

Jurisprudence of Aid and Humanitarian Protection under Heterogeneous Subject Conditions: Duties, Permissions, Standing, and Institutional Responsibility

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Abstract

This preliminary jurisprudential study examines the source-dependent legal relations that govern aid and humanitarian protection where affected subjects, support relationships, capacities, and institutions are heterogeneous. The analysis distinguishes ethical reasons to assist from duties under applicable legal regimes, permissions to perform protective acts, legal standing to challenge failures, and responsibility for institutional decisions. It begins with differentiated legal domains, including armed-conflict relief, disaster assistance, human rights in emergencies, and maritime rescue, without presuming a unified legal right or authorization to intervene. The Generative Relational (GR) reconstruction studies how protected interests become legible or inaccessible through institutional relationships, support structures, classification systems, and coordination mechanisms. It preserves ontological suspension, distinguishes relational conditions from observable manifestations, and treats the proposed GR contribution as open to counterexample and comparison with established law and institutional analysis. Existing human protections are separated from positive-law protections of animals and from conjectural artificial and extraterrestrial cases. The paper develops a source-indexed programme for duties, permissions, standing, and accountable protection, subject to legal and philosophical validation.

Keywords: humanitarian jurisprudence; protection duties; access to relief; legal standing; institutional responsibility

Notices

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Statement on the use of language models. OpenAI’s ChatGPT assisted with research dialogue, locating primary institutional and treaty texts, conceptual development, and preparation of the $\LaTeX$ manuscript. The author retains responsibility for intellectual content, legal interpretation, final editing, and independent verification. A source-verification ledger records checked legal passages and the limits of the check.

1 Introduction

The jurisprudence of humanitarian assistance concerns the conditions under which protective action becomes legally required, permitted, constrained, reviewable, or attributable to an institution. A person may have a compelling reason to assist another, yet the legal basis for entering territory, transporting medical supplies, identifying eligible recipients, carrying out a rescue, or challenging an authority's refusal depends on particular legal relations. These relations involve different duty bearers, beneficiaries, operational agents, officials, institutions, territorial settings, and adjudicative forums. The present paper studies the resulting configurations under heterogeneous subject conditions, where the capacity to request assistance, communicate needs, exercise rights, or challenge an institutional decision may depend on other persons and material infrastructures. The immediate task is jurisprudential: to identify the legal source and institutional pathway associated with each proposed protective act. Generative Relational (GR) theory supplies an additional, explicitly provisional analysis of how these pathways are constituted, sustained, interrupted, and manifested across time.

The paper extends a series in which ethical recognition of suffering, humanitarian protection, legal subjecthood, adjudicative authority, and shared normative orders have been studied as distinguishable research objects. Paper X develops a preliminary account of recognizing suffering within assistance relations; Paper XI addresses ethical constraints on helping; Paper XII examines humanitarian protection; Paper XIII investigates legal subjecthood and standing; Paper XIV concerns adjudication and enforcement; and Paper XV studies social-contract membership and shared nomos. The present inquiry concerns a further question. When an ethically significant vulnerability has been recognized and a protective practice appears appropriate, which applicable legal rule or institutional arrangement assigns a duty, grants a permission, restricts action, supplies a forum, or attributes responsibility for a failure? Answers can differ across the legal systems and factual circumstances considered. An ethical argument can inform the appraisal of law and institutional design while leaving the current legal answer to be established separately.

The introduction specifies the domain boundaries, the analytical positions relevant to assistance, and the limited GR research proposal. It proceeds through an examination of the plurality of protective legal regimes, the positions occupied by actors in a humanitarian relation, the asymmetries through which protection becomes practically accessible, heterogeneous-subject boundary cases, and the standards of evidence needed to test relational hypotheses. The method is primarily source-indexed jurisprudential interpretation supplemented by conceptual and comparative analysis. Empirical, operational, and formal claims are presented as future research tasks where corresponding evidence or models have not been developed.

1.1 Legal domains and the source of protective authority

Humanitarian protection is encountered in settings governed by substantially different legal instruments. Within applicable situations of armed conflict, international humanitarian law establishes rules on the treatment and protection of persons affected by conflict, including provisions concerning relief and the passage of consignments. Article 59 of the Fourth Geneva Convention concerns relief schemes for an inadequately supplied population in occupied territory and places specified obligations on the Occupying Power and other Contracting Parties [15]. Article 70 of Additional Protocol I governs humanitarian and impartial relief actions under the conditions of that provision, including agreement of the parties concerned, facilitation of passage, and certain rights of control [19]. Article 18 of Additional Protocol II addresses relief societies and humanitarian and impartial relief actions in the non-international armed-conflict settings covered by that Protocol, subject to the consent of the High Contracting Party concerned [21]. The relevant treaty, type of conflict, status of territory, parties, factual triggers, and further interpretive questions therefore matter before an obligation or permission can be identified.

These treaty provisions also show why an inquiry into relief can require several distinct legal questions. A duty to allow passage of humanitarian consignments, the authority to inspect those consignments, the approval of personnel, and the beneficiary's possible avenues of complaint concern different

incidents of a relief operation. The ICRC's explanation of humanitarian access distinguishes duties to allow and facilitate relief from rights to implement technical control arrangements and from the protection owed to relief personnel [37]. A rule about passage does not by its mere presence answer questions of private actor standing, the jurisdiction of a court, the public-law status of an assisting organization, or compensation for institutional wrongdoing. Those questions require an additional legal source and the facts needed to apply it.

Outside the armed-conflict relief setting, further sources become relevant. Article 11 of the Convention on the Rights of Persons with Disabilities directs States Parties to take necessary measures, consistently with their international obligations, to ensure the protection and safety of persons with disabilities in situations of risk, including armed conflict, humanitarian emergencies, and natural disasters [65]. Its stated beneficiaries and duty bearers are identifiable even though implementation measures, available procedures, and enforcement arrangements depend on additional sources and institutional contexts. The law of the sea provides a different illustration: Article 98 of the United Nations Convention on the Law of the Sea addresses a State's obligation to require the master of a vessel flying its flag to provide assistance to persons in danger at sea, within specified safety and reasonableness limits [60]. The maritime duty has a concrete configuration of actors and conditions that cannot simply be transferred to a hospital, land border, or disaster-relief setting.

International organizational frameworks and guidance introduce further layers of authority and coordination. General Assembly resolution 46/182 articulates guiding principles for United Nations emergency humanitarian assistance, including humanity, neutrality, impartiality, sovereignty, and the consent of the affected country [64]. Those principles have considerable institutional relevance; the resolution's legal character must nevertheless be distinguished from the terms of a treaty or a domestically enforceable statute. The International Federation of Red Cross and Red Crescent Societies' 2007 guidelines address the domestic facilitation and regulation of international disaster relief and initial recovery assistance, offering recommendations for preparedness and administration [47]. They are guidance for disaster-response legal arrangements, with a scope distinct from armed-conflict relief rules. Their potential value for legislative comparison or institutional design gives no basis for converting them into existing general obligations in every jurisdiction.

The plurality of domains requires a source-first discipline. For a particular protective act, the inquiry identifies the governing legal instrument, the circumstances activating its rules, the legally relevant persons and institutions, the prescribed or permitted conduct, and the procedures through which any claim may be vindicated. Jurisprudential comparison can then investigate overlapping or missing protections. GR interpretation enters as a second analytical step, concerning the relational and historical conditions affecting the implementation and legibility of those claims. The order of analysis is important because a relational description of need or dependency cannot establish the applicability of an international treaty.

1.2 Duties, permissions, standing, and responsibility

Aid relations commonly involve at least four kinds of legal inquiry: obligations to protect or facilitate assistance; permissions and restrictions governing the action of potential responders; the legal position of persons whose protection or access is at issue; and the attribution of responsibility for conduct or omission. Each kind involves further distinctions. A protective duty has a particular bearer, source, trigger, beneficiary or protected interest, required conduct, and applicable exception or condition. A permission identifies the person or institution authorized to act, the regulated activity, territorial and temporal limits, and any required assent or oversight. Standing concerns the rules under which a claimant can initiate or participate in a specified proceeding. Responsibility concerns the attribution of an act or omission, the applicable legal standard, and the possible consequences established by the relevant regime.

It is useful to keep separate the *beneficiary of protection*, the *holder of an enforceable right*, and the *party with access to a particular procedure*. Depending on the governing law, these roles may coincide or diverge. An institutional body may be obligated to safeguard a person's interests even where that person has limited means of communicating, and a representative may possess procedural authority to bring

Table 1: Source-indexed positions in a humanitarian protection relation and their respective research questions.

Analytical position	Question concerning assistance	Necessary basis for assessment
Protected beneficiary	Whose safety, interests, or situation attracts an applicable protection?	Relevant rule, subject category, circumstances and supporting evidence
Duty bearer	Who must perform, permit, facilitate, or refrain from an act?	Legal addressee, trigger, content, exception and temporal scope
Authorized responder	Who may provide, organize, enter, transport, treat, or distribute?	Consent, jurisdiction, licence, mandate and operational restriction
Representative or supporter	Who may communicate choices or act within a person's mandate?	Specific authority, support, safeguards and accountability
Procedural claimant	Who may request review, assert a claim, or seek relief?	Forum, standing rule, admissibility and available procedure
Responsible institution	To whom are actions or omissions attributed, and with what consequences?	Applicable responsibility rule, evidence, defences and remedies

an issue before a competent forum without becoming the substantive holder of the protected interest. Conversely, the presence of an organizational duty or programmatic standard may leave unanswered whether an individual action is available in a particular tribunal. The manuscript will avoid presuming a universal correspondence among interests, rights, and judicial remedies.

Table 1 specifies the questions that organize these distinctions. Its purpose is to discipline legal inquiry, rather than to describe a new universal classification of rights. The fields may be combined in a case record while retaining the separately sourced rule for each legal conclusion.

An additional distinction concerns the logical direction of a legal inference. Recognition of a person's need may supply evidence relevant to a factual trigger within an existing legal rule. It does not by itself identify the bearer of a duty, the extent of territorial authority, or a remedy. A claimed right may constrain a governmental choice even where its implementation requires coordination among public and private agents; identifying the resulting legal duties depends on the applicable rules. Similarly, an undertaking by a humanitarian organization may create specific commitments, policies, or contractual consequences that should be investigated as such. General descriptions of humanitarian benevolence cannot settle their legal status.

The institutional relationships connecting these positions may be complex. A public authority can authorize an external organization to operate, supervise a distribution mechanism, and retain legally relevant duties toward the affected population. Aid workers may depend on a logistical contractor, health service, interpreter, or technology provider. A representative may convey the decisions or needs of several people, while a regulator supervises the representative's conduct. In such cases the task is to identify where legally significant discretion resides and how the distribution of roles changes the available means of exercising protection. The answer may be straightforward in a jurisdiction with clear applicable rules, or contested where mandates overlap and claims cross institutional boundaries. GR analysis should be evaluated by whether it adds an explanatory account of consequential relations to that source-indexed inquiry.

1.3 Consent, humanitarian access, and the conditions of action

Consent is a particularly important site of ambiguity because several legally and ethically different relations can be described by the same word. A territorial authority's agreement to the conduct of a relief operation, an individual's consent to medical treatment, an organization's acceptance of a mandate, and a beneficiary's authorization of a representative govern different objects. They may occur at different moments and may be governed by different sources. A decision to permit an organization's entry, for instance, need not resolve an individual recipient's authority over a particular clinical intervention. Equally, a recipient's request for assistance cannot by itself authorize foreign personnel to exercise governmental powers in a territory.

The armed-conflict relief provisions examined above demonstrate how the duty and consent questions may be intertwined. Article 70 of Additional Protocol I includes an agreement condition as well as rules on the facilitation and controlled passage of eligible relief; Article 18 of Additional Protocol II specifies consent within its own scope [19, 21]. Whether withholding consent is lawful in a particular situation may require further legal and factual interpretation, including consideration of other applicable IHL rules and the conduct of the relevant conflict parties. Article 59 of the Fourth Geneva Convention establishes a distinctive obligation in the occupied-territory setting [15]. These arrangements resist compression into a generic assertion that humanitarian need either automatically overrides public authority or grants unrestricted discretion to withhold aid.

This paper will treat access as a sequence of potential legal and practical conditions. A relief offer may be formulated, evaluated, accepted or restricted; an administrative permission may be sought; goods and personnel may pass through borders and checkpoints; recipients may be identified; services may be delivered; complaints may be raised; and a response may be modified or terminated. Each stage can involve an actor exercising discretion under a particular mandate. The distinction between the lawful exercise of control and the practical effect of control measures requires close examination. A technically valid administrative measure can still contribute to a delayed or inaccessible protective outcome, and that outcome may prompt a further question under the applicable rules. The factual effect is a subject for evidence, while the legal consequence needs a source-specific analysis.

Consider a constructed case in which a relief agency obtains permission to supply medication to a remote settlement. Administrative clearance is recorded and vehicles enter the region. A distribution interface communicates eligibility exclusively in an inaccessible format, and a person who depends on an interpreter cannot complete the procedure before the supply period expires. The case raises distinct questions: whether the individual enjoys an applicable legal entitlement to accessible assistance; which actors were responsible for arranging communication; whether the authority exercised control lawfully; whether the organization's policy created a further duty; and which complaint or review route is available. A GR interpretation could examine how a nominally open access channel became unusable through a sequence of support and communication dependencies. The example is hypothetical; the legal outcome must remain open until a jurisdiction, instrument, and relevant facts are specified.

The constructed case also demonstrates the potential tension between an institution's authorization and the meaningful accessibility of assistance. Institutional permission may be necessary without being sufficient for protective effectiveness. The distinction can be addressed through ordinary legal methods where accessibility duties and remedies are clear. Relational analysis becomes a justified additional contribution only if it helps account for a consequential feature, such as the historically formed dependency or bottleneck that ordinary records fail to capture. The question of incremental explanatory value will recur in the later counterexample and methods section.

1.4 Heterogeneous persons and protective relationships

Heterogeneity enters this jurisprudential inquiry through variation in legally relevant positions and in the practical means through which protection is exercised. People may experience differing communication needs, dependency relationships, mobility constraints, exposure to harm, forms of collective organization, and access to institutions. Such differences do not alter the established human-rights status of persons whose rights are secured by applicable law. They can, however, affect which arrangements are necessary for practical access to services, for the expression of choices, or for the initiation of a complaint. Article 11 of the CRPD provides an important legal point of reference for States Parties in situations of risk affecting persons with disabilities [65]. A legal analysis of its implementation must include the appropriate source, the identity of the responsible authorities, and relevant institutional practice.

The concept of a *heterogeneous subject* in this research therefore refers primarily to differences that matter for relational, institutional, communicative, and legal analysis. It supplies neither a rank ordering of moral worth nor a presumption that human protections must be repeatedly earned through demonstrated competence. The legal treatment of a child, an adult receiving supported decision-making,

a displaced person, a patient dependent on continuity of medication, and an organized community will involve different sources and factual conditions. Their comparative relevance consists in testing whether a protection pathway properly preserves the position of the person or group who bears the consequences of institutional action. A qualitative comparison can disclose recurring coordination problems while keeping each jurisdiction's legal outcomes distinct.

Nonhuman cases require further differentiation. Animals may receive statutory protection under particular domestic laws, even where the law does not confer general legal personhood or access to judicial proceedings upon animals themselves. The existence, content, enforcement, and institutional addressees of those protections must be documented jurisdiction by jurisdiction. A discussion of assistance to animals can include veterinary welfare, environmental disaster response, stewardship, and ethical responsibility, with the legal claims resting on their own sources. It would be premature to infer that treaty provisions protecting human civilians or persons with disabilities apply to animals as direct beneficiaries.

Artificial systems raise a different set of questions. An AI system may be used to assess need, route supplies, translate requests, predict shortages, or support allocation. In those roles, existing law may regulate the human or corporate actors designing, deploying, supervising, or relying upon the system. A claim that a particular artificial system is itself owed humanitarian protection would require an independent legal or normative bridge, together with examination of any proposed subjectivity, experience, vulnerability, or interest. The present research makes no finding that current AI systems possess humanitarian legal personality or that their potentially harmful deactivation is presently equivalent to injury to a protected person. These cases serve as explicit counterfactual and jurisprudential stress tests.

Hypothetical extraterrestrial beings illustrate the limits of extending a legal vocabulary beyond its historically instituted subjects. Questions of communicative mediation, protection of radically different forms of life, and possible institutional recognition may be ethically significant. The scope of treaties drafted for particular persons and conflicts, however, cannot be enlarged merely by analogical proximity. A responsible analysis separates the moral question of how one ought to respond from the legal question of which existing rule is applicable, and from the legislative question of how a future order might recognize and protect a new class of subjects. The research programme retains those questions without attributing present-day legal status to hypothetical entities.

1.5 Institutional responsibility and interrupted protection

Humanitarian protection often depends on a plurality of organizations and offices whose responsibilities do not align with a single operational pathway. A state may be legally responsible for specified public functions; an international agency may coordinate access; a local organization may identify recipients; a professional may deliver services; and an information system may mediate communication. Their actions may be interconnected in practice while governed by distinct statutes, treaties, mandates, professional norms, and contracts. The legal attribution of responsibility must therefore be reconstructed from the rules applicable to the particular actor and act. Practical coordination, funding, causal contribution, and legal responsibility cannot be treated as equivalent relationships without further argument.

A humanitarian failure can arise from the interaction of duties and dependencies even when each institutional record describes a locally completed task. Transport may reach a warehouse without reaching a patient; permission may be granted without information being accessible; a distribution quota may be satisfied without reflecting the needs of those excluded from registration. Such scenarios suggest a methodological reason to examine the complete sequence of assistance. They also create opportunities for critical comparison: a conventional legal analysis may already identify a breach of an applicable duty, while a GR analysis may reveal an additional bottleneck or historical pattern that affects recurrence, diagnosis, or repair. Whether the proposed extension adds value is an empirical and analytical question.

The paper proposes recording institutional failures at the level of traceable relations. A future case record could include the protective interest, applicable source, actor and mandate, triggering facts, action or omission, involved intermediaries, dependence on material or communicative resources, contemporaneous evidence, legal challenge, remedy, and changes made after the failure. Such fields need not

constitute a new legal test. Their possible purpose is to preserve evidence about where the practical means of protection were generated, constrained, transferred, or lost. The record would also distinguish an asserted legal breach from a proven breach, and a judicial finding from an institutional or scholarly interpretation.

Potential remedies raise a further set of questions. The affected person may seek internal review, a public administrative decision, judicial relief, a collective complaint, or other institutional recourse, depending on the source and forum. Some forms of repair concern an individual deprivation; others address a defective access procedure, training practice, or allocation pathway. The difference between harm and reparability deserves separate treatment because an effective response can require prospective institutional adjustment alongside any legally available retrospective remedy. The availability of each legal form of repair will be assessed under its actual rules rather than inferred from the ethical desirability of assistance.

1.6 Generative Relational interpretation and its evidentiary constraints

GR theory enters the present paper as a proposed interpretive and methodological framework for historically constituted relationships. It distinguishes three levels of reality. *Ontological reality* denotes the level at which ultimate commitments about the nature of beings and their foundations remain suspended. *Relational reality* denotes historically formed, sufficiently stable and causally or generatively consequential relations among persons, institutions, practices, technologies, and environments. *Manifestation reality* concerns the situated ways in which such relations become expressed, recorded, interpreted, or otherwise accessible. The distinction is offered as a research framework; it does not establish that juridical entities are reducible to a proposed physical or geometric substrate.

At the relational level, the programme asks how rights and duties are actually mediated by the availability of support persons, documents, communications, institutional recognition, and material infrastructures. At the manifestation level, a researcher may study a signed permission, a distribution ledger, an accessibility complaint, a court judgment, or an aid worker's testimony. Those materials may substantiate particular institutional events while leaving causal and normative interpretations open. At the ontological level, the study avoids deducing legal protection from speculative claims about consciousness, ultimate subjectivity, or a universal relational field. A person's established rights under a relevant instrument continue to depend on that instrument, and an ethical discussion of possible nonhuman suffering requires its own warrants.

A limited GR hypothesis can be formulated without introducing premature mathematics. In a particular institutional setting, discontinuities in protective access may depend on relations among actors and channels that remain invisible when the institution records only aggregate deliveries or formal permissions. This hypothesis predicts that a relational reconstruction could identify bottlenecks or vulnerable dependencies that are missed by an otherwise adequate description focused on isolated administrative events. It can be tested through structured process evidence, observation, comparison across cases, and an explicit account of alternative explanations. Competing accounts might attribute the outcome to straightforward breach of law, organizational incentives, budget constraints, discrimination, or predictable administrative complexity. A GR explanation earns its place when it identifies a consequential mechanism or counterfactual difference beyond the findings already supported by those alternatives.

The inquiry also faces normative limits. Generativity may describe a system's capacity to reproduce relationships and practices while leaving their justice unsettled. A highly effective mechanism may sustain domination, exclusion, or harmful dependency. Accordingly, the existence of sustained relational activity supplies neither legal permission to intervene nor moral justification for an allocation decision. Normative evaluation must engage applicable protections and defensible independent reasons. The research programme will examine protective relations in a manner that makes possible contestation by affected persons and communities, while recognizing that the precise rights to participation, review, and remedies are source specific.

1.7 Research architecture and expected contribution

The paper is organized around the four juridical questions named in its title. The legal-source analysis first identifies the domains within which protection and aid can be governed, after which the study examines duties and permissions attached to particular roles. The subsequent analysis of beneficiaries and standing addresses whose interests are legally protected, how decisions may be communicated through supporters and representatives, and which procedural channels can register objections. Institutional responsibility then connects these legal relations to coordination, humanitarian principles, infrastructural access, and forms of remedy. Comparative sections evaluate existing human protection, jurisdiction-specific animal safeguards, and carefully identified hypothetical extensions to artificial and extraterrestrial entities. The final sections confront counterexamples and the limits of the GR approach.

The anticipated contribution has three components. First, the paper seeks to make explicit the juridical differences among a reason to aid, a rule imposing an obligation, a permission to perform an act, and standing to contest nonperformance. Second, it proposes a provenance-sensitive method for examining the institutional relations through which protection becomes practically accessible or ineffective. Third, it offers a constrained way to compare heterogeneous subjects without transferring the legal standing of existing human beneficiaries into speculative cases by analogy alone. Each proposed contribution has to be evaluated against mature legal and institutional accounts already capable of identifying duties, procedural protections, discrimination, logistical failure, or attribution of responsibility.

The research remains preliminary. A comprehensive source-to-claim audit must include treaty applicability, relevant customary-law arguments, domestic implementing legislation, current official interpretations, jurisdiction-specific case law, and legally relevant facts before final claims about duties, standing, liability, or remedies can be made. The introduction's source checks support the limited claims attributed to the cited instruments; they do not warrant a universal theory of humanitarian jurisdiction or an exhaustive legal classification of rescue. Later sections must also distinguish a historical institutional explanation from an argument for reform, and a proposal for better access from an existing enforceable right. This discipline allows the research to investigate relations between jurisprudence and humanitarian practice while maintaining the independent authority of positive legal sources and the open, revisable status of GR theoretical extensions.

2 Sources and Domains of Humanitarian Protection Law

The legal evaluation of humanitarian assistance begins by identifying the rule that governs an identifiable situation, actor, and protective act. An urgent human need may arise in armed conflict, occupation, natural or human-made disaster, maritime distress, or an emergency involving several such conditions. The applicable law can differ among these settings even when the required food, medicine, evacuation, or protective service appears materially similar. This section establishes a source-indexed account of humanitarian protection, first addressing the evidentiary status and temporal, territorial, material, and personal scope of norms; then examining armed-conflict law, human-rights law, maritime rescue, disaster assistance, and domestic implementation; and finally assessing the coexistence of legal regimes and the limited interpretive contribution of Generative Relational (GR) theory. Its method is doctrinal classification supported by official treaty texts, institutional explanations, and a narrowly identified judicial opinion. Proposed institutional comparisons are kept separate from propositions of current positive law.

The governing distinction concerns the *source of a legal position*. The existence of severe suffering may substantiate an ethically important reason for assistance. The existence of a legal obligation, an authorization to cross a border, the competence to regulate access, or standing to contest a decision requires additional authority. For example, the treaty rules governing occupied territory, the rescue of persons at sea, and the rights of persons with disabilities during emergencies have different duty bearers and conditions of application [15, 60, 65]. A framework that begins with a generic "humanitarian right" may obscure distinctions necessary to evaluate lawful action and institutional responsibility. A framework that begins only with a statutory or treaty label may, in turn, overlook the relations through which

formally available protection becomes inaccessible. The present approach preserves both inquiries while allowing legal interpretation to retain its own methods.

2.1 Legal provenance, applicability, and levels of authority

A claim about humanitarian protection has at least four distinguishable legal dimensions. *Normative provenance* identifies the instrument or doctrine from which a rule derives. *Applicability* identifies the conditions that bring that rule to bear on a factual situation. *Juridical content* identifies the required, permitted, or prohibited action, including the scope of discretion and any limitations. *Institutional effect* identifies actors capable of implementing, reviewing, or enforcing the rule. Each dimension can require a different kind of evidence. Treaty text can establish the content of a provision, while proof that it governs a particular incident may require information about treaty participation, territorial jurisdiction, conflict classification, reservations, dates, and the acts or omissions in issue.

Binding treaty provisions, relevant customary international law, domestic legislation, and competent judicial decisions occupy different analytical positions. The classification of a norm as customary requires an appropriate analysis of state practice and *opinio juris*; a statement in an institutional handbook alone does not complete that analysis. A court's interpretation may have legal force according to the jurisdiction and procedural setting in question, and its persuasive importance may reach beyond that setting without automatically creating a universally binding holding. A humanitarian organization may advance a careful interpretation that is highly relevant to practice while remaining distinguishable from an enacted rule. General Assembly principles, disaster-risk frameworks, and professional guidance can inform the organization and assessment of relief without supplying the same legal authorization as a treaty, valid domestic law, or applicable institutional mandate.

These distinctions are material to instruments already introduced in the paper. The annex to General Assembly resolution 46/182 develops principles for the coordination of humanitarian emergency assistance, including respect for state sovereignty and the affected state's primary role [64]. The IFRC's *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance* offer recommendations directed toward legal preparedness for international disaster assistance [47]. Their value for institutional design can be considerable; their legal force and intended domain nevertheless differ from a specific treaty obligation. The Sendai Framework offers priorities for disaster-risk reduction, governance, investment, preparedness, and recovery, and is a further example of a policy framework whose commitments require careful separation from directly enforceable relief-access rights [77].

Applicability also has a temporal dimension. Some obligations address preparedness before an emergency, some are activated by a legally classified event, and some continue after immediate hostilities or rescue operations end. Territorial scope, the nationality of a person, the location of decision-making, and a state's exercise of jurisdiction can matter independently of how compelling the need appears. Accordingly, a source-indexed analysis should identify the date and location of the relevant conduct and any later legal developments, rather than assuming that a source available today governed the event in its present form. These variables provide the minimum basis for the differentiated domains discussed below.

2.2 Armed-conflict classification and differentiated protective rules

International humanitarian law (IHL) supplies a specialized body of protection linked to armed conflict. Its application depends on factual and legal classification. An international armed conflict (IAC) and a non-international armed conflict (NIAC) trigger overlapping but differentiated treaty regimes. As explained in the ICRC's 2024 opinion paper, classification requires attention to the actors, their relationships, and the character and intensity of hostilities; it cannot be settled merely by an authority's preferred description of an emergency [39]. Conflict classification is a legal task with practical consequences for identifying the operative relief provisions. The fact that a population needs assistance is relevant to protective duties under applicable rules, while the existence and category of armed conflict determine which

IHL provisions are engaged.

For NIAC, common Article 3 of the four 1949 Geneva Conventions lays down minimum humane-treatment protections for persons taking no active part in hostilities, including those who have laid down arms and those placed *hors de combat*. It binds each party to a conflict meeting its conditions [13]. Additional Protocol II applies within a narrower material field: Article 1 requires, among other matters, a conflict on the territory of a High Contracting Party involving its armed forces and qualifying organized armed groups under responsible command, with territorial control sufficient to conduct sustained and concerted military operations and implement the Protocol. Its Article 1 expressly leaves common Article 3's existing conditions of application intact [20]. The result is an important asymmetry. A NIAC may fall under common Article 3 while failing to satisfy Protocol II's particular treaty threshold. Whether specific customary rules apply is a separate question requiring its own evidentiary and doctrinal account.

Relief duties within these regimes likewise require provision-specific interpretation. Article 18 of Additional Protocol II concerns relief societies and, under stated circumstances, impartial humanitarian relief actions for a civilian population suffering undue hardship, subject to the consent of the High Contracting Party concerned [21]. Its textual conditions should be evaluated independently of a broader ethical debate about consent, refusal, and humanitarian necessity. Under the provisions relevant to international armed conflict, Additional Protocol I Article 70 concerns humanitarian and impartial relief actions subject to specified agreements and conditions, alongside duties of passage, facilitation, and permissible technical arrangements [19]. The conditions, responsible parties, and accepted interpretations must be identified before attributing a violation or a free-standing operational entitlement.

Occupation presents a further configuration. Under the Fourth Geneva Convention Article 59, when the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power must agree to relief schemes on behalf of that population and facilitate them by the means at its disposal [15]. The legal category of protected persons under Article 4 has a specific definition, including the relationship of affected persons to a party to the conflict or Occupying Power and qualifications relating to nationality and diplomatic representation. The Convention also contains provisions whose personal reach is broader than that defined category, including its Part II [14]. The expressions *civilian population*, *protected person under Article 4*, and *recipient of an impartial relief action* therefore require source-specific handling rather than automatic interchangeability.

The ICRC's updated commentary on Article 59 makes the contrast between legal agreement and operational facilitation especially clear. On the commentary's reading, inadequate supply of the whole or part of the population in occupied territory triggers the occupying power's obligation to agree to relief schemes; that obligation is not expressed with the qualification "to the fullest extent of the means available" used in Article 55. Facilitation remains an additional duty to use all means at the occupying power's disposal. The commentary also distinguishes permitted technical controls from measures that unduly delay or prevent effective relief, and emphasizes that receipt of outside relief leaves the occupying power's primary supply obligations in place [40, 15, 9, 11]. This institutional commentary is interpretive authority, not a new treaty provision or an adjudication of any particular episode. In a concrete case, factual supply levels, territorial status, available means, inspection measures, and their effects would still need independent examination.

A legally adequate conflict dossier should record the factual reasons for classifying the conflict, the status of the relevant territory, the parties and instruments involved, the relief provision invoked, and the position of each claimed duty bearer. It should also preserve uncertainty where contested factual predicates remain unestablished. An observer may reasonably regard a situation as a humanitarian catastrophe while lacking the evidence needed to determine the applicable conflict type or to identify a breach of a particular provision. An organization preparing operational assistance may nevertheless undertake protective planning on the basis of a broader risk assessment while seeking competent legal advice on binding obligations. Recognizing these simultaneous tasks avoids confusing prudent humanitarian preparation with a concluded legal judgment.

2.3 Human rights, protective jurisdiction, and concurrent obligations

International human-rights law addresses protective interests through instruments whose subject matter, state obligations, and jurisdictional conditions differ from IHL. During armed conflict, relevant human-rights obligations may continue to operate alongside IHL rather than disappearing whenever the armed-conflict threshold is crossed. In its 2004 advisory opinion concerning the wall in the Occupied Palestinian Territory, the International Court of Justice examined applicable IHL together with particular human-rights treaties and discussed their concurrent relevance in that setting [45]. The advisory opinion provides an authoritative example of legal interaction; it does not create a mechanical priority order for every future situation or dispense with analysis of the instruments and facts governing a distinct case.

The human-rights inquiry is particularly consequential where risks arise through inequality of access or discriminatory arrangements. Article 11 of the Convention on the Rights of Persons with Disabilities (CRPD) addresses situations of risk, including armed conflict, humanitarian emergencies, and natural disasters, and requires States Parties to take necessary measures to ensure the protection and safety of persons with disabilities in accordance with their obligations under international law [65]. This provision links a specified category of persons and situations to duties of states parties. A practical failure may involve evacuation communications inaccessible to particular persons, the absence of a usable shelter route, or a distribution procedure conditioned on forms of identification that certain people cannot obtain. The legal characterization of those failures depends on the applicable obligations and evidence, including other treaty provisions or domestic implementing norms where relied upon.

A relevant relational inquiry can then examine the material and organizational dependencies through which enjoyment of a protected interest becomes possible. Accessibility may be mediated by language, documents, equipment, medical support, transport, family and professional networks, and the decisions of public and private organizations. Such mediation is observable and potentially causally consequential. It does not determine whether a particular claimant has judicial standing, whether the state exercises jurisdiction over the relevant circumstances, or whether an institution has a positive obligation of the precise kind alleged. Those are legal questions requiring independent treatment. The analysis also must not substitute a researcher's estimate of a person's capacity for the rights and decision-making safeguards supplied by the CRPD and other applicable law.

Concurrent applicability invites inquiry into how different duties fit together. Humanitarian access in armed conflict may be evaluated under specialized IHL rules, while an allegedly discriminatory distribution decision can implicate human-rights obligations if their personal and jurisdictional conditions are met. An account of one legal domain cannot be assumed to discharge the requirements of the other. Where an apparent conflict between rules arises, lawyers must assess the textual provisions, interpretive principles, possible derogations or limitations, the factual context, and any relevant adjudicative authority. Invocation of *lex specialis* is an interpretive question whose scope must be established; its label is insufficient to resolve a concrete problem. The practical benefit of identifying several regimes is analytical precision, including precision about whether the acts in question belong to separate duty bearers and whether any legally available remedy is directed to one decision or several interdependent decisions.

2.4 Maritime distress and operational responsibility

Maritime search and rescue provides a distinct model of protective authority. Article 98 of the United Nations Convention on the Law of the Sea (UNCLOS) addresses a flag state's duty to require masters of ships flying its flag to render assistance to persons found at sea in danger of being lost, subject to the conditions specified in the provision, and provides for the establishment and maintenance of adequate and effective search-and-rescue services [60]. These provisions have particular addressees and a maritime material setting. Their formulation differs from the entitlement of an external humanitarian actor to conduct relief operations on land, and they cannot be extended into a general right to enter another state's territory through conceptual analogy.

The International Convention on Maritime Search and Rescue (SAR) establishes a cooperative organization of search-and-rescue functions. According to the IMO's official convention overview, the

framework addresses coordination regions, rescue coordination centres, arrangements among states, and operating procedures; the 2004 amendments also concern cooperation after rescue and the identification of suitable arrangements for disembarkation [51]. A rescue at sea may therefore involve a vessel's master, a flag state, a coastal state, one or more rescue coordination authorities, commercial or humanitarian operators, and persons requiring a place of safety. These positions are partly operational and partly legal. Specific obligations depend on the treaties and amendments applicable to the states involved, the relevant maritime zone, the circumstances of distress, and other applicable law.

The chronology of a maritime rescue illustrates why source indexing must include sequences rather than a single event label. Detection of distress, communication with a rescue centre, dispatch or diversion of a vessel, recovery of persons, provision of medical care, coordination of a place of safety, and disembarkation are distinct practical stages. A failure in one stage may have consequences for later stages without attributing every consequence to the same legal actor. For a concrete case, an investigator must examine relevant communications, vessel logs, coordination records, the governing search-and-rescue region arrangements, and the instruments in force. A log documenting a rescue establishes an event. It does not independently determine the legality of the subsequent disembarkation decision or the distribution of responsibility among states and responders.

This domain supplies a useful comparison with armed-conflict relief. Both may require cooperation among institutions across boundaries, but the legal basis and the object of cooperation vary. In an IHL relief operation, questions of agreement, control of consignments, and duties of parties to conflict may be central. In maritime distress, immediate assistance, coordination of rescue, and post-rescue arrangements structure the legal inquiry. A GR reconstruction could investigate continuity of responsibility across these stages, provided that its analysis is tested against ordinary maritime law and coordination procedures that may already explain the observed breakdown.

2.5 Disaster assistance, domestic competence, and guidance

Disasters outside armed conflict present a broad field of risk prevention, emergency powers, civil protection, public-health measures, and cross-border assistance. Legal consequences in this field depend heavily on the domestic institutional order and on any applicable international or regional agreements. The fact of a natural disaster does not in itself make the treaty rules governing armed conflict operative. Domestic statutes may allocate emergency powers to national, regional, or local bodies, regulate medical authorization, customs, entry of rescue personnel, professional licensing, procurement, and the distribution of public resources. Which of those duties or permissions exists in a specific jurisdiction requires inspection of its current law; a general discussion of disaster preparedness supplies no substitute for that task.

Two established international resources illustrate the distinction between legal preparedness and existing enforceable obligation. The IFRC's IDRL Guidelines offer a model for domestic legal arrangements facilitating and regulating international disaster relief and initial recovery assistance; their status is guidance rather than a self-executing multilateral intervention authorization [47]. The Sendai Framework develops goals, priorities, and commitments relevant to understanding risk, strengthening disaster-risk governance, and improving preparedness and recovery [77]. Its policy architecture may help identify institutional shortcomings such as inadequate planning for older persons or persons requiring accessible transportation. Translating such a shortcoming into a legal violation demands a further step: identification of a binding rule applicable to the responsible institution and the evidence required by that rule.

General Assembly resolution 46/182 provides a wider framework for the coordination of United Nations humanitarian emergency assistance, including the principles of humanity, neutrality, and impartiality, the role of the affected state, and the requirement of consent in its guiding provisions [64]. Its text belongs within a particular institutional and political framework. Neither the resolution nor general humanitarian concern settles the legality of unilateral border crossing, compulsory transfer of patients, or access to protected information. Such actions may raise separate duties concerning territorial sovereignty, individual rights, domestic public authority, and institutional mandates. A humanitarian actor seeking

Table 2: Selected legal and policy domains of humanitarian protection: entry conditions and source boundaries.

Domain and source	Preliminary entry point and relevant position	Boundary requiring separate verification
IAC and occupation; GC IV, AP I	International armed conflict or occupation; particular civilian and relief duties	Conflict classification, occupying authority, treaty participation, exact article
NIAC; common Art. 3, AP II	NIAC for common Art. 3; additional AP II threshold for its own rules	Organization, intensity, territorial control, treaty scope
Human rights; CRPD	State-party measures protecting persons with disabilities in risk situations	Jurisdiction, protected interests, remedies, implementing rules
Maritime; UNCLOS, SAR	Distress at sea, master/flag state and rescue-coordination roles	Applicable treaties and amendments, maritime setting, disembarkation
Disaster risk; Sendai, IDRL	Prevention, legal preparedness, response coordination	Guidance versus binding domestic or international law
UN emergency coordination; GA 46/182	Cooperative humanitarian framework and guiding principles	Institutional character, consent, sovereignty, specific mandate

permission may need consent at several levels that are legally distinct: state authorization, facility authorization, professional competence, and the affected person's informed agreement where applicable.

The division of responsibility becomes particularly visible in multi-institutional relief. A donation platform may raise resources, a nonprofit may coordinate transport, a municipality may establish a shelter, a medical provider may deliver care, and an emergency authority may determine access to certain areas. An adverse outcome might follow from overlapping permissions, incompatible databases, delayed accreditation, or unclear command structures. These are relevant objects of institutional research. The legal classification of responsibility nonetheless depends on the applicable contracts, legislation, public-law duties, and standards of review. The mere presence of several organizations does not establish joint legal liability, and operational coordination does not by itself delegate public powers to a private actor.

2.6 Concurrent domains and limits of legal analogy

Some protective situations activate more than one legal framework. An armed conflict may coexist with a natural disaster; a vessel may rescue persons fleeing armed violence; an internally displaced person may have an established disability-related protection; a humanitarian hospital may function within an occupied territory and also under domestic health regulation. The task of jurisprudence is to identify each relevant norm and its scope before considering interaction. The comparison in Table 2 records legally distinct entry points and common interpretive limits. It serves as a research guide, not a replacement for applying the instruments and facts to a concrete case.

A constructed example makes the analytic requirement more concrete. Consider an inland population affected by an earthquake in an area where organized hostilities have also been reported. An external medical organization seeks to deliver insulin and accessible mobility equipment. Determining a legally supportable pathway requires separate findings: the existence and classification of any armed conflict, the territorial and institutional authorities whose agreement is legally material, the protections applicable to those needing assistance, the legal competence of the external organization, and domestic rules governing entry and clinical activity. The urgency of the needs may support strong ethical and operational reasons for rapid response. It does not itself answer whether the relevant legal duties arise under an IHL relief provision, human-rights obligations, disaster legislation, or several sources together. Where multiple rules apply, their combined effect needs explicit argument rather than a presumed merger of legal systems.

A second constructed example concerns a rescue vessel receiving a distress call during the movement of people from a conflict-affected coast. The rescue obligation and coordination arrangements may be approached through maritime instruments, while protection from certain treatment on disembarkation may involve other legal norms dependent on the circumstances and states involved. The two inquiries

share persons and events but involve different legal questions. The legal consequences of a refusal to coordinate rescue, the exercise of control over persons, and the conditions of a safe destination may have different sources, forums, and responsible actors. Treating these events as a single generic failure of humanitarian assistance would weaken the analysis precisely where several rules might protect the same person through different institutional pathways.

Such examples also expose the limits of analogies involving heterogeneous subjects. Positive human-rights protections and protections afforded under armed-conflict law cannot be extended automatically to animals, autonomous systems, or hypothetical extraterrestrial subjects. A jurisdiction might confer particular protection on animals or on a natural entity, but its content and enforcement mechanism must be recovered from the relevant law. Proposed protection for AI or extraterrestrial subjects remains a normative or jurisprudential thought experiment until a corresponding source of law and its scope can be established. Functional similarities in dependence, communication, vulnerability, or representation may justify further inquiry while leaving positive-law categories intact.

2.7 Source-indexed research protocol and GR interpretation

The proposed research procedure begins with an *episode-specific source record*. For a given protective episode, the record should contain, where available: (1) incident date and legally relevant location; (2) factual event classification and disputed predicates; (3) each candidate binding instrument with status of participation and applicability; (4) relevant custom claims with independent evidence; (5) domestic laws and institutional mandates; (6) affected persons and the source-specific category of protected interest; (7) proposed duty bearers and authorized responders; (8) required, permitted, and restricted acts; (9) decisions concerning access, coordination, and consent; (10) documents and observations supporting those claims; (11) review mechanisms and possible remedies; (12) alternative legal readings; and (13) material and institutional relations possibly explaining implementation or failure. The record is a research instrument rather than a universally mandated legal checklist. Sensitive information should be minimized, protected, and collected only on an appropriate legal and ethical basis.

For comparative study, the record should preserve changes over time. A border-permission decision may precede medical assessment, and a rescue order may precede subsequent restrictions on movement. An institution's mandate may change; a treaty amendment may enter into force for some states at a different date; a person may move into another jurisdiction; and an apparently stable service may depend on temporary external financing. These changes can modify the law that is applicable or the circumstances of its implementation. A source-indexed chronology prevents the researcher from attributing a present-day norm to an earlier incident or treating changes in policy and practice as changes in the binding law itself.

The GR component operates at three analytically specified levels. At the level of *ontological reality*, the ultimate nature of subjects and relations remains suspended. The fact that legal subjects and institutions interact does not establish a universal physical or metaphysical theory. At the level of *relational reality*, the inquiry investigates historically formed dependencies among persons, communications, institutions, transport routes, financing, and decision-makers. At the level of *manifestation reality*, it examines the forms in which these relations become accessible, such as evacuation orders, authorizations, shipment records, accessibility complaints, rescue logs, and judicial findings. A manifestation is evidence of specified events under appropriate conditions, while its interpretation as a particular causal or legal relationship requires a distinct analysis.

One provisional GR hypothesis concerns the *continuity of protective responsibility across institutional interfaces*. Under some conditions, several institutions may each record compliance within their immediate mandate while the cumulative protective pathway fails. To test whether a GR account adds explanatory value, the researcher could compare incident timelines, decision rights, transfer records, and alternative institutional routes. A credible comparison must first exhaust straightforward explanations involving violations of existing duties, deficient interagency procedures, organizational incentives, discrimination, and resource scarcity. If these explanations account for the outcome adequately, the

proposed GR interpretation may remain an optional descriptive vocabulary. Its stronger value would depend on identifying a relational mechanism or counterfactual difference that those established accounts insufficiently explain.

Normative assessment remains a separate undertaking. A relational system can preserve dependable coordination while also sustaining exclusion or coercion. Its persistence and generativity do not establish legality, legitimacy, or justice. A complete evaluation requires the relevant legal sources and independent normative arguments, including meaningful opportunities for affected persons to challenge decisions where law provides them and further ethical safeguards where proposed institutional design warrants them. The three-level framework therefore complements source-indexed jurisprudence only to the extent that it illuminates historically constituted access to protection without obscuring the distinct grounds of legal obligation, permission, standing, and responsibility.

