal implications of the health crisis. One of the modern phenomena of legal crime concerns criminal and criminogenic legislation, adopted during the reference period, with important repercussions in the life of society. Therefore, by law, by Decree no. 195/2020 on the establishment of the state of emergency on the territory of Romania issued by the President of Romania, the state of emergency was established for a period of 30 days, taking into account the evolution of the epidemiological situation and the public health risk assessment, which indicated a massive increase of people infected with the coronavirus SARS-CoV-2, in order to reduce the negative effects on the economy caused by the measures adopted at national and international level to combat the spread of this new virus[1]. Thus, to prevent the spread of COVID-19 infectious disease and to manage the consequences, the exercise of the following rights was restricted during the state of emergency:

a) free movement;
b) the right to intimate, family, and private life;
c) inviolability of the domicile;
d) the right to education;
e) freedom of assembly;
f) the right of private property;
g) the right to strike;
h) economic freedom.

Prior to the establishment of the state of emergency, by Decision no. 1 of February 2, 2020, on the approval of measures necessary to increase the capacity to intervene in the prevention and control of infections with the new Coronavirus, issued by the National Committee for Special Emergency Situations, it was decided to approve the proposals taken by the Technical-Scientific Support Group the territory of Romania. Pursuant to the Decree on the establishment of the state of emergency, the Government Emergency Ordinance no. 1/1999 on the state of

[1] Raluca Laura Dornean Păunescu, *Firul Ariadnei: the possibility of partial or total cancellation of the provisions contained in the military ordinances issued during the state of emergency caused by COVID-19*, https://drept.uvt.ro/administrare/files/1634397556-articol-raluca-paunescu.pdf, (19.09.2022)

siege and the state of emergency, as well as the assessment made by the National Committee for Emergency Situations, a series of military ordinances were issued by the Ministry of Internal Affairs, respectively:

1. Military Ordinance no. 1/2020 on some first aid measures concerning crowds and the cross-border movement of goods through which:

a) The activity of serving and consuming food and alcoholic and non-alcoholic beverages, organized by restaurants, hotels, cafes, or other public places, is suspended in the spaces intended for this purpose inside or outside the location, being allowed to be organized by these entities. the marketing of food and alcoholic and non-alcoholic beverages, which do not involve customers remaining in the premises intended for this purpose, such as drive-in, room-service, or customer delivery,

b) All cultural, scientific, artistic, religious, sports, entertainment or gambling, spa treatment, and personal care activities carried out indoors shall be suspended;

2. Military Ordinance no. 2/2020 on measures to prevent the spread of COVID-19, by which:

a) The activity in the dental offices is temporarily suspended;

b) The retail sale of products and services in shopping malls where several economic operators operate is temporarily suspended, except for the sale of food, veterinary or pharmaceutical products, and cleaning services,

c) It was allowed to officiate the services in the places of worship by the church/religious ministers, without public access, the services being able to be transmitted in mass media or online allowed only the officiating of liturgical/religious acts with private character (baptism, weddings, funerals), in which a maximum of 8 people can participate, as well as the sharing of sick believers at the hospital or at their home;

3. Military Ordinance no. 3/2020 on measures to prevent the spread of COVID-19 by which:

a) The movement of all persons outside the dwelling/household is prohibited, with the following exceptions: travel in the professional interest, including between the dwelling/household and the place/places where the professional activity takes place and back; travel to provide goods that cover the basic needs of persons and pets/pets, as well as goods necessary for the professional activity; travel for medical care that cannot be postponed or made remotely; travel for justified reasons, such as caring for/accompanying the child, assisting the elderly, sick or disabled or the death of a family member; short trips, close to the home/household, related to the individual physical activity of the persons (excluding any team sports activities), as well as for the needs of pets/pets; travel for blood donation to blood transfusion centers; travel for humanitarian or voluntary purposes; travel for agricultural activities; the movement of agricultural producers for the sale of agri-food products;

b) the movement of persons who have reached the age of 65, outside the home/household, is allowed only in the time interval 11.00-13.00, strictly for the

following reasons: travel for the provision of goods that cover the basic needs of persons and pets/pets; travel for medical care that cannot be postponed or made remotely; moving for justified reasons, such as caring for/accompanying a minor, assisting other elderly, sick or disabled people, or in the event of the death of a family member; short trips, close to the home/household, related to the individual physical activity of the persons (excluding any collective physical activities), as well as for the needs of pets/pets;

4. Military Ordinance no. 4/2020 on measures to prevent the spread of COVID-19 which establishes that:

a) The movement of persons who have reached the age of 65, outside the home/household, is allowed outside the time interval 11.00–13.00 if it is done to solve medical problems, such as planned oncological treatments, dialysis, etc., using their own means of transport or those of the family/supporters or, as the case may be, the means of special medical transport intended;