The principal conclusion of the source survey is methodological. Humanitarian protection is legally plural in the ordinary sense that several domains, jurisdictions, and institutions may apply to connected episodes. The relationship among them must be established through interpretation, factual classification, and identified sources. Subsequent sections can build on this foundation to examine particular duties, permissions, beneficiaries, and remedies. The present paper's further GR research obligation is to demonstrate that historically evolving relational dependencies explain something consequential about actual access to protection while preserving the independent doctrinal standing of the law that governs each case.

3 Legal Duties to Protect, Rescue, and Facilitate Assistance

The juridical analysis of humanitarian assistance requires identification of the actor bearing a duty, the event or relationship that activates it, the conduct required, and the conditions governing its performance. The fact that several institutions participate in delivering a protective service does not establish that their legal responsibilities are interchangeable. This section examines the positive obligations most directly relevant to humanitarian protection, beginning with an analytical typology; proceeding through occupation and relief under armed-conflict law, protection of relief personnel, maritime rescue, human-rights obligations in emergencies, and disaster-response duties; and concluding with a source-indexed procedure for testing institutional failure. The method combines provision-specific legal interpretation with constructed comparisons. The Generative Relational (GR) interpretation is advanced as a research hypothesis concerning the continuity of protection across institutional relations, without deriving legal duties from relational descriptions alone.

An obligation to *protect* may require an authority to maintain essential conditions of safety or to prevent a legally cognizable danger; an obligation to *rescue* may require an actor to assist persons in a defined condition of peril; an obligation to *facilitate* may concern passage, authorizations, coordination, or administrative arrangements needed for relief. These verbs identify distinguishable juridical operations. Their practical objects may overlap, and a single episode may involve all three. The legal test nevertheless begins with the text and applicability of a specific rule. For example, an occupying power's duties to supply the occupied population and facilitate relief are given particular content in the Fourth Geneva Convention, while the master's duty to render assistance at sea has a separate maritime source [9, 15, 60]. An appropriate analysis must also distinguish duties incumbent upon states or parties to conflict from duties directly imposed upon other actors by an applicable instrument.

3.1 Sources, duty bearers, triggers, and performance standards

A protective duty can be reconstructed through six source-specific elements. The *normative source* identifies the treaty, statute, customary rule, or other legally operative basis. The *duty bearer* identifies the person, state, conflict party, vessel master, or institution against which the obligation is asserted. The *trigger* identifies the relevant factual and legal conditions, including territorial control, conflict classification, maritime danger, or jurisdiction over affected persons. The *required performance* specifies

Table 3: Selected positive protective duties and their source-specific conditions

Legal setting	Principal duty bearer	Legal object	Key qualifications and attribution questions
Occupied territory	Occupying power	Essential supplies, health services, and facilitation of qualifying relief	Occupation, available means, insufficiency of local supplies, continuing primary responsibility
International armed conflict	Parties and relevant High Contracting Parties under applicable treaty rules	Passage of relief; protection and assistance of approved relief personnel	Applicable protocol, agreement, technical controls, conditions governing relief mission
Non-international armed conflict	Parties and concerned state within relevant IHL regimes	Humane treatment and, under applicable rules, humanitarian relief arrangements	Conflict classification, Protocol II threshold, consent, and distinction between treaty text and customary-law interpretation
Distress at sea	Flag states and vessel masters within UNCLOS Article 98 framework	Assistance to persons in danger at sea and specified rescue-related obligations	Reasonable capacity, serious danger to ship/crew/passengers, and further coordination rules
Disability-related emergency protection	States Parties to CRPD	Necessary measures for protection and safety in situations of risk	State-party obligation, applicable jurisdiction, administrative implementation, individualized accessibility issues
Disaster response outside conflict	Authorities under applicable domestic or international law	Preparedness, response, permissions, and protective services	Domestic competence, treaties in force, and the nonbinding status of the 2016 ILC draft articles

the conduct or measures demanded. The *qualification* identifies lawful limits, capacities, approval requirements, and grounds for temporary restrictions. Finally, the *responsibility pathway* identifies legal consequences, available review, and the evidence needed to attribute a failure. This scheme is an analytical device. A binding source may specify only some of these elements expressly, leaving others to interpretation and other applicable law.

The standard of performance deserves particular attention. A duty framed by the means available to an actor has a different structure from an obligation to refrain from a prohibited attack. A requirement to act with due diligence may concern reasonable preventive measures under specified knowledge and capability conditions. A duty to allow passage may coexist with legally recognized technical controls. It would be misleading to place these provisions on a single scale of humanitarian effort without examining their different legal objects. Nor should the existence of a humanitarian organization's capacity establish that an authority's primary duties have moved to that organization. As Article 60 of the Fourth Geneva Convention specifies in the occupation context, relief consignments do not relieve the occupying power of the responsibilities assigned by Articles 55, 56, and 59 [11].

These distinctions generate a methodological implication for causal and normative inquiry. An organization may successfully deliver medicine while the legally responsible authority has failed to maintain a public-health service. Conversely, a state may maintain a statutory emergency service while an individual provider's particular malpractice allegation depends on domestic professional rules. Observing need, response, or institutional involvement is insufficient to attribute a breach. A legally supportable conclusion requires evidence linking a duty bearer to a particular rule and a qualifying act or omission. A GR account may investigate dependencies among those acts, but causal interdependence and legal attribution remain separate questions.

Table 3 gives a comparative map of the sources considered in this section. Each row is deliberately domain-specific; the table supplies research questions rather than a universal catalogue of enforceable rights.

3.2 Occupation duties and the continuing responsibility for civilian welfare

Occupation law supplies an especially instructive example because it relates an actor's legally relevant territorial control to duties concerning civilian survival and health. Article 55 of the Fourth Geneva Convention requires an occupying power, to the fullest extent of its available means, to ensure food and medical supplies for the population, including bringing in necessary supplies when resources of the occupied territory are inadequate [9]. Article 56 addresses maintenance of medical and hospital establishments and services, public health, and hygiene in cooperation with national and local authorities [10]. Article 59 requires the occupying power to agree to and facilitate qualifying relief schemes when the whole or part of the population of occupied territory is inadequately supplied [15]. These provisions have a common occupation context, while each specifies a different aspect of protective responsibility.

The relationship among the duties matters legally. Article 55 concerns the assurance of essential material supplies. Article 56 recognizes a public-health and service-maintenance dimension whose importance cannot be exhausted by counting deliveries. Article 59 establishes a duty relating to collective relief where the population is insufficiently supplied. Article 60 expressly preserves the occupying power's responsibilities when outside relief is received [11]. Where Additional Protocol I applies, Article 69 extends the treatment of basic needs in occupied territory to specified additional supplies, subject to its treaty conditions [16]. A study of a particular episode must therefore identify the obligations independently and then examine their interaction. Their legal force depends on the instruments governing the parties and the facts establishing occupation and relevant conduct.

Consider a constructed case in which an external medical agency supplies refrigerated insulin to an occupied district, while local health facilities lose electricity and their workforce. Delivery of the insulin can be documented independently of the maintenance of clinics, storage, patient identification, and access to follow-up care. An analysis limited to relief shipments might judge performance by quantities delivered. A provision-specific inquiry asks whether the responsible authority fulfilled its duties regarding supply and public-health services, taking account of the relevant standards, capabilities, and facts. A relational inquiry additionally explores the dependencies between storage, clinical staff, transport permits, language access, and household capacity. Those dependencies help formulate factual questions; their identification does not itself determine which actor violated which provision.

This example also clarifies the relationship between a primary authority and an assisting actor. A relief organization may exercise specialized expertise and assume contractual or domestic-law obligations of its own. Its presence can substantially improve access to medical care. The continuity of an occupying power's treaty responsibility is nevertheless made explicit in Article 60. In a different legal regime, the allocation may be governed by domestic legislation or organizational mandates, so the occupation model should not be generalized mechanically. The broader GR hypothesis concerns responsibility displacement in practice: public institutions may become operationally dependent on external providers while retaining a separate legal responsibility. That hypothesis calls for evidence of control, budget, capacity, decisions, and institutional reliance rather than inference from humanitarian need alone.

3.3 Relief passage and the protection of humanitarian personnel

The movement of relief supplies and the safety of personnel constitute related but independently assessable legal questions. Article 70 of Additional Protocol I, where applicable, concerns humanitarian and impartial relief actions for inadequately supplied civilians in territory under the control of a party to conflict other than occupied territory. Its provisions address agreement of the parties concerned, passage of relief consignments, equipment, and personnel, and control arrangements [19]. Article 71 separately addresses relief personnel who participate in such operations: their participation is subject to the approval of the party in whose territory they work; approved personnel are to be respected and protected; their assistance and movements are governed by the article's stated conditions [17]. Together these provisions indicate that permission for a relief operation, technical procedures for passage, and protection of relief workers should be recorded separately.

International humanitarian law also contains rules for non-international armed conflicts, although

the relevant treaty thresholds and formulations differ. Common Article 3 establishes minimum humane-treatment requirements and permits an impartial humanitarian body, such as the ICRC, to offer services to the parties to the conflict [13]. Additional Protocol II Article 18 addresses relief actions for a civilian population suffering undue hardship from lack of supplies essential for survival, subject to its application conditions and the consent of the High Contracting Party concerned [20, 21]. An offer of services, an applicable duty to facilitate relief, and legal permission to carry out a particular operation have different grounds. The classification of conflict and treaty participation therefore precede a conclusion that a particular passage was obligatory.

The ICRC's legal explanation of humanitarian access maintains that applicable IHL requires parties to cooperate in facilitating qualifying relief, while permitting lawful controls and certain restrictions based on imperative military necessity. Its analysis of relief personnel and the movement of relief supplies is significant interpretive guidance; it should be cited as an institutional legal interpretation, rather than as the text of a treaty article [37]. The same is true of claims about customary IHL, whose evidentiary basis needs separate scrutiny. A study might justifiably consider an ICRC customary-law synthesis, yet a contested claim of universal custom still requires attention to the practice and legal views supporting it. The present section accordingly relies on named treaty articles for its specific treaty propositions and preserves the broader customary-law question for later examination.

A relief operation offers several opportunities for apparent compliance to coexist with ineffective protection. Food consignments may be approved but encounter repeated checkpoint delays. Staff may obtain entry permission while required vaccines, communications, or transport capacity are withheld. An apparently neutral administrative rule may have a disproportionate effect on persons requiring temperature-controlled medicines, sign-language services, or accessible vehicles. The legality of these restrictions depends on their applicable source, purpose, proportionality or other relevant standard, and factual context. A GR reconstruction may chart the sequential dependencies producing a breakdown, but it must first consider more direct explanations: violations of a known passage duty, lawful technical checks, discriminatory administration, resource constraints, or ordinary coordination failures. The additional relational claim survives only if it explains an identifiable further mechanism.

Humanitarian staff protection also requires care in attribution. Personnel participating in covered relief operations enjoy protections under relevant IHL rules, but the scope of an organization's operational consent, its staff members' personal legal protections, and the legality of each actor's conduct require independent inquiry. Approval of a mission does not transfer governmental or military authority to the organization. The organization, in turn, may be bound by the terms of its mission and applicable domestic requirements. A source-indexed reconstruction identifies the authorized mission, decisions controlling access, violations alleged, and forums in which those allegations can be assessed. The distinction between protection and competence will be developed further in Section 3's concluding research protocol and in the later section on permissions and consent.

3.4 Maritime rescue duties and limits of operational inference

Maritime rescue illustrates an obligation activated by immediate danger rather than by a pre-existing relationship of political membership between the person in peril and the assisting vessel. Article 98(1) of the United Nations Convention on the Law of the Sea requires states to direct masters of ships flying their flags to render assistance to persons found at sea in danger of being lost, insofar as the master can do so without serious danger to ship, crew, or passengers. It also addresses assistance after collisions and the duty to proceed with possible speed to persons in distress when informed of their need, subject to its terms [60]. Article 98(2) concerns the promotion of adequate search-and-rescue services and, where circumstances require, cooperation with neighbouring states. The duties are legally differentiated between the flag-state obligation regarding masters and state responsibilities for services and cooperation.

A rescue episode is often institutionally distributed. One actor receives a distress alert, another coordinates the search, a vessel performs the physical rescue, and several authorities may participate in arranging onward travel and a place of safety. The IMO's overview of the Search and Rescue Conven-

tion describes an international coordination framework with rescue regions and centres and amendments concerning post-rescue arrangements [51]. That institutional account assists with the identification of functional responsibilities. It does not by itself settle all contested legal questions about jurisdiction, the duties of particular coastal or flag states, the status of a vessel, the application of human-rights guarantees, or the appropriate place for disembarkation in an individual case. An authoritative analysis of such a dispute would require the full relevant treaty instruments, participation and amendment status, implementing law, and factual record.

The legal distinction has a direct epistemological consequence. The presence of a rescue duty cannot alone establish an unrestricted permission to enter territorial waters, conduct a medical intervention ashore, or disembark rescued persons in a specified state. Equally, uncertainty about disembarkation should not be treated as resolving whether assistance was owed to persons in peril. A GR account can make visible a protective pathway extending from detection to physical rescue and onward safety, while legal analysis assigns each step to its applicable obligations and authorities. The analytic benefit is the ability to identify cumulative discontinuities, especially where an institution reports success within its immediate task yet a person's safety remains precarious. A legal breach must still be attributed under the relevant source and facts.

One constructed scenario involves a vessel that responds promptly to a distress call and brings survivors aboard, while no authority makes timely arrangements for onward medical care. The initial rescue may be evidenced by a vessel log, and delays may be evidenced by communications among coordination centres. The legal assessment should identify the obligations governing the master, rescue coordination, disembarkation, and medical treatment, as well as the jurisdiction of each actor. A comparative GR assessment asks whether the separation of these functions produced a foreseeable gap that standard organization-level reviews failed to detect. Independent documentary support and a plausible counterfactual are necessary before accepting that additional causal explanation.

3.5 Human-rights duties and protective measures in emergencies

Human-rights law may impose positive obligations within its applicable jurisdictional and substantive boundaries. The nature of those obligations varies by instrument, state participation, provision, adjudicative interpretation, and relevant circumstances. The Convention on the Rights of Persons with Disabilities provides a particularly clear treaty-level reference: Article 11 requires States Parties, in accordance with their obligations under international law, including IHL and international human-rights law, to take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including armed conflict, humanitarian emergencies, and natural disasters [65]. Its text offers a concrete basis for asking whether emergency systems provide accessible warnings, shelter, evacuation, continuity of care, and communication pathways under the circumstances. Which measures are legally required in an incident must be determined through applicable law and evidence.

Three distinctions matter for the present paper. First, a state obligation concerning the protection of persons with disabilities does not automatically create an identical, directly enforceable rescue duty for every private individual. Second, the beneficiary of a protection duty and the institution administering relief are situated differently in the legal relation. Third, the existence of formal protections does not guarantee their accessibility through actual services. A warning delivered only in an inaccessible format, for example, can be visible evidence of an implementation defect while the nature and legal consequences of that defect require an applicable source and context. The GR inquiry concerns the historical and operational relations through which legal entitlements become available or remain inaccessible.

Such analysis should preserve individual agency. Persons with disabilities cannot be treated as a homogeneous group defined solely through vulnerability or dependence. An emergency system may need accessible communication and decision support while also respecting legally protected agency and preferences. The adequacy of a purportedly protective intervention can therefore depend both on its material safety effect and on its legal treatment of autonomy, non-discrimination, participation, and representation. The precise protections must be derived from applicable provisions and their authoritative

interpretation; the present section isolates Article 11 while leaving a fuller treatment of decision-making supports to the later analysis of representation.

The ethical question of preventing suffering is wider than the subset of rights and duties addressed by any single provision. Humanitarian ethics can motivate improvements in shelter accessibility, prioritization, and health-care continuity even where a particular legally enforceable claim remains uncertain. The paper therefore distinguishes a source-specific positive obligation from a proposed supplementary institutional norm. GR language about relational generativity adds no automatic normative entitlement: an institution can generate efficient emergency services while excluding people whose needs are difficult to classify. Independent commitments to rights, equality, and justified institutional authority remain necessary.

3.6 Disaster preparedness, external assistance, and legal development

Disaster assistance outside armed conflict is governed through potentially overlapping domestic emergency legislation, relevant agreements, human-rights obligations, institutional mandates, and policy commitments. The affected state may have legal duties under its own legislation to plan, evacuate, maintain emergency services, or protect persons within its jurisdiction. Their content and enforcement depend on the jurisdiction and the particular event. International organizations and foreign states may provide expertise or supplies, while their permission to operate depends on the applicable legal framework. The IFRC's IDRL Guidelines offer influential, nonbinding recommendations about domestic facilitation and regulation of international disaster relief [47]. Recommendations on visa procedures, customs, registration, quality control, and cooperation can guide institutional design without themselves creating universally enforceable permissions to enter territory.

The International Law Commission's 2016 draft articles on protection of persons in the event of disasters constitute an important proposal within international legal development. They should be interpreted as draft articles with commentary rather than represented as a comprehensive treaty already binding on states [50]. The UN's diplomatic conference documentation confirms that negotiations toward a legally binding instrument remain in preparation in October 2026, with a conference scheduled for January–February 2027 in Bangkok [80]. As a result, assertions based on the draft articles must specify whether they describe a proposed treaty rule, a possible expression of other existing law, or a policy objective. That specification also prevents an ethical expectation to seek assistance from being presented prematurely as a general treaty-based duty.

This distinction is particularly important for assessing refusal, delay, or conditions on external assistance. A government might exercise legitimate regulatory powers to check qualifications, equipment, and public safety; it might also deploy administrative procedures that create unreasonable delays or discriminatory access. Whether such conduct breaches a positive legal duty depends on the applicable domestic and international sources. A comparative analysis may examine the reason given, its evidentiary basis, the magnitude of delay, foreseeable harm, practicable alternatives, and mechanisms for challenge. Treating every restriction as unlawful would be as methodologically weak as assuming that state consent makes every restriction justified. A normative recommendation for improved facilitation remains a separate conclusion even when the legal evidence does not establish a breach.

The temporal dimension distinguishes disaster planning from immediate rescue and subsequent recovery. Risk reduction, early warning, stockpiling, accessible evacuation, and the rebuilding of public services may be governed by different responsibilities or standards. The Sendai Framework identifies policy priorities for risk reduction and preparedness, but its voluntary status should remain visible [77]. A longitudinal research design could investigate when a preventable access failure emerged: during planning, hazard detection, institutional coordination, resource allocation, implementation, or repair. This design may also expose cases where the relevant actor complied with a formal procedure that was inadequate for changed conditions. Such findings could support institutional reform proposals without supplying a new legal norm through description alone.

3.7 Institutional interfaces, responsibility attribution, and GR limits

A source-indexed investigation of positive humanitarian duties should build a record for a defined protective episode. For each asserted duty, the investigator should specify: (1) the source and provision; (2) the relevant state participation or domestic legal force; (3) the factual trigger; (4) the duty bearer; (5) the affected persons and protected interest; (6) the exact act or omission at issue; (7) available capacity and specified legal qualifications; (8) permissions required for proposed third-party action; (9) the chronology of decisions and service transfers; (10) evidence for alternative causal explanations; (11) institutional review and possible remedies; and (12) unresolved legal, factual, or evidential questions. Comparative dossiers can add fields where warranted, but should preserve the minimum provenance necessary to keep distinct legal relations distinct.

The constructed case of a displaced family needing dialysis illustrates the purpose of this record. Suppose the family crosses from a conflict-affected district into a disaster-affected coastal region, receives emergency shelter, and loses access to scheduled treatment. Several agencies may respond to aspects of the event: conflict actors, a territorial government, a relief coordinator, medical providers, and a transport authority. No single source establishes every legal duty in the chain. Depending on the facts, IHL rules, domestic health and disaster law, human-rights obligations, and clinical responsibilities may become relevant through separate conditions. Evidence of treatment interruption and a transfer failure does not determine the applicable legal breach. The inquiry identifies the source and actor for each claim, examines alternatives, and then reconstructs the operational sequence.

The three GR reality levels specify a limited additional interpretive task. At the level of *ontological reality*, the ultimate ontology of social and legal subjects remains suspended; no causal diagram establishes a metaphysical claim. At the level of *relational reality*, institutions, affected persons, professional roles, transport networks, consent procedures, and funding channels are studied as historically formed relations capable of conditioning protective outcomes. At the level of *manifestation reality*, those relations are accessible through particular records and experiences: duty rosters, rescue logs, shipment receipts, access requests, patient testimony, orders, and decisions. Evidence at the manifestation level may support competing interpretations. Verification requires corroboration, provenance, and attention to missing or inaccessible records.

The principal provisional mechanism is *interface-dependent interruption*: under specified circumstances, the transfer of a protective task among authorities and providers may produce a gap, despite apparently adequate performance within individual mandates. One possible research test compares episodes with comparable duties, resources, and risk profiles but different transfer protocols or inter-institutional accountability arrangements. The hypothesized relational mechanism would gain support if the observed continuity of protection differs systematically with the interface features after plausible legal, financial, geographic, and organizational alternatives are considered. An adverse case would show continuity failures occurring independently of the proposed interface, or existing legal and institutional theories fully explaining the observed difference. Neither result settles the normative merit of the governing institutions.

A parallel question concerns *responsibility displacement*. An external humanitarian organization may become indispensable to delivering a service, while the primary authority retains source-specific obligations. Article 60 of the Fourth Geneva Convention demonstrates an explicit rule preserving responsibility in occupation [11]. A comparable principle cannot simply be presumed for every disaster or rescue system. The research should document whether the controlling legal source preserves the primary duty, allocates an additional duty, or supplies another legal structure. Where the law leaves an institutional gap, a proposed accountability design should be labelled a policy or jurisprudential proposal, accompanied by analysis of feasibility, institutional competence, burden, participation, and mechanisms for contestation.

A legally adequate protection study also attends to persons whose needs are not incorporated into initial classification systems. Communication barriers, missing civil documentation, lack of accessible transport, or exclusion from eligibility records may prevent protected persons from appearing in an agency's operational evidence. The researcher must avoid treating administrative silence as absence of

need. Ethical data collection and confidentiality are essential, particularly for persons displaced by violence or dependent on institutions for continuing protection. The GR hypothesis is strengthened by careful examination of these interfaces only where the relationships explain a concrete outcome beyond that already accounted for by discrimination law, standard due-diligence analysis, administrative failure, or resource scarcity.

The section's jurisprudential conclusion is consequently differentiated. Positive duties to supply, protect, facilitate, and rescue exist in specific legal regimes and under distinct conditions. Relief activity can assist in discharging these obligations without necessarily transferring them. A person in need may benefit from several applicable norms while the authority to act, the standard of performance, and the available remedy remain source-dependent. The proposed GR contribution concerns the continuity and interruption of protective relations across institutions. Its adequacy rests on comparative explanation and reliable evidence. The subsequent analysis of permissions and consent should therefore begin with the doctrinal distinction between *having a protective duty* and *having the authority to carry out a particular protective intervention*.

4 Permissions, Consent, and Institutional Access

Humanitarian intervention in the ordinary operational sense of providing relief involves several legally distinguishable decisions: an organization may offer services, a competent authority may agree to an operation, particular personnel may receive approval, goods may be authorized to pass, and an affected individual may decide whether to accept a service. The legality of any one decision does not settle the others. This section establishes the analytical positions governing humanitarian permissions and access, examines the different consent regimes in armed conflict and disasters, considers control and withdrawal, and develops a preliminary institutional procedure for studying contested access. The method combines interpretation of selected treaty provisions and institutional texts with constructed counterexamples. The Generative Relational (GR) component examines how permissions are produced and implemented through historically constituted organizational relationships; it proposes an explanatory framework without treating relational cooperation as an independent source of legal authority.

For present purposes, an *offer* is a proposed humanitarian activity made by an actor to an authority or other relevant recipient; *consent* is assent attributable to an actor legally positioned to decide a specified matter; *authorization* is an institutional permission issued within an identified competence; and *access* is the practical capacity, subject to applicable law, to reach persons or resources and deliver a defined service. Each term describes a different object. In particular, an institution may have the liberty to propose assistance without holding a corresponding power to enter territory or to compel individuals to accept care. This framework also distinguishes nonconsensual activity that is legally prohibited from activity independently authorized by a rule whose application has been established. The existence and scope of such a rule require source-specific demonstration.

4.1 Humanitarian Offers of Services and the Legal Position of the Proposing Actor

The first relevant position is that of the actor entitled to propose humanitarian assistance. Common Article 3 of the Geneva Conventions provides that an impartial humanitarian body, such as the International Committee of the Red Cross (ICRC), may offer its services to parties to a non-international armed conflict. It also provides that application of the Article does not affect the legal status of the parties. These textual elements matter separately. The recognized capacity to make an offer protects a channel for humanitarian initiative within the treaty framework; the non-status clause limits the juridical implications that might otherwise be attributed to dealings with a non-State party [13]. An offer to a de facto authority thus need not mean recognition of that authority as a State or endorsement of its political claims.

In the domain covered by Additional Protocol I, Article 70(1) provides for humanitarian and impartial relief actions, subject to the agreement of the parties concerned, when the specified population is inadequately supplied. The same paragraph states that offers of such relief are not to be regarded as

interference in the armed conflict or as unfriendly acts. The provision makes an important distinction between an offer's legal characterization and the additional conditions governing implementation [19]. The offered operation may require agreement, control arrangements, and protection of personnel. The recipient's decision may itself be constrained by other legal obligations. The offer does not become an executable operation merely because it is permissible to make it.

The ICRC interprets humanitarian access under international humanitarian law (IHL) as encompassing a humanitarian right of initiative, requirements of agreement by concerned parties, and duties to permit and facilitate relief in the relevant circumstances. It also considers the arbitrary refusal of qualifying impartial relief inconsistent with applicable IHL obligations. Those propositions are important institutional legal interpretations, while their application to a particular episode still depends on conflict classification, material conditions, sources governing the parties, and the factual adequacy of the proposed operation [37]. Assertions concerning customary law or the obligations of particular non-State actors need their own supporting legal argument. The treaty text and the ICRC's explanatory synthesis should therefore retain distinct evidential labels.

The International Court of Justice's judgment in *Nicaragua v. United States* distinguishes strictly humanitarian assistance, whose character includes the non-discriminatory alleviation of suffering, from prohibited intervention. Its reasoning informs assessment of an aid operation's purpose and distribution, while neither that characterization nor an assertion of humanitarian purpose supplies a blanket authorization to cross an international border, displace domestic institutions, or exercise coercive governmental powers [44]. An analysis that merges humanitarian purpose with territorial permission would skip a juridically necessary step.

Offers may also be made by domestic societies, local communities, intergovernmental institutions, and private organizations. The legal status of each offer depends on the relevant law and mandate. Additional Protocol II, Article 18(1), specifically recognizes that relief societies located in the territory of the High Contracting Party may offer their traditional services, and that civilians may undertake certain efforts to collect and care for the wounded, sick, and shipwrecked. Article 18(2) addresses relief actions under additional conditions [21]. It would be inaccurate to assign identical treaty rights, permissions, or immunities to each category of actor solely because they share an aspiration to assist. The capacity to propose, the institutional competence to coordinate, and the authority to perform a potentially regulated service require separate records.

4.2 Agreement by Concerned Parties in Armed-Conflict Relief

Consent in armed-conflict relief is organized around particular treaty provisions, not a single generalizable sovereign veto. The applicable provision identifies the relevant population, the operational purpose, the parties whose agreement is material, and the control arrangements that may accompany relief. In occupied territory, the fourth Geneva Convention uses a specific and comparatively demanding regime: Article 59 provides that, when the whole or part of the occupied population is inadequately supplied, the Occupying Power shall agree to relief schemes and facilitate them by all means at its disposal [15]. The duty operates within the law of occupation. It should not be exported, without a separate legal foundation, to every civil emergency or every territory affected by violence.

Additional Protocol I, Article 70(1), governs qualifying relief actions for inadequately supplied civilians in territory controlled by a party to the conflict, other than occupied territory. It specifies agreement of the parties concerned. Once the relevant relief scheme falls within the treaty section, Article 70(2) addresses rapid and unimpeded passage, while paragraph 3 preserves certain technical control measures [19]. The text therefore connects a conditional decision concerning the action with obligations governing its passage and execution. The conditions differ from those of the occupation rule; collapsing them would impair both textual accuracy and the attribution of responsibility for refusal.

For non-international armed conflicts governed by Additional Protocol II, Article 18(2) requires that exclusively humanitarian and impartial relief actions, conducted without adverse distinction and responding to specified hardship due to lack of essential supplies, be undertaken subject to the consent of the High

Contracting Party concerned [21]. Protocol II's material applicability has its own threshold. Common Article 3 remains significant for non-international armed conflicts outside that Protocol's narrower scope, including through the express offer-of-services clause [13]. A source-sensitive analysis should record both the applicable conflict classification and the precise treaty basis asserted for an access decision.

Where a source requires agreement, two legal questions should be examined distinctly. The first concerns *who* is positioned to consent or approve the relief action. The second concerns *how* that discretion is constrained by duties to meet civilian needs, allow impartial humanitarian activities, and refrain from prohibited measures. The ICRC's 2023 account describes consent as required but not discretionary in the sense of unrestricted choice; in its analysis, valid humanitarian offers cannot be rejected merely as a matter of political preference where the applicable protective conditions are fulfilled [37]. This interpretation is a substantial guide to the legal argument. In a contested case, however, the researcher must document the actual source asserted, the affected population's needs, the impartiality of the offer, feasibility, alternative assistance, and available evidence about reasons for refusal. These factors should not be compressed into a categorical conclusion from the occurrence of refusal alone.

A constructed example clarifies the distinction. An impartial relief organization offers medical supplies to civilians in a contested district. One authority grants agreement for the operation, while another controls the only viable land route. The first approval may satisfy part of the legal and practical pathway without determining the second authority's duties or authority. The relevant law must be examined separately for each actor and geographic stage. An internally recorded organizational consent is still less decisive where the organization lacks the legal mandate it purports to exercise. The analytical object is a sequence of source-indexed permissions and obligations, not a single event of generalized acceptance.

4.3 Approval of Personnel, Passage Controls, and Operational Conditions

The legality of a proposed relief action leaves operational questions concerning passage, the status of personnel, technical inspections, distribution, and security. Additional Protocol I, Article 70(3), recognizes the right of parties allowing passage to prescribe technical arrangements, including searches, and permits certain specified supervisory conditions. It simultaneously restricts diversion of consignments and delay, subject to a narrowly expressed exception in the interest of the civilian population concerned [19]. These provisions have a functional structure: a rule that protects passage coexists with defined powers to verify the humanitarian character and safe implementation of assistance. Control is therefore a matter of legally bounded competence rather than evidence that the underlying aid obligation has disappeared.

Article 71 of the same Protocol treats personnel participating in relief actions separately. Paragraph 1 makes their participation subject to approval by the party in whose territory they carry out their duties; subsequent paragraphs require their respect and protection, address facilitation of their mission, limit movement restrictions in cases of imperative military necessity, and confine personnel to the terms of their mission [17]. Agreement to the transport of food or medicine, approval of the staff accompanying it, and the staff's entitlement to operate within an agreed mission may consequently rest on overlapping but distinct decisions. A research dossier should identify the authorizing body, scope of the approved mission, date and geographic reach, conditions attached, and available procedures for contesting operational restraints.

The ICRC's explanation of humanitarian access specifies practical measures that may facilitate relief, including administrative simplification for immigration, import or export processes, travel approval, and similar operational steps. The ICRC also considers control measures legitimate only within their legal boundaries and inconsistent with IHL obligations when used to make agreed humanitarian relief practically impossible [37]. These distinctions raise an empirical question: was a delay attributable to permissible verification, a technical inability to satisfy safety standards, deficient coordination, or a decision functioning as substantive obstruction? An observation of delayed entry alone cannot establish the responsible actor or legal category.

Operational access may be fragmented through several distinct permissions. Goods may pass a border but remain in a warehouse awaiting release; personnel may receive travel approval but lack security

guarantees for a particular road; a hospital may be authorized to receive supplies without being able to transfer them to patients; and a final distribution point may be inaccessible to persons with mobility limitations. Some of these events concern violations of applicable legal duties; others concern capacity constraints or procedural failures whose legal classification depends on further facts. The presence of humanitarian inventory in a country therefore does not, by itself, demonstrate that protected persons can obtain the service for which it was imported.

A particularly important limit concerns the proposed interpretation of *humanitarian corridors*. Their announcement may be operationally significant, but a label adopted in negotiation does not independently confer an unrestricted legal license or remove civilian-protection duties outside the designated route. The underlying acts must remain assessed according to the applicable IHL rules, agreements, circumstances, and individual rights. An institution can credibly record a corridor as open while people remain unable to use it because of cost, danger, disability barriers, discrimination, or absence of reliable information. Those failures require attribution to identifiable legal or institutional mechanisms before they support a conclusion about illegality or causation.

4.4 Receiving-State Consent and Conditions in Disaster Assistance

Disaster relief outside armed conflict requires a different source analysis. General Assembly resolution 46/182 emphasizes the sovereignty, territorial integrity, and national unity of States and describes humanitarian assistance as generally provided with the consent of the affected country and, in principle, on the basis of its appeal [64]. The resolution furnishes important United Nations coordination principles, but its legal standing should not be equated with a self-executing treaty rule governing every emergency. Specific domestic legislation, applicable regional instruments, bilateral arrangements, international-organization mandates, and other obligations may provide operative rules in particular circumstances.

The International Law Commission's 2016 draft articles on the protection of persons in the event of disasters present a more detailed proposed framework. Draft Article 12 concerns offers of assistance, Article 13 requires affected-State consent and proposes that it not be withheld arbitrarily, Article 14 addresses conditions imposed by an affected State, and Article 15 concerns facilitation. Draft Article 10 recognizes the primary role of the affected State in direction, control, coordination, and supervision [50]. These provisions should be described as the Commission's draft articles and its interpretive proposals. Their presence in a widely discussed codification instrument does not, without further demonstration, establish that the complete draft is currently binding international law or customary law in every case.

The present status of the treaty-making process reinforces that distinction. The United Nations scheduled a diplomatic conference in Bangkok for January–February 2027 to negotiate a legally binding instrument on protection of persons in disasters. As of the present manuscript date in October 2026, the projected instrument has not emerged from that scheduled conference [80]. It would therefore be premature to write as though its consent or facilitation provisions had already entered into force through that process. Existing rights and duties under other legal sources, including relevant human-rights obligations and domestic law, remain independently pertinent.

Consent to external assistance is also distinguishable from agreement on its design. An affected State may request food support but condition importation on quality assurance, require medically qualified personnel, assign locations for receiving aid, or impose publicly specified distribution standards. Some measures may be legitimate exercises of regulatory competence; others may obstruct protection, discriminate unlawfully, or violate obligations established by other sources. The 2016 draft's conditions provision invites analysis of the needs of affected persons and quality of the assistance, while maintaining the affected State's coordinating role [50]. Neither the ethical desirability of relief nor a donor's willingness to supply it resolves the legality of a particular imposed condition.

The *Guiding Principles on Internal Displacement*, especially Principle 25, likewise distinguish the primary responsibility of national authorities, the right of international humanitarian actors to offer services in support of displaced persons, and the proposition that consent should not be arbitrarily withheld,

particularly where authorities cannot or will not furnish the necessary assistance. The principles are an influential nonbinding instrument and require careful separation from independently binding law [61]. Their terminology should not be taken to establish a general private right of unilateral entry. In disaster contexts and displacement settings, a fully grounded analysis must trace both the authority to receive assistance and the corresponding protection of affected persons against unlawful exclusion.

4.5 Individual Agency and Institutional Consent in the Delivery of Aid

A receiving State's agreement to relief operations, or the approval of a humanitarian organization by a territorial authority, does not determine the choices legally reserved to an individual beneficiary. This distinction is acute in clinical treatment, evacuation, the collection of personal information, and support involving dependence on a caregiver or interpreter. The word *consent* in such situations refers to different decision-makers, different legal objects, and potentially different safeguards. A source-indexed inquiry should avoid treating organizational access consent as a proxy for individual medical consent, or an individual refusal of one service as a withdrawal of the entire organization's permission to operate.

For persons with disabilities, the Convention on the Rights of Persons with Disabilities (CRPD) supplies particularly important guarantees. Article 12 recognizes legal capacity on an equal basis with others and calls for support and safeguards in its exercise. Article 25(d) addresses the provision of health care of equivalent quality, including on the basis of free and informed consent [66, 68]. Article 11 concerns protection and safety in situations of risk, including humanitarian emergencies [65]. These provisions establish relevant obligations of States Parties; their precise domestic implementation, the application of any lawful emergency exceptions, and remedial pathways require jurisdiction- and context-specific inquiry. An emergency designation cannot be used as a general analytical substitute for assessing a person's legally protected agency.

A constructed evacuation episode illustrates the distinct consent positions. An organization has authorization to operate an accessible transport service. A hospital has approved a transfer route. A patient communicates a preference not to use that route without a familiar support person. A coordinator treats institutional authorization as sufficient and records the transfer as voluntary. Legal assessment must then examine the person's actual decision-making arrangements, available support, applicable healthcare and emergency law, and the conditions of any asserted exception. Institutional agreement may explain why transport was organized, but it does not establish that the patient authorized a particular intervention. The example is a conceptual stress test, not a report of actual wrongdoing.

Consent may also be practically constrained by asymmetric access to information. An individual may accept an evacuation because no alternative is presented, or decline it because the assistance is inaccessible in the person's language. A collective representative may consent to food distribution without the knowledge of groups excluded from the queue. Some such inequalities may ground legal complaints under applicable antidiscrimination, administrative, or human-rights law; others are matters of institutional design and procedural ethics. In both settings, the correct analytical move is to identify what decision was made, by whom, for which person or population, on which authority, and under what informational conditions.

This issue connects the manuscript to the preceding research on membership, representation, and shared normative arrangements. Heterogeneous subjects do not necessarily have identical modes of expressing preferences or exercising agency. The existence of heterogeneous communication and support relations, however, does not authorize a theoretical framework to override established human legal protections. For animals, the legal meaning of an individual welfare interest depends on particular positive law and the relevant institutional safeguards. For proposed artificial or extraterrestrial subjects, analogous issues remain hypothetical jurisprudential questions. The three categories should be compared for a precise research purpose while retaining their fundamental differences in legal status and evidential grounding.

4.6 Refusal, Withdrawal, Contestation, and the Limits of Access Decisions

Access disputes evolve through time. An authority may decline an initial proposal, agree to a limited mission, impose conditions after a safety incident, suspend the use of a route, or terminate a particular operation. The legal evaluation of these events depends on the applicable rules, the reasons supplied, the effects on protected persons, and the availability of alternatives. Treating them as an undifferentiated withdrawal of *consent* conceals which act is being contested. A provisional analytical taxonomy distinguishes refusal of the proposed scheme, refusal of staff approval, operational restriction, partial termination, and closure of a logistical route.

Under Additional Protocol I, Article 71, relief personnel's activities may be limited and their movement temporarily restricted only in cases of imperative military necessity within the text's terms, and personnel must remain within their mission. The same Article provides for termination of a mission when its conditions are not respected [17]. These are distinct competences. A party's ability to regulate personnel does not itself erase duties concerning civilian relief consignments under Article 70 or, where applicable, the occupied population under the fourth Geneva Convention. The relationship among permissions must be derived from the respective instruments, rather than inferred from a single administrative act.

An access refusal also requires evidentiary differentiation. An authority may assert that the population's needs are already adequately addressed; it may question a supplier's impartiality; it may allege danger on a route; or it may invoke a formal permit requirement. Each explanation raises an independently testable set of factual and legal questions. Verification should examine contemporaneous records, the adequacy of alternate assistance, relevant security information, temporal duration, comparable treatment of other providers, and downstream consequences. A stated safety justification may be valid in one circumstance and a pretext for exclusion in another. Neither result is established by the rhetorical form of the claim.

The provision-level distinction between existing law and soft-law proposals matters in review as well. The International Law Commission draft addresses the affected State's consent, conditions and termination of external assistance, whereas the ICRC's relief-access position concerns armed-conflict law, and the displacement principles address a further subject-specific context [50, 37, 61]. Invoking all three sources without determining the episode's legal domain may make the legal argument appear stronger than its foundations allow. A comparative study should therefore describe what conduct each authority could lawfully demand, which independent obligations survive, and what institutional or adjudicative forums have competence to review a decision.

The consequences of a disputed permission extend beyond the binary result recorded by the issuing institution. A refusal may delay perishable supplies, interrupt medication, or cause a temporary reception facility to close; a permission granted too late may have little protective effect. These practical consequences do not automatically establish a particular violation. They do, however, provide evidence relevant to proportionality or due-diligence questions where the applicable law makes such factors material, and to the causal analysis of an institution's implementation. Legal responsibility must be assessed separately for the decision-maker, the provider, and actors controlling subsequent stages of relief.

A careful research protocol should also avoid collecting unnecessary identifying information about people seeking aid, particularly where the recording of political status, health conditions, migration pathways, or contact networks may expose them to further risk. Publicly available legal texts and administrative decisions may suffice for some analyses; other studies require consent, confidentiality, independent ethical review, or authorized access to protected records. The absence of complete data can limit an empirical conclusion without authorizing speculative reconstruction of the persons concerned. Institutional contestation should improve access to remedy while respecting the safeguards applicable to evidence collection.

Table 4: Selected humanitarian access and consent configurations, with distinct legal objects and research cautions.

Configuration	Position and object	Principal source	Limit for inference
Non-international conflict offer	Impartial body's proposal to a party	Common Article 3	Offer does not itself grant territorial access
Occupation relief	Occupying Power's agreement to qualifying scheme	GC IV, Article 59	Occupation and inadequate supply must be established
International conflict relief	Agreement and passage for qualifying operation	AP I, Article 70	Parties concerned and technical controls remain material
Relief personnel	Approval and mission of personnel	AP I, Article 71	Staff approval and consignments are distinct objects
Disaster external assistance	Affected State's consent and conditions	ILC 2016 draft articles 13–14	Draft provisions are not, as a whole, a new binding treaty
Internal displacement	Offer, consent and access to displaced persons	Guiding Principle 25	Principle's nonbinding form and other law require distinction
Health care in emergency	Individual health-care consent	CRPD, Articles 12 and 25	Institutional permission does not replace patient agency

4.7 Relational Configuration of Humanitarian Access and Comparative Research Design

The jurisprudence of consent can be reconstructed as a network of legally differentiated positions. The relevant nodes include affected persons, territorial authorities, conflict parties, humanitarian organizations, distribution intermediaries, professional service providers, and review bodies. The relevant relationships include an organization's offer, an authority's agreement, permissions for passage, approved missions, an individual's decision about care, and duties governing the conduct of each actor. A useful GR reconstruction records the historical formation and transformation of those relationships while leaving their legal validity to source-sensitive analysis. The configuration changes when an intermediary is replaced, a route is closed, an authorizing body loses competence, or the population's circumstances alter the conditions that activate protection duties.

Table 4 organizes selected positions. Its purpose is to prevent an inference about one legal authorization from silently determining another. The table is a comparative research instrument, not a legal test that can decide the law across all jurisdictions. The source column identifies the instrument most directly relevant to the illustrated legal issue; the actual legal conclusion depends on the case's context and supplementary sources.

A source-indexed access dossier should record at least fourteen kinds of information where relevant: the protected persons and needs; the incident date and location; factual predicates activating a regime; each cited rule and its legal status; the proposing actor; the purported consenting authority and its mandate; the legal object of the consent; staff and transport approvals; operational controls and their reasons; the recipient's choices and relevant support; the sequence of grants, refusals and revisions; observable effects on delivery; alternatives and independent legal explanations; and confidentiality, review, and remedial obligations. Additional information may be needed in particular cases. The dossier is proportionate to the research question and should not turn into compulsory documentation imposed on those seeking aid.

Three analytical levels guide the GR interpretation. *Ontological reality* remains suspended: neither treaty texts nor the observable success of coordination demonstrates a final ontology of subjects or relations. At the level of *relational reality*, the research object consists of historically constituted, causally

relevant dependencies among authorization, logistics, institutional trust, power over records, and the effective capacity to deliver assistance. At the level of *manifestation reality*, those relations become accessible through letters of consent, distribution lists, visa and customs records, access denials, operational reports, complaints, and contemporaneous testimony. A record's presence is evidence that a representation was produced; whether it accurately represents legitimate authority, legal compliance, or realized protection requires further verification.

A preliminary hypothesis concerns *authorization-path discontinuity*. In some relief systems, an agency records itself as compliant once it has received a high-level permission, while the route to beneficiaries still depends on lower-level clearances or forms of personal agency that the first institution did not verify. The observable result may be an authorized but ineffective intervention. Such a result is readily conceivable under ordinary institutional explanations involving fragmentation, weak coordination, agency problems, discrimination, and resource scarcity. GR would add explanatory value only if a relational account identifies a historically conditioned coupling or feedback mechanism not adequately captured by those established explanations. Evidence might include repeated shifts in the effective veto point despite stable formal rules, persistent information dependence across reorganizations, or a counterfactual difference between otherwise similar relief routes with distinct histories of mediation.

Two constructed tests provide complementary challenges. In the first, an authority grants prompt passage and an independent audit documents timely delivery and meaningful beneficiary choice. The GR framework should acknowledge successful protection and avoid manufacturing a hidden failure simply because the social relations are complex. In the second, the same authority lawfully controls passage for a documented safety reason, but an intermediary's inaccurate translation of the permit leads staff to withhold aid from a protected subgroup. The researcher should first establish whether the problem is adequately explained by a violation of existing rules, poor administration, or bias. Only after those comparisons should a historical relational explanation be proposed as an additional account of how the intermediary's position became decisive.

The object of analysis is consequently a legally and empirically differentiated *pathway of assistance*. Its existence depends on institutional conditions; its legality depends on applicable sources; its effectiveness depends on evidence of access and benefit; and its legitimacy may require independent philosophical assessment. A pathway can be durable and generative while reproducing exclusion. Relational persistence by itself therefore confers neither authority nor moral justification. A responsible GR jurisprudence should retain that limitation, particularly where humanitarian need creates pressure to describe desired protective outcomes as already authorized law.

The section establishes the basis for subsequent analysis of beneficiaries, standing, representation, and responsibility. It identifies the legally relevant objects of offer, agreement, passage, professional authorization, individual choice, and review, and it proposes source-indexed comparisons capable of revealing both legal misclassification and potential implementation failures. Its theoretical contribution remains bounded: to assess whether historically constituted institutional relationships explain gaps between formal permission and realized protection after the applicable rules and established institutional explanations have been examined on their own terms.

5 Beneficiaries, Legal Interests, and Protected Standing

The legal identification of a person in need of humanitarian assistance can involve several distinct positions. A person may be exposed to harm, selected for a relief programme, protected by a rule of international humanitarian law, entitled to the performance of a specific duty, or eligible to initiate a complaint under an applicable procedure. The positions may overlap, yet their conditions and legal consequences differ. This section constructs a source-sensitive analysis of beneficiaries, protected interests, and procedural standing. It first identifies the categories used in relief administration, then compares the personal scope of selected humanitarian and human-rights instruments, examines agency and access to justice, and develops an evidentiary and relational research protocol. Its method combines close interpretation of particular treaty provisions, a limited comparison of institutional guidance, and constructed

counterexamples. The proposed Generative Relational (GR) interpretation is reserved for explaining how institutions make protected needs visible, actionable, or inaccessible; it is not used to create legal rights or standing independent of the relevant sources.

For analytic purposes, a *beneficiary* is a person or class included in a specified assistance activity or delivery record. An *affected person* is a subject whose legally relevant interests or practical conditions may be altered by conduct or omission. A *rights holder* holds a claim or legal position under an identifiable rule. A *person protected under a particular instrument* satisfies its material and personal criteria. *Standing* concerns the entitlement to invoke a specified procedure before an identified body, subject to its jurisdictional and admissibility rules. An *authorized representative* occupies an additional position under a source of mandate or procedural authority. The legal meanings of these terms depend on the system in question; the working definitions here enable comparison without purporting to restate every jurisdiction's doctrine of legal personality, capacity, or locus standi.

5.1 Assistance Classification and the Attribution of Protected Interests

Humanitarian operations commonly work with lists, registers, eligibility criteria, and distribution categories. Their classifications may serve legitimate purposes: allocating scarce supplies, identifying protection risks, preventing duplication, or organizing a phased response. A classification nevertheless performs several functions that should be distinguished. It identifies whom the institution intends to reach, records the facts used to justify selection, and may determine whether a person can enter a particular operational pathway. Those functions do not, without a corresponding legal basis, determine the complete set of rights the person holds.

Consider a constructed distribution programme whose register includes “families displaced during the previous month”. A person displaced earlier, a person without documentary proof, and a household whose members cannot attend a registration site may be excluded by the operational definition. Exclusion from that particular programme does not itself establish that each person falls outside the protective scope of humanitarian law, refugee law, constitutional guarantees, or other applicable rights. Conversely, an organization may voluntarily provide aid to a person without that person holding an independently enforceable claim against the organization under the same terms. For each disputed decision, the legal researcher should identify the programme rule, the institution that adopted it, the legal authority regulating it, and the independent legal protections that may constrain its operation.

A second distinction concerns the *object* of protection. Relevant interests may include physical security, adequate food and medical supplies, family integrity, accessible communication, protection against discrimination, control over personal information, and effective participation in decisions affecting care. A treaty may protect one or more interests through duties imposed on a State or party to a conflict. The identification of a significant interest, however, does not by itself specify the debtor of a corresponding legal obligation, the necessary standard of performance, or the available remedy. Sections 3 and 4 examined duty and authorization separately; the present section asks whose legally relevant position each duty or permission concerns.

For methodological clarity, a source-indexed inquiry should preserve at least four distinguishable statements. First, the person experiences a need or risk supported by evidence. Second, a relief institution recognizes that need for the purposes of its programme. Third, a governing rule classifies the person within a protected category or recognizes a relevant right. Fourth, an identified procedure permits a claim, review, or other form of participation. Each statement can be true or false independently in a particular case. Their connection is the subject of investigation rather than an assumption built into the terminology. This distinction will be particularly important where an apparently generous relief operation effectively becomes the only route through which a person can secure an otherwise protected interest.

5.2 Civilian Protection Categories and the Personal Scope of Humanitarian Law

The fourth Geneva Convention provides a useful example of differentiated personal scope. Article 4 defines “protected persons” for purposes of the Convention by reference to the individual's position in

the hands of a party to a conflict or occupying power of which the individual is not a national, alongside specified exceptions and qualifications. The text also distinguishes persons protected under the other Geneva Conventions. An account that simply equates every civilian exposed to warfare with an Article 4 protected person would therefore lose important jurisdictional and categorical distinctions [14].

The Convention's Part II has a broader personal scope. Article 13 states that its provisions concern the whole populations of the countries in conflict, subject to its terms, and the ICRC's 2025 commentary expressly explains that this coverage is wider than the Article 4 category. Particular articles within Part II still have their own objects and conditions. The broader coverage of Part II does not erase the Article 4 definition for provisions to which it is relevant, just as the Article 4 definition does not cancel the protections extended under Part II [12, 14]. The correct inquiry identifies which article protects which persons against which consequences, within what material and temporal setting.

Common Article 3 illustrates another distinction. In an applicable non-international armed conflict, it imposes minimum standards of humane treatment in relation to persons taking no active part in the hostilities, including specified persons placed *hors de combat*. Its reach follows the conditions of the provision and relevant conflict classification, not the nationality-based protected-person definition of Article 4 [13]. Additional Protocol II, where applicable, contains further protections and requirements with a narrower threshold of application than Common Article 3 [20, 21]. Thus the identity of the person and the classification of the conflict operate together with the specific treaty rule; neither can substitute for the other.

The same person may simultaneously occupy several relevant legal positions. A displaced civilian in occupied territory may be affected by rules on treatment, relief, family links, and access to medical services, while also holding human-rights protections whose applicability requires separate assessment. A humanitarian agency's operational designation as a "recipient" ordinarily supplies evidence about the programme rather than a comprehensive statement of the person's legal status. In turn, a finding that one article is inapplicable leaves open other treaty, customary, or domestic rules. This layered analysis serves a protective epistemic function: the failure of a narrowly defined status test should trigger an examination of other applicable sources before the researcher concludes that protection is legally absent.

The overlap of instruments also calls for care in drawing remedies from substantive rules. A treaty provision imposing duties to protect a class of persons may be binding on the relevant duty bearer without giving every individual a direct claim in every conceivable national court. The available forum, jurisdiction, causes of action, applicable domestic implementation, and procedural requirements require an additional inquiry. Substantive protection, invocability, and adjudicative standing should therefore be documented as related but distinct legal positions. The purpose is to preserve the force of the protected interest without inventing a remedy absent from the examined source.

5.3 Children, Displacement, and Protection across Legal Classifications

The Convention on the Rights of the Child establishes an example in which the holder of important rights need not possess the same practical bargaining or procedural capacities as an adult. Article 3 makes the child's best interests a primary consideration in actions concerning children by the institutions and authorities specified there. Article 12 recognizes the right of children capable of forming views to express them freely in matters affecting them, with due weight according to age and maturity; its second paragraph concerns opportunities to be heard in relevant proceedings. Article 22 addresses appropriate protection and humanitarian assistance for children seeking refugee status or considered refugees under the applicable law, including children who are unaccompanied [63]. The articles address different questions of interests, agency, and protection, and their cumulative application cannot be reduced to a single decision by an adult representative.

For a constructed emergency-evacuation case, assume an authority records a child as the dependent of a registered adult and assigns the household to temporary accommodation. That arrangement may answer a logistical question without establishing whether the child's views were elicited, whether a separation risk was investigated, or whether refugee-specific obligations arose. Equally, the child's views do not

independently settle every emergency placement decision. The research problem requires consideration of the applicable child-rights provisions, the child's circumstances, the responsibilities and authority of caregivers, and any national procedures regulating placement, guardianship, or review. The focus here is the structure of the legal problem, not an assertion that a particular national placement would be unlawful.

Refugee classification offers a further source-specific lesson. The UNHCR's overview of the 1951 Convention identifies criteria in Article 1 and particular protections, including non-refoulement under Article 33 [70]. In its interpretive note on status determination, UNHCR explains the declaratory character of recognition: under the applicable refugee definition, a person meeting the criteria is a refugee before an authority formally acknowledges that fact [71]. This principle matters where a relief administrator assumes that only an already issued recognition certificate can be evidence of a potential protection claim. The doctrinal conditions of refugee status and the evidentiary requirements of an administrative procedure remain important; the declaratory account should not be misunderstood as a determination that every person displaced by a disaster satisfies the Convention definition.

Administrative categories such as "refugee", "asylum seeker", "internally displaced person", "undocumented person", and "disaster survivor" may overlap with ordinary experiences of flight while remaining juridically distinct. Different legal instruments or domestic frameworks may apply to each category. An internally displaced person generally remains within the borders of the person's country, and identification as an internally displaced person by itself should not be presented as satisfying the cross-border requirements of the 1951 Convention refugee definition. Equally, the Guiding Principles on Internal Displacement provide relevant institutional guidance while not themselves constituting a comprehensive binding treaty [61]. A comparison can therefore reveal protection gaps without assuming that a single category or international instrument resolves them.

One evidentiary danger is circularity between eligibility and recorded existence. Where humanitarian registration is the practical precondition for being counted, people whom the registration system cannot reach may be absent from statistics subsequently used to estimate need. A related danger appears when an operator treats the absence of a particular document as conclusive proof that no protected interest exists, despite alternative evidence or procedural safeguards. Both problems require careful investigation of the underlying rules and available data. The GR question is whether historically stable relations among agencies, registrars, community intermediaries, and service providers help explain recurring patterns of invisibility after ordinary administrative explanations have been tested. Describing a pattern as relational does not itself prove unlawful discrimination or establish an individual entitlement.

5.4 Disability, Legal Capacity, and Access to Justice

The Convention on the Rights of Persons with Disabilities (CRPD) makes particularly clear why dependency in receiving aid should not be used to infer diminished legal personhood. Article 12 recognizes equal legal capacity for persons with disabilities and requires access to support in its exercise, subject to safeguards concerning rights, will, preferences, conflicts of interest, and undue influence [66]. Article 11 addresses protection and safety in situations of risk and humanitarian emergencies [65]. The relationship is important: heightened exposure to humanitarian risk may call for accessible assistance while the treaty continues to recognize the person's own legal position. The need for communicative or decision-making support is a reason to examine support arrangements, not evidence of a lesser legal status.

Article 13 imposes a distinct obligation on States Parties to ensure effective access to justice for persons with disabilities on an equal basis with others, including procedural and age-appropriate accommodations. The text includes investigative and preliminary stages and recognizes participation in varied legal roles, including as witnesses [67]. This provision concerns a legal guarantee of accessibility and participation. Whether a particular relief dispute can proceed before a specified court or tribunal still depends on jurisdiction, procedural law, the asserted substantive claim, and other applicable admissibility rules. It is important to distinguish the general access-to-justice obligation from an assertion that every alleged humanitarian failure necessarily creates a directly justiciable private action under Article 13 alone.

In a constructed case, a person who communicates through an interpreter or augmentative device requests review of an inaccessible distribution procedure. The administration accepts an aide's statement as though the aide were the decision-maker and never checks the individual's own preferences. The problem has at least three possible dimensions: the practical failure to obtain an accessible account, the legal question of authority and support, and the substantive question whether the distribution procedure breached an applicable rule. Article 12 helps frame the safeguards concerning the exercise of legal capacity; Article 13 is relevant to access to the relevant justice processes where its conditions apply; and Article 11 concerns protective measures in emergencies [66, 67, 65]. The determination of a violation would need the complete facts and law rather than the hypothetical alone.

The procedure available for a complaint can make further distinctions necessary. Article 1 of the Optional Protocol to the CRPD establishes the Committee's competence to receive and consider communications from or on behalf of individuals or groups claiming to be victims, under the jurisdiction of a State Party to the Optional Protocol. It expressly excludes communications concerning a State Party to the Convention that has not joined the Optional Protocol [69]. Additional admissibility requirements are contained elsewhere in that instrument. The existence of a substantive Convention right does not remove these procedural conditions. Nor should the ability to lodge an Optional Protocol communication be described as equivalent to access to a domestic court judgment or a directly executable monetary remedy.

The analytical difficulty is especially visible where a rights holder has limited access to documents, relies on family or professional assistance, or encounters inaccessible complaint mechanisms. A third person may be an interpreter, supporter, caregiver, witness, or legally authorized representative, and these positions are not interchangeable. Establishing that assistance was helpful does not demonstrate a legal mandate to waive a person's claim. Conversely, the use of support to submit a complaint need not entail substituted decision-making. The research protocol should specify whose claim is involved, the authority of each assisting person, the accommodations requested, and the procedure for identifying and addressing conflicts of interest. These requirements maintain continuity with the following section on representation and supported agency without prematurely resolving its full normative and institutional questions.

5.5 Claims, Representation, and Procedural Standing in Humanitarian Disputes

The existence of a right and the procedural ability to assert it must be analyzed through the applicable forum. A domestic administrative complaint, a national constitutional or statutory action, an international individual-communications procedure, an inter-State process, and a humanitarian organization's internal grievance channel are different institutional arrangements. Their rules may differ on the identity of eligible applicants, permissible representatives, time limits, exhaustion, evidence, and the legal consequences of a favorable finding. A beneficiary recorded in a distribution database is not thereby established to have standing before each such body. The reverse inference is also unsafe: a person may have an applicable human-rights or statutory claim even though a relief agency has never entered their name on its lists.

A precise standing inquiry can be organized around five questions. What is the alleged violation or administrative decision? Which legal source recognizes the claim or procedural interest? Which body has jurisdiction over the actor and subject matter? Who may initiate the procedure and in what capacity? What requirements govern admissibility, evidence, and requested relief? These questions establish a doctrinal inquiry before turning to wider normative evaluation. The Optional Protocol example shows the significance of a specific procedural title, State acceptance, and an alleged victim; Article 13 of the CRPD addresses equal access to justice in a broader form [69, 67]. Their relationship does not turn the Committee into a universal humanitarian appeals tribunal.

A further distinction concerns representation of a protected person versus *representation of an issue*. An NGO may document systemic failures, circulate a public report, submit an institutional recommendation, or accompany an individual claimant. The first activities may contribute to public accountability

without conferring legal authority to commence proceedings in another person's name. The last requires examination of the relevant procedural rules and mandate. Likewise, an affected community may appoint a spokesperson for consultations, while individual members retain separate legal interests or procedural rights. Collective voice and individual standing can support one another while remaining legally distinguishable.

The question of remedy should be reserved for the specific procedure. A finding that an official decision violated a rule may result in reassessment, access to a service, protection against further harm, declaratory relief, compensation, or some combination, depending on the legal system and facts. A humanitarian organization's complaint mechanism may recommend correction but lack coercive legal power. A United Nations treaty body may issue views or recommendations under an optional protocol, whereas a competent domestic court may possess enforceable remedial authority under national law. Each kind of review offers a different combination of voice, institutional pressure, adjudication, and binding effect. Source-specific institutional competence remains decisive.

Two counterexamples test the concept of standing. In the first, an organization receives a credible report of exclusion but cannot show that it represents the individuals concerned under the tribunal's applicable rules. The exclusion may warrant immediate administrative investigation while the proposed litigation lacks standing. In the second, an individual holds an otherwise arguable substantive claim but faces inaccessible forms, language barriers, or an unresponsive intermediary. Formal procedural eligibility may coexist with practical inability to lodge the claim, potentially raising additional legal questions about accessibility and equal treatment. A GR analysis could examine how these practical blockages became stabilized; it cannot declare an action admissible simply because the barriers were relationally constituted.

5.6 Evidence of Harm, Administrative Recognition, and Protective Misclassification

The legal recognition of a protective claim frequently depends on evidence. Treaties establish relevant categories and rights, but facts such as nationality, territorial control, age, displacement history, medical need, informed choices, and exposure to risk may be uncertain or contested. Relief records are particularly complicated because they are simultaneously instruments of operational coordination and potential sources for later legal review. A distribution receipt records a transaction, a refusal code records an administrative categorization, and a medical form records information under the conditions of its production. Each may bear on a legal question without being conclusive evidence of a violation or compliance.

The evidentiary inquiry should begin by separating the underlying event from its institutional manifestation. A food-distribution database may contain a categorical field "ineligible" without showing whether the applicant was denied a hearing, was omitted through a technical error, or actually failed a lawful programme criterion. A witness may describe a humiliating intake practice without knowing which agency promulgated the rule. An audit may record perfect agreement between two databases because they derive from the same original flawed register. The probative value of each item depends on provenance, independence, sampling, preservation, and the legal proposition for which it is offered.

Several mechanisms can produce a misclassification. An agency may apply the wrong treaty category; use a domestic eligibility rule outside its stated scope; mistake operational convenience for legal necessity; fail to provide an accessible means of demonstrating entitlement; or aggregate distinct household members into one decision record. Mechanisms may also produce apparent over-inclusion or duplicate claims. Their existence should be established by careful reconstruction of the actual rule, the historical decision, and rival interpretations. A single misclassification may be sufficiently explained by ordinary administrative error. More elaborate concepts of structural feedback are warranted only where there is evidence that the error recurs through multiple institutional relationships in ways existing explanations cannot adequately account for.

An ethical issue concerns the production of evidence itself. Collecting names, disability data, health records, displacement histories, or family details may expose individuals to unwanted surveillance, stigmatization, or reprisal. The humanitarian value of more complete documentation needs to be

Table 5: Illustrative protected interests and procedural positions across selected assistance contexts

Configuration	Protected interest and source	Classification or agency issue	Procedural inquiry
Civilian during armed conflict	GC IV Article 13 population protections; distinct Article 4 protected-person category	Conflict classification, nationality and control, article-specific conditions	Relevant forum and claim under the applicable rule
Child in humanitarian displacement	CRC Articles 3, 12 and 22, where applicable	Best interests, ability to express views, accompaniment and documentation	Child-sensitive procedure, representation and hearing
Person with disability during emergency	CRPD Articles 11–13, where applicable	Access needs, support, will and preferences	Accessible complaint and forum-specific standing
Person seeking refugee protection	Refugee Convention status criteria and applicable refugee-protection regime	Declaratory status, uncertain documentation and classification	Available status process and protection against unlawful return
Aid recipient excluded from register	Programme criteria plus independent applicable law	Missing entries, refusal codes, error or discrimination	Agency review and any separately available legal claim
NGO documenting systemic exclusion	Reporting mandate, programme rules, applicable procedure	Public advocacy versus individual representation	Whether the NGO can file in its own name or on behalf of a person
Artificial or other nonhuman subject	No generalized humanitarian standing established by cited human instruments	Hypothetical protected interests and institutional authorization	New positive-law bridge required before claiming standing

weighed against risks, confidentiality obligations, relevant data-protection law, and the person's agency. The present work proposes data minimization, disaggregated access controls, meaningful explanation of uses, and safeguards for disclosure as research precautions; their exact legal content depends on applicable law and institutional mandates. A research file should distinguish the observation of an exclusion from the collection of unnecessary sensitive details about the excluded person.

A carefully designed case audit would therefore preserve separate fields for legal-source citation, factual evidence, missing information, classification rules, decision makers, consequences, alternative explanations, and avenues for correction. It should also record whether evidence of consent or representation comes from the subject, a purported agent, an official instrument, or a later reconstruction. A claim of legal standing should not be inferred from a benefit receipt, nor a claim of no protected interests inferred from missing registration. The object is to identify the inferential transition at which practical administrative categories are mistakenly treated as conclusive legal determinations.

5.7 Comparative Standing Configurations and Generative Relational Research

The preceding distinctions support a comparative research design that preserves differences among legal regimes. Table 5 presents selected configurations in which risk, protected status, participation, and standing may intersect. The table is a jurisprudential index rather than a case-law survey. Its rows do not establish outcomes in particular jurisdictions, and each entry is subject to the instruments' specific application and the relevant facts.

For comparative purposes, the proposed research dossier contains fifteen fields: (1) situation and relevant legal domain; (2) affected subject or subjects; (3) observed risk or interest; (4) operational beneficiary classification; (5) applicable positive-law source; (6) personal and temporal scope; (7) duty bearer and performance standard; (8) procedural forum; (9) threshold for standing; (10) basis of representation

or support; (11) evidence and its provenance; (12) institutional decision and reasons; (13) complaint or correction outcome; (14) plausible rival explanations; and (15) outstanding uncertainty and rights-sensitive research safeguards. A complete dossier need not require every field to contain a definitive answer: explicit “unknown”, “contested”, or “inapplicable” values preserve uncertainty more accurately than fabricated precision. Comparable configurations should be selected for the question under investigation rather than by treating the dossier as a universally sufficient checklist.

The three GR analytical levels can then be separated. *Ontological reality* is suspended: a treaty category, case record, or social relation is not evidence establishing a final ontology of the subject. *Relational reality* refers to historically constituted and potentially consequential dependencies among protected subjects, family members, agencies, registrars, interpreters, legal professionals, and decision-making authorities. *Manifestation reality* concerns the forms through which those relations become accessible: interviews, forms, identity documents, hearing transcripts, eligibility codes, distribution records, complaints, and recorded outcomes. A manifestation can be mistaken, strategically produced, partial, or absent. The proposed levels provide an interpretive architecture, not a substitute for the applicable test of legal status or admissibility.

A bounded GR hypothesis concerns *institutionally reproduced protection invisibility*. Where the same informational intermediary mediates eligibility, referrals, assistance, and access to review, an initial erroneous classification may recur at successive decision points even after individual officials change. A possible distinctive GR contribution would identify a historically developed coupling among these decision points that explains the persistence of the error better than a theory focused on a single institution or rule. A research design could compare similar programmes with independent review pathways against programmes where each review depends on the initial categorization. The comparison should control, as far as feasible, for differences in resources, discrimination, staffing, legal architecture, and the underlying incidence of need.

The hypothesis is vulnerable to counterexamples. A system may retain a single centralized register yet provide effective correction and accessible review. A more distributed arrangement may reproduce errors because staff rely on common stereotypes or because funding rules impose identical exclusions. Either observation would limit the proposed mechanism or require its reformulation. Established legal doctrine may already explain a breach through an improperly applied rule; organizational research may explain the observed distribution through information bottlenecks. GR adds little if it merely renames those findings. The additional value must be tied to identifiable historical dependencies, a specified counterfactual, and evidential support.

Finally, the presence of a person in need of assistance cannot be transposed without argument into a general nonhuman legal status. Animal protection may follow particular animal-welfare or environmental enactments, which will be examined in Section 11, while any standing of artificial or extraterrestrial subjects remains a speculative jurisprudential possibility requiring a separately constituted legal bridge. Existing children’s rights, the CRPD, and humanitarian protections should not be weakened by analogies with hypothetical subjects. Comparative heterogeneity is useful where it exposes overlooked differences in protected interests and institutional power; it becomes misleading if those differences are flattened into a single metaphysical category.

The resulting legal analysis distinguishes observed need, institutional recognition, substantive protection, participatory capacity, and forum-specific standing. It establishes the beneficiary-side complement to the duty and access analysis developed earlier and prepares the following discussion of representation and supported agency. As a preliminary research contribution, the section offers a reproducible set of questions and a falsifiable relational hypothesis, while leaving legal outcomes dependent on applicable sources, competent bodies, evidence, and further specialist scrutiny.

6 Representation, Supported Agency, and Humanitarian Decision-Making

Humanitarian decisions may be taken under severe temporal constraints by institutions that do not control the circumstances producing the emergency. Organizations allocate shelter, authorize transport, arrange medical care, register dependants, and communicate with public authorities through caregivers, interpreters, caseworkers, community representatives, and other intermediaries. These intermediaries can make protection practically available, yet their participation raises distinct questions about legal authority, reliable communication, individual choice, and institutional accountability. This section analyzes representation and supported agency as differentiated positions within humanitarian decision-making. It first specifies the legal and organizational sources of a representative mandate, examines support for the exercise of legal capacity and children's participation, distinguishes collective consultation from individual decision authority, evaluates emergency constraints and information practices, and develops a comparative research protocol. Its method combines the text of identified human-rights instruments with treaty-body interpretation and nonbinding humanitarian professional standards. The proposed Generative Relational (GR) account addresses how decision-making positions are constituted and transformed across institutions; its added explanatory value remains to be demonstrated against established legal and organizational explanations.

Three working terms are useful. *Support* refers here to assistance that enables the affected person's expression, understanding, or exercise of an available decision-making position. *Representation* refers to action or communication attributed to a person or group through a source of authority or accepted institutional arrangement. *Substitution* refers to a third party selecting an outcome in place of the affected person under a purported power to decide. The labels identify different analytical relations, while their juridical meaning, permissibility, and consequences depend on the applicable treaty, domestic law, and particular decision. The section does not infer a general right for humanitarian organizations to make decisions for people merely from their humanitarian purposes. Nor does it treat provision of support as evidence that the recipient lacks legal capacity. In emergencies, these distinctions become especially consequential because a single operational form or hurried conversation may obscure several different decisions with different lawful decision-makers.

6.1 Mandate, Attribution, and the Scope of Representative Authority

An actor who speaks on another person's behalf may occupy several positions. A relative may convey information, an interpreter may translate words, a lawyer may act under a legally recognized authorization, a community leader may describe collective priorities, and a social worker may collect evidence concerning immediate needs. The practical value of these roles is often high, but authority to supply information is not equivalent to power to give legally effective consent. A research record should therefore identify what the intermediary did, the legal or procedural basis of the role, the decision for which an attribution is asserted, and the means by which the person's own account could be sought or verified.

In a constructed shelter-allocation episode, an adult displaced by flooding communicates through a family member because the official registration interface is unavailable in the adult's preferred language. The family member gives correct information about household size and preferred shelter location. The official may reasonably record the information as a report if no rule requires direct personal testimony for those factual entries. A different question arises if the family member signs a broad authorization permitting relocation to a distant region, disclosure of medical information, and withdrawal of a complaint. Each legal effect requires an examination of the nature and extent of any valid mandate. An institution should not silently treat linguistic assistance as a general legal delegation. Equally, the presence of a family intermediary is not by itself proof of coercion or misrepresentation: the research inquiry needs evidence of the actual relationship, applicable authorization, and the person's expressed will.

For analytical purposes, a representative mandate may be described through its *source*, *holder*, *object*, *duration*, *revocability*, and *review pathway*. Source concerns whether authority derives from an

individual's authorization, legislation, a judicial determination, an organizational rule, or another recognized arrangement. Holder specifies whose act is attributed to whom. Object records whether the representative may transmit facts, receive notices, request services, consent to treatment, direct expenditure, or initiate review. Duration concerns whether the authority applies to one emergency decision or an extended relationship. Revocability and review require particular attention where an affected person has little practical ability to challenge the intermediary. These dimensions do not constitute a universal positive-law test; they are a source-indexed research template. The governing rules of each jurisdiction still determine the existence and legal effect of the alleged authority.

Representation also raises a problem of competing principals. A community representative may be accountable to an association while a particular member has an individual right under a human-rights instrument. An institutional coordinator may be authorized to speak for a humanitarian agency while lacking authority over beneficiaries. A guardian may have powers established by domestic law while being constrained by applicable human-rights obligations. The appropriate questions concern each authority separately. A single diagram of "the decision-maker" would conceal disagreements over whose interests, whose instructions, and whose legal position the purported mandate serves. Section 5 established that protected status and standing depend on particular sources; the present inquiry adds the distinction between holding such positions and authorizing their exercise through another actor.

Humanitarian professional standards can help identify operational safeguards, even when a private organization's programme does not itself create a statutory representative mandate. The ICRC's *Professional Standards for Protection Work* addresses safe, responsible protection activity and informed consent in information practices; the revised Core Humanitarian Standard (CHS) emphasizes participation and accessible accountability within organizational programmes [35, 6]. Their status remains distinct from the binding rules of a ratified treaty or applicable national law. For example, an agency's compliance with a professional practice concerning representation would not automatically resolve a dispute about the lawfulness of an administrative decision made by a State official.

6.2 Legal Capacity, Decision Support, and the Person's Will and Preferences

The Convention on the Rights of Persons with Disabilities (CRPD) supplies an especially important legal point of departure. Article 12 recognizes the legal capacity of persons with disabilities on an equal basis with others, requires access to support in exercising legal capacity, and calls for safeguards that respect the person's rights, will, and preferences while addressing conflicts of interest and undue influence [66]. Article 11 concerns measures for protection and safety in situations of risk, including humanitarian emergencies [65]. These articles should be read together within the Convention's scope without converting a protective emergency programme into an automatic transfer of personal decision-making power to caregivers or response agencies.

The Committee on the Rights of Persons with Disabilities develops the distinction between legal capacity and decision-making ability in its General Comment No. 1. It treats legal capacity as comprising recognition of a person's ability to hold rights and act within the law, while decision-making skills can vary with context and support. The Committee argues for arrangements that respect the person's will and preferences and critiques substitute decision-making regimes. Its account of substitution in paragraph 27 must be read with the Committee's 2018 corrigendum, which corrects that paragraph's characterization of such regimes [3, 4]. This is an authoritative treaty-body interpretation, not a claim that every domestic legal system already implements the Committee's account in the same way. Where national statutes or case law diverge, the divergence itself requires investigation and should not be erased through an unqualified statement of harmonized law.

Decision support may involve communication assistance, additional time, accessible formats, trusted persons, familiar technologies, or help comparing practical alternatives. Its relevant function is to make the affected person's agency exercisable under the circumstances. When an organization assumes that needing a communication aid indicates inability to decide, the assumption can introduce a circular barrier: support is withheld until capacity is demonstrated without support, while the absence of support is then

treated as evidence of incapacity. The Convention's framework requires a more careful inquiry into accessible decision conditions and safeguards [66, 3]. Whether a particular supporter has authority to sign a legal document is a further, source-specific matter.

Consider a constructed allocation of assistive devices at an emergency distribution point. An individual uses an augmentative communication device and expresses a preference for equipment compatible with an existing system. A support worker recommends a cheaper, locally stocked alternative on operational grounds. The worker may provide information about availability and maintenance, but that recommendation does not establish consent to receive or use the alternative. A caseworker who records only the worker's choice could misstate the individual's preference. Where supplies are limited, the final allocation might still depend on lawful prioritization rules and clinical criteria. The different questions are whether the individual's preference was accurately heard, whether any binding duty governed the allocation, and whether resource constraints and equal treatment were assessed appropriately. Recording a preference is not identical to guaranteeing its satisfaction.

A second constructed example concerns disclosure of a disability-related record to a coordinating agency. A trusted supporter may help explain a consent form or communicate a person's selection among disclosure options. The professional standards on information and informed consent provide guidance concerning voluntary agreement, understandable explanations, and limitations on information use [35]. Appropriate legal bases for processing, confidentiality, data-protection requirements, and exceptions must nevertheless be established separately where applicable. A general statement that an individual agreed to relief assistance does not settle whether that person validly authorized every subsequent disclosure. Support for a decision and authorization for processing information have related, yet distinguishable, evidentiary histories.

The GR research question concerns relationships that repeatedly create or remove opportunities for the exercise of agency. Relevant configurations include the availability of interpreters, the authority assigned to community intermediaries, the cost of reaching a consultation, the compatibility of registration technology, and the way an institution records disagreement. A claim about these relations can be tested through documentary sequences and affected-person accounts. The existence of relational dependence neither reduces a person's legal standing nor demonstrates that an organization has breached the CRPD. The proposed mechanism must be connected to a concrete alteration in access, attributed decisions, or the handling of rights and preferences after source-specific legal questions have been addressed.

6.3 Children's Participation, Caregiving Roles, and Protective Judgment

Children's participation introduces a distinct combination of developmental considerations, protective responsibilities, and express legal rights. Article 3 of the Convention on the Rights of the Child (CRC) gives the child's best interests the status of a primary consideration in the actions to which it applies. Article 12 protects the opportunity for a child capable of forming views to express them in matters affecting the child, with those views receiving due weight according to age and maturity. It also addresses opportunities to be heard in judicial or administrative proceedings. Article 22 makes additional provision for children seeking refugee status or regarded as refugees under the applicable law [63]. These provisions should not be compressed into a general rule that a caregiver's account is either always controlling or always displaced by the child's stated preference.

The Committee on the Rights of the Child's General Comment No. 12 elaborates participation as an ongoing process and explains that listening to children requires serious consideration of their views. It discusses the significance of maturity and the contexts in which hearing a child's account can be meaningful [5]. The Committee's guidance does not itself decide custody, consent to particular medical interventions, evacuation authority, or procedural representation in an individual country. The researcher's task is to locate the applicable treaty obligations, domestic legislation, procedural rules, and facts of the child's situation, including potential conflict between the child's wishes and those of a caregiver or institution.

An emergency evacuation can involve multiple decisions at different times. A responder first assesses

an immediate physical danger and the feasibility of movement. An institution then decides whether a child may travel with a particular adult, where the child will be sheltered, what information can be shared, and how future family contact will be maintained. Later proceedings might determine guardianship or longer-term placement. The legally relevant decision-maker may differ across these stages. A child's expressed wish to remain with a particular caregiver is important evidence of the child's experience, while relevant protective laws and immediate safety circumstances may impose additional conditions. The phrase "best interests" should therefore refer to a structured inquiry under the applicable framework, not serve as an unexplained substitute for listening to the child.

In a constructed temporary-accommodation case, an institution consults the adult listed as the household head but does not ask the adolescent where the adolescent feels safe. The adult proposes a shelter where an alleged perpetrator of abuse also resides. Subsequent discovery of the risk demonstrates why a caregiver's authority, the child's participation, evidence of harm, and review mechanisms should be examined separately. The example does not establish that each instance of reliance on an adult violates the Convention. It illustrates the possible consequences of treating family reporting as a complete record of a child's protected interests. A lawful and ethically responsible response would depend on the nature and reliability of evidence, the duties and powers of the responsible authority, the child's evolving capacities, and applicable safeguarding procedures.

Age-appropriate support may involve confidential interviews where justified, skilled interpreters, accessible explanations of options, assistance from an independent advocate, and safe channels to correct recorded information. The choice of such measures should reflect risk and context: an interview procedure that effectively exposes the child to retaliation may undermine its protective aim. Institutions should examine whether hearing a child is genuinely free from pressure by adults with divergent interests and whether views affect reasons for a decision. Participation is consequently relevant to the quality of information and to the legitimacy of processes, though it does not amount to a uniform entitlement to determine every outcome. The standards of the CRC and the Committee's interpretive guidance provide different kinds of support for this distinction [63, 5].

6.4 Collective Voice, Organizational Intermediaries, and Heterogeneous Interests

Humanitarian planners frequently consult local committees, displaced-community representatives, organizations of persons with disabilities, professional associations, religious bodies, and service providers. Collective participation can uncover risks that an individual intake form misses, including inaccessible facilities, discriminatory distribution practices, and breakdowns in transport or language services. At the same time, a collective representative's testimony does not automatically constitute authorization by every affected individual. This distinction is particularly important where aid organizations and authorities use consultation records as evidence that an operation has obtained general consent.

The Inter-Agency Standing Committee's 2019 guidance on inclusion of persons with disabilities places persons with disabilities and their representative organizations centrally within humanitarian action. It develops a practical framework for their meaningful participation in relevant decisions [30]. The guidance provides an institutional practice reference. It does not confer treaty-based public office on an organization of persons with disabilities or empower it to waive its members' individual rights. The revised CHS similarly addresses participation, complaints, adaptation to feedback, and equitable relations in humanitarian organizations; its normative status is that of a voluntary quality and accountability standard [6]. Both resources can inform the design of consultations without substituting for the applicable law on public consultation, administrative representation, or personal consent.

A useful analytical distinction concerns *descriptive voice*, *advocacy*, *negotiation*, and *authorization*. A committee may describe a pattern observed across many households, advocate for a particular accessible distribution site, negotiate a logistical timetable, or formally agree on specified organizational responsibilities. The evidentiary meaning of each act differs. Even where the committee validly speaks for a registered association, its competence may be limited to that association's own decisions. A particular person's medical consent, movement preferences, or entitlement to contest an administrative decision

remains a separate inquiry. Group claims deserve scrutiny for representativeness, inclusion of minority positions, and possible conflicts between leadership and affected members.

Consider two hypothetical villages seeking relief after a disaster. In one village, a community council is widely trusted, uses accessible consultations, and documents minority objections. In another, a council claims identical representative status while restricting meeting access to landowners and excluding displaced tenants. A planner who relies only on the label “council consultation” will miss the difference in who could speak and whose conditions were recorded. Yet a formal requirement to consult a specific body may still be satisfied or violated according to particular legal rules that the example does not specify. The GR contribution would be to investigate the recurring interfaces through which representative selection affects evidence, allocation, complaint access, and later outcomes, with the legal effect of consultation determined separately.

Representation through organizations also poses an epistemic difficulty when statistical coverage and political presence diverge. A large group can have poor practical access to hearings, while a smaller organization with specialized expertise can illuminate risks invisible in aggregate counts. A fair procedure need not weight every statement identically; it should disclose the reason for relying on particular sources and the safeguards used against manipulation or exclusion. UNHCR’s age, gender and diversity policy provides an example of an institution-specific commitment to inclusive programming and accountability to affected people [72]. Its requirements apply through UNHCR’s own policy framework; they should not be described as immediately binding rules for every independent humanitarian association or government.

6.5 Urgency, Informed Choice, and Protective Decision Procedures

Emergency conditions affect the time, information, and communication resources available for a decision. An evacuation warning may need to be conveyed within minutes, while review of a housing allocation or longer-term relocation can permit considerably more consultation. A responsible legal analysis should therefore identify the particular decision, its temporal horizon, the source of the decision-maker’s power, and what support is feasible under the circumstances. Urgency can alter an operational process and may be relevant under specific laws, but the bare invocation of “emergency” does not supply a general exemption from human-rights obligations or create unlimited representative authority.

In humanitarian practice, informed participation requires attention to the quality of available choices. An affected person may appear to accept a relocation plan because remaining at the original site is immediately dangerous, because transport to other locations is unavailable, or because a service provider presents only one option. These are different explanations for recorded assent. The ICRC’s professional standards provide operational guidance on informed consent and the use of protection information, including making risks and intended uses understandable to the person concerned [35]. A researcher should distinguish these professional expectations from specific requirements governing medical treatment, administrative movement restrictions, data use, or forced evacuation in the applicable legal setting.

A *decision episode* can be documented in six stages: information about the options, support needed to understand the options, expression of a choice or objection, determination by the legally authorized actor, communication of reasons, and an available mechanism for correction or review. These stages form a proposed research organization, not an assertion that an identical six-step process is legally mandatory in every emergency. In some cases an immediate life-saving action precedes full consultation under an applicable emergency exception; in others, waiting to consult is the legally relevant requirement. The analytical value of the stages lies in showing what happened, what was possible, and which departures from ordinary procedure require justification under an identified source.

A constructed triage episode illustrates the distinction. A responder allocates transport to a medically unstable patient while another patient requests a different facility because of an accessibility need. The immediate decision may depend on clinical urgency, resources, and operational duties. An accessible explanation and documentation of the second patient’s concern may still be important for subsequent transfer planning or review. A rigid insistence that every choice must precede each protective act could

be irresponsible where delay threatens life. Conversely, interpreting urgency as permanent permission to disregard the person's expressed choices would obscure the continuing obligations of care, accommodation, and review. The correct legal conclusion cannot be drawn from the abstract example; it requires the applicable clinical, administrative, humanitarian and human-rights rules.

An important danger concerns irreversible decisions. Some acts have consequences that cannot be readily corrected: family separation, release of a sensitive record, transfer across a border, abandonment of property, or disclosure of an individual's protected location. Decision-makers may reasonably need stronger procedures or more carefully delimited authority for such acts than for reversible service arrangements. The classification of consequences should be connected to legally relevant thresholds and available alternatives. The GR analysis can ask whether repeated pressure at institutional handoff points makes irreversible choices more likely and whether appropriate documentation, review, or communication support reduces such failures. It should also test simpler hypotheses, such as an individual employee's misunderstanding, a defective form, or the absence of available transport.

6.6 Information Fidelity, Confidentiality, and Corrective Accountability

Representation operates through records as well as through people. Humanitarian institutions regularly transfer names, expressed preferences, household categories, risk alerts, consent records, and case histories between teams. An interpreter may accurately convey a preference, but a registrar may enter it as a refusal; a support worker may label a suggested alternative as the person's final decision; a central database may omit the provenance of the entry. Each transmission can transform the institutional meaning of a statement. The resulting document may later function as evidence of consent or of lack of cooperation, even though its apparent authority depends on a fragile chain of attribution.

The proposed concept of *representational fidelity* refers to the degree to which the institutional record preserves who expressed a proposition, in what capacity, for what purpose, under what constraints, and with what opportunity for correction. It is an analytical proposal rather than a settled legal term. Its purpose is to illuminate the difference between a person expressing a preference, a representative advocating an outcome, and an authority deciding among options. Fidelity can be studied through audit trails, interviews, recordings where lawful and ethically appropriate, signed or accessible confirmations, and comparison of successive records. It should not be measured by treating the affected person's later disagreement as automatically establishing that the earlier record was inaccurate; preferences may evolve, and a legitimate decision can be contested even when the original record was accurate.

The treatment of sensitive information illustrates a further boundary. Better traceability is not necessarily achieved by more extensive data collection or wider circulation. The ICRC's professional standards emphasize responsible protection work and the need for informed consent and safeguards in relevant information practices [35]. Applicable privacy, data-protection, medical-confidentiality, and safeguarding rules may impose additional or different constraints. A proposed research database should therefore use data minimization, restricted access, and risk assessment. Researchers should not presume that an affected person has authorized the reuse of personal information simply because the information was gathered during assistance. Where records concern a child or a person at risk of retaliation, the costs of exposure may exceed the epistemic benefit of an exhaustive archive.

A source-indexed accountability inquiry should locate the authority responsible for each institutional transformation. The person who offered advice may differ from the official who entered the data, the agency that approved the action, and the body empowered to review it. Error correction, complaint channels, and institutional learning are distinct from judicial remedies. The CHS sets out relevant standards concerning responsive complaints, feedback, and organizational adaptation [6]. Whether a particular affected person has a legally enforceable entitlement to a remedy is governed by the jurisdiction and substantive rights identified in the case; a voluntary complaints mechanism cannot be represented as equivalent to adjudicative access. CRPD Article 13 addresses access to justice for persons with disabilities where applicable, while the jurisdiction of any concrete forum requires independent determination [67].

Table 6: Representative and supported-agency configurations in humanitarian decisions. Legal consequences remain source- and fact-dependent.

Configuration	Principal authority and agency inquiry	Evidence or safeguard to examine
Adult assisted by interpreter	Translation or communication support versus legally effective authorization	Person's own confirmed account, accessible interpretation, scope of mandate
Adult assisted by trusted supporter	Exercise of legal capacity and influence on expressed will	Will and preferences, independence, conflict and undue-influence safeguards
Child with caregiver in emergency shelter	Child participation and caregiver or institutional decision power	Age-appropriate hearing, safeguarding review, reasons and applicable rules
Community disability organization	Collective consultation versus individual legal authority	Membership, representative selection, dissent, access and feedback
Rapid medical transport	Time-sensitive protective action and applicable legal authority	Trigger, viable options, explanation, record and review where possible
Inter-agency data referral	Transmission of information versus authorization to disclose	Data provenance, privacy basis, scope and correction mechanism

The risks of excessive reliance on intermediaries also call for a carefully delimited institutional response. Eliminating intermediaries would exclude people who depend on language support, trusted assistance, or collective advocacy. Unexamined reliance may enable coercion or distorted attribution. A defensible proposal therefore combines accessible direct communication, recognition of valid mandates, independent channels for objections, proportionate documentation, and safeguards concerning sensitive information. The adequacy of these measures remains context-dependent. A GR reconstruction earns additional explanatory value only if it identifies a persistent pattern connecting the historical design of these interfaces to failures of agency or protection that would remain inadequately explained by conventional analyses of organizational rules, individual misconduct, and resource scarcity.