5. Military Ordinance no. 5/2020 on measures to prevent the spread of COVID-19 by which:

a) The measure of suspension of flights performed by air economic operators to Spain and from Spain to Romania is extended for a period of 14 days, starting with March 31, 2020, at 18.00;

b) The measure of suspension of flights performed by economic operators to Italy and from Italy to Romania is extended for a period of 14 days, starting with April 6, 2020;

6. Military Ordinance no. 6/2020 regarding the establishment of the quarantine measure in the municipality of Suceava, of some communes from the neighboring area, as well as of a protection zone on some administrative-territorial units from Suceava county;

7. Military Ordinance no. 7/2020 on measures to prevent the spread of COVID-19, by which:

a) The quarantine measure is established during the state of emergency in Ţăndărei city, Ialomiţa county;

b) All flights by air operators to Austria, Belgium, the Swiss Confederation, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands, Turkey, and Iran, and from these countries to Romania shall be suspended. for all airports in Romania, for a period of 14 days.

8. Military Ordinance no. 8/2020 on measures to prevent the spread of COVID-19, which establishes that:

a) It is allowed the movement outside the home/household of the holders of commercial fishing authorizations/permits on the Danube/inland waters/ lack Sea in order to carry out commercial fishing and aquaculture activities, as well as for capitalization/marketing of products resulting from these activities;

b) It is allowed to move beekeepers outside the home/household to/from the apiary location or to move the apiary. Proof of the quality of the beekeeper is made with the certificate containing the code of apiary issued by the county offices

of animal husbandry or with any other documents proving the quality of the beekeeper and the ownership of the hives.

9. Military Ordinance no. 9/20202 on measures to prevent the spread of COVID-19, which highlights the following:

a) The suspension of flights to Austria, Belgium, the Swiss Confederation, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Kingdom of the Netherlands, Turkey, and Iran, and from these countries to Romania shall be extended for all airports in Romania, for a period of 14 days, starting with April 18, 2020;

b) Cross-border workers who, at entry into Romania from Bulgaria, do not show symptoms associated with COVID-19 are exempted from home isolation or quarantine measures.

Subsequently, by Decree no. 240/2020 on the extension of the state of emergency on the Romanian territory, issued by the President of Romania, the general public interest is required, which requires the extension of the exceptional state, respectively maintaining the application of the adopted measures, but also taking new measures to allow public authorities and institutions to intervene efficiently and with all the appropriate levers for crisis management, meaning that it was ordered that starting with April 15, 2020, to extend by 30 days the state of emergency throughout Romania, initially established by Decree no. 195/2020. *A fortiori*, this pandemic caused by the new coronavirus also generates in the world of law new analyzes of the legal nature and effects produced by the administrative acts of authority issued by public authorities, being a recent concern to outline a correct application and interpretation of special legislation[1]. In a nutshell, these pandemic events are reminiscent of Nero, the Inquisition, Lenin, Stalin, Hitler, Mao Zedong, and all the dictators who destroyed worlds, forbade real universes to build worlds, and false universes. Communism, however, destroyed most of the statues, and in Soviet Russia, it even melted down railroad tracks for the simple reason that they were made by "capitalists". We cannot always fight with history to build a just world. The upset of history is ridiculous. Most of the evils of contemporary society lie in contemporary society itself. Books, movies, statues, or people from the past cannot be blamed for our prejudices and deeds, but the wrong education received in the family and at school, the inappropriate entourage, ignorance, and stupidity. Our superiority over the policeman who suffocated a human being is not in the force of destruction but in the art of building. How many of those who have banned a movie, who has condemned a book, who have taken down a statue, know how to speak harmoniously about that movie, about that book, about that statue? "A people without culture is an easy people to manipulate", Immanuel Kant warned long ago. How many of us can weigh the news that is attacking us moment by moment through all the media? Very few of us have the information in mind to do that. Most do not even strive to have such databases. And the memory of your computer or phone is useless if we don't even

[1] Raluca Laura Dornean Păunescu, *Op. cit*., p. 3

try to search. Contemporary manipulators are also based on this lack of discernment. There are forces that want to turn us into demolition workers, without creating the premises for us to be architects/builders. Others take care of the construction plans. Once upon a time, we were taught that whoever rules the information rules the world. Today we know that it is not so, since the manipulation of information becomes more powerful than the information itself and human security tends to become only a hypothetical ideal, affirmed, and supported only in the conclaves of scientists passionate about the plight of their peers. And this trend has been found prominently during the pandemic, as we will demonstrate further on in our concluding remarks.