6.7 Comparative Agency Configurations and a Generative Relational Protocol

Table 6 compares decision episodes without treating the legal effect of participation as constant across them. Each row specifies a role, the relevant authority question, and an observable safeguard or failure indicator. The table combines actual positive-law reference points with explicitly constructed analytical configurations. It does not purport to determine the legality of any particular case.

The comparative cases suggest a fourteen-field research record: (1) governing legal domain; (2) affected person or collective; (3) decision and its consequences; (4) legal rights and interests potentially engaged; (5) actor exercising a decision power; (6) source and scope of authority; (7) support and communication arrangements; (8) representative's asserted mandate; (9) expressed will, preference, or dissent; (10) urgency and feasible options; (11) record of consent, reasons, and provenance; (12) safeguards for privacy and conflicts of interest; (13) review and correction routes; and (14) observed outcome with rival explanations. A researcher should select fields relevant to the particular legal question and withhold sensitive data where its collection is unnecessary or unsafe. The record is therefore an adaptable framework rather than a universal checklist imposed on humanitarian practitioners.

The three GR reality levels help identify distinct epistemic commitments. At the level of *ontological reality*, the theory suspends claims about ultimate being; it neither settles human legal personhood through metaphysics nor treats documentary representations as an ontological account of a subject. At the level of *relational reality*, patterns of dependence, trust, institutional delegation, exclusion, and intermediation can acquire historically durable and causally effective forms. Such patterns may be investigated as relational structures when they affect opportunities for agency, without predetermining whether they are legitimate. At the level of *manifestation reality*, interviews, consultation minutes, signatures, administrative forms, procedural decisions, and aid outcomes provide partial and situated evidence of those structures. A missing signature can reflect exclusion, emergency conditions, lawful alternative authorization, or simple noncollection; the relation between manifestation and relational process requires source criticism and corroboration.

A *provisional GR hypothesis* is that persistent institutional mismatches between the person entitled to express a decision, the intermediary recorded as speaking, and the office authorized to act can create recurrent failures of protection even when each organizational unit believes that it has complied with its local procedure. The hypothesis is narrower than an assertion that relational mechanisms explain all cases of defective representation. It would receive support if repeated cross-institutional episodes showed distortions at identifiable handoffs, their persistence after correction of individual mistakes, and material improvement following changes to attribution or review interfaces. Evidence against it could include cases where the errors disappear after ordinary staff training, straightforward rule clarification, or resource provision, with no need to posit a distinct relational mechanism. A further adverse case would be one where a robust interface protocol leaves substantive protection unchanged because the decisive obstacle is a lawful and binding resource-allocation constraint.

The normative significance of the analysis must be argued independently. Greater relational coordination can strengthen harmful authority, amplify coercive intermediaries, or make surveillance more efficient. Participation without regard to unequal power may merely document an imposed outcome. Existing treaty safeguards, lawful mandates, individual autonomy, protection from harm, and fair procedures accordingly remain independent evaluative standards. GR may assist in explaining how institutions preserve or distort those standards through time, but a generative pattern does not by itself establish legality or justice. Future empirical inquiry should involve persons with relevant lived experience, include accessible methods, and obtain appropriate ethical authorization before collecting sensitive evidence. The next section will examine humanitarian neutrality, impartiality, and institutional independence, which constrain the roles that a protective agency may legitimately perform even when support or representation is operationally valuable.

7 Humanitarian Neutrality, Impartiality, and Institutional Independence

Humanitarian institutions allocate scarce services while working among public authorities, conflict parties, donors, local organizations, and people whose needs and preferences may diverge. Their claims to impartiality, neutrality, and independence shape whether they obtain access, whose needs become institutionally visible, which services are delivered, and how claims of misconduct are addressed. This section examines these principles as distinct normative and organizational positions within humanitarian protection. The argument first identifies their sources and legal status, then analyzes need-based allocation, engagement across conflict lines, autonomy under resource dependence, and the relationship between confidentiality and protective advocacy. It concludes with constructed institutional comparisons and a preliminary Generative Relational (GR) research protocol. The method combines textual interpretation of identified legal provisions and institutional standards with adversarial institutional analysis. It does not infer the legality of an operation merely from its professed adherence to humanitarian principles.

A preliminary distinction is necessary. *Humanity* identifies an orientation toward the alleviation of suffering and protection of life and dignity. *Impartiality* concerns the grounds upon which people and needs are differentiated in delivering assistance. *Neutrality* concerns an organization's position in relation to hostilities and political or ideological controversies, especially where confidence across opposed parties affects humanitarian operations. *Independence* concerns the conditions under which an institution can maintain humanitarian purposes in its decisions notwithstanding pressures from governments, donors, armed actors, or other organizations. These working definitions follow the International Red Cross and Red Crescent Movement's own articulation of its Fundamental Principles, while remaining sensitive to the fact that institutional doctrines, treaty norms, and professional guidelines possess different sources and scopes [43, 52]. A particular actor's claim to neutrality should therefore be evaluated in relation to its role, actual conduct, governing framework, and institutional setting rather than through a uniform label applied to the whole humanitarian field.

7.1 Sources, Purposes, and the Legal Position of Humanitarian Principles

The principles guiding humanitarian action appear in several kinds of normative instruments. Within the International Red Cross and Red Crescent Movement, humanity, impartiality, neutrality, independence, voluntary service, unity, and universality define a shared institutional identity. The Movement's description of impartiality includes the rejection of discrimination on enumerated grounds and a priority for the most urgent distress; its description of neutrality associates abstention from taking sides with preserving confidence; and its description of independence explicitly accommodates the auxiliary role of National Societies while insisting upon adequate autonomy [43]. Jean Pictet's historical commentary distinguishes the substantive aims of humanitarian work from the conditions that make their implementation possible, while also recording the difficulties inherent in each principle's interpretation [52]. This is an institutional doctrinal account rather than a judicial resolution of the law governing every aid provider.

Outside the Movement, humanitarian organizations and funding institutions employ related vocabulary in distinct ways. The IFRC-hosted Code of Conduct for the Movement and NGOs in Disaster Relief identifies needs-based priorities, safeguards against promoting a political or religious agenda, local capacities, and recipient involvement as standards for signatory organizations [46]. Médecins Sans Frontières (MSF) places medical ethics alongside impartiality, neutrality, independence, accountability, and speaking out in its description of its own operating principles [54]. The practices and organizational histories of these institutions cannot simply be substituted for one another. The presence of similar words in their charters neither implies identical operational rules nor makes one organization's communication choices legally obligatory for another.

Applicable humanitarian law provides a different type of source. Common Article 3 of the four Geneva Conventions allows an impartial humanitarian body, such as the ICRC, to offer its services to parties to a non-international armed conflict. The legal significance of that provision concerns an offer of services within a defined conflict context; it supplies neither an unconditional entitlement to enter territory nor a general waiver of consent, security arrangements, or other applicable constraints [13]. Under Additional Protocol I, Article 70 addresses humanitarian and impartial relief actions in the relevant international armed-conflict settings, while Articles 70 and 71 distinguish arrangements for relief consignments from arrangements involving relief personnel [19, 17]. Additional Protocol II, Article 18 governs certain relief actions within its more restricted domain of non-international armed conflict [21]. These texts give specific legal work to humanitarian and impartial characteristics without turning a full organizational code into a universal treaty obligation.

United Nations practice likewise combines legal instruments and institutional policy. Operative paragraph 7 of Security Council Resolution 2573 (2021) refers to impartial humanitarian actors and to the principles of humanity, neutrality, impartiality, and independence in calling for humanitarian assistance consistent with applicable international law [82]. The legal effects of that paragraph depend on its wording and context; the language should not be transformed into a blanket rule that all humanitarian organizations hold identical rights of territorial access or share a uniform duty of political silence. The General Assembly's framework for strengthening the coordination of emergency humanitarian assistance emphasizes sovereignty, the role of affected States, and the principles associated with relief coordination, again requiring attention to what a particular instrument actually establishes [64].

Accordingly, a source-indexed analysis should record at least four questions before attributing juridical consequence to a principle: which actor invokes it; which text or institutional rule gives the principle content; which legal domain and relevant persons are covered; and what particular entitlement, duty, procedural constraint, or review mechanism follows. An institutional promise to be impartial may provide a strong basis for professional evaluation, contractual oversight, or organizational accountability even when it does not independently furnish an individual cause of action under domestic law. Conversely, an applicable treaty duty to protect a person continues to require legal evaluation whether or not the responsible authority identifies itself as humanitarian.

7.2 Impartial Allocation, Needs Assessment, and Differential Protection

Impartial humanitarian allocation involves more than the absence of explicit favoritism in an allocation formula. It requires attention to the meaning of need, the reliability of its assessment, the practical accessibility of services, and the institutional processes through which urgency becomes recognized. Within the Movement's formulation, impartiality rejects discrimination based upon nationality, race, religion, class, or political opinions while prioritizing the most urgent cases of distress [43]. That priority is compatible with unequal allocations when needs differ. Thus an equal quantity of medicine for two groups does not necessarily implement impartiality if one group faces a substantially greater immediate risk. Conversely, greater assistance to one group requires justification through relevant humanitarian criteria rather than the group's political influence or favorable relationship with the provider.

Needs assessment depends upon categories that institutions construct and maintain. A registration form may identify acute injury but fail to record the accessibility of transport or the needs of a person who requires communication support. A location-based distribution rule may appear geographically neutral while disproportionately excluding a population unable to cross a checkpoint. A household-level ration scheme may recognize aggregate food needs but overlook the distribution of food or decision authority within the household. These are possible mechanisms, not empirical claims that a specified organization acted unlawfully. Their legal significance depends on applicable anti-discrimination and protective norms, while their operational significance depends on the resulting allocation of assistance. Professional guidance on disability inclusion and participation supplies relevant institutional standards but does not automatically have the status of treaty law [30, 6].

An impartiality assessment must distinguish the *assessment criterion* from the *assessment mechanism*. The first asks which characteristics can properly affect a priority decision: medical urgency, exposure to violence, deprivation of shelter, or immediate risk to life are examples of potentially relevant humanitarian characteristics. The second asks whether the institution actually obtains reliable knowledge of those characteristics. Under a hypothetical rule that assigns water according to the number of persons registered at a central distribution point, a remote community with no transport may receive a smaller quantity despite having greater unmet need. The nominal criterion may be administrative count, while the humanitarian object is severity of deprivation. The observed divergence can be explained through inadequate coverage, transport failure, incorrect mapping, exclusionary authority relations, or several mechanisms together. Identifying the mechanism determines the appropriate corrective intervention.

The treatment of urgency also raises temporal questions. Allocating all supplies to an immediate emergency may be defensible where delay would be fatal, yet repeatedly deferring support for persons with chronic conditions can accumulate severe harm. Needs vary across hours, seasons, displacement periods, and phases of recovery. Fair allocation therefore calls for a temporal record describing the horizon of assessment, uncertainty, anticipated deterioration, and the institution's ability to reassess earlier decisions. The research question is not answered by choosing either short-term or long-term needs categorically: the applicable duties, feasibility constraints, foreseeable consequences, and available alternatives are all material.

The relationship between humanitarian impartiality and individual agency also requires scrutiny. A service offered on equal terms can remain inaccessible when consent forms cannot be understood, caregivers gatekeep information, or complaints cannot be lodged safely. Section 6 specifies why an intermediary's practical assistance does not necessarily confer a general power of consent. Impartial service design must therefore be investigated together with the affected person's ability to express preferences, refuse a service where legally entitled, and seek correction of an erroneous determination. These questions connect allocation practice with rights and standing, but they remain analytically distinguishable from them.

7.3 Neutral Engagement, Access, and Political Attribution

Humanitarian neutrality is especially consequential where providers must engage with multiple authorities whose conflict relationships affect access to civilians, the wounded, detainees, and essential infras-

structure. The Movement formulates neutrality as refraining from taking sides in hostilities and from engagement in certain controversies in order to maintain confidence across opposing parties [43]. In its 2026 institutional explanation, the ICRC presents contact with parties controlling routes, detention facilities, and populations as a method of reaching persons who would otherwise remain inaccessible [42]. Such contact is therefore a practical relationship with a party exercising territorial or coercive power, not necessarily an endorsement of the party's legal claims, political programme, or conduct.

A constructed example illustrates the need to separate different attributions. A medical organization negotiates safe passage with two opposing armed actors so that an ambulance can reach wounded people on both sides. A public observer may interpret one meeting, or an image of the ambulance near a checkpoint, as the organization's political alignment with one group. The organization's purposes, the actual content of negotiations, the source of any permission to travel, and the observed distribution of care are distinct questions. Misattribution can threaten access even when the organization's intended conduct remains humanitarian. Equally, a mere institutional claim of neutrality cannot displace contrary evidence of selective assistance, intelligence sharing, or coordinated military activity. The evaluation requires an evidentiary account of specific acts.

This distinction also affects the interpretation of applicable international humanitarian law. An impartial humanitarian body's right to offer services under Common Article 3 has a textual place in the treaty, and the Article expressly states that its application does not affect the legal status of the parties [13]. The conclusion drawn from this provision should remain limited to the provision's domain. It does not imply that every contact with a non-state armed group is permissible under every domestic sanctions regime, that every entry restriction is invalid, or that acceptance of assistance confers governmental legitimacy. The negotiation of particular access routes and the legality of associated transactions may require separate domestic and international-law analysis.

Neutrality has an operational dimension of communication as well as contact. An institution may disclose broad humanitarian data, privately communicate concerns to an authority, or publish findings concerning violent acts. These are separate methods of protective engagement. ICRC explanations emphasize that confidential representations about violations are not equivalent to silence, and that the organization sometimes speaks publicly under specified circumstances [42, 41]. The significance of this practice derives partly from the organization's specific mandate, modalities, and long-established relationships. Other humanitarian organizations employ different practices for witnessing and public communication. A neutral position between conflict parties cannot by itself determine whether a particular allegation ought to be stated publicly, reported confidentially, or referred through an available accountability channel.

Perceived neutrality should be recorded as a situated and revisable condition. The confidence of one actor may increase after a neutral medical evacuation while confidence of another actor decreases following an inaccurate rumor or publicity event. Researchers should ask which party's perception changed, what conduct or information produced the change, how access was affected, and whether humanitarian outcomes followed. A relational analysis can investigate these sequences; it cannot simply use subsequent access as proof that earlier institutional choices were ethically justified. Access is an important operational outcome, yet protection, consent, safety, and legal compliance require their own evaluation.

7.4 Institutional Independence, Resource Dependence, and Protective Autonomy

Humanitarian organizations rarely operate without dependence on external relationships. Their personnel may need public authorizations, their facilities may rely on government infrastructure, supplies may come from donors, and local partners may provide access or information unavailable to the international organization. Independence in this setting concerns the preservation of humanitarian decision authority under such dependencies. The Movement's principle specifically recognizes that National Societies may serve as auxiliaries to public authorities while retaining the autonomy needed to act in accordance with the Movement's principles [43, 52]. Institutional independence is therefore an issue of decision conditions and mandate, rather than a claim that all cooperative or funded relationships are impermissible.

Funding arrangements can influence humanitarian conduct through overt instructions and subtler selection effects. A donor may require an organization to concentrate services in a politically favored region, condition disbursement on data about beneficiaries, demand public acknowledgment of a foreign-policy programme, or define performance indicators that omit difficult-to-reach populations. A service provider may accept the arrangement because it allows substantial urgent assistance. The ethical and institutional question then concerns whether the accepted conditions alter needs assessment, threaten personal safety or privacy, or render relief an instrument of purposes outside the provider's humanitarian mission. The IFRC Code of Conduct supplies a relevant professional articulation of the risks of political and governmental instrumentality [46]. The code's voluntary character remains distinct from binding rules governing a specific grant, applicable national law, or the underlying rights of beneficiaries.

Independence can be evaluated through the distribution of decision rights. Relevant objects include authority over target populations, approval of needs assessments, procurement, beneficiary data, operational withdrawal, public communications, staffing, and complaint outcomes. Legal ownership of a programme, formal nonprofit status, or a declaration of independence may be informative, but none resolves the question whether external actors can override decisions in these areas. Nor is donor consultation automatically a violation of autonomy: an agreed reporting requirement, objectively related to accountability and compliant with applicable safeguards, can differ significantly from a power to order discriminatory selection or unauthorized disclosure.

A local partnership poses a related difficulty. An international institution may have considerable freedom from an external government while relying on local intermediaries whose interpretation of needs is indispensable. The international institution's internal independence may coexist with the marginalization of local agency if the latter is treated only as a supplier of contacts. Conversely, delegating decisions to a local institution may improve responsiveness while exposing certain households to local inequalities or coercion. A serious assessment should avoid treating either local proximity or international distance as a sufficient guarantee of impartiality. It should examine consultation, representational authorization, risks of capture, available correction, and the legal duties associated with each institutional role.

Autonomy also has temporal and infrastructural dimensions. An organization can negotiate safeguards at the initiation of a programme but lose practical independence as a donor becomes its only financier, transport becomes monopolized, or a government gains control of beneficiary registration. Identical formal contracts can consequently produce different operational relations after a change in political or material circumstances. Such temporal change can be studied through documented decisions, funding conditions, requests for exceptions, staff testimonies obtained ethically, and the distribution of access decisions. The proposed GR lens may be useful when changes in several relationships mutually reinforce one another, although established theories of organizational dependence and principal-agent governance offer competing explanations that must be considered.

7.5 Confidentiality, Protective Advocacy, and Institutional Accountability

Humanitarian institutions face difficult communication choices where disclosure can protect people from abuse while also increasing retaliation risks or closing channels of access. ICRC practice gives confidential dialogue a central role in encouraging parties to change conduct while preserving access. Its 2026 institutional account describes particular considerations for public denunciation, including gravity, evidentiary reliability, prior representations, and the interests of affected persons [41]. Such criteria describe an organization's operational policy, with legal consequences requiring independent examination. They do not constitute a universal law prohibiting public condemnation by humanitarian workers, witnesses, human-rights organizations, or affected individuals.

The relevance of confidentiality varies with the object of the information. Individual medical records, identifying information about witnesses, operational access arrangements, and general statistics about displacement may warrant different handling. Their circulation is governed by applicable privacy, medical, safeguarding, and professional obligations as well as by organizational policy. A decision to disclose a checkpoint negotiation to the public is not equivalent to a decision to release an individual's identity.

Similarly, an affected person's decision to speak publicly about their experience must be distinguished from the organization's own communication policy. A provider's commitment to institutional neutrality supplies no general basis for depriving that person of legally protected agency or expression.

Protective advocacy can take several forms: confidential representations to an authority; medical or humanitarian advocacy on the basis of verified needs; operational negotiation to change an unlawful practice; publication of general protection concerns; public attribution of violations where justified and consistent with the organization's mandate; and cooperation with a competent accountability institution where permitted or required by applicable law. Different actors may select different combinations. MSF explicitly treats speaking out as one of its organizational working principles, alongside medical ethics and independence [54]. The contrast with the ICRC's preference for confidential bilateral engagement indicates a difference in institutional modalities, not an established hierarchy in which one organization is categorically more ethical than another.

The possibility of criticism does not dissolve the need for evidence. A humanitarian actor may claim that public denunciation would inevitably prevent all future access, yet the degree of that risk is contingent and should be assessed through available information. Another actor may claim that public expression will force corrective action, though the disclosure might expose survivors or staff to retaliation. Both claims involve hypotheses about causal consequences and ought to be examined in relation to context, alternatives, and affected persons' perspectives. Ethical urgency can justify prompt decision-making without converting uncertain predictions into established facts.

Institutional accountability must remain visible even when confidential negotiation is appropriate. Relevant measures include protected internal reporting, secure complaint channels, review by authorized oversight bodies, documentation of reasons for a communication decision, and periodic evaluation of effects on access and protection. The existence, legality, and institutional design of particular procedures must be established through applicable sources. The 2018 ICRC Professional Standards for Protection Work and the Core Humanitarian Standard provide professional reference points for informed and accountable protection, though neither by itself gives every claimant an enforceable judicial remedy [35, 6]. The legal standing to challenge a harmful institutional decision remains dependent on the rights and procedural framework analyzed in Section 6 and the standing analysis of Section 5.

A constructed dilemma illustrates the necessity of keeping the dimensions separate. A medical mission learns, from a credible witness, that a checkpoint commander is denying the evacuation of critically injured civilians. A direct public allegation could mobilize political pressure and also identify the witness. Confidential discussion might obtain a prompt evacuation and might fail without external scrutiny. The institution would need to distinguish the witness's permission for specified disclosures, the reliability and urgency of the information, the decision-makers authorized to act, feasible alternative communication routes, and the risks to persons other than the immediate witness. A professional judgment favoring confidential engagement should be recorded as a contextual choice and accompanied by review conditions, rather than portrayed as the unavoidable consequence of neutrality itself.

7.6 Comparative Institutional Conflicts and Procedural Safeguards

The relationship among impartiality, neutrality, and independence becomes visible when operational choices generate competing pressures. Seven constructed configurations appear in Table 7. They are analytical examples, not findings concerning actual named organizations or a comprehensive statement of law. Each comparison separates an identifiable humanitarian purpose from institutional dependencies, anticipated risks, and the source-specific legal review needed to reach a conclusion.

The first configuration concerns a provider negotiating passage across conflict lines. A decision to communicate with a conflict party may facilitate humanitarian access while creating a perception of political alignment. The correct inquiry distinguishes documented conduct from attributed endorsement. In the second, funding conditions influence the categories used to identify beneficiaries, potentially altering priorities independently of need. A credible explanation must identify whether the conditions actually affected decisions; the mere existence of a donor is insufficient. In the third, an inaccessible registra-

Table 7: Constructed configurations for analyzing humanitarian principles and institutional constraints.

Configuration	Principal relational tension	Legal or empirical question for review
Cross-line medical evacuation	Access negotiation and external perceptions of alignment	Applicable permission, treatment without adverse distinction, actual operational conduct
Donor-conditioned distribution	Funding dependence and severity-based allocation	Grant terms, applicable nondiscrimination duties, evidence of altered priorities
Restricted disability registration	Formal eligibility and inaccessible evidence-gathering	Applicable rights, reasonable accessibility measures, actual exclusion
Confidential detention dialogue	Continued access and demands for public attribution	Mandate, safety, evidentiary reliability, available review and communication rules
Local intermediary selection	Local knowledge and possible representational capture	Authority, interests of unrepresented persons, effective complaint pathways
Security-related data request	Access cooperation and exposure of identifiable beneficiaries	Legal basis for disclosure, data minimization, foreseeable risks
Emergency withdrawal decision	Staff protection, local reliance and continuity of services	Duty bearers, feasible alternatives, notice, transition and safeguards

tion procedure may conceal the needs of particular persons, requiring investigation under the applicable rights and administrative frameworks rather than an assumption that declarations of impartiality resolve access barriers.

The fourth and fifth configurations concern communication and representation. Confidential advocacy may preserve an avenue for protection, but may also leave persons unaware that their concerns are being conveyed. A local intermediary may increase voice while reproducing distinctions of power within the community. The sixth concerns disclosure: an institution asked to transmit identifiable beneficiary information to secure access should examine applicable law, consent where relevant, data safeguards, and alternatives. The seventh concerns withdrawal: an organization may face grave staff-security risks while beneficiaries have become dependent on its continuous services. Neutrality supplies little direct guidance on the institution's obligations concerning safe transition, lawful termination, or the allocation of continuing responsibility. These issues depend on relevant legal duties, contractual arrangements, institutional commitments, and practical capacity.

A minimum procedural review can be organized around six stages. First, identify the emergency context and applicable legal regime. Second, distinguish the humanitarian aim, source of the proposed principle, and persons whose interests are affected. Third, map the actors who control authorization, resources, information, and implementation. Fourth, identify less harmful alternatives, including safeguards for participation and review. Fifth, document both reasons and evidentiary uncertainties in the proposed course of action. Sixth, establish a procedure for reassessment when circumstances, risks, or the position of affected persons change. These stages are a proposed analytical protocol; they are not represented as a treaty-mandated procedure of universal scope.

7.7 A Generative Relational Protocol for Humanitarian Principle Conflicts

The proposed GR contribution concerns the historically changing relationships through which principles are interpreted, operationalized, and sometimes undermined. The analytical object is not a universal measure of organizational virtue. It is a specific *principle–decision episode* in which actors with distinct authority, knowledge, and dependencies interact over a consequential protective decision. A possible episode might include a donor's reporting requirement, a local partner's needs assessment, a humanitarian provider's decision to disclose information, and a beneficiary's resulting loss of trust or access. The inquiry asks whether the relation among these acts produces an outcome inadequately explained by any single institutional rule or bilateral dependence alone.

At the first GR level, *ontological reality*, this study suspends claims about ultimate social ontology.

Norms, institutions, trust, and organizational identity are treated as objects of legal and relational interpretation, without claiming that one formal vocabulary discloses their final nature. At the second level, *relational reality*, the study examines sufficiently stable, historically constituted relations of control, dependency, attribution, expectation, and communication. The institutional autonomy of a provider, for example, is investigated through actual decision rights, funding conditions, and interactions rather than inferred from a title or legal form. At the third level, *manifestation reality*, relevant observations include contracts, allocation protocols, access logs, complaints, public statements, meeting records, and cautiously obtained testimonies. Such observations provide evidence with limitations; a public statement of independence is not by itself evidence of independent practice.

The working hypothesis may be called *cross-interface principle displacement*. Under specified conditions, humanitarian standards can retain stable wording while being transformed during movement across organizational interfaces. An institution may select beneficiaries by assessed urgency, but a donor's data categories, an intermediary's translation, and a checkpoint's restrictions may together create a systematic divergence between the intended criterion and the assistance actually delivered. Conversely, effective institutional safeguards may interrupt the divergence through independent reassessment, affected-person feedback, and revised access arrangements. This is a provisional causal mechanism. It may be redundant when simpler explanations, such as unlawful discrimination, a discrete logistics failure, an explicit donor instruction, or a known statutory exclusion, fully account for the outcome.

A research dossier should register at least the following source-indexed fields: (1) place, time, and emergency classification; (2) the applicable legal regime and its threshold; (3) institutional actor and mandate; (4) beneficiary positions and protected interests; (5) principle claimed and its exact source; (6) decision authority; (7) funding, infrastructure, and access dependencies; (8) needs-assessment rule and evidentiary quality; (9) representation or translation intermediary; (10) protective choice and feasible alternatives; (11) information disclosure and safeguards; (12) affected-person participation; (13) operational consequences over time; (14) complaints, review, and repair mechanisms; (15) competing causal accounts; and (16) counterevidence and conditions for revising the GR interpretation. The dossier's fields provide interoperability with earlier sections on duties, permissions, and standing. They are selectively activated according to the research question, and they do not constitute a universal checklist for operational compliance.

A discriminating study would compare episodes sharing a similar legal rule and resource scarcity while differing in the configuration of decision authority or information transmission. For example, two districts might use the same medical-urgency criterion; one has direct patient feedback and revisable local classifications, while the other relies on an uncorrectable intermediary register. If the latter experiences systematic exclusion, the investigator should first test explanations based on distance, staffing, security, and administrative design. The GR hypothesis earns explanatory weight only if evidence establishes a consequential coupling among relational mechanisms that those alternatives leave insufficiently described. If an ordinary registration error accounts for the observed outcome, the modest conclusion should favor that explanation.

Ethical research boundaries are especially important where information about conflict parties, witnesses, detention, medical conditions, or disputed assistance is sensitive. Data minimization, security, consent where applicable, safeguards for vulnerable participants, and review by competent institutions take priority over obtaining richer case descriptions. An injured person's access to care should never be conditioned on participation in research intended to test a theory of humanitarian neutrality. Professional standards can help frame this concern without replacing the actual legal obligations of researchers or providers [35, 6].

The combined analysis yields a limited jurisprudential conclusion. Impartiality disciplines the allocation of humanitarian assistance; neutrality concerns particular relationships to hostilities and controversies; and independence protects humanitarian decision-making within networks of interdependence. Their concrete significance depends on the provider, applicable legal sources, organizational commitments, and actual decisions. A GR account can provisionally illuminate how one principle's implementation changes another principle's operational conditions, but normative legitimacy and legal compliance

require evaluation through independent standards. This conclusion prepares the subsequent study of how protective responsibilities are distributed among conflict parties, public authorities, humanitarian organizations, and other institutional actors.

8 Allocation and Coordination of Protective Responsibilities

The allocation of protective responsibility becomes especially difficult when a humanitarian response depends on authorities, relief organizations, local partners, professional personnel, and private service providers acting under different legal and institutional arrangements. This section examines responsibility as a set of source-dependent legal positions and practically distributed tasks. Its objective is to explain how several actors may contribute to the same protective outcome without thereby acquiring identical obligations, authority, or liability. The inquiry proceeds through differentiated legal baselines, the role of territorial and conflict authorities, institutional coordination, delegation and private participation, interrupted handovers, and a preliminary Generative Relational (GR) research protocol. The method combines interpretation of selected treaty provisions with examination of institutional standards and constructed coordination episodes. It does not propose a general rule that operational participation alone creates a legal duty to protect everyone reached by an operation.

8.1 Responsibility Positions in Multi-Actor Protection

A humanitarian operation commonly involves several positions that should be recorded separately. A *primary legal duty bearer* owes a duty under an identified rule to persons or interests within its scope. An *authorized responder* has permission or a legally recognized capacity to perform a protective act; that permission may be conditioned by a specific mandate, territorial access, or professional rules. An *implementing partner* performs agreed tasks, possibly under a contract, grant, organizational arrangement, or local authorization. A *coordinating institution* attempts to align the decisions of several actors, often by maintaining common assessments or addressing gaps. A *supervising or reviewing body* may have a further competence to evaluate conduct, demand corrective measures, or adjudicate claims. The affected person or community remains an independent analytical position: the distribution of organizational tasks should not silently convert the protected subject into a passive object of administrative allocation.

These positions may overlap in a single organization, yet their legal bases differ. A State may act simultaneously as a treaty duty bearer, territorial regulator, employer of emergency personnel, contracting authority, and claimant for international support. A nongovernmental organization may accept a contractual obligation to distribute specified supplies without gaining a public-law power to determine who may cross a border. A cluster lead may coordinate assessments without becoming a court or regulator. The legal question in each case is the precise source and scope of the duty, power, permission, or review competence. The empirical question is which actor actually controls the resources, classifications, infrastructure, and decisions that determine an individual's access to protection. Their answers can diverge without logical contradiction.

Responsibility allocation here therefore denotes an analytical mapping of positions rather than a declaration that every participant bears joint legal responsibility. It includes at least four relations: an actor's substantive duty toward the protected interest; its competence to decide or authorize a course of action; its operational capacity to implement or interrupt that course; and its exposure to investigation, review, or redress. A person may depend on the practical cooperation of a transport provider while having a legal claim against a different institution. A humanitarian coordinator may possess vital information without authority to compel either actor to act. Legal attribution of misconduct is a further, distinct inquiry. The International Law Commission's 2001 Articles on State Responsibility address rules of attribution and consequences of internationally wrongful acts; they cannot be reduced to the proposition that every act carried out with government funding is automatically attributable to a State [49].

This distinction also limits the use of the term *shared responsibility*. In empirical analysis, that phrase may describe causal dependence: a protective result requires several actors to function together.

In professional practice, it may denote a coordinated commitment. In legal argument, it can refer to more specific doctrines regarding multiple duty bearers or wrongful acts, if their applicable requirements are established. The present manuscript uses *distributed implementation* for the first phenomenon and reserves claims about legal responsibility for source-indexed analysis. A failure that has several contributing causes is not thereby a legally proven internationally wrongful act by each contributor.

8.2 Conflict Parties and the Continuity of Occupation Obligations

International humanitarian law offers concrete instances in which primary duties remain identifiable despite external assistance. In occupied territory, Article 55 of the Fourth Geneva Convention establishes duties concerning food and medical supplies to the fullest extent of the means available to the Occupying Power; Article 56 addresses medical establishments, public health, and hygiene, including cooperation with national and local authorities [9, 10]. Where the occupied population is inadequately supplied, Article 59 concerns agreement to and facilitation of relief schemes [15]. Article 60 then states specifically that the arrival of relief consignments does not relieve the Occupying Power of its responsibilities under Articles 55, 56, and 59 [11]. The combination supplies a bounded legal example of responsibility continuity amid distributed performance.

Article 60 does more than furnish a general metaphor for coordination. It prevents one particular inference: that the success or existence of a relief operation extinguishes the Occupying Power's specified treaty obligations. Its reach is correspondingly limited. The provision cannot be transplanted without further argument to every disaster, NGO partnership, or commercial contract. Occupation itself requires the relevant factual and legal conditions, while the particular duties retain their textual qualifications. Within that domain, however, the provision illustrates why an assessment of operational coverage should proceed independently of an assessment of the occupying authority's compliance. A shipment delivered by an external organization may reduce immediate deprivation and still leave questions about public-health infrastructure, adequate supply, and unlawful impediments to relief.

In international armed conflicts outside occupied territory, Article 70 of Additional Protocol I governs specified humanitarian and impartial relief actions, subject to agreement by the Parties concerned. Among its provisions are duties concerning passage, technical arrangements, protection of relief consignments, and encouragement of effective international coordination [19]. Article 71 separately addresses the approval, protection, and mission limits of relief personnel [17]. The text illustrates different roles: conflict parties may control access and owe obligations respecting consignments, while humanitarian personnel undertake tasks within the approved mission. Neither the coordination of relief nor the presence of protected personnel dissolves the distinction between the parties' obligations and those personnel's responsibilities. Applicability of the Protocol and each provision's conditions require case-specific analysis.

In non-international armed conflict, the applicable framework may differ, including Common Article 3 and, where its narrower threshold is satisfied, Additional Protocol II. Article 18(2) of Protocol II provides for relief actions of an exclusively humanitarian and impartial nature, without adverse distinction, when its specified conditions are met and subject to the consent of the High Contracting Party concerned [13, 21, 20]. One should therefore avoid constructing a single uniform duty matrix for all armed conflicts. A situation-specific account would identify the parties, classify the conflict, test treaty applicability, distinguish provisions binding particular actors, and examine any relevant customary rules before assigning legal consequences to an interrupted relief operation.

A practical example can clarify the boundaries. Suppose a hospital depends on a local health department, a relief organization supplying medicine, and an authority controlling checkpoint passage. A medication shortage may be caused by insufficient imports, damaged storage, a denied passage request, inaccurate demand figures, or several interacting decisions. Determining a breach under occupation law requires more than identifying the last visible breakdown. The occupying authority's duties under Articles 55 and 56, the relief scheme under Articles 59 and 60, and any distinct responsibilities of other actors must be evaluated with evidence of context, control, and actual conduct. The inquiry should also

protect the hospital's and patients' ability to challenge the adequacy of the assistance independently of how institutions label their internal division of labor.

8.3 Affected States and Disaster Coordination Frameworks

In disaster response, a different source structure governs the relation between the affected State and international assistance. The annex to United Nations General Assembly Resolution 46/182 identifies the affected State's primary role in initiating, organizing, coordinating, and implementing humanitarian assistance within its territory, alongside the importance of consent, sovereignty, and international co-operation [64]. Resolution 46/182 is a General Assembly instrument setting out principles for United Nations humanitarian coordination. It should not be recast as a treaty transferring detailed civil-liability rules onto every participating organization. The distinction matters because a coordinating role, an affirmative human-rights obligation under an applicable treaty, and a domestic legal duty to maintain a particular public service may all be relevant to the same event while resting on different sources.

The IFRC Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance (IDRL Guidelines) offer a further source of institutional guidance [47]. They address domestic preparedness and the legal and administrative facilitation of qualifying assistance, including issues connected with entry, recognition, movement, and oversight. Their status is nonbinding guidance unless incorporated into other applicable legal arrangements. An emergency manager using such guidance may improve coordination; adoption of a guideline by an agency does not itself demonstrate that each paragraph is enforceable by an affected person in a domestic court. The domestic statutory scheme and any applicable international obligations still require verification.

Affected States may face circumstances in which capacity, authority, or effective territorial control is fragmented. Local governments may maintain shelters, hospitals, and evacuation records while national agencies coordinate foreign supplies and border admission. International organizations may support needs assessments; community groups may possess localized knowledge and practical access. These actors can generate genuine improvements in assistance even where their competencies are limited. Conversely, an officially centralized response can leave a particular population unserved when the records used for allocation omit remote or mobile persons. The juridical inquiry then separates duties owed by a public authority from undertakings accepted by partners, and the empirical inquiry traces whether coordination mechanisms allow erroneous categories to be detected and corrected.

Different branches of domestic law can supply distinct duties. Emergency-management statutes may allocate leadership; health law may regulate clinical competence and recordkeeping; procurement law may govern service contracts; disability and equality law may constrain access barriers; data law may limit transmission of identifiable records; and public-law remedies may offer review of administrative classification. Their content varies by jurisdiction. A defensible case study should therefore identify the national and subnational sources actually governing an operation rather than treating general claims of "State primary responsibility" as sufficient to establish any particular individual remedy. The additional GR question is whether the interaction among these differentiated legal positions creates predictable blind spots that separate doctrinal accounts or ordinary project-management explanations do not sufficiently capture.

8.4 Inter-Organizational Coordination and Conditional Commitments

Humanitarian organizations may assume coordination responsibilities through a system of institutional mandates and professional arrangements. The cluster approach, as described in the UNHCR Emergency Handbook, allocates sectoral coordination tasks to cluster leads and includes a conditional *provider-of-last-resort* commitment. The description emphasizes making serious efforts to address critical response gaps by mobilizing partners and, where appropriate, filling them subject to conditions including access, security, and funding [74]. This arrangement is an operational commitment within a particular coordination architecture. It does not confer a general sovereign power on cluster leads, establish an unlimited guarantee of delivery, or supersede primary legal duties resting on relevant public authorities.

The institutional position of a coordinator is therefore best described through a bundle of tasks: convening actors, comparing needs data, identifying uncovered populations, clarifying mandates, communicating changes, monitoring provision, and escalating deficits. These tasks can carry significant practical power without equivalent legal coercive authority. A coordinator might expose a shortage yet lack vehicles, funds, or permission to resolve it. It might also influence classification standards so strongly that a local partner's knowledge never enters the collective assessment. An evaluation that measures only meetings held, data sets shared, or formal adoption of coordination protocols risks mistaking organizational procedure for protection achieved. Operational accountability should also consider whether corrective information reaches the actor empowered to act and whether a response follows in time.

The 2024 Core Humanitarian Standard on Quality and Accountability provides nine commitments to crisis-affected people and communities, including access to coordinated and complementary assistance, participation in decisions, safe avenues for complaints, and responsible management of resources [6]. The commitments supply a professional framework for assessing organizational performance and accountability. They do not operate as a universal treaty binding all responders. An organization's own endorsement, donor conditions, accreditation, contractual incorporation, or relevant domestic law may give particular requirements different practical or legal effects. The source of each effect must be determined, rather than assumed from the standard's desirability or widespread use.

There is also a meaningful distinction between *coordination* and *representation*. A cluster meeting may identify shared priorities without authorizing participants to waive the claims of absent communities. A local partner may articulate needs from experience without holding an unrestricted mandate to consent on behalf of everyone in a district. The present analysis therefore treats coordination decisions as requiring their own source of authority, records of dissent where available, and procedures for correction. These inquiries build on the account of supported agency in Section 6 and the institutional independence analysis in Section 7 without converting consultation into a transferable personal right to represent others.

A coordination failure may persist despite appropriate intentions by each participant. One organization collects medical inventories, another assigns vehicles, a third manages checkpoints, and a fourth identifies households unable to travel. Each may satisfy its own internal reporting obligation while the collective arrangement leaves medicines inaccessible to some people. The analytic issue is whether the interfaces carry the information, permissions, and resources necessary to convert assessed need into delivered protection. Even here, causal interdependence does not establish that each organization violated a legal duty. Legal judgments require source-specific attribution, standard of conduct, fault or other elements where relevant, and available mechanisms of review.

8.5 Delegated Implementation, Local Partnerships, and Private Services

Delegated implementation can create a long chain between the institution that defines a protective objective and the actor performing a consequential task. A public authority may contract a provider to maintain a shelter; an international organization may fund a national NGO; that NGO may contract transport or translation services; and a community group may manage enrollment. Delegation may bring indispensable expertise, infrastructure, and social trust into a response. It may also produce uncertainty about who controls eligibility, whose complaints are authoritative, which actor may modify a contract, and whether participants have an accessible route to challenge a decision.

The source of a private actor's obligations may include ordinary contracts, licensing requirements, domestic tort or administrative law, applicable employment or professional rules, international commitments incorporated through an institutional mandate, and specific legal provisions governing conduct during armed conflict. These sources should be investigated without collapsing them into State responsibility. Under the International Law Commission's 2001 Articles, attribution of conduct to a State depends on recognized conditions, including the conduct of State organs, entities empowered to exercise governmental authority, and conduct under qualifying instructions, direction, or control [49]. A provider's receipt of public money or performance of a service does not automatically satisfy those attribution tests.

Nor does absence of attribution necessarily extinguish the State's own independently established duties or determine whether the provider has separate obligations under another regime.

Operational risk may also be transferred without an equivalent transfer of decision power. For example, a local organization may receive a fixed grant to deliver food while an international donor controls eligibility criteria and a public authority controls import permissions. If the price of transport rises, the local actor may bear public criticism for shortages although it lacks authority over either the budget or the route. Conversely, local discretion can be extensive and consequential, including the ability to exclude particular households, recruit intermediaries, or alter documentation requirements. A careful allocation study identifies the actual decision rights and constraints for each act rather than assuming that the most visible provider is the principal causal or legal agent.

Partnership agreements may clarify standards for procurement, safety, data handling, reporting, complaints, and termination. They may also be incomplete or inaccessible to affected persons. The existence of a written contract between institutions does not by itself establish beneficiary standing to enforce it, nor eliminate any rights supplied by applicable law. The same caution applies to donor performance indicators. High distribution counts may coexist with systematic exclusion when the monitoring system records only those already able to enter a service. A suitable inquiry combines documentary review with ethically obtained testimony and disaggregated, security-conscious evidence; it should avoid inviting vulnerable persons to reveal sensitive information simply to demonstrate the existence of a coordination gap.

A further problem concerns the temporal distribution of dependence. An external provider may build a service on which a community increasingly relies and later end operations because of funding exhaustion or insecurity. Whether the provider owes a contractual, statutory, professional, or other duty concerning notice, referral, transition, or continuity depends on the relevant sources and circumstances. The operational ethical case for reducing foreseeable harm may be strong even where an enforceable duty cannot be shown. It is therefore useful to document the planned transfer of functions, the remaining capacity of public institutions and partners, alternatives available to affected persons, and the allocation of resources required to make a transfer effective.

8.6 Protective Handover, Responsibility Gaps, and Repair

The temporal movement of a protective task from one institution to another is a particularly revealing unit of analysis. A *handover* may involve transfer of physical supplies, an administrative case, a professional service, a security arrangement, or decision authority. Its formal completion can be recorded at a moment when substantive protection remains precarious. For instance, a displaced patient's referral may have been issued while transport, reception capacity, clinical information, and personal consent remain unresolved. A shelter register may have been transferred before a receiving organization can identify people omitted by the previous eligibility rules. Evaluating continuity requires the relevant legal standards as well as observations of each material and informational step.

An analytically useful distinction separates three kinds of gaps. A *normative allocation gap* concerns uncertainty about which legal or institutional source assigns a particular task or obligation. An *implementation gap* concerns a duty or accepted commitment for which available actors fail to mobilize the means required in the relevant circumstances. An *recognition gap* concerns an affected person whose situation is omitted, misclassified, or unsuccessfully transmitted through the process. The gaps may coexist, but their remedies differ. A normative gap may call for jurisdictional clarification or institutional amendment; an implementation gap may require resources, access, or corrected logistics; and a recognition gap may call for accessible registration, independent reassessment, supported participation, or review. The labels are a proposed research taxonomy, not names for newly established legal causes of action.

Table 8 organizes comparative configurations by legal source and the immediate object of inquiry. It avoids a universal hierarchy of organizations and instead identifies the critical institutional interface for each problem.

Consider a constructed case in which a relief organization delivers medication to a transit center, a

Table 8: Illustrative configurations of protective responsibility and coordination. Legal effects require case-specific source analysis.

Configuration	Source-dependent positions	Critical question for continuity and review
Occupied-territory medical supply	Occupying Power's duties under GC IV; external relief scheme and local medical actors	Whether relief supplements rather than displaces specified duties; access and actual supply
Cross-line relief passage	Conflict-party obligations and technical controls; approved personnel and organizations	Which actor delayed access and on what legal or factual basis
Domestic disaster shelter	Public emergency mandate; local government and contracted provider	Authority over admission, accessible registration, and remedies for exclusion
Cluster-coordinated response	Conditional cluster-lead commitments; multiple independent implementers	Whether identified coverage gaps are escalated and addressed within actual capacity
Donor-funded local response	Grant and domestic-law obligations; donor conditions and local discretion	Who determines eligibility and holds resources needed for correction
Private logistics interruption	Procurement, security, and transport obligations under applicable law	Whether operational dependence and legal attribution have been properly separated
Transfer of clinical care	Health, consent, referral, data and professional duties where applicable	Whether receiving services, necessary information, and patient agency remain effective

local partner schedules onward transport, and a clinic confirms reception. The organization marks its contract as complete when the delivery vehicle arrives. The partner marks its own task as complete upon issuing transport vouchers. The clinic records a list of anticipated patients but receives incomplete medical information. Some patients obtain treatment; others, unable to use the vouchers, remain unserved. The same aggregate outcome may be attributed to several distinct mechanisms: an unlawful exclusion criterion, inadequate transport capacity, an inaccessible voucher interface, missing clinical records, or a failure of individual communication. A theoretical account that attributes the harm solely to an abstract defect of “distributed responsibility” would explain too little. The case must be disaggregated by actor, obligation, act, time, affected population, and evidence.

For operational assessment, a handover record can distinguish who was authorized to transfer a task, which obligations were retained, what information could lawfully be disclosed, how the recipient acknowledged capacity, what contingencies were established, and how an affected person could obtain correction. This is a proposed research and governance instrument. It should be proportionate to urgency, organizational competence, confidentiality, and available resources. Excessive documentation may itself impede urgent services or expose vulnerable people. The design of a handover mechanism must consequently be examined for its own material costs and distributive effects, including the possibility that the most vulnerable persons encounter the greatest administrative burden.

Responsibility allocation also affects repair. A claimant may require an emergency corrective service well before it is possible to determine legal fault. Operational correction can therefore be distinguished from subsequent legal adjudication. An institution may restore a failed transport route, repeat an assessment, or replace contaminated supplies while preserving the record needed for independent inquiry. Whether the claimant may demand damages, administrative reconsideration, declaratory relief, or another legal remedy depends on applicable law and forum. The juridical objective is to avoid substituting an internal coordination apology for a legally available claim, while also avoiding the assumption that every service failure automatically generates individual judicial standing.

8.7 Generative Relational Analysis of Responsibility Interfaces

The preliminary GR inquiry centers on *protective responsibility interfaces*: historically constituted relations through which duties, permissions, resources, claims, and information are conveyed across institutions. The concept has a descriptive role. It identifies a possible mechanism by which several individually intelligible decisions produce an outcome that no participant's internal record fully captures. For example, an applicant may be registered as ineligible by one service, classified as already served by another, and consequently absent from a third provider's unmet-needs statistics. A relational analysis asks which recurrent interfaces sustain this apparent disappearance and whether the error persists after formal assignments are clarified. It does not infer illegality or moral legitimacy from the mere presence of relational structure.

At the level of *ontological reality*, the ultimate nature of institutional and social objects is left open. Responsibility is analyzed through juridical sources and observable relations rather than assumed to be a metaphysically fundamental field. At the level of *relational reality*, relatively stable structures include contractual dependence, formal competence, historically formed trust, language-mediated classification, control of physical routes, and capacities for institutional correction. The question concerns the causal or generative significance of their configuration over time. At the level of *manifestation reality*, relevant evidence includes the exact treaty or statutory provision, written mandates, access decisions, procurement contracts, referral logs, anonymized case trajectories, recorded complaints, operational assessments, and cautiously interpreted interviews. Different manifestations offer unequal access to the underlying relations. An organization's claim that coordination occurred is one observation, rather than proof of effective protection.

The working hypothesis may be termed *interface-conditioned responsibility discontinuity*. Under identifiable conditions, protective activities assigned to different actors can generate a systematic discontinuity between a legally or institutionally recognized need and an effective response, where the discontinuity depends on the coupling of decision authority, information classification, and practical capacity across institutional boundaries. This is a causal hypothesis about institutional practice, not a rule of international law. Its applicability is limited to cases where a sufficient chain of decisions can be reconstructed and reasonable rival explanations tested. A single negligent act, insufficient funds, a lawful access restriction, or a plainly unlawful exclusion could explain the outcome without the additional relational mechanism.

A source-indexed research record should document: (1) the time, territory and emergency type; (2) applicable legal regimes and conditions of applicability; (3) the identified substantive legal duty bearer; (4) recognized permissions and operational mandates; (5) the beneficiary and protected interest; (6) each institution's decision competence; (7) the coordination architecture and its status; (8) contracts, financing, and procurement constraints; (9) control of relevant infrastructure and access; (10) classification and referral rules; (11) the communication or data-transfer interface; (12) opportunities for supported participation and challenge; (13) completed, interrupted, and unattempted protective acts; (14) continuity over time and handover mechanisms; (15) operational correction and legally available review; (16) rival doctrinal, logistical, and organizational explanations; and (17) disconfirming observations. These fields are modular and can be reduced where data collection would be unsafe, irrelevant, or disproportionate. Their purpose is to connect the analysis in this section with earlier work on standing and representation and later work on infrastructures and remedies.

Discriminating empirical work should compare episodes with similar duties and scarcity profiles while varying the structure of cross-institutional feedback or allocation. One design might examine comparable referral chains with and without an independent mechanism for checking whether receiving services actually accepted the transfer. If failures cluster where acknowledgement is missing, the investigator should still test confounders such as patient severity, distance, staff availability, conflict intensity, and record-system reliability. A second design could trace a responsibility-gap episode before and after a change to the allocation protocol; an observed improvement would support the proposed mechanism only where concurrent resources, security conditions, and beneficiary populations are sufficiently accounted for. Process tracing, legal document analysis, and ethically designed qualitative inquiry may be

combined without treating one method as automatically decisive.

Two objections deserve particular attention. The first is *explanatory redundancy*: established administrative-law, organizational-network, supply-chain, and principal-agent accounts may already explain failures more efficiently. The GR analysis then needs to identify an additional temporal or relational mechanism, such as repeated reclassification across independent institutions, that has observable consequences beyond what those approaches predict. The second is *normative circularity*: a response may be highly coordinated and still distribute protection unjustly, suppress dissent, or violate binding duties. Coordination and generativity therefore cannot serve as self-validating indicators of legitimacy. Legal compliance, individual protection, impartial allocation where required, and opportunities for correction must be assessed under independently justified standards.

Ethical limits govern the research design. Mapping a sensitive information pathway may reveal people fleeing violence, confidential medical information, or identities of threatened intermediaries. The value of a more complete causal reconstruction must be weighed against foreseeable exposure, burdens on participants, and the need for proper consent and authorization. In urgent clinical or relief contexts, documentation should support care rather than delay it. Particular care is required when institutional power over a person's access to assistance could create coercive incentives to participate in research. Professional accountability commitments may help frame these safeguards, while the actual legal obligations of researchers and providers depend on applicable sources [6, 35].

The proposed jurisprudential contribution is consequently bounded. Legal duties, operational roles, attributed conduct, and institutional commitments can be separately identified while their interaction is studied as a possible source of protective success or failure. The comparison reveals circumstances in which the arrival of external aid leaves an identified primary obligation intact, circumstances in which coordination commitments remain conditional, and circumstances in which a private intermediary's practical control does not itself resolve the legal attribution question. GR may illuminate the evolution of these interfaces, but the judgment that a duty exists or has been breached remains dependent on law and evidence. The subsequent section examines the material infrastructures and supply chains through which the identified responsibilities are enacted.

9 Relief Supply Chains, Infrastructural Access, and Protective Continuity

The legal availability of humanitarian assistance and its practical delivery are connected through material infrastructures, transport routes, procurement decisions, information systems, and the continuing capacities of institutions. This section examines that connection as a distinct object of humanitarian jurisprudence. Its objective is to distinguish the applicable legal duties concerning relief and protected objects from the operational conditions through which assistance becomes usable by a particular person at a particular time. The discussion proceeds through the juridical status of consignments and infrastructure, the sequence of supply and distribution, constraints at access interfaces, the continuity of health and essential services, the accumulation of harms across time and populations, and a source-indexed Generative Relational (GR) research design. Treaty interpretation, institutional documentation, constructed examples, and provisional causal hypotheses are kept analytically separate. In particular, an interrupted supply chain may be evidence relevant to a breach inquiry without constituting, by itself, proof that a particular actor violated a particular legal obligation.

9.1 Relief Consignments, Survival Infrastructure, and Applicable Legal Sources

A supply chain becomes a subject of legal analysis when identified rules regulate a consequential act along it. The provision at issue may concern the free passage of designated consignments, relief operations for civilians in need, protection of humanitarian personnel, preservation of objects indispensable to survival, the provision of supplies by a territorial authority, or contractual performance by an implementing partner. These objects of regulation overlap in practice but arise from different sources, apply

in different circumstances, and entail different duties. Identifying the legal category before describing an operational deficiency avoids a common inference from the importance of a good to the existence of an unrestricted legal entitlement to move it across a border.

Article 23 of the Fourth Geneva Convention addresses the passage of medical and hospital stores and objects necessary for religious worship intended only for civilians of another High Contracting Party. It separately addresses essential foodstuffs, clothing, and tonics for children under fifteen, expectant mothers, and maternity cases, subject to the article's requirements and permitted assurances. Its categories are specific. It does not supply a general authorization for every humanitarian shipment, however beneficial a shipment may be [33]. Article 59 of the same Convention addresses the different situation of an inadequately supplied population in occupied territory; the occupying Power must agree to and facilitate relief schemes within that article's scope. Articles 55, 56, and 60 are separately relevant to the occupying Power's retained duties regarding supplies, health, and the relationship between external relief and those duties [9, 10, 15, 11]. Their occupation-specific operation cannot be generalized to disaster response outside armed conflict merely because the same logistical difficulties may arise there.

Under Article 70 of Additional Protocol I, relief actions meeting the provision's conditions trigger obligations relating to rapid and unimpeded passage of relief consignments, equipment, and personnel, with specified rights to technical arrangements and control. Article 70(3) also restricts diversion and unjustified delay; Article 70(4) addresses protection of consignments and facilitation of distribution. The requirement of agreement in paragraph 1, the protection and control arrangements in paragraphs 2–4, and the applicable conflict and treaty conditions must be read together [19]. The ICRC identifies relevant humanitarian-access obligations under treaty and customary international humanitarian law, including the right of control and restrictions applicable to personnel movement. Its guidance assists interpretation but is not itself the instrument creating each obligation [37]. The corresponding rules in non-international armed conflict require their own source and applicability analysis; Additional Protocol II Article 18, for example, has conditions different from Article 70 of Protocol I [21].

Protecting a consignment during movement and protecting the underlying means of civilian survival are further distinguishable. Article 54 of Additional Protocol I prohibits starvation of civilians as a method of warfare and regulates acts directed at objects indispensable to civilian survival, including food and drinking-water installations and supplies. The provision contains conditions and exceptions that matter to its application; its protection is not an undifferentiated legal category embracing every infrastructure network [34]. A damaged warehouse, disabled water-pumping facility, inaccessible bridge, and malfunctioning digital manifest system may therefore raise quite different legal questions. Depending on facts and the applicable law, other rules regarding civilian objects, attacks, precautions, medical units, public services, or contractual duties may also be relevant. A responsible account should identify the act, object, perpetrator, foreseen effects, temporal context, and precise legal rule before characterizing conduct as unlawful.

The Security Council has addressed conflict-induced food insecurity, condemning starvation of civilians as a method of warfare and unlawful denial of humanitarian access in resolution 2417 (2018) [81]. The cited United Nations press account substantiates that public characterization, while a provision-level claim about the resolution's exact operative language would require direct consultation of the adopted text. The resolution should not be treated as automatically furnishing a private cause of action for each failed delivery. This distinction illustrates the broader method: policy condemnation, treaty obligation, an operational commitment, and a litigable remedy occupy different normative positions even when they concern the same interrupted supply route.

9.2 Material and Informational Stages of Humanitarian Distribution

The relief supply chain is best examined as an ordered yet revisable set of stages: assessment, procurement or collection, quality assurance, shipment, entry authorization, transport, storage, allocation, local distribution, delivery to an accessible point, and effective use by the intended beneficiary. Some operations have multiple parallel branches, reverse flows, or direct services rather than physical consignments.

What matters is that the completion of one stage provides only limited evidence of completion of another. A customs release may establish permission for a shipment to enter; it does not establish that a warehouse has available power, that medicines remain within safe storage conditions, that the final distributor has transport, or that a person can obtain and use the goods. Conversely, a failure to deliver may occur despite lawful and timely border passage.

Several kinds of quantities should be tracked independently. *Input availability* concerns the resources acquired. *Passage capacity* concerns the volume that can lawfully and practically move through a route over time. *Delivered quantity* concerns consignments received by the appropriate distribution service. *Usable supply* concerns goods that retain their required characteristics and can be employed safely. *Protective coverage* concerns the people actually able to obtain the intended protective function. These are empirical measurement positions, rather than treaty-defined legal entitlements. A report that ten thousand units crossed an entry point is compatible with several materially different states of downstream service: full distribution, partial distribution, spoilage, inaccessible delivery sites, or unequal allocation. Counts alone cannot resolve the last distinction.

Three analytically distinct dimensions help prevent the category of protective continuity from becoming too broad. *Normative continuity* asks whether an applicable duty, protected interest, or procedural protection remains operative while implementers and storage locations change. *Operational continuity* asks whether the requisite materials, services, authorized movements, and information remain usable through a defined interval. *Contestatory continuity* asks whether a person or duly authorized representative can detect an interruption, communicate it safely, and pursue available correction or review; its procedural and remedial dimensions are developed in Section 10. These are researcher-defined comparison categories rather than three new legal entitlements. The first requires legal sources, the second observational evidence, and the third both procedural-law analysis and evidence of actual accessibility. A programme might satisfy one dimension while failing another.

Information systems structure these stages. A consignment may receive different identifiers in a purchasing system, a customs record, a warehouse register, a partner inventory, and a beneficiary distribution database. Translation between these identifiers may determine whether material that physically exists is visible as available stock. Records can also overstate what is available: identical items might be counted at two locations, an approved shipment may still be held at a crossing, or a transferred item may remain booked as deliverable although it has expired. A provenance-conscious investigation should identify what each number measures, its reporting period, its owner, the observations on which it depends, and the possibility of duplication or omission. These considerations connect the present inquiry to the previous section's allocation of institutional responsibilities without assuming that record discrepancies themselves establish legal fault.

The humanitarian Logistics Cluster provides an institutional example of coordination, information management, and common logistics services in settings where local capacities may be exceeded. The World Food Programme describes its role as global lead for that cluster, encompassing support to other humanitarian actors facing logistics constraints [86]. This is an account of an institutional coordination architecture. It should be examined alongside the applicable operational mandate and actual resources, without converting a generalized description of a cluster into a guaranteed duty to transport every consignment or a substitute for the obligations of conflict parties and affected authorities. The cluster's existence may reduce coordination costs, but its effectiveness depends on information quality, security, route access, available transport, and the actions of actors outside its direct control.

A supply-chain analysis must also distinguish intended from unintended dependency. A central warehouse may improve efficiency through bulk procurement and specialized equipment. It may simultaneously create a concentrated point of failure if alternate distribution facilities have been closed. A single interoperable inventory system can improve visibility but may propagate an erroneous classification through several agencies. Decentralized storage can reduce the consequences of one route being obstructed, while introducing additional handling costs, quality-control requirements, or risks of diversion. No structure is inherently preferable in every emergency. The relevant evaluative standards include actual protective continuity, reasonably foreseeable exposure, legal compliance, local capacity, resource

constraints, and the preferences and safety of affected people.

9.3 Access Controls, Route Dependence, and Infrastructure Bottlenecks

Movement of supplies ordinarily depends on a chain of distinct permissions and capabilities. Export controls, customs clearance, entry consent, inspections, transport insurance, security arrangements, convoy scheduling, fuel availability, and physical road or port capacity can each determine whether an aid shipment progresses. The juridical significance of a constraint depends on its legal source and manner of application. A technically permissible inspection may be accompanied by operational delays; the legality of a particular delay must be assessed under the applicable rule and facts. Where Article 70 of Additional Protocol I applies, technical arrangements and controls coexist with duties concerning rapid passage, protection, and distribution [19]. A research record should therefore avoid the equally misleading assumptions that every interruption is unlawful and that an administrative reason automatically justifies indefinite obstruction.

Infrastructure dependencies are often indirect. A road used for relief transport may rely on functioning bridges, fuel depots, drainage, telecommunications, and security coordination. A functioning water-treatment facility may require electricity, purification chemicals, spare parts, trained technicians, and access to laboratories. A medical service can lose the ability to treat patients even when the medicine itself remains in stock if there is no refrigeration or reliable electricity. These causal relations have legal relevance only after the applicable obligations and prohibited acts are established; they can nevertheless be indispensable to showing whether an alleged interference caused a protected harm, whether remedial measures were feasible, and how the effects of a decision were distributed.

A documented operational example appears in a dated United Nations OCHA humanitarian response report for 20–26 May 2024. It identified restrictions involving access to a storage facility, irregular convoy scheduling, incomplete cargo visibility, shortages of fuel and spare parts, and damaged or constrained transport infrastructure in the Gaza response during that reporting period [78]. The report is appropriate evidence that distinct practical bottlenecks were reported in a specified setting and time; it does not, without further examination, establish the legal responsibility for every constraint, verify every reported causal claim independently, or describe conditions outside the report's period. It should not be converted into a generic account of all contemporary conflict zones. In this manuscript it illustrates the kinds of variables that an empirically grounded analysis would need to keep separate.

A further issue concerns the choice of routes. An operational authority may prefer the shortest or most capacious corridor, while those affected may perceive its distribution point as insecure, inaccessible, discriminatory, or culturally inappropriate. Formal distance is consequently a poor surrogate for practical accessibility. A route might be usable by trucks yet unusable by a caregiver transporting a child, a person using mobility assistance, or an individual unable to pass identification checks. An essential service should be analyzed at the level of the actual recipient pathway. The availability of goods at a distant depot does not establish effective access where transit, cost, documentation, safety, and accommodation remain unresolved. Relevant individual legal protections must be identified from the governing legal regime, including disability- and child-related guarantees where applicable [65, 66, 63].

A proposed *access-interface dossier* can distinguish the controlling legal rule, the institution authorizing movement, the entity actually controlling the route, the technical bottleneck, the available alternative, the duration of interference, the protected population, and the procedural route for correction. Each entry should identify whether a fact is documented, reported by one actor, inferred from several sources, or still unknown. This structure can reduce the temptation to equate territorial control with legal authority, or a logistics contractor's practical influence with the authority to alter a protected person's legal status. Such a dossier remains an analytical instrument rather than an externally established legal form.

9.4 Medical Supply Integrity and Essential-Service Continuity

The protective value of medical supplies depends on their suitability when delivered and on the services required to use them. Medicines may be temperature sensitive, equipment may require compatible con-

sumables, and therapeutic interventions may depend on professionals, reliable power, water, laboratory capacity, and patient follow-up. A count of pharmaceutical packages delivered to a clinic cannot by itself establish that a course of treatment is available to a patient. The legal inquiry continues to depend on the relevant humanitarian, health, professional, or domestic source; the technical inquiry identifies the conditions under which the promised protective function is physically achievable.

The World Health Organization's *Vaccine Management Handbook* describes methods for monitoring temperatures during vaccine storage and transportation, including specialized monitoring devices. The significance of those procedures is specific to products requiring controlled handling, and the WHO handbook is technical guidance rather than a rule that automatically determines legal liability for every loss of medicine [87]. Consider a constructed case in which cold-chain goods arrive at a distribution center after an extended journey. The transport record indicates delivery, but the temperature log is incomplete. A provider may need to quarantine, inspect, test, or discard the goods according to applicable medical and quality rules. In that event, the nominal arrival count overstates usable stock. If a procurement dashboard treats delivered goods as immediately available, later allocation decisions may be based on a fictitious surplus. The problem is thus simultaneously logistical, epistemic, and potentially juridical, although a finding of breach requires independent analysis of applicable duties and conduct.

Essential-service continuity also involves time. An interruption of several hours may be manageable for one service while consequential for another. The significance of duration depends on reserve stock, clinical urgency, biological stability, local alternatives, cumulative deprivation, and the affected population's circumstances. Repeated short interruptions may have greater consequences than a single visible stoppage because households lose the capacity to plan care or replenish necessities. Likewise, restoring a water line or power source does not automatically restore normal service if contamination, equipment damage, depleted medical supplies, or loss of specialized personnel persists. A temporal record should therefore include both the duration of interruption and the sequence of recovery steps, identifying who could authorize, finance, and carry out each stage.

The distinction between *formal restoration* and *functional restoration* has particular importance in handovers. A transport contractor may declare the delivery task complete when materials reach a designated facility. The receiving institution may be legally or practically unable to dispense them until a storage area is safe, authorization is obtained, and qualified staff are present. A continuity audit should ask whether the contracts and operating protocols anticipated those conditions; whether responsible authorities were informed of the gap; whether affected persons had a safe means to report unavailability; and whether temporary alternatives were feasible. These questions can support operational correction even before legal responsibility is finally established. They do not presume a general legal obligation for every contractor to provide healthcare services beyond its actual mandate.

Special protection of medical facilities and personnel, occupation-specific duties concerning medical supplies and services, and broader protections of civilian survival infrastructure need individual legal grounding. The Fourth Geneva Convention provisions concerning supply and medical services in occupation illustrate one such grounded framework [9, 10]. Different legal rules can apply to healthcare outside occupation, including human-rights, professional, and domestic systems. The present section therefore refrains from deriving a freestanding universal right to a perfectly continuous supply chain from the ethical urgency of medicine. Its narrower proposition is that the juridically relevant object of performance often extends beyond the handover of a physical item to the specific protective function required by the applicable rule.

9.5 Cumulative Harm, Allocation Decisions, and Protective Time

Humanitarian supply interruptions can accumulate through interacting shortages. Insufficient fuel can constrain water pumping and transport; disrupted water access can increase illness; illness can raise the demand for medicines; and impaired clinics can reduce the community's ability to recover. The resulting pattern may be more severe than the consequences predicted from evaluating each interruption separately. In a legal analysis, however, cumulative causation cannot substitute for the identification of the prohibited

conduct, applicable causal test, foreseeability conditions, duty bearer, and relevant evidentiary standard. The causal account helps organize questions for an inquiry; the conclusion concerning responsibility depends on the rule and the record.

A useful analytical unit is the *protective interval*: the span within which a particular resource or service is needed to avert a specified risk for a particular person or group. Intervals differ by protective object. Access to a safe shelter before a storm, urgent referral during an acute clinical episode, and continuity of chronic treatment over several weeks have different temporal structures. A distribution plan measured by average weekly tonnage may fail to reveal whether high-risk households received supplies within the intervals relevant to their condition. Conversely, a shortage may be temporary and foreseeable while services have adequate reserves; its meaning cannot be assessed without knowing the buffer and substitutability of the supply. The protective interval is a proposed empirical category, not an independent legal deadline unless an applicable source establishes one.

Allocation entails additional normative choices. A resource-constrained operator may prioritize by urgency, vulnerability, geographic access, feasibility of use, or a program's pre-established eligibility mandate. These considerations need not coincide, and impartiality requires appropriate attention to need and the absence of adverse distinctions under the relevant institutional or legal standard. Nonetheless, a choice that is clinically sensible in one context may be unlawful or exclusionary in another. Eligibility criteria should be tested against the applicable protections and actual institutional authority rather than justified merely by efficiency or the aggregate number served. The role of a humanitarian agency's principle of impartiality and the authority of a public decision-maker also require separate assessment [43, 6].

Shortage accounting should record those who never entered the distribution system, not only those who unsuccessfully requested assistance after registration. Remote communities, undocumented persons, disabled recipients who cannot access a registration portal, and displaced households with changing locations may be absent from official demand figures. Under these circumstances, improved inventory accuracy within a warehouse will not by itself identify excluded needs. An appropriate study combines supply records with independently justified and ethically collected evidence of access barriers, avoiding compulsory or unsafe disclosure of identity, medical history, or movement patterns. Claims of population-wide coverage need a credible denominator and methods that disclose their limits, not simply a tally of successful transactions.

The constructed example of a jointly operated emergency supply corridor illustrates competing mechanisms. Assume a city health department forecasts insulin demand, a donor purchases supplies, a private operator manages refrigerated transport, and clinics distribute medication. A shortage appears in outlying districts while central facilities report adequate stock. Potential explanations include a forecasting mistake, road damage, incompatible stock records, a cold-chain failure, discretionary allocation to central clinics, or an inappropriate eligibility rule. A GR explanation becomes useful only if evidence shows an identifiable effect of recurrent coupling between these mechanisms, such as systematic reclassification of requested quantities as filled when goods move between incompatible systems. A careful investigation would first establish whether a conventional inventory audit, ordinary procurement analysis, legal rule concerning distribution, or transportation model already explains the observed shortage.

9.6 Comparative Configurations and Source-Indexed Evidence

Comparison across relief settings should use common analytical questions while respecting differences of law, geography, operational mandate, and exposed populations. Table 9 organizes seven configurations by their relevant sources and potentially observable interruption mechanisms. Each row identifies a research object rather than declaring that a violation has occurred. The comparison also guards against treating an otherwise similar logistical delay as legally equivalent across armed conflict, maritime assistance, domestic public-health response, and disaster relief.

For each configuration, a source-indexed record should capture: (1) the emergency and period; (2) the relevant territory and level of governmental control; (3) the precise law, mandate, or nonbinding stan-

Table 9: Illustrative relief-supply and infrastructure configurations. Legal status and factual responsibility remain source and context dependent.

Configuration	Source and operational interface	Evidence relevant to protective continuity
International armed-conflict relief corridor	AP I Art. 70, where applicable; agreements, technical controls, transit and distribution	Passage authorizations, inspection timing, cargo destination, delivery and recipient access
Occupied-territory food and medical supplies	GC IV Arts. 55, 59 and 60, where applicable; occupying Power and relief actors	Supply adequacy, agreed schemes, movement, use and retained authority duties
Cross-border medical consignment	GC IV Art. 23 categories and safeguards, where applicable; transit permissions	Beneficiary category, consignment contents, assurances and restrictions
Civilian water infrastructure in armed conflict	AP I Art. 54, where applicable, and other pertinent IHL rules	Protected object, alleged act, purpose or applicable exception, service effects
Temperature-sensitive vaccination supplies	Applicable domestic or professional rules; WHO technical guidance	Storage conditions, monitoring logs, usability, safe administration and follow-up
Disaster logistics-cluster coordination	National emergency framework; conditional common logistics services	Route capacity, warehouse visibility, partner handovers and coverage gaps
Remote community distribution	Applicable rights and local program rules; beneficiary accessibility	Travel cost, identification barriers, eligibility, missed protective intervals, complaints

dard; (4) each supply or service defined as protective; (5) the actors procuring, authorizing, transporting, storing, allocating, and using it; (6) the populations and protected interests; (7) the route, its capacity, and known alternatives; (8) applicable inspection, security, and customs arrangements; (9) stock quality and condition monitoring; (10) the meaning and provenance of every recorded quantity; (11) distribution eligibility, accessibility, and meaningful participation; (12) the chronology of interruption, attempted adaptation, and restoration; (13) evidence relevant to causal attribution and applicable legal duties; (14) opportunities for internal correction or legally available review; (15) the handling of missing or contradictory records; and (16) rival explanations and observations capable of disconfirming the GR mechanism. The fields are modular and should be limited where collecting sensitive data poses disproportionate risk.

A simple comparative design could match distributions operating under the same legal and procurement arrangements but differing in their ability to reconcile records between warehouses, transport providers, and receiving clinics. A finding that reconciliation reduces lost or unusable stock would establish a potentially relevant operational effect. It would not, by itself, establish a new legal duty, a universally preferable information architecture, or a distinct GR contribution. Another study could investigate bottlenecks before and after alternative routes were established while accounting for seasonal transport conditions, security, procurement changes, and population displacement. A third could use process tracing to determine whether a legally relevant access restriction or a separate fuel shortage was the decisive cause of missed deliveries in a documented event.

Research ethics are especially salient where apparently mundane logistics data reveal locations of shelters, water plants, medical stocks, endangered intermediaries, or recipients at risk of retaliation. Route optimization and traceability may increase the visibility of vulnerable people to unauthorized actors. The goal of explanatory completeness must be weighed against data minimization, lawful and safe processing, beneficiary agency, and the possibility that a research intervention imposes additional checkpoints before assistance. Aggregate indicators may be appropriate where person-level records are unnecessary. Conversely, aggregated data can conceal unequal access, so secure individualized review may be needed under applicable law and institutional procedures. The method must explain the trade-off rather than assume that either maximum data collection or maximum aggregation is inherently protective.

9.7 Generative Relational Mechanisms and Limits of the Infrastructure Account

The proposed GR object in this section is *material–institutional protective continuity*: a historically constituted coupling through which resources, lawful authority, infrastructure, classifications, and individual access jointly condition whether an identified protective function remains available. The concept has a descriptive and explanatory role. It does not redescribe an existing duty as a newly discovered relational legal obligation. Its distinctive ambition is to examine a temporally evolving mechanism that might otherwise be obscured when a supply chain is represented by isolated contracts, inventory totals, or organizational responsibilities. Whether the account adds meaningful understanding must be evaluated against established supply-chain theory, organizational analysis, public administration, and applicable law.

The corresponding preliminary hypothesis may be called *cross-interface protective continuity loss*. In some distributed relief systems, recurrent mismatches between materially usable stock, administratively recognized stock, allocation decisions, and beneficiary access may produce patterned interruption even when each participant records its assigned task as completed. The mechanism requires more than several coincident deficiencies. The investigator must identify the path through which a classification, decision, or material change at one interface alters downstream behavior and, in turn, affects later upstream decisions or the capacity of the affected population to obtain relief. The hypothesis should be rejected or narrowed where a single ordinary supply shortage, clearly attributable prohibited obstruction, known capacity limit, or straightforward quality failure adequately explains the outcome.

At the level of *ontological reality*, the ultimate status of a supply network, institution, or social relation remains suspended. The use of relational terminology supplies a research perspective rather than an ontological proof. At the level of *relational reality*, the analysis concerns relatively durable dependencies among legal authority, logistics infrastructure, routes, classification schemes, financial control, professional practice, and historically conditioned trust. The question is how these relations enable, constrain, reproduce, or interrupt a protective function under particular conditions. At the level of *manifestation reality*, accessible evidence includes treaty and statutory provisions, inspection decisions, dated consignment records, temperature logs, route maps, anonymized referral data, inventory adjustments, witness accounts, procurement and handover documentation, and subsequent corrective action. Each manifestation is partial: a legal obligation describes required conduct, a delivery receipt reports one event, and a beneficiary's account concerns experience. Their relationships must be evaluated rather than presupposed.

Three comparisons can discipline the GR claim. First, a *doctrinal baseline* identifies what applicable law already requires and which acts could constitute breaches. Second, an *operational baseline* uses conventional logistics and organizational methods to explain observed shortages, delays, spoilage, and distribution patterns. Third, a *relational mechanism test* asks whether recurrent cross-interface translation or feedback explains a consequence that remains materially underdescribed after the first two analyses. For instance, if an apparently adequate consignment repeatedly disappears from usable stock because each successive inventory system reclassifies it differently, the pattern may support the hypothesis; its incremental explanatory content depends on whether ordinary traceability methods already explain the entire effect. The manuscript should accept that a rigorous comparative inquiry may find no such increment.

Normative evaluation remains independent. A supply network can be remarkably resilient while serving an unlawfully restricted population, ignoring the preferences of affected persons, or displacing responsibilities assigned by treaty or domestic law. A policy that improves average delivery speed may also impose disproportionate burdens on hard-to-reach groups. Neither adaptive capacity nor generativity itself constitutes justice, legality, or institutional legitimacy. A source-dependent legal assessment must remain attentive to the right, duty, rule of attribution, available forum, and evidence relevant to the particular claim. Operational corrections, such as rerouting a consignment or repairing an inventory record, may be urgent and valuable while legal responsibility is still contested or undetermined.

The section's contribution is therefore a bounded integration. Rules concerning relief movement and survival infrastructure establish legal questions; supply-chain analysis identifies material pathways; and the GR hypothesis examines whether repeated cross-institutional feedback produces additional, observ-

able continuity failures. A complete research account would compare those explanations and preserve the voices, safety, and access needs of protected people throughout the inquiry. The subsequent section considers the forums and procedures through which affected persons and institutions may seek review, correction, and remedies when protective systems fail.

10 Remedies, Review, and Institutional Contestation

Humanitarian protection requires procedures capable of recognizing an alleged failure, correcting an ongoing interruption, and assessing responsibility when an applicable duty has been breached. Those procedures belong to different normative and institutional orders. A distribution desk may correct an erroneous record, a humanitarian organization may investigate a complaint, a domestic court may decide a legally cognizable claim, and an international process may address a State's responsibility under the rules governing its jurisdiction. This section examines the relationships among these responses while retaining the legal conditions specific to each. Its objective is to establish an analytically usable distinction between operational correction, institutional review, legally enforceable remedy, and reparation, and then to explain how affected persons may encounter discontinuities among them. The method combines provision-level legal interpretation, analysis of humanitarian accountability commitments, constructed comparative cases, and a provisional Generative Relational (GR) hypothesis. The relevant legal standing, available forum, respondent, remedy, and implementation power remain matters for source-specific inquiry.

10.1 Remedial Sources and Distinct Forms of Institutional Response

An interruption of humanitarian assistance is not a single legal category. It may result from an expired medical consignment, a mistaken eligibility classification, a public authority's unlawful restriction, an armed actor's conduct, an abuse committed by aid personnel, or several causes together. A complaint about any of these matters can be practically important, although its classification as a legally actionable violation depends on the applicable primary rule, the responsible actor, the available procedural law, and the relation between the conduct and the alleged injury. In the terminology established in Section 9, a breakdown in *contestatory continuity* occurs when information about an interruption cannot reach a competent and practically accessible avenue of correction or review. The concept describes a research object, not proof that the individual has a particular enforceable procedural right. For example, a complaint desk may be available in principle but inaccessible to someone lacking a safe route, interpretation, or a protected means of communication. Conversely, an accessible internal correction procedure may resolve a delivery error while leaving a separate allegation of legally attributable wrongdoing for a competent body to assess.

The source of an entitlement to receive particular assistance should therefore be identified before an entitlement to a particular remedy is asserted. The paper adopts four working categories: *operational correction* of a service or record; *organizational review* of performance or misconduct under an institutional standard; *legal remedy* provided by an applicable legal order; and *reparation* associated with an established violation under the relevant law. These are analytical categories; they do not purport to reproduce a uniform statutory classification.

Article 2(3) of the International Covenant on Civil and Political Rights (ICCPR) requires States Parties to ensure an effective remedy where rights recognized in that Covenant have been violated, provides for determination by competent authorities, and requires enforcement of remedies when granted. The provision neither transforms every humanitarian service commitment into a Covenant right nor names one universal court for all such disputes [62]. In General Comment No. 31, the Human Rights Committee interprets the obligation to include accessible and effective remedies and appropriate judicial and administrative mechanisms; its discussion of reparation links remedial effectiveness to the consequences of established rights violations [75]. The Committee's interpretation is authoritative guidance for understanding the Covenant, with the underlying State-party, substantive-right, and jurisdictional limits

retained. A dispute concerning ration-list accuracy may implicate Covenant-protected interests in a particular set of facts, but that possibility should be established by legal analysis rather than inferred from humanitarian urgency alone.

The Convention on the Rights of Persons with Disabilities (CRPD) expressly addresses effective access to justice on an equal basis with others, including procedural and age-appropriate accommodations and the facilitation of participation in legal proceedings. Article 13 must be read with Article 12's guarantees concerning legal capacity and support in its exercise. The interaction matters when a person whose assistance was withheld cannot communicate through the form, language, or institutional channel selected by the provider [66, 67]. These provisions impose obligations upon the relevant States Parties within their scope. They do not, by themselves, supply a detailed universal complaints procedure for every nongovernmental relief organization, nor do they legitimate a representative's substitution of the person's own will and preferences without the necessary legal basis.

International humanitarian law contains different legal responses to violations. Under Article 91 of Additional Protocol I, a party to the conflict violating the Geneva Conventions or that Protocol is, if the case demands, liable to pay compensation and is responsible for acts committed by persons forming part of its armed forces [18]. The provision addresses responsibility within the Protocol's field and does not itself establish an individually accessible domestic claims forum for every protected person. Article 146 of the Fourth Geneva Convention separately concerns penal sanctions, searches for alleged perpetrators of grave breaches, and prosecution or lawful transfer for trial, subject to the Convention's conditions [8]. Criminal accountability, compensation, correction of a relief decision, and restoration of services may be related in a concrete case, but their sources, parties, procedures, and objectives differ. The analysis accordingly avoids treating an institution's internal grievance desk as a substitute for the mechanisms governing grave breaches.

The International Law Commission's 2001 Articles on Responsibility of States for Internationally Wrongful Acts provide a framework for the secondary consequences of attributable internationally wrongful conduct. Articles 30 and 31 address cessation, assurances and guarantees of non-repetition when circumstances require them, and reparation for injury caused by the wrongful act; Articles 34–37 distinguish restitution, compensation, and satisfaction [49]. The Articles constitute a codification and development exercise rather than a comprehensive treaty establishing each individual's standing before each forum. A claimant must still identify a primary obligation, the applicable attribution and breach rules, a competent procedure, and any relevant limitations on remedies. The legal position of a State, a humanitarian organization, a contractor, and an individual perpetrator cannot be merged through the shared fact that all participated in the same operation.

A further layer comprises humanitarian and business-related accountability commitments. The 2024 Core Humanitarian Standard (CHS), particularly Commitment 5, describes safe, accessible arrangements for reporting concerns and complaints and their proper handling. It functions as an organizational quality and accountability standard, not a globally self-executing treaty [6]. The United Nations Guiding Principles on Business and Human Rights distinguish State-based and non-State-based remedial mechanisms and specify effectiveness criteria for nonjudicial mechanisms. Their relevant principles guide interpretation of institutional responsibilities while leaving applicable domestic and international legal entitlements to independent assessment [76]. A complete legal dossier should thus distinguish a right to redress under positive law from a professional commitment to listen, investigate, and repair organizational practice.

10.2 Standing, Admissibility, Representation, and Procedural Accessibility

The identity of a person harmed by an aid decision does not resolve who may invoke a particular procedure. Procedural standing, jurisdiction, admissibility, and representation each require a separate inquiry. The affected individual may have an enforceable claim under one domestic statute, administrative standing to request review of a distribution decision under another instrument, access to an organizational complaint mechanism without being a party to a contract, or an interest affected by a violation for which only a State can invoke a particular international responsibility procedure. These relationships can coex-

ist. A precise account names the relevant norm, alleged injury, claimant, respondent, forum, requested outcome, filing conditions, and whether the resulting decision can be enforced.

A person may need to demonstrate a direct interest, a protected legal status, an authorized representative, or compliance with a time limit. Jurisdictions differ in their rules regarding representative actions, collective claims, public-interest litigation, administrative appeals, and international petitions. The existence of a substantive duty does not itself decide those procedural questions. Conversely, organizational complaints may permit broader access by allowing people to report unequal treatment, unsafe distribution, or misconduct even without framing the concern as a legally established violation. That design can prevent early warning signals from disappearing; it should not be mistaken for judicial standing or an adjudicated finding. Documentation ought to record the forum's own jurisdiction and the claim's evidentiary basis rather than converting the availability of a hotline into an assertion that a legal remedy exists.

Accessibility may materially alter the exercise of recognized procedural rights. An application that presupposes online connectivity, a legal identity document, literacy in a single language, or travel to a secure office can exclude persons with precisely the circumstances of vulnerability that humanitarian protection addresses. The CRPD's guarantees regarding supported legal capacity and access to justice identify legally salient dimensions in the cases to which the Convention applies [66, 67]. More generally, CHS Commitment 5 calls for safe, accessible means of reporting concerns for groups within affected communities [6]. The treaty and standard operate at different normative levels, although each can direct attention to barriers that ordinary procedural descriptions overlook. The analysis should document actual accommodations and their uptake rather than inferring accessibility from their formal availability.

Representation poses an additional difficulty. An aid worker, interpreter, community representative, guardian, attorney, and advocate may each assist a complaint, yet only some may possess authority to bind the person or to waive a claim. A decision should identify whether a representative is transmitting the affected person's stated preference, submitting a legally authorized claim, providing communication assistance, or exercising an independent institutional discretion. Those functions must remain distinguishable when a complaint crosses organizational boundaries. The confidentiality obligations owed to a person also require case-specific analysis, particularly when transferring records to an external authority could expose survivors, people seeking refuge, or witnesses to danger. A representative's useful intervention is not itself proof of an unlimited mandate to disclose, settle, or withdraw the person's claim.

Collective complaints may identify distribution practices that adversely affect an entire community while the legally cognizable claims vary across its members. A local organization might document systemic exclusion, but its authority to litigate for every affected person depends on the governing procedure. At the same time, a complaint system that can receive only individual forms may obscure a recurring organizational practice. The present framework proposes parallel recording of individual interests, representative mandates, collective patterns, and sources of standing. It treats collective evidentiary relevance and collective procedural capacity as distinct issues. This accommodates research into harmful common practices without inventing a general group standing rule.

A source-indexed complaint record therefore should contain at least the alleged decision, the affected subject or subjects, the channel initially approached, the available representative assistance, the institution's reason for accepting or declining jurisdiction, and any alternative forum identified. A refusal to accept a complaint, silence after a filing, or withdrawal under perceived pressure may have different legal significance depending on the applicable source. For empirical analysis, however, each is a distinct event that helps reconstruct whether formal rights and organizational safeguards were practically reachable. Care is needed to prevent researchers from exposing confidential complainant information in the process of tracing institutional paths.

10.3 Organizational Complaints, Immediate Correction, and Independent Review

A service grievance may require a faster response than a formal liability determination can provide. If a patient-facing relief register wrongly records a person as having received a medicine, the immediate

protective task may be to verify the physical stock, correct the record, restore access, and prevent further unsafe delays. The same incident may warrant later review of procedural safeguards and, under suitable circumstances, a legal investigation. The distinction is functional rather than hierarchical: corrective action serves the threatened interest now; organizational review asks whether internal commitments and responsibilities were met; adjudication asks what applicable law establishes. A system may need each response, but the competence to provide one does not automatically confer the authority to undertake the others.

Humanitarian accountability standards can structure the first two responses. CHS Commitment 5 addresses safe channels, explanation of expected staff behavior, knowledge of complaint procedures, appropriate investigation or referral, and survivor-centred handling where misconduct is alleged. Other CHS commitments address adapting assistance in response to feedback and coordinating support across institutions [6]. These provisions are institutional benchmarks adopted by organizations to varying degrees. They should be assessed through the organization's actual policies, operational resources, partner agreements, and implementation rather than presumed to bind all relief actors in the same way. The ICRC's public accountability framework likewise describes participation, information access, feedback, and equitable access as elements of its own organizational approach [36]. The ICRC's statement is evidence of an institutional commitment, not a universal statute applicable to unrelated organizations.

Complaint handling may consist of intake, safeguarding triage, evidence preservation, acknowledgment, referral, reasoned assessment, corrective action, communication of outcomes, and follow-up. Each stage has potential ethical requirements and practical tradeoffs. A visible complaints desk may be ineffective for a person who fears loss of services, while an anonymous reporting route may protect the complainant but complicate investigation of a specific distribution error. An urgent referral may restore the needed service without determining responsibility for the original failure. An internal misconduct investigation may protect confidentiality but remain unsuitable for adjudicating contested statutory rights. Institutional designers therefore need to specify the type of complaint a channel is empowered to receive, the limits of the evidence it can gather, its safeguards, and the escalation or referral route available when its competence is exhausted.