3. Instead of conclusions. Human security is also a human right in the conditions of the pandemic caused by COVID - 19

The difficulty of answering the title question arises from the attempt to identify the right to human security, a human right but also from the temptation to redefine the idea of human security as a simple way or tool for implementing human rights, and in particular, those human rights that are considered necessary to protect the vital core of individuals' lives. Moreover, the human being is the starting point of any goal of government, the field of human rights and human needs offers the best approach to social development, and humanity and is based on rights and needs. Unlike the needs-based approach, the rights-based approach offers several advantages, for at least three reasons: it focuses on citizens; pays special attention to rights and property; brings to the fore the importance of the norms and rules by which the Society is governed. However, the current socio-political and economic context requires a more complex treatment of the idea of human security, and, moreover, demands as imperative the effort to establish it as a fundamental human right. In other words, the current context, dominated by various types of conflicts, extreme poverty, terrorism, and natural disasters constrains the transgression of the instrumental meaning of human security and inspires its approach as an end, respectively as a human right. Being easily included in the category of fundamental moral rights, the right to human security outlines a minimum morality necessary either to respect the dignity of human beings or to protect their fundamental interests. Although human rights can be seen both as a subclass of moral rights, held by all individuals by virtue of their humanity, and as universal rights, the implementation and/or institutionalization of which appears as a moral imperative, the need to establish human rights must be conceived separately from that of their institutionalization. Certainly, the list of rights proclaimed in international declarations and treaties cannot be considered definitively closed, for the simple reason that they are not universally accepted, respectively they are not accepted without reservations in all state legal systems[1].

[1] John Tasioulas, *The Moral Reality of Human Rights* în *Freedom from Poverty as a Human Right. Who Owes What to the Very Poor,* in Thomas Pogge (ed.), Freedom *from*

However, in the first instance, it is not difficult to say that the right to human security can stand by rights such as the right to subsistence, the right to protection against extreme poverty, and the right to a minimum necessary for subsistence, which meet the criterion of moral universality. The difficulty, however, lies in justifying the option of placing all these rights on the same plane, despite the differences between them. The legitimizing solutions are offered by the two great paradigms of moral theories, respectively the consequentialist and the non-consequentialist. Imposed in the consequentialist paradigm, the requirement to ensure and maximize well-being creates the favorable background for legitimizing the right to human security as a universal moral right, as it is the only one that ensures the minimum level necessary for the genesis of individual welfare and can protect its evolution[1].

Moreover, the concept of human security is closely linked to human rights and human development, in that all these notions concern human lives and impose minimum standards on how all individuals and collective entities, such as states, should relate to human lives. Another perspective on the issue of human security places it in a relationship of complementarity with human rights and human development. If human development aims to increase the quality of human lives and the fulfillment of individuals, aiming at equitable economic growth, human security applies especially to periods of economic crisis and aims to ensure a minimum standard for those affected by these crises. From this point of view, the "freedoms" that human security protects are, in fact, simple forms of protection against the insecurities to which, in different parts of the world, a very large number of individuals are subjected, forming a "class", an important part of human rights"[2]. The theme of human security from the perspective of rights in general and human rights has an advantage over other angles from which the issue of human security can be analyzed. This advantage lies in the fact that rights always involve correlative obligations, and these, whether negative or positive, are required to be fulfilled by various agents, individually or collectively. Through the correct attribution of those human rights that delimit the concept of Human Security, it becomes possible to determine much more precisely the scope of the obligations meant to protect individuals against the threats of insecurity. Therefore, to explain the type of relationship that is established between the idea of human security and human rights and to account for the dynamics and evolution of this relationship, it becomes necessary for a deeper and more applied analysis of the concepts that make up human rights.

Poverty as a Human Right: Who Owes What to the Very Poor? Oxford University Press, 2007

[1] Horațiu-Traian Crișan, *Human Security. An analysis from the perspective of individual rights*, in Cătălina-Daniela Răducu, Bogdan Ștefanachi, *Human Security. Contemporary challenges,* ProUniversitaria București, 2015, pp. 71–87

[2] *Development, Rights and Human Security*, in *Human Security Now Final Report*, Commission on Human Security, New York, 2003, pp. 2-9