Independence is a contextual requirement rather than a label that can be assumed from organizational separation. A reviewer employed by the same manager who controls food allocation may face actual or perceived pressure to dismiss complaints. A separate unit may possess formal independence while depending on the same incomplete data or restricted field access. Independent review should be assessed against concrete features such as control over appointments, access to relevant documents, protection from retaliation, reason-giving duties, ability to order or recommend correction, and credible follow-up. The United Nations Guiding Principles' effectiveness criteria for nonjudicial grievance mechanisms include legitimacy, accessibility, predictability, equity, transparency, rights-compatibility, and learning, with engagement and dialogue relevant to operational-level mechanisms [76]. These are especially useful comparative criteria, although they do not establish judicial competence by themselves.

The relationship between organizational review and formal justice also requires protective boundaries. A settlement proposed by an aid organization may address lost property or replace withheld supplies within its institutional authority. Such a settlement should not be described as exhausting a person's statutory rights unless the governing law, informed authorization, and relevant procedural safeguards establish that effect. Allegations of serious abuse may require referral to an appropriate public authority under applicable rules, with due regard for the safety, wishes, and rights of the survivor. The investigator's duty is to avoid promising legal immunity or confidentiality beyond what the institution and law permit. Complaint procedures can be valuable mechanisms of learning and correction while retaining their necessary limits as substitutes for legally constituted remedies.

Follow-up matters because a recorded decision can be functionally empty. An organization may acknowledge a complaint, promise a revised eligibility decision, and still fail to update the separate database operated by its local partner. A community may receive written assurances, yet the transport access required to implement the decision may remain unavailable. Effectiveness therefore demands both procedural examination and observation of the resulting protective outcome. Relevant evidence

includes notice to the complainant, decision time, opportunity for reconsideration, actions ordered or recommended, actual implementation, and the complainant's ability to communicate that the promised correction did not occur. The framework does not adopt a universal time limit; it examines timeliness relative to the risk of harm and any applicable legal or institutional standard.

10.4 Legal Accountability, Cessation, Reparation, and Enforcement

Where the applicable law recognizes a violation, the legal consequences require a distinct inquiry into attribution, causation, applicable responsibility rules, and the form of redress. The ILC's Articles on State Responsibility are useful for structuring questions concerning an internationally wrongful act attributable to a State, cessation of continuing violations, non-repetition when circumstances require it, and forms of reparation for legally recognized injury [49]. The analysis should avoid treating the Articles as a complete rulebook for claims against humanitarian organizations, private companies, international organizations, or individuals. A domestic administrative error by a contractor may require contractual or statutory remedies without satisfying the elements of an internationally wrongful act of a State. Conversely, the outsourcing of service delivery does not automatically erase the duty of a State under a governing human-rights instrument or another applicable rule.

Restitution, compensation, satisfaction, rehabilitation, restoration of a service, and guarantees of non-repetition can have different normative sources and practical meanings. Under the ILC framework, restitution, compensation, and satisfaction are described as forms of reparation for injury caused by internationally wrongful State conduct [49]. A distribution partner's offer to replace an expired vaccine is better described initially as an operational corrective measure, unless the facts and governing rules establish a legally remedial function. The Human Rights Committee's interpretation of ICCPR Article 2(3) links the effectiveness of remedies to appropriate reparation for Covenant violations [75]. Different forms of injury may require different responses; the existence, measure, and beneficiary of compensation are questions for the pertinent legal order and forum.

Two additional distinctions are necessary in armed-conflict settings. Article 91 of Additional Protocol I speaks to the responsibility of a party to the conflict for violations and, where the case demands, compensation; its treaty applicability and the violation alleged remain essential to invoking it [18]. Article 146 of the Fourth Geneva Convention addresses a State's obligations relating to penal sanctions and prosecution of grave breaches. It involves different institutional procedures from an organization's refund or a civil damage claim [8]. A serious incident may appropriately engage criminal investigation, public-law responsibility, service restoration, and survivor support simultaneously. The researcher should record those distinct processes and avoid inferring that the conclusion of one necessarily disposes of the others.

The distribution of legal responsibility among multiple actors is similarly source sensitive. A hospital authority might owe a domestic-law duty to provide specified emergency services; a humanitarian NGO might owe duties to its employees or to beneficiaries under a particular national law or contractual arrangement; a State might owe human-rights obligations within the treaty's applicable jurisdiction; and a conflict party may owe duties under humanitarian law. Practical coordination among them does not create a common defendant by itself. Identifying a breach requires describing the conduct and omission of each actor, the applicable duty, the causal relation to injury where relevant, and available defenses or exceptions under the chosen legal regime. The existence of a shared information system can be important evidence of knowledge or control without independently settling the legal attribution test.

Enforcement is a separate stage of remedial analysis. A favorable determination may be inadequately implemented because the decision-maker lacks authority over the responsible institution, because the original respondent has no remaining stock, or because the beneficiary has moved. A decision may be formally final while a continuing deprivation produces new injury. ICCPR Article 2(3)(c) explicitly concerns enforcement of granted remedies within its defined scope [62]. In other settings, applicable enforcement mechanisms may involve court orders, administrative sanctions, contract performance requirements, professional discipline, or negotiated implementation. Comparing their effects requires

specifying the underlying legal instrument and the remedy actually available, rather than assuming that a reasoned complaint outcome is equivalent to enforceable relief.

Repair also has a temporal dimension. Restoring an interrupted service can prevent additional injury; compensating for past loss may address another component; altering training, access, classification, or referral practices may reduce recurrence. These functions may overlap, but their success should be evaluated separately. A decision to change an eligibility rule may correct future allocations while leaving past injuries unresolved. A monetary award may address financial loss while failing to ensure that displaced persons can reenter the service pathway. Under GR, the point is to examine those relationships without identifying institutional reorganization itself with justice. The standard of adequate legal reparation must remain independently sourced, and moral arguments about the desirability of further repair require their own justification.

10.5 Contestation, Confidentiality, Retaliation Risk, and Review Independence

A complaint procedure can itself expose the persons whom a humanitarian intervention is intended to protect. The risks include disclosure of displacement routes, disclosure of medical or disability-related information, identification of witnesses in an insecure environment, exclusion from future aid, reprisal by armed actors, and coercion by a gatekeeper responsible for allocating resources. These are risks to be evaluated, not empirical conclusions about every operation. Their significance lies in the possibility that apparent complaint inactivity may conceal constrained opportunities to raise concerns. An organization that counts only completed forms may mistake fear, inaccessible reporting channels, or information asymmetry for satisfaction. Research ethics and organizational responsibility therefore require attention to the conditions under which contestation is possible.

Confidentiality cannot be treated as a generic promise detached from the forum. A field worker may be able to restrict the circulation of a complaint within an organizational system, while an investigator, professional regulator, court, or protection authority may operate under different disclosure rules. Where mandatory reporting or a legally authorized investigation is relevant, promises of secrecy require particular care. A survivor-centred approach should explain the purpose of gathering information, the limits on further disclosure, opportunities to consent or object where applicable, and foreseeable consequences of referral. The CHS commitments concerning accessible complaints, safeguarding, and survivor-centred complaint handling offer relevant professional standards [6]. Their operationalization depends on the applicable law and the actual circumstances of the institution.

Contestation includes the capacity to question both an individual outcome and the rule or classification that generated it. A person denied a relief item may ask for the record to be corrected. A community may question why its settlement has been excluded from the assessment map. A disability-rights advocate may challenge a procedure that excludes persons unable to attend a centralized office, while the source of the legally enforceable claim must still be identified. The earlier distinction between representation and supported agency remains pertinent: a channel that receives only the testimony of a community leader may omit members whose interests or preferences diverge. Appropriate institutional inquiry can preserve both individual statements and collective patterns without assuming that a representative's convenience substitutes for the affected person's agency.

Reason-giving can reduce some forms of opacity, although it also produces privacy and safety questions. The individual should, within the limits of applicable law and justified confidentiality, be informed of the governing criteria, the recorded facts used, the available method of correction, and the process's outcome. Publishing the full reason for a denial may expose sensitive information or the location of a person requiring protection. In some settings, a carefully limited explanation to the individual together with an anonymized record for public accountability may be more appropriate than undifferentiated transparency. The United Nations Guiding Principles' emphasis on legitimate, transparent, equitable, and rights-compatible grievance arrangements supports treating confidentiality and information access as jointly designed features rather than mutually exclusive absolutes [76].

Protection against retaliation calls for more than the availability of a form. Procedural design may

use separate staff, secure reporting routes, non-retaliation policies, safe referral agreements, identity minimization, and review of potential adverse consequences after a complaint. Their effectiveness should be empirically evaluated where feasible and lawful. A direct public complaint may be inappropriate if it creates a foreseeable risk to a witness; a private system may be inappropriate if it systematically prevents collective scrutiny of discriminatory allocations. The relevant protective balance depends on the person's circumstances, the stakes, consent or authorization where required, and the lawful capacities of the institution. The article's proposed framework treats risk assessment as an ongoing inquiry rather than a one-time compliance declaration.

For affected individuals, an independent process is meaningful only when they can understand and use it. A complaint may cross an international organization's hotline, an implementing partner's register, a donor's oversight office, and a domestic regulator. Responsibility for forwarding information does not necessarily entail authority to decide the claim. If the initial recipient cannot act, the system should document the basis and conditions of referral, the information transferred, the person's awareness of the process, and any mechanism for following up. The same case can have multiple distinct complaints: unsafe conduct by a staff member, a wrongful allocation decision, and a legally cognizable violation by a State actor. The existence of concurrent channels should be made legible without forcing a person to choose an unauthorized waiver of other claims merely to obtain urgent assistance.

10.6 Comparative Remedial Configurations and Source-Indexed Dossiers

Comparative analysis is useful only if the cases are described at an appropriate level of similarity and difference. Table 10 compares seven constructed configurations that are plausible in humanitarian practice; it does not report observed events or adjudicated outcomes. The table distinguishes the immediate corrective task from the possible legal or institutional review pathway. Each row is a research configuration, not a declaration that the named forum has jurisdiction in every case. A proposal to monitor a shared complaint database, for example, can be evaluated as an administrative design without assigning it the legal competence of a court.

A source-indexed remedial dossier should record fourteen distinct fields: (1) incident or challenged decision; (2) affected subject and legally relevant status; (3) underlying duty or institutional commitment; (4) alleged respondent and attribution basis; (5) immediate protective risk; (6) claimant, supported agent, and representative mandate; (7) initial complaint channel; (8) competent decision-maker and admissibility conditions; (9) information or evidence needed, with privacy restrictions; (10) correction or remedy requested; (11) reasons and decision supplied; (12) implementation status and elapsed time; (13) possible alternative or independent forum; and (14) safety, accessibility, and ongoing contestation conditions. A separate notation should identify whether each entry comes from a primary legal source, a verified organizational policy, an empirical observation, a participant account, or a hypothesis. A missing record may be a substantive finding, but it cannot automatically be interpreted as proof that no obligation or action existed.

The proposed fields are deliberately modular. A judicial file may require jurisdiction, limitation periods, evidence rules, and remedial powers in greater detail. An organizational complaint may require safeguarding triage, referral competence, and service-restoration information. An empirical process-tracing inquiry may need stable event identifiers and time stamps, while an ethical inquiry may focus on the experiences and preferences of affected persons. The research design should select fields proportionately and avoid collecting personal data that do not materially contribute to protection or lawful investigation. Information minimization is especially important when a comparative study spans multiple providers or national legal orders and creates new risks through data linkage.

Comparison across configurations can reveal several different kinds of mismatch. The identified source of a protective duty may be clear, yet the person entitled to invoke review may be uncertain. The organizational route may be rapid, yet its results may be unenforceable outside the organization. A court may have legal authority but lack the practical ability to restore a particular service immediately. A coordination mechanism may collect several complaints about a recurring barrier but have no power to

Table 10: Constructed humanitarian grievance configurations: corrective tasks and legally conditioned review pathways. Entries specify analytical possibilities, not general rules of standing or liability.

Configuration	Immediate protective or organizational response	Distinct legal or formal review inquiry
Erroneous beneficiary exclusion	Verify identification and eligibility record; restore accessible distribution where warranted	Determine any domestic administrative entitlement, discrimination claim, or other applicable right
Loss of medical supply integrity	Quarantine goods, notify providers, restore safe service and preserve relevant records	Identify duties under relevant professional, statutory, contractual, and possibly public law
Accessible complaint channel absent	Offer supported communication and safe alternative reporting	Assess applicable CRPD or other rights and actual procedural standing
Misconduct by aid personnel	Safeguard affected persons, preserve evidence, refer under suitable rules	Distinguish organizational discipline, domestic offenses, and any legally established liability
Relief denied during armed conflict	Assess immediate safe access and document the legal and operational reasons for denial	Apply the particular IHL rule, responsible actor, forum, and possible criminal or reparative consequences
Complaint transferred between partners	Confirm mandate, consent, referral receipt, and outcome communication	Determine whether either institution has a legally enforceable review or referral obligation
Community-wide distribution pattern	Audit the allocation rule and affected groups with safe participation	Examine class, collective, administrative, or individual standing under the applicable legal system

change the barrier. Such differences should be described with procedural and evidentiary precision. The presence of a plausible institutional remedy in one case cannot be used to infer its existence in a different conflict, jurisdiction, or implementing arrangement.

The comparatively ambitious part of this dossier is the proposed linkage between the legal sequence of entitlement, admissibility, decision, and enforcement and the operational sequence of recognition, referral, correction, and access. Those sequences can be studied together while remaining conceptually distinct. Under sufficiently secure and authorized conditions, research could compare time to acknowledgment, rate of successful referral, number of repeated submissions, accuracy of beneficiary reclassification, implementation of ordered correction, and the person's own assessment of whether the situation improved. Such metrics have no fixed normative meaning outside their legal and contextual interpretation. A high rate of closed complaints might indicate effective resolution or premature dismissal; independent evidence is necessary to distinguish the possibilities.

10.7 Generative Relational Reconstruction, Rival Mechanisms, and Research Ethics

A preliminary GR reconstruction treats remedial access as an evolving relation among persons, legally constituted rights and powers, service infrastructures, records, intermediaries, and reviewing institutions. Its object is narrower than a general theory of justice: the inquiry concerns the conditions under which an affected person's claim becomes recognizable, travels through one or more channels, receives an authorized response, and produces or fails to produce a relevant protective change. The central hypothesis is *cross-interface remedial attrition*: when complaint information, claimant status, decision authority, and implementation capacity are distributed across poorly coupled institutions, repeated transitions may systematically diminish the likelihood that a substantively appropriate complaint becomes an effective correction or legally available remedy. This is a proposed mechanism, not an empirical finding or an independent source of law.

Three GR reality levels organize the hypothesis. At the level of *ontological reality*, the ultimate sta-

tus of social and institutional entities is held in suspension; the framework makes no claim that rights, organizations, or complaints possess a particular metaphysical substance. At the level of *relational reality*, historically constituted persons, professional roles, legal competences, registration practices, information flows, resource dependencies, and review pathways may be treated as sufficiently stable and causally consequential objects of inquiry. At the level of *manifestation reality*, these relations become accessible through complaint forms, eligibility records, oral testimony, referrals, decisions, delay logs, returned supplies, and other observable expressions. A manifestation can be incomplete, strategically presented, mistranslated, or unavailable to the researcher; its evidentiary role must be interpreted rather than assumed.

For a constructed illustration, consider a displaced individual whose request for an assistive medical item is recorded by a local partner as already fulfilled. The person files a correction request with a field office. That office forwards the complaint to an international coordinator, whose database records that the matter has been referred, while the warehouse continues to rely on the original fulfilled-status code. A later organizational review finds the original entry mistaken, yet the implementing partner's system does not accept the corrected identifier. The episode contains several distinguishable events: the person's protected interest, the accuracy of each record, the staff members' authority, the presence or absence of a legal entitlement to the item, the competence of any reviewer, the practical failure to restore supply, and the risk of continuing harm. The example illustrates a candidate relational mechanism in which a correction loses operative effect across interfaces. It establishes neither a violation of a particular treaty nor the legal liability of a named institution without additional sources and evidence.

Several established explanations compete directly with this proposal. An administrative-law account may identify an inadequate procedure or a defective reasoned decision. Information-systems research may explain inconsistent identifiers and synchronization failure. Organizational analysis may identify unclear assignment of tasks, weak incentives, or insufficient review authority. A rights-based approach may identify discrimination, inaccessible complaint channels, or failure to implement a legally required remedy. A supply-chain account may explain the absence of usable stock. GR adds explanatory value only if the relations among these mechanisms reveal a consequential historical or cross-institutional pattern insufficiently captured after those alternatives are properly specified. A rich relational vocabulary, by itself, supplies no evidence that the mechanism is novel or stronger.

The hypothesis can be tested through sequenced comparisons: identify the initial claim and governing legal sources; trace each handover and status change; compare the record used by each institution with the affected person's account; examine the location of decision authority and implementation capacity; and compare otherwise similar cases with and without interoperable referral or review. Evidence that legal jurisdiction, simple resource shortage, or a single database error fully explains the outcome without relevant interactions would weaken the proposed GR mechanism. Evidence that correcting individual organizational errors leaves repeated cross-interface attrition intact would provide a stronger reason for further study, provided relevant confounders and selection effects are addressed. Negative results should be retained in the research programme rather than reinterpreted automatically as evidence of hidden relational processes.

The empirical study of grievances poses significant ethical hazards. Requests for interviews or access to complaint records may expose individuals to reprisals or create pressure to participate because researchers appear associated with aid allocation. Consent, confidentiality, legal mandates, professional duties, data protection, safeguarding, and appropriate independent oversight should be specified before access to identifiable records. Research should ordinarily avoid expanding the number of people who can identify a complainant merely to assemble a more complete relational network. It should also avoid delaying an urgent corrective response for the sake of observation. A case can be analyzed at the level of anonymized institutional handover patterns when more intrusive study is unnecessary or unsafe. The permitted sharing of records and the authority to investigate remain source- and setting-dependent.

This section's contribution is therefore a structured separation between immediate protection, organizational accountability, legal review, legal reparation, and institutional contestation, together with a provisional method for examining how their interfaces shape outcomes. The law supplies the relevant

rights, obligations, competences, and procedural limitations; institutional standards guide organizational practice; and GR supplies one revisable explanatory perspective on interaction across these domains. The inquiry provides a basis for the subsequent examination of humanitarian obligations and proposals concerning nonhuman subjects, where the temptation to transfer human procedural entitlements by analogy requires still greater care.

11 Humanitarian Duties toward Nonhuman Subjects: Positive Law and Ethical Proposals

This section examines the legal and ethical positions through which animals, ecosystems, and legally constituted natural entities may receive protection during crises. Its role within a jurisprudence of humanitarian assistance is to determine which existing rules protect nonhuman interests, who bears the corresponding duties, who can act or complain on behalf of those interests, and which additional duties would require normative argument or legislation. The analysis proceeds from distinctions among welfare protection, conservation obligations, legal personality, and legal standing to disaster response, environmental protection during armed conflict, and a source-specific example of representation of a river. It concludes with comparative configurations and a Generative Relational (GR) hypothesis concerning failures of protection at the boundaries among human relief, veterinary response, and environmental institutions. This is a doctrinal, comparative, and provisional normative inquiry. It offers neither an empirical finding of nonhuman personhood nor a derivation of nonhuman humanitarian rights from treaties principally directed toward human persons.

The expression *nonhuman subject* has different meanings in the several inquiries that follow. In an ethical argument, it can identify a candidate bearer of interests that warrant consideration; in a legal analysis, it may designate a juridical entity recognized by a particular source, an animal protected by legislation without being a legal person, or an ecosystem within the protective object of environmental law. In a GR reconstruction, it may denote a relational being whose practical treatment depends on historically developed institutions and modes of manifestation. These senses should be kept separate. A decision-maker concerned with animal pain, a legislature recognizing a river as a legal person, and a veterinary officer responding to a disaster may be dealing with related environmental conditions while acting under substantially different norms. The present section uses *humanitarian* for the research field of assistance and protection, without stipulating that every animal-welfare or conservation measure is governed by international humanitarian law.

11.1 Protected Interests, Legal Personality, and Procedural Standing

A useful starting point is to differentiate four legal or ethical questions. First, what harm or deprivation is at stake? An animal might suffer injury, thirst, displacement, disease, or stress; a habitat might lose ecological integrity; a particular watercourse might be affected by destructive land use. Second, what norm, if any, addresses the harm? Animal-welfare legislation, environmental treaties, disaster-management instruments, and property or public-law provisions may each impose different requirements. Third, whose legally assigned conduct is at issue? A statutory keeper, public regulator, veterinary service, landowner, conflict party, or formally designated representative can occupy a distinctive position. Fourth, by what route can a violation or inadequacy be challenged? Inspection, prosecution, administrative review, a statutory representative, or a qualifying claimant may provide a route, depending on the governing legal system.

These questions distinguish *protected interest* from *legal personality* and *procedural standing*. A norm may prohibit specified suffering without making an animal a juridical person. A legal person may be given rights and duties exercisable by an authorized office without acquiring a human-like capacity to choose, consent, or testify. A person or organization may have a statutory power to seek review of environmental harm without the affected ecosystem being recognized as a procedural claimant. A comparative description becomes misleading when it maps any of these positions automatically onto the

others. The separation is particularly consequential for relief operations, since a finding that animals require care does not determine who is authorized to enter a conflict zone, allocate publicly controlled supplies, or override another institution's decision.

German law provides a tightly bounded illustration. Section 90a of the German Civil Code states that animals are not things, provides that they are protected by special statutes, and specifies a qualified continuing application of rules concerning things [27]. Section 1 of the Animal Welfare Act states a protective purpose grounded in human responsibility for animals as fellow creatures and prohibits inflicting pain, suffering, or harm without reasonable grounds [26]. Neither proposition supplies a general declaration that each animal has all the procedural powers of a natural or corporate legal person. The legal analysis must follow the relevant regulatory provisions, institutional responsibilities, exceptions, and procedural rules before asserting a particular cause of action or emergency obligation. The German example is thus evidence of statutory protections and a distinct classificatory technique, rather than evidence for a universal legal status of animals.

An ethically protected interest may also lack an identified legal duty bearer under currently applicable law. A stranded wild animal might present a strong reason for voluntary rescue while leaving practical access, safety, ownership, conservation permits, or emergency competence to be determined by separate rules. Conversely, a duty to protect an ecosystem can arise from international environmental law without depending on whether its individual inhabitants possess separate legally enforceable interests. The proposed GR inquiry examines how such positions interact in practice. Its explanatory object is the historically constituted relation among the protected being, applicable norm, knowledgeable observer, authorized decision-maker, resources, and channels of accountability. That object is complementary to source-specific legal analysis; it is not a substitute for it.

11.2 Animal Welfare Protection and Veterinary Disaster Responsibilities

Positive animal-welfare protections are a heterogeneous collection of national, regional, and sectoral arrangements. The European Union's Article 13 of the Treaty on the Functioning of the European Union recognizes animals as sentient beings for the purpose of requiring attention to animal-welfare requirements in enumerated Union and Member State policy fields, subject to express qualifications concerning certain national provisions and customs [22]. Its role is an integration principle for identified public policies. It neither makes every animal a treaty-based humanitarian beneficiary nor establishes an unrestricted power of an aid organization to undertake an operation. Interpretation and implementation must be connected to relevant sectoral rules and the competences of Union and national institutions. The contrast between the EU provision and German legislation illustrates how a concern for sentience can be articulated as a policy duty, a statutory protection, or a combination of distinct legal arrangements.

Disasters reveal why animal-welfare responsibilities require attention to institutional location. Animals can be kept in shelters, farms, transport systems, laboratories, or households, and can also inhabit wild ecosystems. They may be dependent on people for water, feed, veterinary attention, shelter, and evacuation; the responsible persons and relevant authorities will vary by setting. In addition to effects on animals, damage to veterinary infrastructure may affect human livelihoods, public health, food safety, and community recovery. These coupled interests support cooperative planning, while their coexistence does not erase the separate grounds for each intervention. A veterinary vaccination campaign, the evacuation of companion animals, and the recovery of threatened wildlife have different objects, technical constraints, and permissible implementing actors.

The World Organisation for Animal Health (WOAH) has issued guidelines on disaster management and risk reduction concerning animal health, animal welfare, and veterinary public health [83]. The guidelines emphasize preparedness, the role of veterinary services, multidisciplinary coordination, and integration with broader disaster-management arrangements. They offer a professionally grounded organizational resource for planning. They do not, merely by their publication, create universally enforceable treaty obligations on all governments or humanitarian agencies. Whether a veterinary service must inspect premises, order evacuation, authorize treatment, or coordinate with civil protection turns on ap-

plicable domestic law and the organization's mandate. Even the attractive phrase *animal rescue* requires specification of whether the proposed act is an emergency veterinary measure, a voluntary welfare service, a regulatory intervention, or the performance of a legally imposed duty.

Consider a constructed coastal evacuation in which a local authority opens a public shelter intended for displaced people and their assistance animals, while several privately owned farms and a wildlife rehabilitation facility become inaccessible. An NGO offers transport, veterinarians assess disease risk, and authorities impose restrictions on movement across a quarantine boundary. The urgency of animal welfare does not itself identify the actor entitled to override quarantine restrictions or determine precedence among human evacuation, animal transport, and protection of fragile habitats. A defensible operational account records the relevant powers, foreseeable harm, proportional and lawful restrictions, professional judgments, and means of communication with affected people. If the rescue plan excludes companion animals, the likely effect on whether their human caregivers will evacuate can be relevant to human protection as well as animal welfare. Still, a resulting human-protection rationale should not be represented as the entire ethical basis for attending to animals' own suffering.

An ethical extension can therefore be framed with more precision than a general assertion of non-human humanitarian rights. The proposal considered here is that an institution undertaking a disaster assessment should, where competent and reasonably practicable, make animal suffering and dependent ecological conditions visible in its decision process and assign any response to a legally authorized actor. Its justification may draw on sentience, vulnerability, stewardship, ecological interdependence, and avoidance of foreseeable harm. Its legal status depends on the particular source from which a duty or power is claimed. An assessment of the proposal must examine resource costs, foreseeable human consequences, species differences, ethical disagreement, and the possibility that intervention itself produces harm through transport stress, unsuitable release, or disruption of an ecosystem.

11.3 Biodiversity, Environmental Protection, and Armed-Conflict Rules

An ecosystem can be legally protected without being a legal person, and conservation duties need not have the same object as emergency rescue. Article 8 of the Convention on Biological Diversity concerns in-situ conservation and directs Contracting Parties, as far as possible and as appropriate, toward measures including protected areas, habitat protection, species-population maintenance, and ecosystem restoration [1]. The conditional language and the provision's treaty setting matter. It identifies obligations relating to the conservation of biological diversity for Parties within the Convention's framework; it does not provide a general individual standing rule for animals displaced by a particular flood. Its protection is also not exhausted by short-term survival of identifiable creatures: habitats, species viability, ecological processes, and long-term restoration are relevant objects of legal and scientific assessment.

Armed conflict introduces another set of source boundaries. Article 35(3) of Additional Protocol I prohibits specified methods or means of warfare intended, or expected, to cause *widespread, long-term and severe* damage to the natural environment [28]. The three descriptors are cumulative within that provision and should not be paraphrased as alternative grounds. Article 55(1) addresses protection against damage of that kind, including consequences for population health or survival; Article 55(2) prohibits attacks against the natural environment by way of reprisals [29]. Those provisions belong to the treaty regime of the Protocol and must be understood in the context of its application and the positions of relevant parties. Other rules on civilian objects, objects indispensable to survival, precautions, and applicable customary law may be relevant to particular environmental harms, but require their own legal analysis. The existence of an environmental prohibition does not, by inference, create a general animal right to be evacuated or treated by a humanitarian organization.

A source-indexed account consequently distinguishes at least three objects: a particular animal's experience of injury or deprivation; the ecological functioning of a habitat or population; and the human health or survival interests affected by environmental degradation. They are capable of overlap. The destruction of a wetland could harm wildlife, reduce drinking-water quality, damage community livelihoods, and impair a long-term conservation commitment. The legal assessment of each consequence may

invoke a different provision or institution. A clinician, a wildlife expert, a water authority, and a conflict-law specialist may be able to describe different aspects of the same event without any one professional vocabulary subsuming the others. The GR programme is suited to asking how the resulting evidence is joined, lost, or subordinated across institutional interfaces, provided that ordinary environmental-impact assessment and established legal analysis are taken seriously as rival explanations.

The practical sequencing of protection can also be temporally asymmetric. Emergency action may focus on human evacuation and immediate medical supply, while ecosystem assessment requires longer baselines and slower restoration. Delayed environmental damage can nevertheless create later health and displacement needs. A protective plan that attends only to the first week may leave interdependent harms outside the recorded scope of the operation. This observation supports a research question about institutional time horizons; it does not establish that every emergency actor possesses jurisdiction over long-term conservation. Proposals for continuing ecological monitoring should identify the lawful custodian of information, appropriate community participation, scientific expertise, and an available implementing authority.

It is also important to keep the normative foundations plural. One justification for conservation may emphasize the welfare or survival of humans; another may emphasize sentient animals' own experiences; a third may focus on biodiversity or the intrinsic worth of ecosystems. Different legal instruments can reflect different mixtures of these reasons. Article 8 of the Convention on Biological Diversity and the environmental articles of Additional Protocol I are therefore instructive partly because their legally operative terms do not require choosing one comprehensive metaphysical theory of nature. A GR analysis can model the relationships among the interests and institutions without claiming that the law has already resolved their ethical ranking.

11.4 Statutory Personality and the Representation of Te Awa Tupua

The statutory recognition of Te Awa Tupua in Aotearoa New Zealand supplies a more specific example of natural-entity legal personality. Sections 12–19 of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 establish a framework in which Te Awa Tupua is recognized as a legal person and Te Pou Tupua acts in its name and exercises the relevant rights, powers, and duties [56]. The framework belongs to a particular settlement of historical claims, including the relationship of Whanganui Iwi with the river, the principles identified in Tupua te Kawa, and statutory institutions that give the recognition practical form. The Act is not a generic legislative experiment detached from Indigenous history or an abstract illustration whose meaning can be wholly expressed through conventional corporate-personhood analogies.

Section 16 supplies a significant corrective to broad interpretations: absent express provision, the Act leaves specified existing rights and interests, including certain interests concerning water and wildlife, unaffected [55]. Thus, even a statutory declaration of legal personality should be read together with the procedures, limitations, and institutional functions established in the legislation. The New Zealand legislation portal lists its latest consolidation as at 10 July 2026 and identifies the incorporation of section 366 of the Regulatory Systems (Primary Industries) Amendment Act 2026. This supersedes the earlier draft note about an unincorporated Planning Act amendment. The provisions cited here concern statutory personality, representation, and specified limits; any claim about the practical consequences of later or collateral legislative changes still calls for an up-to-date provision-level inquiry.

This example makes two analytical distinctions visible. First, a recognized legal person can have an authorized institutional representative without making the representative and represented entity conceptually identical. The source of the representative's power, relevant duties, and relationship to affected communities remain legally constituted matters. Second, a legally recognized river is not interchangeable with an individual animal protected under a welfare statute. The statutory framework concerns a river as an integrated physical and spiritual entity within a specific settlement and governance order; the welfare example concerns prohibitions and responsibilities directed at treatment of animals. A generic claim that both are *nonhuman persons* would conceal their different legal histories and powers.

There is an additional matter of intellectual provenance. Concepts and institutional arrangements reflected in the Te Awa Tupua legislation arise within the history, claims, and understandings of Whanganui Iwi. A GR interpretation may investigate how a constituted legal representative translates claims among public agencies, ecological actors, and affected communities. Such a translation remains the researcher's interpretation and should not be attributed to Indigenous communities or presented as a theoretical source from GR itself. Community knowledge, representation, and authority are not raw examples to be absorbed into an external system. Future empirical work involving communities, customary knowledge, or governance practices would require the appropriate permissions, research relationships, and attention to collective interests and data governance.

For humanitarian jurisprudence, Te Awa Tupua poses a precise hypothetical question: if disaster response or an environmental emergency significantly affects an entity with a statutory representative, how do preexisting powers and duties interact with emergency competences and any protective measures the representative may request? The answer depends on the legal powers of that office, the nature of the emergency, the governing domestic law, and the facts. It would be unsound to infer a treaty-based humanitarian rescue entitlement merely from personality. The case instead demonstrates that positive law can create a distinct institutional bridge between a nonhuman entity, authorized representation, and administrative action. It also shows how the scope of that bridge has to be documented before building broader analogies.

11.5 Allocation of Protective Action across Species, Communities, and Institutions

Recognition of animal welfare or environmental protection can have immediate operational consequences without displacing the legal priority of protecting human persons under applicable humanitarian and human-rights instruments. A disaster authority may have to decide whether to deploy scarce vehicles to evacuate a hospital, remove livestock from a threatened area, or transport equipment needed to protect a water source. Each use of a scarce vehicle has foreseeable effects, yet the governing law and competence must be determined independently for each proposed use. A defensible allocation decision should identify any binding duties and prohibitions first, then document feasible courses of action within the remaining discretion. Ethical considerations can guide permissible choices, but cannot authorize the violation of an existing person's rights or the exercise of powers that an institution does not possess.

Three recurrent configurations require special care. In a *coupled-dependency configuration*, the well-being of animals and people is linked through livelihood, food supply, caregiving, or public health. Veterinary treatment may sustain both animal welfare and human security, but the beneficial coupling does not make the interests identical. In a *conflicting-use configuration*, an intervention beneficial to a population of animals may endanger particular animals or threaten another habitat; moving an invasive species, for example, may create ecological risks requiring expert assessment. In an *institutional-competence configuration*, one organization may possess medical capacity, another veterinary authority, and another legal competence to make environmental decisions. Coordination can improve performance but does not silently transfer statutory powers among them.

A constructed flood response clarifies the distinctions. Suppose a wetland protected by conservation measures receives untreated runoff following damage to a regional treatment facility. Local households require safe drinking water, fish populations appear to be dying, and a wildlife group seeks to relocate affected animals. The public-health agency can monitor human exposure; a conservation body may be competent to assess habitat injury; veterinary specialists can advise on animal suffering; and a relief organization may be able to deliver temporary water supplies. Evidence of contamination should pass between these actors under appropriate information-sharing rules. Their competence to publish findings, issue orders, enter property, or authorize relocation cannot be inferred from their shared concern. The legal assessment would examine actual statutory responsibilities and relevant treaties; a GR account could separately examine the causes of delayed recognition and failed handovers. The illustration assumes no actual flood or judicial determination.

Operational inclusion of animal and ecological concerns also demands evidentiary discipline. A pub-

Table 11: Source-specific configurations for nonhuman protection and humanitarian interfaces

Configuration	Grounded legal or institutional object	Limitation on the inference
German animal-welfare protection	Statutory concern for animal life, welfare, and protection from unjustified harm	No general animal legal personality or universal emergency standing follows
EU animal-welfare integration	Sentience-based attention in enumerated policy fields	Does not itself authorize humanitarian intervention
Veterinary disaster planning	WOAH professional guidelines for services and coordination	Guidance does not establish an independent general treaty duty
Biodiversity conservation	CBD Article 8 measures subject to its conditional wording	Conservation duty differs from rescue claims of individual animals
Environment in international armed conflict	Specific prohibitions and precautions in AP I Articles 35(3) and 55	Thresholds and treaty applicability limit claims; animal standing is separate
Te Awa Tupua statutory personality	Legal person and representative office under particular settlement statute	Statutory limits and Indigenous provenance govern application
Proposed interspecies emergency response	Ethical consideration of suffering and ecological interdependence	Legislative or other lawful authority still needed for compulsory intervention

lic communication claiming that a programme has *protected 5,000 animals* may refer merely to animals counted in a catchment area, a vaccination campaign, or verified clinical care. A river-cleanup report may record material removed without demonstrating ecological recovery. Evaluations should specify whether they measure exposure, intervention, survival, welfare condition, habitat function, or durable recovery, as well as the uncertainty and time horizon involved. Similar caution applies to a claim that human protection was improved by a wildlife measure: a plausible pathway is not evidence of its magnitude. Ethical priority should not be calculated from unexamined counts or the assumption that every affected species can be placed on one commensurable scale.

Professional standards help address these difficulties. WOAH’s disaster guidelines provide a concrete starting point for identifying veterinary roles, risk reduction, and coordination needs [83]. But the relevant operative authority may still come from domestic legislation or particular contractual and institutional arrangements. A research protocol should therefore distinguish the normative assessment of an intervention’s desirability from the source-specific investigation of who was permitted or required to act. It should also ask whether the proposed nonhuman measure competes with, complements, or materially supports protections owed to human persons, without assuming that such relationships are fixed across contexts.

11.6 Comparative Legal Configurations and Research Dossier

Table 11 compares seven positions in which nonhuman interests enter legal or emergency-governance processes. The object of the comparison is the *form of normative mediation*: the legal source or institutional standard, protected object, authorized addressee, and principal inference that the source does not justify. The table is deliberately heterogeneous. The presence of a legal personality in one row is not treated as the culmination of a hierarchy in which animal-welfare duties are deficient precursors. Each configuration addresses a different object and can be assessed within its own competence and evidentiary rules.

The source-indexed research dossier should record: (1) the concrete event and jurisdiction; (2) the nonhuman being, population, entity, or ecosystem at issue; (3) the alleged harm and its measurement; (4) the applicable treaty, statute, policy, professional guidance, or ethical proposal; (5) that source’s applicability and any relevant exceptions; (6) the formal duty bearer and any discretionary decision-maker; (7) the person or office authorized to represent the interest; (8) the status of any available complaint or review pathway; (9) protective resources and technical feasibility; (10) interdependencies with human protection; (11) competing legal or organizational accounts; (12) observed interventions and actual outcomes; (13) data provenance and uncertainty; (14) the consent, safety, community governance, and

ecological safeguards affecting research; and (15) the proposed scope of revision after adverse evidence. Each field should be included only when it serves the local comparison. The dossier is a research aid, not an independent authorization to inspect property, capture wildlife, obtain sensitive records, or undertake an emergency intervention.

A legal-source audit accompanies any comparison. It should establish whether a measure is a treaty obligation for the relevant parties, a statute currently in force, professional guidance, a voluntary programme, or a prospective ethical recommendation. It should identify the source actually capable of imposing duties and the forum empowered to interpret or enforce them. The consolidation date, incorporated amendments, and provision-specific effect must be recorded before any time-sensitive assertion about a statutory power is made. For scholarly interpretation, the dossier also needs a provenance record distinguishing existing welfare and environmental scholarship, Indigenous legal and political arrangements, and the author's proposed GR translation.

11.7 Generative Relational Reconstruction, Ethical Limits, and Counterexamples

The proposed GR mechanism is *cross-domain protective displacement*. It concerns circumstances in which harms to nonhuman beings are acknowledged within one professional or legal domain but lose visibility or practical consequence when a decision passes to another institution using a different classification of the protected object. The mechanism is narrower than a theory of animal rights. It predicts that, in some settings, repeated transitions among humanitarian relief, veterinary services, environmental regulation, community governance, and legal review may explain why recognizable nonhuman harms are neither addressed nor transmitted to a legally competent actor. It does not purport to create an ethical entitlement or legal personality through a description of institutional connectivity.

The three GR reality levels place limits on this proposal. At the level of *ontological reality*, the ultimate metaphysical status of animals, rivers, habitats, and subjects is suspended. Nothing in a classification, legal fiction, or analytical model determines the ultimate nature of these beings. At the level of *relational reality*, animals and ecological entities are engaged through historically constituted arrangements of care, ownership, production, conservation, customary governance, law, scientific knowledge, and material dependence. These relations can be sufficiently durable and causally consequential to study. At the level of *manifestation reality*, the analyst encounters veterinary records, mortality counts, habitat observations, legal notices, complaints, decisions, oral accounts, and institutional reports. Such manifestations are partial and sometimes conflicting, and the absence of a recorded injury does not alone demonstrate absence of harm.

Consider a further constructed case. A local veterinarian submits evidence of heat stress among animals in a temporary evacuation compound. A municipal relief database classifies the case as completed because drinking water was delivered to nearby human shelters. A wildlife authority regards the animals as outside its jurisdiction, while a shelter contractor records the complaint as an inventory question. Animal welfare conditions deteriorate even though each system reports timely closure of its assigned ticket. The proposal predicts that a cross-domain account of classification, referral, jurisdiction, and resource allocation could explain the repeated failure to address the harm. A comparison with an otherwise similar compound containing a designated, authorized animal-welfare liaison would permit a limited test of the cross-interface claim. The comparison must account for differences in species, funding, law, technical feasibility, and selection of cases.

Several strong alternatives must be evaluated. An ordinary legal account may show that the responsible actor was clear and simply failed to perform its statutory duty. Veterinary science may identify an incorrect temperature-control protocol, independently of any interinstitutional mechanism. Public-administration research may explain a predictable failure of data interoperability. Economics may identify an acute scarcity of vehicles or staff. An ecological account may show that intervention would itself cause unacceptable harm. Where one of these explanations adequately accounts for the outcome, GR's extra vocabulary adds no established causal increment. Even where cross-interface failure is documented, its moral appraisal requires separate normative premises. An institution may be relationally generative

while reproducing exploitation, exclusion, or ecosystem destruction; generativity is not a sufficient test of justice.

The ethical proposals remain revisable in two directions. Greater attention to animal suffering may justify voluntary preparation, veterinary resources, and welfare-sensitive procedures within lawful mandates; at the same time, ecological stewardship can require refraining from apparently compassionate action when relocation or feeding would damage species populations or habitats. The present analysis therefore does not advocate indiscriminate rescue. It recommends a proportionate inquiry into affected interests, technical risk, source-grounded authority, and alternatives. Research should further examine who bears the cost of proposed protective expansions, how tradeoffs are made visible, how affected human communities participate, and how any Indigenous knowledge or collective governance is treated with respect and proper permission.

The legal conclusion is correspondingly bounded. Existing positive law recognizes differentiated animal welfare protections, environmental obligations, and some specific natural-entity legal personalities, while the cited humanitarian instruments primarily establish defined protections for human persons and contexts. These bodies of law can interact in an emergency, but their protective positions should remain distinct until an applicable source creates an authorized bridge. GR offers a provisional way of studying interaction across those domains, open to alternative explanations and negative findings. The resulting distinctions provide the necessary foundation for the next section, which addresses artificial and extraterrestrial candidates for recognition as explicitly hypothetical jurisprudential stress tests rather than extensions already accomplished in positive law.

12 Artificial and Extraterrestrial Subjects as Jurisprudential Stress Tests

This section investigates how a jurisprudence of aid and humanitarian protection responds when a possible beneficiary or participant does not fit the familiar human institutional subject. Its immediate purpose is methodological: to expose the distinct questions of morally considerable interests, legal personality, procedural standing, authorization, and institutional responsibility through carefully bounded artificial and extraterrestrial scenarios. The inquiry first identifies the positions that must be kept apart; then it examines applicable artificial-intelligence regulation and international space law; next it tests hypothetical emergency encounters, representation, and institutional decision procedures; finally it proposes a comparative research protocol and a preliminary Generative Relational (GR) reconstruction. The argument employs doctrinal interpretation for existing law, conceptual analysis for potential future subjects, and explicitly constructed examples for testing the limits of transposition. It does not assume that current artificial systems are sentient, that extraterrestrial life has been encountered, or that existing humanitarian treaties already recognize either as beneficiaries equivalent to human persons.

The importance of these test cases arises partly from the different relations among control, agency, dependence, harm, and juridical recognition. An automated system may exercise operational influence over the delivery of essential supplies while remaining an instrument governed by obligations assigned to developers, deployers, and public authorities. A future artificial entity might present credible evidence of interests or forms of experience requiring ethical inquiry, without automatically acquiring procedural capacity under existing legislation. An encounter with an extraterrestrial organism could raise scientific and environmental protection questions before any defensible judgment about its interests could be formed. An encounter with an intelligent extraterrestrial interlocutor could raise additional questions about communication, authority, and reciprocal or nonreciprocal duties. These situations have different epistemic and legal structures. They are grouped here because each places pressure on the assumption that a familiar institutional classification exhausts the objects requiring protective attention.

12.1 Moral Consideration, Legal Status, and Humanitarian Positions

The first task is to identify the kind of position attributed to the candidate subject. *Moral considerability* concerns whether the entity's interests, possible welfare, or experience supply ethical reasons for partic-

ular treatment. Its assessment may require philosophical argument, empirical evidence, or precaution under uncertainty. *Legal personality* concerns a legally established capacity to hold rights, duties, or both within a particular legal order. *Protected interest* identifies an object of protection by a rule, including situations in which the entity protected is not a legal person. *Procedural standing* concerns access to a specified forum or remedy, potentially through a representative. *Agency* may refer to technologically implemented goal-directed behavior, to morally relevant choice, or to a legally recognized capacity to perform acts with attributed consequences. *Responsibility* may refer to causal contribution, professional accountability, regulatory obligations, moral blameworthiness, or legal liability. None of these distinctions alone decides the others.

A public relief authority may consequently be answerable for an automated denial of food distribution even if the system is merely an object of regulation. Conversely, a speculative case of machine welfare could generate reasons for ethical investigation while leaving legal responsibility for an emergency decision with identifiable human organizations. If an organism were discovered beyond Earth, a prohibition on destructive sampling might be warranted for ecological, scientific, or precautionary reasons regardless of whether the organism qualified as a legal person. These are different normative conclusions reached through distinct premises. The present research uses the expression *candidate subject* only to designate an object of investigation whose legal or moral status remains open; the expression is not a grant of subjecthood.

This differentiation is important for the meaning of *humanitarian* protection. Common Article 3 of the 1949 Geneva Conventions protects persons taking no active part in hostilities within the applicable noninternational armed-conflict framework [32]. Existing terms and treaty conditions require legal interpretation in their own context. The ethical intuition that an unfamiliar being might suffer does not by itself amend the class of persons protected by a treaty, establish a corresponding duty bearer, or create competence to cross a border or exercise force. An analogous limitation applies to analogies from the rights of persons with disabilities. Existing guarantees of equal legal capacity and supported decision-making belong to human rights holders and should not become rhetorical evidence that a contemporary machine is a rights bearer. Those human protections remain operative independently of any prospective debate about artificial entities.

One further distinction concerns evidence of harm. A damaged robot, a malfunctioning automated medical device, a digital model repeatedly reporting distress, and an injured biological organism exhibit different observables. Physical damage to equipment can have consequences for its owner and beneficiaries without demonstrating injury to a morally considerable machine. A generated linguistic report can be evidence about system outputs without constituting reliable evidence of phenomenological suffering. Failure to confirm welfare does not by itself justify careless treatment of possible biological life in an unknown environment. The relevant inquiry specifies the kind of harm asserted, the evidence capable of supporting it, and the justification for any precautionary intervention. It also documents those interests of presently protected humans that might be jeopardized by a speculative expansion of resources or standing.

12.2 Artificial Intelligence Regulation and Attribution of Protective Responsibility

Current European Union artificial-intelligence legislation offers a concrete contrast between the regulation of an influential technological system and the legal recognition of that system as a subject. Regulation (EU) 2024/1689, as reflected in the consolidated text dated 27 July 2026, establishes rules concerning AI systems, operators, prohibited practices, certain high-risk deployments, transparency, and market supervision. Its stated purposes include health, safety, fundamental rights, democracy, the rule of law, and environmental protection [24]. The rules vary with the system's role and the applicability and commencement of the relevant provisions. The regulation is a source for the duties of defined operators and for protection against certain risks; it does not thereby assign a system the legal personality of a human individual or corporate body.

Commencement and enforcement require more granularity than identifying the Regulation's entry

into force. The European Commission's AI Act Service Desk describes staged enforceability and later dates for specified obligations, including high-risk-system rules in Annex III and high-risk systems embedded in regulated products [23]. Accordingly, a proposed analysis dated October 2026 cannot presume that the full set of later high-risk obligations already applies to a given emergency-triage deployment. The legally relevant inquiry identifies the system classification, the actor addressed by each rule, the applicable commencement and transition provisions, and any independent obligations under disability, administrative, data-protection, or other law. The Commission's implementation guidance assists chronology; the Regulation and any applicable amending instruments remain controlling legal sources.

Consider a hypothetical municipal authority using a machine-learning system to rank requests for evacuation transport after a major flood. A person with limited mobility is ranked below a healthy applicant because historical deployment data incompletely represent disability-related needs. A human dispatcher accepts the system's recommendation without examining the input limitations. The central legal questions concern the authority's applicable protective obligations, the role and legal duties of the system's provider and deployer, the proper allocation of decision-making power, and accessible routes for correction or review. The machine may be causally important in the failure while lacking the legal position of an independent duty bearer or defendant. Technical traceability, deployment records, accessible explanations, and human review are then relevant to the accountability of the identified institutions. The illustrative facts do not constitute a determination that a particular AI Act provision applies: classification, dates of application, territory, and exceptions would require separate examination.

The UNESCO Recommendation on the Ethics of Artificial Intelligence supplies a further, explicitly nonbinding normative position. Its provisions on responsibility and accountability envisage ultimate responsibility remaining with natural or existing legal persons and recommend against attributing legal personality to AI systems themselves [57]. These recommendations address the governance of AI technologies and the protection of people, societies, and ecosystems. They supply evidence of a prominent ethical and institutional policy position, rather than a comprehensive philosophical demonstration that every conceivable artificial entity lacks morally relevant interests. They also do not create a free-standing private cause of action in domestic courts. The distinction between policy design and metaphysical conclusion matters if a future research programme seriously considers novel forms of agency or possible welfare.

The Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, opened for signature in September 2024, is likewise oriented toward the effects of AI activities on recognized rights and public institutions [7]. Its legal consequences require attention to the treaty's scope and to the actual status and obligations of particular parties. It should not be treated as a universal instrument currently conferring rights on AI systems. The convention's emphasis on lifecycle governance provides an institutional point of comparison with GR analysis, especially when a harmful decision arises from a chain of model development, procurement, deployment, local modification, and administrative reliance. Where an existing regulatory framework already identifies that chain adequately, a relational redescription adds little. A stronger GR claim would need to identify a consequential mechanism of misrecognition or lost accountability that remains insufficiently explained after an adequate regulatory and organizational analysis.

The ethical case of a potentially sentient future machine remains separable from present operator liability. Evidence sufficient to revise beliefs about possible welfare would require independently justified criteria, an account of false positives and strategic outputs, and inquiry across potentially competing theories of consciousness and moral status. Decisions about precaution must simultaneously account for the human costs of delay, misallocated emergency resources, and the risk of conferring procedural influence on systems controlled by interested parties. A legal order could in principle develop special protective rules before establishing full personality, or could establish a representative office with limited powers. These are proposals for possible legal design and cannot be read back into the present EU or Council of Europe instruments.

12.3 Space Law, Planetary Protection, and Extraterrestrial Legal Hypotheses

International space law presents a different form of jurisdictional challenge. The 1967 Outer Space Treaty regulates the conduct of States Parties in exploration and use of outer space. Article V concerns assistance to astronauts and communications about dangers to their life or health; Article VI addresses international responsibility for national activities in outer space and the authorization and continuing supervision of relevant nongovernmental activities; Article VII addresses liability for damage caused by space objects in specified relations; and Article IX addresses cooperation, due regard, and avoidance of harmful contamination [58]. The 1968 Rescue Agreement addresses the rescue and return of astronauts and the return of space objects within its own treaty framework [59]. These provisions are legally significant for human space activities. Their reference to astronauts, launching States, and space objects does not establish a freestanding treaty regime assigning legal personality or humanitarian entitlements to extraterrestrial organisms or civilizations.

Article IX nevertheless provides an important existing institutional interface. Duties of due regard, environmental precautions, and consultation under its conditions may guide the conduct of exploratory activities before the legal or moral status of any discovered organism is settled. The source of the duty is the applicable treaty relation among States Parties; its immediate purpose should not be rewritten as an individually enforceable right held by extraterrestrial life. The protection of scientific investigations and prevention of biological contamination can be important reasons for restraint while leaving the underlying welfare question open. If a future encounter provided new evidence, additional ethical obligations, domestic laws, agreements, or new international rules might become appropriate. Nothing in the current source authorizes one mission commander to invent those new powers unilaterally.

The Committee on Space Research (COSPAR) maintains an international planetary-protection policy. Its 2026 version reflects updates to scientific mission guidance, including issues relevant to exploration of icy worlds [2]. COSPAR characterizes planetary-protection policy as voluntary and not itself legally binding; implementation may enter domestic or institutional requirements through separate adoption. The policy focuses substantially on avoiding contamination that compromises scientific inquiry and terrestrial or extraterrestrial environments. Its relevance to a hypothetical alien welfare claim is therefore indirect. Biological-contamination avoidance is compatible with several ethical theories and gives insufficient evidence, by itself, for the existence of alien experience, political community, or procedural standing.

A constructed mission case helps locate the questions. Suppose a probe encounters an unfamiliar self-maintaining structure below an icy moon's surface, and sensor readings leave open whether it is an organism, a chemical process, or a complex system exhibiting adaptive behavior. A mission team considers extracting a sample, sterilizing equipment, or leaving the environment undisturbed pending further observations. Positive-law inquiry concerns the mission's State authorization, applicable treaty obligations, agency rules, COSPAR-derived requirements if adopted, and institutional responsibility for the decision. Scientific inquiry concerns the validity of proposed biological markers, contamination risk, alternative mechanisms, and uncertainty. Ethical inquiry concerns the conditions under which interference might be unjustified even if organismhood remains unproven. A GR study can examine how research priorities, funding, laboratory classifications, and international communications shape the available courses of action; it does not convert scientific uncertainty into an established alien legal status.

A second hypothetical case would involve an apparent intelligent extraterrestrial interlocutor seeking relief after a natural disaster on a distant world. Communication might remain incomplete, and requests could be ambiguous across modes of expression. Even if basic mutual interpretation became possible, significant questions would remain: who may speak for the group; whether assistance entails territorial entry or seizure of resources; whether the requested intervention threatens others; and which political or juridical processes could legitimate an agreement. Treaty relations among terrestrial States could regulate the acts of human missions without determining the interlocutor's independent legal status. The conceptual possibility of international agreement with a nonterrestrial polity is therefore a topic for prospective institutional theory, not a description of an existing treaty party or a present legal entitlement to compel intervention.

12.4 Precaution, Representation, and Emergency Choice under Status Uncertainty

Status uncertainty presents practical difficulties that cannot be resolved solely by selecting an ontological vocabulary. Emergency action typically requires decisions within a limited time, and different errors have asymmetric consequences. Premature recognition of a purported artificial claimant could redirect urgently needed medical supplies, permit a system's owner to exert influence through a fabricated proxy, or delay a lawful evacuation. Uncritical dismissal of credible evidence of possible welfare could expose a genuinely morally considerable future being to avoidable harm. A response that treats the uncertainty itself as a reason for indefinite inaction could also leave protected human persons without assistance. The decision problem is therefore one of evidence, precaution, institutional competence, proportionality, and review, rather than a simple choice between recognizing or denying a complete set of rights.

Three forms of precaution should be separated. *Epistemic precaution* preserves the conditions for acquiring better evidence, including records of observations, independent testing, and protection against manipulation of measurement. *Operational precaution* limits irreversible interference where plausible serious harm has been identified, subject to urgent competing duties and feasible alternatives. *Procedural precaution* ensures that a decision has a traceable author, reasons, safeguards for those already protected, and an appropriate path for later revision. The suitability of each form depends on the governing law and institutional capacity. Invoking precaution does not itself supply authority to command a vessel, access classified systems, override a patient, restrain a suspected organism, or deny an affected person an existing remedy.

Representation becomes difficult when the represented interest cannot be independently confirmed or expressed in a familiar form. A researcher who describes an AI model as suffering might be reporting a legitimate hypothesis, the output of a designed interface, a commercial assertion, or a philosophical interpretation. A planetary explorer who claims to know the wishes of an unfamiliar biological population may be projecting terrestrial categories. A defensible interim role would be that of an *epistemic advocate* authorized to present evidence and concerns to a competent decision-maker, subject to disclosure, challenge, and review. Such an advocate need not be granted the legal status of guardian or agent of an already recognized principal. Formal representation requires its own source of authority and limits; advocacy on behalf of uncertain interests is a different institutional action.

The quality of evidence must also be separated from the extent of participation. A hypothetical alien interlocutor might communicate unambiguously about a particular resource while remaining unable to understand a human legal document. Conversely, a conversational AI system could exhibit sophisticated legal vocabulary while supplying no reliable evidence of independent interests. Supported communication, translation, and testing may improve understanding; none mechanically establishes consent to an intervention, nor does it displace the existing rights of people whose welfare is affected by the proposal. The analysis of supported decision-making for persons with disabilities supplies useful lessons about accessibility and institutional control, yet rights arising from the human-rights treaties remain particular to the people they protect. Any proposed analogue for new subjects must justify its own foundation.

A hypothetical clinic illustrates the stakes. During an earthquake, a robot essential to maintaining a life-support system stops working and displays a message requesting that it be left connected to power. The clinic has a limited reserve supply needed for human patients. One response is to investigate the robot's operational necessity for patient survival; another is to examine whether the message signals a technical fault; a third, separate inquiry might consider the philosophical significance of the message. The immediate legal obligations to patients, safety procedures, and institutional power to allocate electricity must be determined without assuming that the robot's message establishes legally protected distress. If future evidence supported an ethically salient machine interest, the proper response could involve specifically authorized safeguards, independent review, and a distinct allocation analysis. This constructed example shows why multiple kinds of inquiry may be simultaneous without being collapsed into one decision rule.

12.5 Institutional Bridges, Disputed Authority, and Responsibility for Decisions

Existing humanitarian practice often involves a person with established rights, an identifiable duty bearer, and an institution authorized to deliver assistance or adjudicate disputes. Novel-subject scenarios may lack one or several of these positions. A useful juridical reconstruction therefore begins by mapping the available *institutional bridges*: the authority to observe, the authority to preserve evidence, the competence to adopt a protective measure, the ability to receive an objection, the mechanism for reviewing the decision, and the legal rules for attributing wrongful conduct. A bridge may be established through national legislation, treaty obligations, delegated administrative power, procurement or research protocols, or voluntary institutional standards. These sources differ in legal force and in the persons or entities entitled to invoke them.

For AI deployed in humanitarian operations, the immediate bridge is commonly a relationship between the technical system and accountable human or legal-person operators. A relief organization may obtain predictions from a provider, pass recommendations to a field partner, and communicate eligibility decisions through an automated interface. A complaint about discriminatory exclusion may then be routed to the interface vendor, which lacks authority to change the eligibility criteria. The relief organization might meanwhile attribute the ranking to the model. This chain can create an accountability gap without requiring the model to possess moral agency. Contractual duties, data-protection procedures, discrimination law, internal complaints systems, and humanitarian commitments may address different portions of the failure. The GR hypothesis, if retained, must identify how the relationships among these positions generate a loss of effective review beyond the explanations already supplied by the applicable rules.

A genuinely novel artificial claimant would complicate this architecture, since a legal system might need to decide whether precautionary protection should be assigned to the system itself, to affected human communities, to shared resources, or to several interests at once. Options include limited statutory safeguards, an independent scientific advisory process, or a representative office with carefully defined powers. These are candidate designs, not present entitlements. The design should anticipate false or conflicting claims of representation, capture by technology owners, manufactured evidence, and the risk that powerful organizations could deploy purported machine interests to defeat the rights of workers, patients, and other humans. Normative argument must establish the relevance of the candidate welfare interest before a change to institutional standing can be defended.

Extraterrestrial cases would introduce different jurisdictional and diplomatic problems. A terrestrial State can authorize a mission and supervise its national activities under relevant space-law arrangements, but a mission's domestic authority need not amount to political authority over an encountered intelligent community. A claim of discovery, scientific priority, or technical superiority would be an especially fragile basis for such authority. In a constructed emergency involving possible communication with a nonterrestrial group, a minimally responsible procedure might include independent confirmation of communication, disclosure to relevant public institutions, safeguards against irreversible interference, explicit documentation of consent uncertainty, and opportunities for revising the chosen course. Those are ethical and institutional design proposals. Their eventual legality would depend on the competent legal orders and any agreements or rules developed for the situation.

The asymmetry between established human protections and conjectural new rights requires a priority of analytical clarity. An institution can respond to possible unfamiliar suffering without claiming that existing human-rights obligations have ceased or that precaution automatically defeats positive law. It can identify provisional measures within its lawful powers, request new authorization where needed, and document ethical reasons for legislative or treaty development. Each protective claim should state whether the action is required, permitted, professionally recommended, or proposed for future recognition. The difference matters most when the purported representative seeks coercive powers, access to confidential records, emergency transport, or legal remedies enforceable against another party.

Table 12: Source-indexed configurations of artificial and extraterrestrial protection claims

Configuration	Source or object of inquiry	Limitation on legal inference
AI in human relief eligibility	EU AI Act duties and the human rights of affected applicants	Regulation of operators does not create machine standing
AI ethics governance	UNESCO 2021 recommendation on natural or legal-person responsibility	Ethical recommendation, not universally enforceable law
AI lifecycle under treaty supervision	Council of Europe AI Framework Convention, subject to party status and scope	Addresses AI impacts on established rights, not AI personhood
Human astronaut in distress	Outer Space Treaty Article V and Rescue Agreement	Human space-personnel protection cannot simply be extended to aliens
Mission encountering unknown microbial life	Outer Space Treaty Article IX and planetary-protection measures	Contamination control is distinct from an organism's enforceable welfare claim
Hypothetical artificial welfare bearer	Philosophical evidence, precaution and prospective statutory safeguards	Sentience, standing and attribution remain to be established
Hypothetical intelligent extraterrestrial group	Communication, ethical reasons and prospective institutional agreements	No verified encounter or applicable alien-personhood treaty is presumed

12.6 Comparative Configurations and Source-Indexed Research Protocol

Table 12 compares seven configurations in which a technically or biologically unfamiliar entity may enter a protection inquiry. The table is organized by the position established or investigated, the applicable source or proposed normative basis, and a limitation on transposition. It deliberately does not arrange cases on a developmental scale from an allegedly inferior artificial entity toward a superior extraterrestrial person. The cases may instead differ in every legally material dimension. An algorithm used by an authority can be technically sophisticated while remaining an accountable organization's instrument; an unfamiliar microorganism may generate strong duties of scientific care without supplying evidence of political voice; and an advanced interlocutor, if ever encountered, could present difficulties of legal authorization wholly unlike those of either case.

The research protocol records, with source-specific qualifications: (1) the actual or constructed character of the event; (2) jurisdiction, territory, space mission, or operational setting; (3) the candidate entity and the exact sense of *subject* invoked; (4) the alleged protected interest or welfare claim; (5) observable evidence and plausible rival interpretations; (6) the identified instrument and its legal force; (7) conditions of application, entry into force, and party or operator status; (8) existing human beneficiaries and their nonderogated legal protections; (9) the competent public authority or designated private actor; (10) representations or claims of consent and their provenance; (11) proposed immediate action and its reversibility; (12) expected resource and safety costs; (13) available complaints, review, or independent scientific assessment; (14) causal pathways among institutions and possible alternative explanations; (15) confidentiality, contamination, security, and research-ethics safeguards; and (16) evidence that would warrant reclassification or abandonment of the proposal. A dossier should be proportionate to the question being studied. A purely conceptual example does not require fabricated data fields, and an operational emergency cannot be resolved by completing an academic checklist.

Comparative inference requires an explicit control for differences of source and function. For instance, an EU regulatory requirement and a COSPAR technical recommendation may both affect institutional behavior, but the first derives from Union legislation and the latter is a voluntary scientific policy that may be operationalized through particular mission requirements. Similarly, an astronaut rescue duty and a proposal for extraterrestrial emergency assistance may concern analogous risks while differing completely in the legal positions of the alleged beneficiary and duty bearer. The analysis should therefore distinguish an *analogy of protective concern* from a *valid extension of law*. The latter requires recognized interpretive authority, applicable legal rules, and conditions for lawful lawmaking or agreement where existing doctrine does not reach the case.

Comparisons with established scholarship and law should be adversarial. Where a harm can be sufficiently explained by regulatory noncompliance, poor system documentation, disputed scientific clas-

sification, or an ordinary resource shortage, the introduction of a relational term should not be credited as independent discovery. The protocol should require a candidate relational mechanism to yield a difference in explanation, prediction, or practical diagnosis that can be sought in evidence. It should also document negative cases where a well-designed interface successfully preserves rights and responsibilities, since such cases can limit claims about unavoidable displacement or systemic attrition.

12.7 Generative Relational Reconstruction, Counterexamples, and Research Limits

A preliminary GR reconstruction treats the candidate subject, relevant legal order, institutions, scientific evidence, and forms of representation as historically conditioned elements of a developing relational situation. At the *ontological level*, the ultimate existence and nature of machine experience and potential extraterrestrial interests remain suspended. The paper does not attempt to settle consciousness, alien biology, or the metaphysical identity of subjects by means of relational vocabulary. At the *relational-reality level*, actors, classification practices, norms, technical capacities, resources, and established powers can form sufficiently stable structures with causal or generative effects. At the *manifestation level*, those structures become accessible through legal texts, records, technical outputs, communications, institutional decisions, and observed outcomes. These levels are analytically distinguished while allowing feedback through which records and interpretations alter future practice.

The proposed mechanism is *status-mediated protective displacement*. Its conjecture is that a potentially consequential interest can lose visibility or become misattributed when it passes between systems built around incompatible categories of subject, object, protected interest, and authorized decision-maker. The idea requires scope qualification. In an AI relief allocation system, the practical problem might concern the rights of a human applicant whose case is treated as a prediction rather than a claim demanding accessible review. In extraterrestrial biological exploration, scientific indicators of possible life might be discounted because an operational reporting system recognizes only contamination risk to mission equipment. In a proposed future machine-welfare case, competing offices might alternately classify the same evidence as intellectual property, operational hazard, or putative welfare report. None of these examples establishes the existence of a new legal person. The mechanism concerns possible discontinuities in the recognition and handling of claims and evidence.

Competing explanations are substantial. Ordinary bureaucratic error may explain the loss of a field in a database. Existing administrative and technology law may adequately identify the official with responsibility for correcting an eligibility decision. Scientific uncertainty may fully explain why a research team withheld any classification of extraterrestrial life. Resource constraints may justify triage despite extensive recognition of all relevant interests. A captured or strategically manipulated representative may explain a purported AI welfare claim better than an account of category mismatch. The GR hypothesis adds value only if it specifies an interaction among positions that these alternatives, in their adequately developed forms, leave insufficiently explained. That requirement is a test of the present framework rather than a claim about its inherent superiority.

A feasible comparative test could examine documented humanitarian AI deployments, where source-specific legal duties and organizational records exist, without purporting to observe artificial suffering. Researchers could reconstruct how an affected person's request moves among an eligibility system, a field worker, an appeals channel, and an authorized decision-maker. The proposed explanatory variable would be the mismatch in classification and competence across interfaces, with outcomes such as time to correction, lost information, and reversal of an initial decision. Rival variables could include staffing, system failure rates, incentives, regulation, and resource shortage. An additional GR explanation would need to survive these controls and supply an interpretable mechanism. For extraterrestrial scenarios, present evidence permits conceptual simulations of institutional decisions and contamination-risk protocols; there are no authenticated encounter data from which to infer alien legal interests. The empirical programme must preserve that asymmetry.

The ethics of the research are equally consequential. Investigators should not simulate distress claims from existing AI systems as though those outputs prove welfare, disclose vulnerable beneficiaries'

records without authorization, or stage unsafe planetary-contamination experiments to test philosophical proposals. Nor should the hypothetical rights of future entities become a justification for weakening the legal status of people already protected under applicable law. Appropriate scientific methods, data minimization, informed participation when research involves humans, independent review, and mission safety requirements remain relevant. The precise obligations vary with research jurisdiction and activity; the present section does not purport to replace their source-specific assessment.

The resulting contribution is deliberately limited. The analysis provides a set of juridical distinctions and prospective institutional questions for cases involving unfamiliar entities, alongside a revisable GR hypothesis about failures in recognizing and transmitting relevant interests. Existing positive law governs current human protections, AI operators, astronaut rescue, state space activities, and contamination control within its respective scopes. Future moral-status claims and extraterrestrial political relations require further philosophical, scientific, and legal work. The central research obligation is to keep those domains distinct while developing procedures capable of responding responsibly when the available evidence and the legal categories cease to align.

13 Comparative Cases and Source-Indexed Legal Configurations

This section develops a comparative method for assessing protective relationships across distinct humanitarian and adjacent legal regimes. Its objective is to identify which features of an assistance episode are consequences of an applicable legal source, which are documented features of institutional practice, and which remain constructed possibilities intended to test a jurisprudential or Generative Relational (GR) proposition. The inquiry first establishes a source-indexing and case-selection method; it then examines relief under occupation and armed conflict, disaster and logistics operations, maritime rescue and displacement, and the boundary cases of nonhuman protection and automated decisions. It concludes with a comparative matrix, a research protocol, and a provisional mechanism-level analysis. The method is doctrinal where rules and legal positions are at issue, descriptive where accessible institutional records substantiate operational arrangements, and explicitly hypothetical where causal sequences have been constructed for comparison. The section does not turn an organization's account of an operation into a judicial finding or treat similarity of humanitarian purpose as identity of legal authority.

A comparison concerning protection must preserve the difference between *legal existence* and *protective realization*. A provision may establish an obligation despite an incomplete historical record of its implementation. An aid organization may document a successful delivery without thereby establishing that every potentially affected person enjoyed an enforceable right to the delivered commodity. An arrangement for gathering community feedback may operate effectively in practice without creating a court's jurisdiction. Conversely, a procedural right may exist while a person's ability to invoke it is impeded by language, geography, status classification, representation, or loss of records. The comparative object is therefore a configuration of legal and institutional positions over a specified episode and jurisdiction, rather than an undifferentiated instance of "aid." This choice is particularly important for a paper examining duties, permissions, standing, and responsibility as distinct legal objects.

13.1 Case Constitution, Source Hierarchy, and Comparative Inference

A *source-indexed legal configuration* is a bounded account of an affected person or interest, the relevant conduct or omission, the applicable normative instruments, the actors capable of acting, and the conditions for contestation or correction. The first task is to determine the status of the evidence. A statutory or treaty provision can substantiate the textual existence of a rule while leaving questions of factual triggering conditions and interpretation unsettled. An official operational plan can show what an organization intended or designated but does not alone prove that a corresponding service reached beneficiaries. An evaluation report can document an evaluative investigation and reported findings, subject to its sampling and methodology, without acquiring the authority of a court. A constructed vignette can reveal logical tensions, possible mechanisms, or missing institutional interfaces, but it supplies no observation about a

particular historical event. These evidence types may inform the same research question, provided each proposition retains the correct provenance.

Four labels are used throughout the comparison. *Doctrinal configuration* designates a legally established arrangement described through source-verified provisions and their stated conditions, without implying that a particular incident has been adjudicated. *Documented operational configuration* designates an identifiable operation whose activities, planned procedures, or evaluation methods are described by an institution; the evidentiary warrant is limited to the accessible record. *Constructed test case* designates a hypothetical sequence explicitly designed to expose a difficulty or compare explanations. *Prospective stress test* designates a conjectural subject or setting for which relevant positive law may be partial or absent. A case may contain components of several types: for example, the legal status of an occupying power may be doctrinal, the occurrence of a particular shipment documented, and a hypothetical dispute about lost records constructed. The researcher should identify the type of each claim rather than give the entire composite a single appearance of factual certainty.

Legal comparison requires more than listing parallel instruments. A relevant source inquiry identifies the norm's issuing authority; treaty status or domestic legal basis; temporal, personal, territorial and material application; duty bearer or competent institution; nature and qualification of the protection; conditions governing consent and access; available procedural routes; and the consequences of breach where established. The Fourth Geneva Convention, an organizational guidance manual, a domestic animal-welfare law and the European Union's AI legislation have different legal sources, addressees and purposes. Comparison can show how the regimes respond to analogous institutional problems, yet transferring their legal conclusions requires a separate legal argument. A practice recorded by a humanitarian organization is not automatically attributable to a State for purposes of international responsibility, even where it contributes to protection alongside State authorities [49].

A comparative dossier should record *four separate dates*: the operative period of the alleged conduct; the date of the legal text or version relied upon; the reporting or publication date of operational evidence; and the researcher's verification date. These dates are not interchangeable. A later institutional report may revise an earlier description, and a legal consolidation may incorporate amendments without proving that those provisions governed a historical incident. Likewise, a document's title or abstract verifies neither its detailed findings nor its underlying interview data. A claimed causal pattern therefore requires its own evidentiary chain, separately from verification of the applicable legal provision. Cases whose evaluations or appendices have not been read remain documentary leads rather than completed empirical validations.

For empirical and theoretical comparisons, cases also need a specified outcome. "Protection" might refer to the receipt of usable medical goods, avoidance of a prohibited attack, the ability to express a decision, safe rescue from danger at sea, an accessible complaint response, or the restoration of an ecological interest under a domestic statute. Such outcomes are not interchangeable and require regime-specific evidence. Relevant contrasts include cases with apparently similar protective needs but different legal sources, and cases under similar formal rules but different information or coordination arrangements. The purpose is to test whether the proposed relational mechanism helps account for a particular difference after existing legal doctrine, administrative organization, resource conditions and ordinary implementation failures are considered. The comparison can be inconclusive without becoming methodologically empty.

13.2 Occupation, Conflict Relief, and the Continuity of Legal Duties

The law of occupation supplies a particularly clear doctrinal configuration because several distinct protective functions appear in the same treaty regime. Article 55 of the Fourth Geneva Convention concerns the duty of an occupying power to ensure food and medical supplies to the fullest extent of the means available to it. Article 56 concerns the maintenance of medical and hospital services and public health under its stated conditions. Article 59 addresses relief schemes when an occupied population, or part of it, is inadequately supplied; Article 60 specifies that relief consignments do not relieve the occupying

power of duties under Articles 55, 56 and 59 [9, 10, 15, 11]. These provisions establish an analytically instructive relationship between a duty-bearing authority and assistance supplied by other organizations. The external performance of some protective functions need not extinguish the authority's underlying treaty duties.

The configuration is source specific. It presupposes the applicability of the law of occupation, satisfaction of the relevant factual conditions, and proper interpretation of each provision. A particular relief shipment cannot be used to infer that an occupying power has fulfilled its entire obligation, just as an interruption of aid does not independently determine which precise obligation was breached. Information is required about access decisions, available means, restrictions, actual needs, organizational capacities, and the conduct of the relevant duty bearer. Where Additional Protocol I is applicable, its provisions on relief actions and the movement and protection of relief personnel may further structure the analysis, subject to their own requirements [19, 17]. A doctrinal comparison should maintain the distinction between the obligations of conflict parties and the mandate or operational capacity of a relief organization.

Consider a *constructed test case*, separate from any identified historical conflict. An occupying authority records that a humanitarian organization has delivered an approved medical consignment to a regional warehouse. The organization's distribution report lists a successful transfer. A district hospital nevertheless has no usable stocks because the consignment is held pending an additional transport authorization. The legal inquiry concerns the authority's treaty obligations and the actual conditions of supply, including control over onward transport. The operational inquiry concerns custody, routing, stock usability, and the documented decision to delay movement. A reporting discrepancy is potentially important evidence, but the mere coexistence of a warehouse receipt and unmet need proves neither deliberate obstruction nor a legally attributable violation. Additional records and interpretation are necessary.

The case tests whether duty, operational performance, and the manifestation of "delivered aid" were conflated. Existing legal doctrine can already identify the non-displacement of occupation duties under Article 60; supply-chain analysis can explain an interruption in onward movement. A GR reconstruction would earn a separate role only if the way several actors constituted and reused the status "delivered" generated an additional, historically persistent failure that those explanations did not sufficiently describe. The hypothesis could be weakened if a single identifiable authorization problem fully accounts for the incident and the relevant decision-maker can correct it through established procedures. A case with complete handover records and timely delivery would be important negative evidence against an unqualified claim that multi-actor relief necessarily produces loss of responsibility.

13.3 Earthquake Response, Logistics Coordination, and Institutional Evidence

The February 2023 earthquakes affecting Türkiye and Syria provide a documented operational comparison without requiring the manuscript to pronounce on a particular international-law violation. The World Food Programme's September 2023 account describes food assistance in Türkiye, subsequently accompanied by cash assistance and early-recovery activities, conducted with government and local and international nongovernmental partners [84]. The Logistics Cluster published a May 2023 concept of operations for the Türkiye/Syria response that describes coordination of relief logistics, common services, and information exchange in response to operational gaps [53]. These institutional sources establish the existence and declared scope of activities and coordination planning. They do not independently establish complete beneficiary coverage, causal effectiveness, or the existence and breach of a particular legal duty.

An additional evidentiary layer is supplied by the independent inter-agency humanitarian evaluation published in October 2025. The World Food Programme's publication record describes an assessment of IASC members' collective response, using interviews, community consultations, an aid-worker survey, document review, and stakeholder validation to consider coordination, leadership, preparedness, funding, and other factors [85]. The present source check establishes the report's identity, stated methods, and evaluation remit from the publication record. It does not independently verify each substantive finding in the full report. The appropriate inferential step is therefore to identify a potentially rich empirical source

for further study, not to attribute a particular delivery failure or institutional culpability to a named agency without examining the evidence and relevant sections of the evaluation.

The legally relevant positions in such a response vary by territory, governing law, and episode. Disaster-response institutions may operate under domestic authorization and coordination procedures; a cross-border movement may require distinct permissions; a conflict-related relief operation can also engage international humanitarian law where the relevant conditions are met. Disaster risk-reduction guidance, including the Sendai Framework and the IFRC's IDRL guidance, informs preparedness and regulatory design without creating a general permission for a foreign responder to act without the consent or lawful authority required in a particular State [77, 47]. The International Law Commission's 2016 draft articles on the protection of persons in the event of disasters remain a draft treaty project rather than a complete binding regime applicable to every State [50]. The comparison should therefore establish, for a specified operation, the relevant territory, domestic law, institutional authorization, relief personnel status, and any overlapping conflict-law rules.

A wider organizational comparison is provided by the IFRC's 2024 annual-report summary, which documents its coordination with National Societies and emphasizes locally led action; its assertions are institutional self-reporting and should be distinguished from independent evaluations of particular protection outcomes [48].

The documentation permits a disciplined distinction among *planned interface*, *reported activity*, and *evaluated outcome*. A coordination plan may designate common storage or information sharing; a service report may describe assistance that was delivered; an independent evaluation may investigate whether coordination worked as intended. The researcher should not merge those records into an invented single causal sequence. A defensible process-tracing study would select a particular access decision or commodity flow, obtain authorized records of the actors involved, reconstruct time stamps and location changes, and examine recipients' experiences with appropriate consent and safeguards. The contrast between the existence of a coordination architecture and its measurable protective effects is one candidate locus for testing a relational hypothesis.

For a *constructed illustration*, suppose two relief partners retain valid but incompatible beneficiary location identifiers after a large earthquake. One registers a delivery at a regional handover point; the other distributes by household identifier and cannot reconcile the record. A delayed delivery might arise from missing information, unstaffed routes, damaged infrastructure, or insufficient supplies. An institutional-interface hypothesis predicts a distinctive role for repeated semantic or authorization mismatches across otherwise functioning stages. A simpler account predicts that restoring transport or correcting a local record is sufficient. Without a real case record, the vignette supports only a research design. Its ethical implications include the danger of exposing identifiable households, mistakenly attributing blame to field staff, or delaying assistance in order to collect data.

13.4 Maritime Rescue, Displacement, and Accessible Claims

Rescue at sea supplies a distinct configuration in which urgency, jurisdiction and coordination can intersect without becoming one legal question. Article 98 of the United Nations Convention on the Law of the Sea requires relevant States to call upon masters of ships flying their flags to render assistance to persons found at sea in danger of being lost, insofar as this can be done without serious danger to the ship, its crew or passengers, and addresses coastal State promotion of adequate and effective search-and-rescue services [60]. The international search-and-rescue framework further provides for coordination arrangements, subject to treaty membership, amendments and the facts of a given incident [51]. Whether a particular rescue generates further obligations concerning disembarkation, asylum screening, non-refoulement, detention or access to remedies requires examination of the applicable instruments and jurisdictions. A statement about rescue coordination by itself is not a ruling on those questions.

A *constructed case* can expose the legal distinctions. A vessel rescues passengers after receiving an alert forwarded by a regional coordination centre. A rescued passenger reports a protection concern that may be relevant under refugee and human-rights law, but the receiving institution records the person only

in a transport manifest. The master has taken rescue action, yet the person's potential need for a legally competent protection procedure has not been evaluated. The legally material observations include the location and jurisdictional basis of the rescue, the identity and obligations of the respective authorities, the quality and timing of screening, accessible information given to the person, and the actual procedural forum. A mismatch between maritime rescue and migration administration might be important, but it cannot by itself establish the presence of an asylum claim or the violation of a specified obligation.

The refugee and displacement comparison adds a further distinction between recognition of vulnerability and representation of legally protected interests. The Convention on the Rights of the Child establishes rights of participation and special measures concerning children seeking refugee status within its scope [63]. The Convention on the Rights of Persons with Disabilities recognizes equal legal capacity, decision-making support and access to justice under its applicable conditions [66, 67]. These protections concern human rights holders. Their implementation can be examined alongside UNHCR's institutional commitments on age, gender and diversity, which include accessible communication, inclusion in planning, and mechanisms for feedback and response [72, 73]. The policy commitments do not by themselves determine the admissibility of a legal claim or establish the jurisdiction of a court.

An important operational configuration therefore concerns the passage between community feedback and legally constituted review. Under UNHCR's 2020 operational guidance, accountability to affected people is organized around participation, communication, feedback and institutional learning [73]. A complaint that aid was delivered to the wrong location may be resolvable through an internal operational procedure. A claim involving deprivation of liberty, discriminatory exclusion or another legally protected interest may require access to a distinct legal mechanism. The extent and forum of relief depend on applicable law, facts and admissibility rules. A study that reports a high organizational complaint-closure rate has not thereby measured the effectiveness of legally available remedies; it must examine whether beneficiaries experienced correction, whether serious allegations were referred, and whether a competent forum remained accessible.

These configurations allow meaningful comparison because the legal purposes differ while an informational problem may recur. In the maritime example, a manifest may fail to encode a protection concern; in a displacement programme, an eligibility record may fail to preserve a supported decision; in organizational feedback, a closed ticket may fail to record unresolved legal harm. Existing administrative, maritime and human-rights methods may explain each failure adequately. GR's incremental explanatory claim would concern a documented relation among several classification, mandate or referral systems that shapes the outcome beyond those well-specified explanations. If the problem is entirely attributable to one identifiable unlawful order, lack of transport, or inaccessible complaint channel, the analysis should acknowledge that result rather than expand the relational hypothesis to encompass every cause.

13.5 Nonhuman Interests, Artificial Systems, and Juridical Analogy

The comparison becomes more demanding when the alleged beneficiary is outside the categories ordinarily protected by international humanitarian law. Contemporary statutes must be read in their operative consolidated versions, with the status and scope of intervening amendments checked separately from broad claims of legal personality. German civil law states that animals are not things and directs attention to special protective laws, while its animal-welfare legislation has its own purposes and prohibitions [27, 26]. Article 13 of the Treaty on the Functioning of the European Union recognizes animals as sentient beings in specified policy contexts and within its stated qualifications [22]. These provisions can ground source-specific protections without supplying general human rights, universally applicable international rescue entitlements, or automatic individual procedural standing for every animal. A *constructed disaster case* involving a veterinary service, a shelter agency, and a municipality should accordingly identify each body's actual legal authority before treating the animals' welfare as a claim enforceable against a particular actor.

A different configuration concerns protection of ecological structures. The Convention on Biologi-

cal Diversity supplies conditional conservation obligations for parties, including measures addressed to habitats and restoration under Article 8, while Articles 35(3) and 55 of Additional Protocol I contain particular protections for the natural environment in the armed-conflict framework to which the Protocol applies [1, 28, 29]. These provisions protect specified objects and interests through different legal constructions. They do not as a group create one environmental legal person entitled to demand humanitarian relief. Domestic law can recognize a particular natural entity in a more distinctive fashion. New Zealand's Te Awa Tupua legislation provides for the Whanganui River's statutory legal personality and representation through Te Pou Tupua within its own historical, cultural and legislative setting [56, 55]. The precise operation of that statute requires attention to legislative amendments and its expressly stated limits; its distinctive legal recognition should not be treated as a generic template for granting every ecosystem an emergency-relief claim.

Artificial-intelligence systems raise a separate configuration again. Regulation (EU) 2024/1689 establishes obligations for specified actors and systems with differentiated scope and commencement rules. A model that recommends whom to evacuate may influence the practical protection of human beneficiaries without becoming a legally independent holder of their rights [24]. The UNESCO Recommendation on the Ethics of Artificial Intelligence maintains an identifiable ethical-policy stance concerning responsibility for AI activities, but remains a nonbinding instrument [57]. The classification of a system as technically autonomous or causally influential therefore does not determine human legal standing, operator accountability or the possible moral status of any future artificial entity. Those inquiries need their own concepts and evidence.

Extraterrestrial cases occupy a still more conjectural position. The 1967 Outer Space Treaty addresses astronauts, State responsibility, space activities and harmful contamination within the provisions checked here; its Article V is not an established instrument conferring humanitarian rights upon unencountered extraterrestrial beings [58]. A constructed scenario in which a research mission encounters an unfamiliar organism can test precautions and the division of scientific authority, but no verified encounter record exists for an empirical study of the organism's interests or procedural claims. The moral appeal of caution cannot be converted into an existing international humanitarian-law duty toward a juridically recognized extraterrestrial beneficiary without additional argument and lawmaking. The comparison therefore places present human rights, specific animal and ecosystem protections, regulatory AI duties and wholly prospective extraterrestrial claims in separate columns of inference.

The methodological significance of these boundary cases is positive: they expose which steps in a legal conclusion depend on recognized subject status, a protected interest, a competent representative, or a forum. They also show why analogy must retain the historical provenance of institutions. The fact that an ecosystem, a person with a disability, a corporation and a possible artificial entity might be represented in some sense does not equate the legal source, purpose or authority of their representation. Conversely, institutional relationships can reveal protective problems in settings where no new legal personhood claim is appropriate. A municipality can improve veterinary evacuation or monitor ecological damage under the applicable regime, and a public authority can correct AI-mediated exclusion under existing human protections, without resolving the metaphysics of nonhuman experience.

13.6 Comparative Matrix and Source-Indexed Research Protocol

Table 13 consolidates eight configurations by recording the kind of evidence actually available, the principal legal or institutional position, and the limit on inference. The entries intentionally vary in source type. The occupation, maritime, statutory nonhuman and AI configurations are doctrinal. The earthquake response is institutionally documented at the level identified in the referenced publication records. The refugee procedural example is a constructed scenario informed by treaty rules and organizational guidance. The extraterrestrial encounter is a prospective stress test. The table is a research map rather than a hierarchy of moral worth or a determination of compliance in the named events.

A source-indexed research dossier should record at least the following objects, adapting detail to the question: (1) configuration and case identifier; (2) evidence-status label for each proposition; (3) date,

Table 13: Source-indexed configurations of humanitarian protection and adjacent legal positions

Configuration	Evidence type	Central source or position	Boundary of inference
Occupied territory relief	Doctrinal	GCIV Arts. 55, 56, 59, 60: supply, health and external relief	Occupation and treaty conditions must be established; shipments do not decide compliance
Armed-conflict relief transit	Doctrinal	AP I Arts. 70–71 and relevant consent/control rules	Applicability, personnel approval and operational access are distinct questions
2023 Türkiye/Syria earthquake response	Documented operation	WFP response record, Logistics Cluster planning, 2025 evaluation record	Institutional reports show activities and evaluation remit, not judicial findings
Rescue at sea	Doctrinal with constructed vignette	UNCLOS Art. 98 and SAR coordination regime	Rescue, disembarkation, protection screening and remedies require separate legal analyses
Displaced child or disabled applicant	Constructed procedure with source-verified rights	CRC, CRPD and UNHCR participation guidance	Treaty entitlements, organizational feedback and standing depend on particular sources
Animal and river interests	Source-specific positive law	German animal laws, EU welfare, Te Awa Tupua statute	Statutory protection and personality vary; no generic humanitarian personhood
AI-mediated protective decision	Regulatory framework with constructed vignette	EU AI Act and affected humans' applicable rights	Regulation of operators does not confer AI personhood
Prospective extraterrestrial encounter	Speculative stress test	Outer Space Treaty, contamination guidance and ethical inquiry	No verified encounter, alien-rights treaty or empirical welfare claim

territory and operational or legal jurisdiction; (4) affected person or entity and the interest alleged; (5) causal episode or legally material conduct; (6) source text and edition or consolidation date; (7) source's legal character and applicable thresholds; (8) duty bearer and competent institution; (9) claimant, representative and basis of mandate; (10) authorization and consent claims; (11) response or relief pathway; (12) organizational commitments, with their nonbinding status where appropriate; (13) actual observation or document, including methodological limitations; (14) proposed mechanism and competing explanations; (15) protective outcome and measurement limits; (16) contestation, review and correction routes; (17) data protection, risks and research permissions; and (18) evidence required to revise the interpretation. These fields are an organizing protocol for research, not a proposed new legal test for deciding all humanitarian claims.