We are currently witnessing the emergence of new transnational and non-state factors on the world stage that have the necessary and sufficient means to lead and lead to global action. Of course, the role of nation-states does not diminish, but it is no longer the decisive one but acquires new dimensions. Today, the conditions are in place for an international coalition of states and civil society organizations to support projects aimed at placing the security of individuals and human communities at the heart of international security. In this context, the UN supports such a view by relying on international law that guarantees peace and good governance. A new international approach is needed both to fight the causes of insecurity and to work together to address the dangers and threats that plague millions of people every day. The new vulnerabilities, risks, and threats facing humanity today require, at the beginning of this century, that the concept of security must be articulated around the principles of international security, national security, and human security. This relationship will allow the simultaneous satisfaction of global, state, people, and individual needs. The link between this relationship is found in economic security, in its capacity as a dimension of international and state security, as well as a resource of human security. In this study, we have tried to demonstrate, based on several arguments, that the idea of human security can be grounded as an individual moral right. More precisely, reducing the content of the idea of the moral law to the implicit sense of requirement, which can be invoked at any time by an individual, as it corresponds to both negative and positive obligations on the part of other individuals or collective agents, we set out to support that human security can also be approached as a human right, which establishes the tasks of all entities, whether individual or collective. In view of its connotation of requirement, the right to human security imposes not only negative obligations, not to affect, through certain actions, the individual security of certain persons, but also positive obligations to protect or assist those in critical or insecure situations. The impossibility of separating negative from positive obligations in the case of requirements imposed by human security is also the main argument in favor of establishing human security as a fundamental and universal individual moral right. Human security understood as a fundamental and universal moral right can also determine the threshold from which international interventions and therefore the violation of the sovereignty of a state can be justified morally and politically. At the same time, I have shown how the establishment of the right to human security can withstand counterarguments against human rights, insofar as it is treated as a minimal and fundamental moral right, which can be based on both a non-consequentialist and a fundamentalist moral perspective, as well as from a consequentialist, respectively non-foundationalist one. In addition, we have tested its "enforceable" nature by mentioning the extent to which it is achievable in current human rights practice.

Finally, it is clear that the process by which the insecurity of the people within a nation can spread at the zonal, regional or global level, giving rise to an international armed conflict, starts at the level of the individual. Security, from the national to the international level, cannot be analyzed only in terms of nation-states

and their interests, but, ultimately, depends on human individuals and their interests, in other words on human security. Human security is particularly evident in the non-military dimensions of security, as the military dimension is largely aimed at the government's ability to counter internal and external military dangers and threats, but also at using military force to defend states or governments against dangers and threats. non-military to their existence. However, the non-military dimensions of security and the military are deeply interdependent, with any risk, danger or threat manifested in one of them affecting the others. The problem of human security refers, in fact, in daily practice to human insecurity, as the existence of vulnerabilities, risks, dangers, and threats makes us aware of the need for security. Thus, the causes of human insecurity gradually affect all levels of society, and produce international reactions, including the use of armed force by a state or a group of states, eventually leading to the outbreak of an armed conflict. Consequently, the understanding of the concept of human security as a human right risk being truncated in the absence of a critical thematization of the essential elements that constitute the vital core of human lives and without appealing to the idea of individual rights.

Until the current pandemic context, health legislation seemed to be sufficient for everyday issues such as health insurance, medical malpractice, patients' rights, and informed consent. Law no. 95/2006 - the queen of the health law - was only a first step towards consolidated legislation. Given that no less than 14 years have passed since its adoption and a pandemic, is still ongoing, a revival of medical law is needed. Recent concern and interest in health law (pandemic) must be encouraged, promoted, and harnessed to strengthen regulation and increase the literature and case law in this area. I think it would be an exaggeration to say that the pandemic was the only trigger for this reinvention of health law, but we can certainly say that until recently the interest in this branch, although constant, was in a latent form. And yet. Why the right to health? The first time I managed a malpractice case, I was surprised by the legislative gaps, the rigidity of the jurisprudence in the matter, and the substantial lack of specialized doctrine. Our expectation was that in a matter of law so vast and always in constant evolution, there should be, if not legal norms, at least norms of recommendation, guidelines, or any acts (legal or specialized) that would constitute the guidelines. of the incident subdomains - from the branches of medicine to issues related to the regulation of certain procedures or the failure of certain procedures. Faced with the challenge of coordinating this magazine, I constantly had in mind my affinity and even my legal appetite for health law - an interesting field, full of challenges, but which gives rise to an indirect interest proportional to its complexity. The affinity started from the natural considerations of my age, now that my visits to the medical offices have multiplied, as well as the queues at the pharmacies. Therefore, I aimed to bring medical staff closer to the law and to make available legal subjects covered by health law innovative articles, developed in an accessible language and to people without a legal education. Creating a guide dedicated to health law is a challenge, at least from the perspective of the fact that through our

article we initiated debates and proposed solutions to controversial problems, problems that until recently were mostly lost in obsolescence. So, we invite other authors, and practitioners with experience in health law, to contribute to its revitalization by using reasoning explained in an intelligible manner even for non-jurists, the grounds of law, doctrine, and jurisprudence are only referred to in the analysis. Considering the motivation that would unite us all, to contribute to the development of such a tender field from a legal perspective, also initiating practical aspects of health law, namely involving informed consent, medical malpractice, the field "almost virgin" of telemedicine, legislative gaps in treatment guidelines and addressing issues related to collection and transplantation, insurance law, treatment of inmates or criminal law which tangentially tend to intertwine with the health law.

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