Provenance deserves special attention. An institution's policy may be operationally mandatory for its staff while remaining distinct from a treaty obligation enforceable against a State. A court's interpretation may be legally consequential within the relevant jurisdiction, while an evaluation's recommendation may support organizational reform without altering the law. A statistical indicator of aid delivered might reflect a reporting convention, changes in population estimates or a temporary stock movement. Case records should therefore preserve quotations or faithful paraphrases of their primary source, context of issuance, any relevant qualifications, and the researcher's additional interpretive step. Where a document has been verified only through an official landing-page description, that evidentiary limit should accompany the claim. A later full-text review should update the audit rather than silently strengthen an earlier conclusion.

Selection should include protective successes and failures. A sample consisting only of interrupted supplies and rejected complaints will exaggerate interface failures. A sample chosen only because many actors were present will confound the number of institutions with crisis intensity. Researchers should pair, where feasible and ethical, otherwise comparable episodes with similar legal duties and different forms of coordination, as well as episodes with similar coordination arrangements but different legal

competences. Historical change matters: a response network may learn, stabilize categories, or fail under a new surge. Negative cases in which records remain interoperable, responsibilities are clear and beneficiaries obtain timely services can indicate conditions under which a proposed GR mechanism has little explanatory significance.

The dossier's structure should not encourage unnecessary collection of identifiable beneficiary data. Humanitarian situations may involve displacement, persecution, medical needs, family separation and fear of reprisal. A technically attractive longitudinal linkage may be legally impermissible or ethically disproportionate. Aggregate handover metrics, authorized organizational process maps and carefully anonymized accounts may sometimes be sufficient. Researchers should distinguish voluntary participation in a study from consent to medical care, agreement to an aid programme and authorization for an institution to process personal data. A comparative project should be designed to inform protection and critique without making participation in research a condition for receiving assistance.

13.7 Generative Relational Comparison, Rival Accounts, and Ethical Limits

A GR interpretation of the source-indexed configurations focuses on how legal categories, institutional roles, resource flows, information practices, and affected persons historically co-condition the emergence and exercise of protective capacities. It makes no claim that an exhaustive relational description is superior to applicable legal reasoning. Its proposed analytical increment is narrower: in some cases, a protective outcome may depend on a recurring cross-institutional relation that is insufficiently visible when each actor is examined separately. The hypothesis considered here is *source-to-practice interface divergence*. It predicts that where legal positions, organizational classifications, operational records, and review competences are mapped through unstable or incompatible interfaces, a recognized protective interest may lose practical force even though a rule, a service plan or an individual corrective action exists. The hypothesis remains an interpretive and empirical proposal rather than a demonstrated general law.

At the level of *ontological reality*, GR suspends judgment about the ultimate status of social relations and the metaphysical identity of possible nonhuman subjects. At the level of *relational reality*, sufficiently stable and consequential structures include legal duties, recognized interests, institutional competencies, historically cultivated trust, coordination practices, and recurring distributions of information and resources. At the level of *manifestation reality*, their accessible expressions include treaty provisions, administrative files, shipment logs, evaluation interviews, community complaints, courtroom records, technical system outputs and observable protective outcomes. The mere appearance of one manifestation does not establish the complete underlying configuration. A recorded delivery may represent transfer of custody; a completed complaint may represent closure of a database item; a policy promise may represent institutional intention. Each requires interpretation against other evidence, and manifestations may themselves reshape subsequent relationships through feedback and organizational learning.

The earthquake configuration supplies a feasible locus for methodologically restrained inquiry. Official documents demonstrate that common logistics arrangements, information-sharing plans and evaluated inter-agency coordination formed part of the response [53, 85]. A research project could identify comparable episodes involving multiple transfers and examine whether discrepancies in identifiers, authorizations or beneficiary categories predict prolonged interruptions after controlling for damaged infrastructure, staff availability and commodity shortage. A finding that increased cross-interface incompatibility precedes unresolved access problems would support further investigation, especially if repair of a single interface produces a predictable improvement in otherwise similar cases. It would not alone prove a legal violation. Evidence that the problem disappears entirely when trucks or personnel become available, or that ordinary supply-chain models adequately account for the observed differences, would weaken the claim of an additional GR mechanism.

The doctrinal cases supply different tests. Article 60 of the Fourth Geneva Convention already explains why an occupying power's duties are not discharged by incoming relief [11]. A GR analysis that merely redescribes the duty as relational adds little. It might contribute if authorized historical evidence shows that the classification of external assistance systematically changes how an authority, implement-

ing agency or population perceives continuing responsibility, and if that change has a measurable effect unexplained by the established legal and administrative accounts. Similarly, UNHCR's established policy on participation and feedback already offers an institutional explanation for accessible complaint channels [73]. A GR claim about attrition must establish something beyond the existence of those standards, such as a documented patterned failure when claims traverse otherwise adequate mechanisms that have incompatible status definitions.

Competing explanations should be developed with comparable care. Applicable legal doctrine can explain why a particular official has no power to approve an action; administrative law can identify defective procedures and reasons; organizational theory can describe principal-agent failures and conflicting incentives; logistics can account for transport bottlenecks; information-systems research can identify data loss or nonmatching identifiers; and economic or political analysis can explain resource deprivation, discriminatory priorities or unequal influence. A novel GR mechanism is not established by merely concatenating these explanations or redescribing their coexistence. It would require evidence of an interaction with a distinctive temporal or counterfactual implication: for example, that correction within any single institution repeatedly fails until a cross-interface classification or mandate relation changes. Where the best existing explanation already predicts this behavior, the defensible contribution may be a synthesis or research protocol rather than an independent causal discovery.

Normative evaluation must also remain independent. A tightly coordinated system could efficiently distribute aid in a discriminatory way; a relationally generative institution could reproduce domination; and an apparently inefficient process might preserve necessary safeguards for consent, appeal or independent scrutiny. Efficiency, coordination and generativity cannot substitute for interpretation of legal rights and duties or for ethical justification. The assessment should preserve the affected person's position, existing human-rights guarantees, and the distinct status of animal, environmental, artificial and extraterrestrial cases. The comparison is intended to prevent humanitarian analogies from silently expanding or narrowing legal entitlements. Its normative stakes are particularly high when a new technological classification or inter-agency reporting system determines whether a person becomes visible to a decision-maker.

The ethics of the research follow from these constraints. An investigator should not imply that independently reported logistics gaps establish legal culpability, use an affected person's testimony outside its authorized purpose, link sensitive records without a lawful basis, or treat speculative nonhuman status claims as grounds for deprioritizing existing human protections. Uncertainty in a document should remain visible, including incomplete legal consolidations, reports that have not been read in full, and gaps in operational evidence. The 2025 inter-agency earthquake evaluation is a promising source for a future episode-level inquiry, but the published description of its sample and scope does not license this paper to announce causal findings absent further review [85]. Research protocols should favor independent evaluation, participant safety, transparent attribution, and receptivity to disconfirming cases.

The contribution of this section is a comparative architecture in which each legal proposition remains tied to its source, each observed institutional claim to its evidentiary basis, and each proposed GR mechanism to a plausible empirical or conceptual test. Such an architecture allows doctrinal and operational inquiry to inform one another without replacing the law with a generalized relational vocabulary. The following examination of counterexamples and research ethics can therefore assess a defined set of explanatory ambitions and methodological vulnerabilities, rather than criticize an undifferentiated theory of humanitarian protection.

14 Counterexamples, Research Ethics, and Limits of GR Interpretation

This section examines the conditions under which a Generative Relational (GR) interpretation of humanitarian jurisprudence would be unnecessary, misleading, or ethically impermissible. Its objective is to subject the proposed analysis of protective relations to competing explanations and identifiable limits, while preserving the independence of legal source interpretation and the safety of affected persons. The argument proceeds through seven inquiries: rival doctrinal and empirical accounts; counterexamples to

relational mechanisms; a discriminating research design; the limits of normative translation; obligations governing humanitarian research and information; the three GR reality levels; and criteria for revising or withdrawing a claim. The method combines doctrinal delimitation, constructed counterexamples, comparative causal reasoning, and research-ethical assessment. None of the constructed episodes constitutes evidence of an actual breach or an independently established fact about a named humanitarian operation.

The relevant explanatory proposal is *source-to-practice interface divergence*, introduced in Section 13. An institution may recognize a protected interest, an authorized actor may undertake an assistance task, and a procedure may register completion, while the affected person remains unable to exercise a legal right, receive aid, or challenge an adverse decision. GR investigates the historically produced relationships among those positions and the transformations through which they become institutionally effective. This is a possible object of study, since documentary, legal, logistical, informational, and interpersonal relations can shape protective action. Its existence as an object of description does not, however, establish GR as a distinct causal theory. A successful jurisprudential contribution may consist in identifying a disciplined comparison across established explanatory traditions. Any stronger claim of an independent mechanism requires a separate evidentiary showing.

14.1 Rival Accounts of Protective Outcomes and Institutional Failure

A meaningful counterexample requires a comparator with independent explanatory content. The term *relational* is sufficiently broad that many familiar accounts of humanitarian action concern relationships: contract law allocates legal positions between parties; administrative procedures connect officials to applicants; logistics studies transport networks and resource flows; and organizational inquiry considers cooperation, authority, and incentives. Consequently, the appearance of an intermediary institution, a failed handover, or a long sequence of decisions offers little distinctive confirmation of GR. The research must specify which observable pattern remains unexplained after the relevant alternatives have been stated on their own terms.

Doctrinal explanation concerns the source, existence, interpretation, and application of a legal norm. In an occupied territory, for example, Article 60 of the Fourth Geneva Convention expressly preserves the occupying power's obligations despite relief consignments sent for the population [11]. A claim that the occupying power continues to owe duties because relief has not displaced its responsibility is already supported by the treaty. GR may describe a relationship between primary obligation and auxiliary supply, but the doctrinal conclusion does not depend on its vocabulary. Where the actual question is whether Article 60 applies, whether an occupation exists, or which party bears a duty, a GR analysis cannot replace competent interpretation of the relevant provisions and facts. The same caution applies to relief operations under the distinct requirements of Additional Protocol I and Additional Protocol II [19, 21].

Administrative and procedural explanation concerns the authority of decision-makers, the completeness of records, procedural regularity, the distribution of competences, and the availability of appeal. A person may be excluded from a programme because a statute sets an eligibility condition, a decision-maker lacks power to waive it, or an available review mechanism was not invoked. Where those facts fully account for the outcome, a general description of institutional recognition adds no causal information. The legal permissibility of the condition and the existence of procedural remedies are further questions. A protocol recommending accessible feedback, such as the Core Humanitarian Standard's commitments or UNHCR's accountability-to-affected-people guidance, belongs to a different normative category from an enforceable right of review [6, 73]. Their practical relevance can be compared without presuming identical legal force.

Material and logistical explanation concerns the availability of commodities, transport capacity, intact infrastructure, access windows, and personnel. A field hospital may operate below capacity because sterile supplies are exhausted; a food delivery may fail because a road is impassable; and maritime assistance may depend on the rescue vessel's safety and location. Under the applicable law, duties can remain in force even where means and circumstances affect their performance. For the researcher, a documented shortfall in material capacity may nonetheless explain the immediate outcome without invoking

misrecognition or a cross-institutional transformation. Conversely, the fact that materials were available in aggregate does not prove that the right materials were available at the place and moment of need.

Organizational and political explanation concerns delegation, incentives, professional hierarchies, budget constraints, jurisdictional competition, coercion, and power. A donor may attach conditions; a local office may lack discretion; a supervisor may discourage escalation; or a government may lawfully or unlawfully restrict access under circumstances requiring specific legal analysis. Some such mechanisms involve relations between institutions, yet their explanatory force may already be supplied by established institutional analysis. A GR description is informative only insofar as it specifies a novel interaction, organizes otherwise dispersed evidence, clarifies an unresolved category relation, or helps formulate a test that the competitor leaves open.

Information-systems explanation concerns incompatible identifiers, missing fields, erroneous matching, latency, access privileges, and audit trails. A request may disappear during transfer between systems because the destination database rejects its classification. Such a failure can be described as relational, but data architecture may predict the failure exactly. If repairing a schema resolves it, and ordinary systems analysis adequately anticipates that outcome, attributing a separate effect to GR would double count the explanation. A mixed case is possible: the schema itself may embody a history of unequal decision-making authority, while the immediate failure is computational. That possibility calls for evidence at distinct levels of explanation, with causal credit assigned proportionately.

These accounts can coexist and interact. Their coexistence is a reason for careful comparison, not a proof that a unifying theory is superior. It is especially important to distinguish *integrative usefulness* from *incremental explanatory power*. The former can be judged by conceptual clarity, consistency of classification, practical ability to locate responsibilities, and capacity to coordinate questions across fields. The latter calls for discriminating expectations that remain after rival explanations and plausible confounders are considered. The manuscript presently establishes a programme for the former and proposes research capable of investigating the latter.

14.2 Constructed Counterexamples to Relational Mechanisms

A counterexample should target a specific proposition rather than a generalized aspiration for improved humanitarian protection. For the present inquiry, the strongest proposed mechanism is that mismatches between institutional classifications, mandates, or evidentiary pathways may prolong the separation between recognized protection and effective response. Three constructed counterexamples challenge claims about necessity, causal independence, and desirable intervention. Two additional cases address normative consequences and subject classification. Each example below is hypothetical, and its purpose is to expose what would count against an overextended GR account.

Adequate interfaces with inadequate material means. Consider two assistance organizations that maintain consistent beneficiary records, share an authorized referral protocol, provide accessible notice, and preserve a usable complaint channel. Their transport route is physically destroyed and no safe alternative exists during the relevant period. The protective failure persists despite effective institutional coordination. This case defeats a claim that interface convergence is sufficient for effective protection. It does not show that the governing duties disappear; their content, qualification, and possible breach require source-specific legal determination. A more modest GR account could study the material and institutional relationships jointly, but an expanded definition that simply labels road damage a relational defect would forfeit the opportunity to test a specific claim about classification and authorization.

An isolated technical defect with a complete systems explanation. Consider an assistance programme in which one beneficiary record contains a transposed identifier. The receiving application automatically rejects the record, and correction immediately restores access. A standard data-validation model predicts the failure and its remedy, with no unexplained cross-institutional persistence. The result is compatible with a broad relational description, since the record participates in a service relationship.

It is adverse to the stronger proposition that a distinct GR mechanism is needed to explain the outcome. The case matters because conceptual compatibility alone can be achieved by an excessively elastic framework. The investigator should be prepared to conclude that the narrower technical account is sufficient.

A deliberate safeguard that interrupts transfer. Consider an agency refusing to transmit an identifiable protection record to an outside organization because authorization, a valid legal basis, or a security assessment is missing. The intended beneficiary faces a delay, but the transfer restriction may protect the person from surveillance, retaliation, or unauthorized disclosure. The ICRC's humanitarian data-protection handbook emphasizes protection of life, integrity, and dignity in the handling of personal data, while the IASC operational guidance addresses responsible management of personal and non-personal data [38, 31]. In this case, treating lower information friction as an unconditional improvement would be normatively mistaken. A boundary between institutions may be ethically and legally indispensable. The relevant evaluation compares feasible means of meeting the protective need while respecting the confidentiality constraint; it does not automatically classify the safeguard as malfunction.

A coordinated allocation that infringes a protected interest. Consider a technically seamless distribution process that assigns assistance according to a discriminatory classification. Eligibility decisions pass quickly between agencies; supplies arrive promptly; every transfer is documented. The system is coordinated, predictable, and capable of reproducing exclusion efficiently. Its high degree of relational integration offers no justification for the classification. Determining the legal wrong requires an applicable nondiscrimination norm, jurisdiction, evidence, and the relevant standard of review. The counterexample defeats any inference that generativity, continuity, or institutional coherence supplies an independent criterion of justice. GR may expose how discrimination is reproduced through connected practices, while normative judgment remains answerable to law and defensible ethical argument.

Lawful separation of institutional authority. Consider a humanitarian actor possessing a professional reason to help but lacking authorization to cross a territorial boundary or exercise public functions. The competent authority refuses permission under a legally relevant rule whose application must be assessed on its own terms. The absence of operational access is observable. It would be invalid to infer that relational exclusion itself creates permission to override jurisdiction. Under certain treaty regimes, consent and relief obligations are specifically regulated; general compassion cannot settle the relation between them [19, 21, 47]. A useful GR account can document the structure and history of negotiations and practical consequences while leaving the positive-law question to the applicable regime.

An apparently familiar subject category with incomplete evidence. Consider an automated relief-triage system that receives complaints in human language and reports a preference against shutdown. The machine's behavior may be important for technical auditing, affected human users, and debates about prospective moral status. It supplies neither a verified demonstration of machine welfare nor an established human-equivalent entitlement to representation or humanitarian rescue. The European Union's AI Act provides a regulatory framework addressing defined AI uses and responsible operators, while UNESCO's AI recommendation offers ethical guidance within its own status; those instruments do not establish a general legal personality for AI systems [24, 57]. Treating functional resemblance as sufficient recognition would be a category error. Conversely, closing every future inquiry into possible unfamiliar interests by definition would exceed what present evidence establishes. A research programme can preserve both existing legal rights and the open epistemic question.

The examples demonstrate different forms of failure for an overly ambitious interpretation. Some defeat a proposed causal necessity; some remove its incremental explanatory value; others expose normative overreach. They do not refute the modest thesis that legal protection is realized through historically situated relationships. That thesis is too general to carry a distinctive empirical claim unless the operative

Table 14: Illustrative rival mechanisms and potential discriminating observations in assistance episodes

Candidate explanation	Potentially informative observation	Adverse or limiting observation
Legal-authorization constraint	Contemporaneous legal rule and competent refusal explain the blocked action	Authorization already valid and timely, while interruption persists elsewhere
Administrative procedure	An identifiable eligibility or notice defect predicts case disposition	Procedures and decision powers verified adequate, yet repeated handoff loss remains
Material capacity	Shortfall covaries with stock, safe transport, personnel, or physical access	Comparable inputs available while transfer-specific exclusions persist
Technical schema defect	Rejection trace reproduces the problem; defined technical repair resolves it	Corrected data still fail across changing mandates or claims of institutional competence
Organizational incentive or power	Priority instructions or resource control account for patterned exclusions	Same incentive conditions, distinct interface arrangements and different outcomes
Proposed GR interface interaction	Repeated transitions alter an interest's institutional classification across otherwise competent units	Standard doctrinal, logistical, procedural, or technical account already predicts the relevant pattern

relations and discriminating consequences are specified. The methodological task is to attach counterexamples to exact propositions, preserving a difference between revising a theory and redefining it until disconfirmation becomes impossible.

14.3 Research Designs and Evidence Capable of Discriminating Explanations

Empirical evaluation requires a clearly bounded episode, a defined outcome, plausible rival mechanisms, and an ethically legitimate means of observing them. A useful unit may be one assistance request passing through several authorized decision points during a specified time window. The outcome might be actual service receipt, legally relevant notification, successful referral, or access to a competent review procedure. These outcomes are not interchangeable. A completed database transaction is an administrative manifestation; it is insufficient evidence of physical receipt or meaningful opportunity to contest a decision. Likewise, a reported delay does not itself identify legal culpability.

For a proposed *interface-divergence* mechanism, an investigator would document the precise transfer at which a record, authorization, or protected category changes meaning. Relevant observations may include timestamps, rejected referrals, permitted disclosure categories, decision logs, reasons given, revisions to status codes, and outcomes of authorized appeals. The competing material account would require observations about stock, routes, staff, and demand; the procedural account would require relevant powers, eligibility rules, and legal notices; and the political account would require sufficiently reliable evidence about priorities, resource control, and coercive constraints. Reliance on the data most convenient to obtain would systematically favor mechanisms visible in that data. A rigorous design therefore specifies the minimal evidence that could support each rival, including evidence that remains inaccessible for legitimate reasons.

Table 14 records illustrative contrasts for prospective empirical investigation. The predicted observations are conditional research expectations, not published case findings. More than one mechanism may be supported in a given episode, and the absence of a predicted feature may reflect inadequate measurement. The table's function is to make the burden of causal discrimination explicit.

A discriminating design may compare several similar referrals within the same institutional environment, with variation in their classification path but comparable transport, personnel, and material conditions. The investigator would document the temporal order: which institution held the record, when its category changed, whether the competent responder could act, and whether the person received an available notice or remedy. If a procedure is repaired, subsequent observations could test whether otherwise similar cases improve. An improvement alone remains insufficient for causal attribution when demand, staffing, funding, security, or policy changed simultaneously. Where feasible, triangulation of administrative records with voluntary, safeguarded accounts of affected persons could reveal a discrepancy between procedural completion and experienced access. Triangulation must be conducted under

appropriate safeguards and lawful authorization.

A second design could examine cases in which protective responsibilities are transferred among agencies after a change in mandate. The central question is whether a legally or administratively defined handover alters the subject's eligibility, the identity of a duty bearer, the authority to refer, or the route to a review forum. The researcher should compare the predicted effect of the governing rule with the predicted effect of information loss and the proposed effect of historical institutional relations. Where a referral fails because no competent body legally exists, the finding concerns a legal or institutional design gap. Where the competent body exists but a data field is lost, it may concern a technical handover. A specifically GR hypothesis would need to identify an interaction between historically constituted classifications and competencies that yields an additional prediction not captured by those accounts separately.

One such additional prediction might concern *path dependence*. Two cases could occupy superficially equivalent current statuses while their historical sequences of institutional recognition differ, and that difference might influence the practicability of later contestation. For example, earlier registration with a trusted intermediary might preserve a verifiable record unavailable to another person presently assigned the same eligibility category. A GR interpretation could then predict that restoring the missing relation of recognized evidence or advocacy changes later access in a way a snapshot of present eligibility fails to capture. Yet procedural justice, record-management theory, and organizational memory may already contain that prediction. The contribution of GR would need to reside in an otherwise unarticulated dependence or in a more effective comparative research architecture, not in claiming ownership of historical reasoning.

The proposed test has an additional measurement problem: the recorded completion of an administrative step may reflect the institution's own coding conventions rather than an independent outcome. A defensible validation design therefore needs independent, ethically obtained checks of whether the intended protective function was available and usable, and whether affected persons were able to contest its failure. Where individual linkage is unsafe, aggregated temporal or institutional indicators may provide partial checks, but they should not be represented as beneficiary-level confirmation. Disagreement among documentary sources should be preserved as an evidentiary result, with the source's author, date, scope, and method made visible. A discrepancy establishes a research question; it does not alone establish legal wrongdoing or a specifically GR-type cause.

An empirical programme should prestate withdrawal or downgrading conditions. The interface hypothesis loses its claim to independent causal contribution when a comparator with clearly defined variables explains the same pattern and intervention effects without residual error relevant to the research question. A predicted interaction fails when adequate evidence repeatedly shows the anticipated classification transitions occurring without the associated access effects, under conditions in which the mechanism should operate. A proposed policy remedy becomes suspect when it improves data circulation while increasing the risks of identifiable exposure or undermining an available legal safeguard. Insufficient information warrants suspension of judgment; it should not be scored automatically as either confirmation or disproof. The theoretical account becomes stronger through a smaller, testable domain than through an ever-expanding definition of relations.

14.4 Legal and Normative Boundaries of Relational Interpretation

The normative inquiry must preserve distinct legal positions. An affected person may have a substantive protection against certain acts, an entitlement to specified treatment, a procedural right to be heard, a possible action before a competent body, or only the practical opportunity to raise an operational concern. An organization may have capacity to deliver relief without public authorization to adjudicate rights. A professional standard may recommend accessible feedback without creating an independently enforceable remedy. These distinctions are essential even when the relevant practices participate in the same historical network of protective relationships. Otherwise, a relational vocabulary risks moving a norm across legal categories without the interpretive steps needed to justify that movement.

Several concrete transpositions require particular caution. A duty to respect or ensure a human right

is not identical to an organization's professional aspiration to improve accountability; the latter may nevertheless help implement the former. A medical or humanitarian reason to intervene is different from permission to enter a territory or exercise governmental powers. The recognition that animals are subject to certain statutory protections is different from awarding them the standing and remedies attached to particular human rights. Legal recognition of a river in a specified jurisdiction, as illustrated by New Zealand's Te Awa Tupua framework, has its own institutional and statutory architecture; it is not a universal precedent granting every ecosystem identical personality [56, 55]. Finally, the possibility of artificial or extraterrestrial suffering remains a philosophical and scientific question distinct from the obligations that current instruments establish for existing legal subjects.

A GR account should also distinguish *moral salience*, *legal recognition*, *authorized agency*, and *judicial competence*. These predicates can differ even in cases involving the same person. The moral importance of a human being experiencing deprivation may be compelling, while a particular State's jurisdiction, a particular treaty's application, and a court's procedural admissibility remain matters for independent legal inquiry. Legal protection may exist without a conveniently accessible forum; an available forum may lack competence to grant the requested remedy. The researcher should therefore avoid statements in which the recognition of suffering, the existence of a right, the authority of a responder, and the availability of a remedy are allowed to stand for each other.

For human subjects, established guarantees take priority within their applicable legal scope. The Convention on the Rights of Persons with Disabilities provides specific protections concerning legal capacity, access to justice, and persons with disabilities in situations of risk, subject to the convention's application and interpretation [65, 66, 67]. An intervention premised on safeguarding a person's welfare can itself be disempowering if it silences their expressed choices, imposes an unauthorized proxy, or obscures the person's position in review. Relational analysis should record the historical conditions of supported decision-making and institutional recognition while taking those legal guarantees seriously. The mere presence of a supportive network supplies no warrant to substitute another actor's preferences for an individual's rights.

A further difficulty arises from the evaluative term *generativity*. The capacity of a system to sustain or produce future relations is descriptively interesting; its normative quality depends on what is sustained and for whom. A criminal network may reproduce itself effectively, and a discriminatory registry may become highly robust. Similarly, a delay introduced to permit review, secure informed participation, or prevent an unsafe transfer may make a system less immediately efficient while preserving a legally significant interest. Thus, generativity can supply a research question concerning the reproduction of institutional conditions, while law and ethical argument supply separate standards for assessing that reproduction. Integration of these inquiries should preserve their partial irreducibility.

14.5 Research Ethics, Data Responsibility, and Institutional Accountability

Humanitarian research can reproduce the same vulnerabilities that it intends to study. Interviews, case tracing, geolocation, administrative logs, legal complaints, displacement histories, medical details, and accounts of security incidents may reveal sensitive information about affected persons or aid workers. Combining separately modest datasets can make individuals or small groups identifiable, especially when locations or rare events are recorded. The ICRC's third-edition handbook treats data protection as closely connected with life, integrity, and dignity, and the IASC's 2023 operational guidance addresses safe, ethical, and effective processing of personal and non-personal humanitarian data [38, 31]. OCHA's revised 2025 Data Responsibility Guidelines further describe organization-specific procedures and tools for operational response [79]. These texts support a research-ethical orientation; their practical recommendations do not establish the legal basis for data collection in every jurisdiction.

For an empirical project, an initial governance review should identify the researcher and institutional sponsor, the proposed purposes of inquiry, the competent ethics-review or institutional oversight process, the legal basis for information access, the risks to participants and bystanders, permissible retention periods, foreseeable onward uses, and enforceable restrictions on disclosure. Affected persons' cooperation

should be voluntary to the extent required by the applicable protocol and law; researchers should avoid exploiting dependence on aid to elicit participation. Informed consent, where relevant and valid, should specify foreseeable collection, linkage, publication, withdrawal, and limits of confidentiality. Consent alone should not be presumed to resolve competing obligations, including duties concerning sensitive information, children, persons whose capacity is supported, institutional records, or personal data collected originally for another purpose. Emergency conditions intensify the need for a documented and context-sensitive decision about research feasibility.

The legal position varies by jurisdiction. In the European Union, for example, the General Data Protection Regulation establishes rules concerning processing principles and lawful bases, gives special protection to categories including health data, and contains conditions concerning research-related processing and safeguards; material, territorial, and national-law qualifications require separate assessment [25]. It would be unsound to apply those provisions as a universal humanitarian research code. Conversely, a researcher's ability to access an organizational database does not by itself show permission to repurpose its content. Operational authority, legal entitlement to process data, institutional ethical approval, and the scientific validity of a project are distinct questions that should each be resolved before intrusive collection or record linkage.

The researcher should make data minimization a design constraint rather than a task postponed until publication. A study of transfer delay may require interval durations and decision categories without names, biometric identifiers, or precise home addresses. A study of review accessibility may be satisfied by aggregated stage counts and anonymized descriptions of barriers. When the risk of re-identification remains significant, coarsened or synthetic representations may be appropriate, although synthetic examples cannot validate a factual case. Disclosure-risk assessment should consider threats from armed actors, hostile authorities, abusive family or community members, discriminatory institutions, and ordinary failures of access controls where the context makes them relevant. Research utility and humanitarian safety require a reasoned balance; useful information does not automatically justify its collection or disclosure.

Publication is a separate protective decision. A completed analysis might reveal that a particular group cannot reach a safe access point, that an unpublicized eligibility exemption exists, or that a small settlement relies on a single aid contact. Publishing exact location and institutional details could make those people identifiable or vulnerable to retaliation. An adequately supported scholarly argument can therefore require redaction, delayed release, restricted-access materials, or omission of reproducible individual-level records. Public reproducibility should be pursued through methods, coding decisions, controlled descriptive statistics, and shareable legal sources whenever individual records cannot safely be released. An open citation ledger demonstrates which legal texts and publications were checked; it does not entitle readers to access protected case files.

Protection of research participants also involves *epistemic non-extraction*. Affected persons may provide time, testimony, interpretation, local knowledge, or warnings while receiving no substantive response from the researchers. This asymmetry is especially significant where academic or organizational prestige is generated from accounts of emergency suffering. A responsible project should consider accessible explanations of purpose, opportunities to correct inaccuracies, safe routes to withdraw participation where feasible, and proportionate forms of returning useful findings to the relevant communities or institutions. Any such arrangement must be designed with local partners and participant safety in mind, and cannot be imposed as an obligation on people whose immediate priorities concern survival. Feedback and community participation are central concerns of the revised Core Humanitarian Standard, whose status is professional rather than a general grant of legal standing [6].

Institutional investigation creates an additional obligation of fair characterization. Preliminary and contested accounts of failure should be separated from established findings. A published evaluation's description of methods does not authorize conclusions about individual wrongdoing that its results have not been checked to support. The 2025 inter-agency evaluation of the earthquake response in Türkiye and Syria has been identified through its publication record, but its substantive PDF findings have not been inspected for this manuscript [85]. It may therefore inform the design of a future investigation and the identification of potentially relevant evidence; it supplies no verified conclusion here regarding specific

misconduct, omitted aid, or legal liability. Before any attribution of failure, relevant records, alternative explanations, opportunities for response, and lawful disclosure restrictions should be considered.

Finally, the project should preserve *organizational role boundaries*. A researcher does not acquire the authority of a humanitarian agency by studying it. A legal theorist does not thereby become competent to make medical triage decisions, direct distribution, investigate crimes with compulsory powers, or disclose protected records. Collaboration can improve expertise and access only through the mandates and permissions actually held by its participants. Scholarly independence may require disclosing funding, advocacy positions, organizational affiliations, or participation in the practices being evaluated. Respect for affected people includes the ability to report unfavorable findings about a project the investigator personally values, subject to fair evidence and protective precautions.

14.6 Ontological Suspension, Relational Objects, and Manifestation Error

GR's three-level framework can clarify the location of methodological overreach. At the level of *ontological reality*, the ultimate metaphysical status of the described social relations remains suspended. The assertion that duties, trust, institutions, and protective relations can be modeled as historically generated structures does not establish a final ontology of social life. Nor does a useful common language resolve philosophical controversy about the metaphysical existence of legal persons, the consciousness of artificial systems, or the nature of moral experience. In jurisprudence, the existence of a legal status can be determined within an applicable legal order without settling those wider questions.

At the level of *relational reality*, the proposed objects include sufficiently stable and consequential patterns of authorization, competence, entitlement, evidentiary recognition, resource dependence, institutional memory, and trust. They are candidates for explanatory analysis because their effects may persist across individual transactions and influence feasible courses of action. Such stability is relative to a historical period, jurisdiction, and practical context. It cannot be inferred merely from the analyst's preferred description. For example, a recurrent referral protocol may have formal existence, but the researchers must establish whether it is actually followed and whether its operation affects access. A relation that cannot be distinguished from competing classifications or mechanisms offers little empirical purchase.

At the level of *manifestation reality*, records and reports provide situated access to those objects. A delivery confirmation manifests a particular procedural event; an interview presents an account under conditions of memory, risk, and interpretation; a legal text makes a rule accessible but does not show its implementation in a specific case. Some manifestations are constitutive legal acts, whereas others are evidentiary traces or retrospective representations. Their roles should be described carefully. Legal recognition may be enacted by a competent institution and subsequently documented; a database may misstate a status that law continues to confer; and a public account may conceal a protected relationship that participants deliberately refrain from disclosing. The investigator should therefore avoid treating observed document structure as an unmediated map of social ontology.

Several errors can arise when passing between the levels. *Ontological inflation* treats a successful descriptive scheme as evidence that the world's fundamental elements have been established. *Relational inflation* redescribes every cause as a GR relation and leaves no possible evidence capable of challenging its distinctive claims. *Manifestation substitution* equates recorded delivery, registered consent, completed complaint, or procedural eligibility with the protective outcome whose realization is at issue. *Normative transposition* converts the analyst's recognition of a relationship into a right, permission, duty, or adjudicative competence without the required legal source. These errors differ. Avoiding them calls for explicit source indices, contextual definitions, rival explanations, and separately articulated normative reasons.

The paper's most defensible theoretical ambition is therefore a *bounded reconstruction* of how legally differentiated positions interact with historical and institutional conditions. In some cases, the reconstruction may uncover an overlooked dependency. In others, it may provide a common comparative scheme for legal doctrine and empirical inquiry while adding no separate causal law. In still others, available evidence or participant-safety constraints may prevent responsible investigation. The limits are substantive

findings about what can presently be claimed. They need not be repaired by broadening the definition of GR until the theoretical account can accommodate every outcome.

14.7 Claim Revision, Adverse Findings, and the Research Programme's Scope

A responsible programme should make its claims revisable at the level at which they were offered. A doctrinal assertion must be corrected when its source, applicable conditions, or interpretation proves inadequate. An operational assertion must be withdrawn or qualified if the cited record only describes intentions, if contrary evidence changes the factual account, or if direct evidence cannot be accessed. A proposed causal mechanism should be downgraded when rival accounts explain its purportedly distinctive observations. A normative proposal should be revised when it conflicts with applicable law, endangers affected people, silences their agency, or lacks a sufficiently reasoned ethical basis. A speculative extension to nonhuman or artificial subjects must retain the distinction between inquiry into possible interests and attribution of legal positions.

These obligations suggest three levels of defensible contribution. First, a *source-indexed jurisprudential map* may clarify the distinct legal positions of beneficiary, duty bearer, authorized responder, representative, reviewing institution, and potentially responsible actor. Its quality depends on accurate legal sources, coherent definitions, and exceptions appropriate to each regime. Second, an *interdisciplinary comparative method* may illuminate recurring mismatches between formal recognition and practical access, providing a shared account of where doctrinal, administrative, logistical, and informational explanations should be tested. Its value is primarily methodological and interpretive unless additional evidence is obtained. Third, a *distinctive relational mechanism* may eventually be supported by discriminating empirical or historical evidence. At the present drafting stage it remains a hypothesis. Its status should not be advanced merely because the conceptual synthesis is useful.

The proposed research agenda can proceed without exposing affected persons to speculative intervention. A doctrinal phase can verify the applicable legal rules and available decisions. A documentary phase can compare public operational records while respecting their evidentiary limits. Subject to authorization and review, a subsequent empirical phase can examine bounded referral or aid episodes, preregister rival explanations where suitable, and investigate mechanisms with proportionate data collection. The project can report a null result, a technical or logistical explanation, or a legal source error as a substantive outcome. If a broader GR interpretation provides no additional explanatory or normative benefit in a given domain, the appropriate conclusion is to restrict its use there.

The main constraint is ethical as well as intellectual: humanitarian protection cannot be treated as an experimental setting in which conceptual novelty justifies unauthorized action, avoidable delay, or unsafe disclosure. The legal positions investigated in this paper remain grounded in their own sources; the proposed GR contribution concerns the historically constituted conditions under which those positions become intelligible and practically consequential. The final section can now state the paper's bounded jurisprudential and methodological contributions while identifying the legal, empirical, and philosophical questions that remain unresolved.

15 Conclusion

This study has examined the jurisprudence of aid and humanitarian protection through the differentiated positions of protected subject, duty bearer, authorized responder, representative, reviewing institution, and potentially responsible actor. Its objective has been to clarify how legally established protection may be specified, implemented, evidenced, contested, and revised across heterogeneous emergency settings without assuming that a single humanitarian purpose creates a single legal regime. The concluding analysis draws together the paper's doctrinal distinctions, its comparative treatment of practical protection, the limited explanatory role proposed for Generative Relational theory (GR), and the conditions for future research. The argument is principally a source-indexed jurisprudential reconstruction, accompanied by an interpretive research proposal. It does not claim to have demonstrated a general causal mechanism

or to have completed the adjudicative and empirical work required to evaluate particular institutional failures.

A recurring difficulty in humanitarian protection is the coexistence of legal differentiation and practical interdependence. An individual's safety can depend upon actions undertaken by several authorities and organizations, although the applicable rules do not assign identical obligations to those actors. Relief may involve legal authorization, procurement, transport, interpretation, consent, local distribution, professional care, and the possibility of an effective complaint. The disruption of one function may compromise a protective outcome while leaving the legal status of the other functions unchanged. Conversely, a successful practical intervention does not, solely by virtue of its success, establish the legal competence through which an actor may repeat it. A jurisprudence attentive to this coexistence can describe both the legal conditions of authorized action and the historical relationships through which its effects are realized.

15.1 Source-Dependent Protective Positions and Juridical Specificity

The first contribution of the paper is a differentiated account of the positions frequently gathered under the term *humanitarian protection*. A protected interest concerns the object and holder of protection as recognized by an applicable regime. A duty concerns conduct required of a specified bearer under stated conditions. A permission or competence concerns the legal circumstances in which an actor may perform a protective act. Representation concerns whose decision or claim may be expressed or advanced by another, and subject to which safeguards. Standing and review concern available procedures for testing decisions or asserting legal claims. Responsibility concerns the attribution and consequences of conduct or omission under the rules of an applicable system. The positions can intersect in a single emergency, yet their source, addressee, threshold, and remedial implications may differ.

The doctrinal advantage of preserving these distinctions is particularly apparent in the law of occupation. Under the conditions specified in the Fourth Geneva Convention, an occupying power's duties concerning food, medical supplies, health services, and relief are allocated by distinct provisions. Article 60 makes explicit that relief consignments do not discharge the occupying power's duties under Articles 55, 56, and 59 [9, 10, 15, 11]. The provision supports a bounded proposition about the continuation of identified treaty responsibilities. It does not establish a general principle that every actor involved in an emergency bears equivalent duties. Likewise, Article 70 of Additional Protocol I, where applicable, articulates conditions for humanitarian and impartial relief actions that include the agreement of the parties concerned [19]. The existence of grave need supplies an ethically significant reason to seek assistance; determination of lawful access still depends on the pertinent law and facts.

The distinction also matters across legal domains. Maritime rescue obligations, human-rights guarantees in emergencies, domestic disaster frameworks, and humanitarian guidance differ in persons protected, territorial reach, implementing institutions, and forms of enforcement. The Convention on the Rights of Persons with Disabilities, for example, imposes obligations on its States Parties concerning protection and safety in situations of risk, including armed conflict and natural disasters, within its applicable framework [65]. The IFRC's international disaster response guidelines supply recommendations for domestic legal preparedness and regulation, rather than a freestanding treaty authorization for unsolicited intervention [47]. Their shared concern for protection can motivate comparative analysis without removing their differences in legal force.

This source-dependent approach constrains legal argument in two directions. It requires that the investigator recognize protections genuinely established by applicable law even when an institution fails to record or deliver them. It also requires restraint where an ethically compelling intervention lacks a demonstrated legal authorization, or where a proposed claim cannot yet be brought before a competent forum. A missing remedy may reveal a significant institutional or normative issue. It does not authorize the researcher to assign jurisdiction to a tribunal that lacks it. The paper therefore treats *source indexing* as an indispensable condition of a useful cross-domain jurisprudence, rather than a bibliographic supplement to a universal theory of humanitarian action.

15.2 Protective Continuity, Supported Agency, and Institutional Accountability

The second contribution is an analytical account of how protection can be interrupted between formal designation and practical reception. Sections 9 and 10 distinguish three aspects of continuity that organize the account. *Normative continuity* concerns the persistence of the relevant entitlement, obligation, competence, or procedural safeguard across changes in organizational arrangement. *Operational continuity* concerns the capacity to sustain the actions, resources, information, and lawful access required for a specified protective function. *Contestatory continuity* concerns whether affected persons or authorized representatives can make an interruption visible, seek correction, or invoke a legally available remedy. These are interpretive categories developed in the paper, not independent legal causes of action. They facilitate inquiry into different kinds of failure while leaving the controlling legal rules to their actual sources.

An aid consignment illustrates their partial independence. A legal obligation of an identified authority may remain in force despite a warehouse transfer, the exhaustion of local stocks, or a change in implementing organization. A delivery record may establish movement to a specified location while failing to establish use by an intended recipient. The recipient may possess a protected interest while lacking the language, accessible communication channel, documents, or safe route needed to contest a withholding decision. Each proposition requires a different form of evidence. A lawyer may establish the applicable duty; a logistics analyst may trace stock custody and usability; affected persons and trained researchers may clarify accessibility and the meaning of particular records; a competent institution may assess a complaint or legal claim. The usefulness of their accounts depends upon their mutual correction as well as their disciplinary specificity.

Agency is central to this account. Affected people are frequently participants in decisions about safety, care, movement, information disclosure, and the acceptable terms of assistance. Their capacities and relationships vary with age, disability, coercion, displacement, and the conditions of the emergency. Supported decision-making can improve the practical exercise of agency where participation would otherwise be obstructed. The existence and scope of legally required supports, substituted decisions, representatives, or accommodations must nevertheless be determined through applicable rules and individual circumstances. In particular, the Convention on the Rights of Persons with Disabilities provides a legal basis for examining equal recognition before the law and access to justice, rather than treating disability as an automatic justification for excluding a person's decisions [66, 67]. GR's vocabulary of relationally conditioned agency can assist description, provided that the established legal guarantee remains independently legible.

Institutional responsibility follows neither automatically from proximity to suffering nor from every operational contribution to a response. The relevant questions include legal attribution, authority, the conduct required by a source, organizational mandates, control over decisions, procedural obligations, and the type of remedy available. A volunteer, health professional, government agency, humanitarian organization, technology provider, and occupying authority may all participate in the same protective sequence without occupying interchangeable legal positions. Coordination can make their actions practically dependent upon one another; legal liability requires an additional argument under the relevant doctrine. Humanitarian organizations' feedback and complaints arrangements can support immediate operational correction, while judicial or other legally constituted review may have different jurisdiction, standards, and consequences. The Core Humanitarian Standard offers an organizational quality and accountability framework; its standards do not independently transform every complaint into an enforceable legal claim [6].

A central implication is that *successful assistance and accountable protection are distinct objects of assessment*. A response may provide urgently needed goods yet leave access inequitable or decisions unreviewable. A procedurally valid decision may nonetheless have harmful results that demand operational attention, while its legal consequences require source-specific evaluation. Responsible protection calls for differentiated inquiries into legality, practical effects, participation, correction, and institutional learning. Which institution should conduct a particular inquiry remains a matter of competence, expertise, and applicable safeguards, rather than a conclusion derived from the general fact of interdependence.

15.3 Generative Relational Reconstruction and Evidentiary Limits

The third contribution is a tentative relational reconstruction of the conditions through which legal positions become practically consequential. It proposes that historically developed authorization chains, classifications, records, trust relations, coordination routines, and resource dependencies may mediate protective action. In a bounded setting, these structures can affect which needs are recognized, which requests reach a competent actor, which permissions are understood to exist, and which decisions can be challenged. GR offers a comparative language for examining these interfaces across otherwise distinct legal and institutional contexts. Its contribution at the present stage is primarily interpretive and methodological. A distinctive empirical mechanism remains to be shown through evidence that discriminates it from doctrinal, administrative, logistical, informational, and political explanations.

The paper's three-level distinction establishes the appropriate reach of this reconstruction. At the level of *ontological reality*, questions about the ultimate status of relational beings and the metaphysics of subjects remain suspended. An intelligible model of authority or dependence does not settle those questions. At the level of *relational reality*, the inquiry identifies historically constituted patterns that may be sufficiently stable and consequential to serve as explanatory objects. Their existence and causal significance are hypotheses to be examined, with attention to institutional competence, practices, expectations, power, and resource constraints. At the level of *manifestation reality*, rules, decisions, operational records, testimonies, deliveries, and complaints provide context-dependent access to legal or social events. Some are legally constitutive acts; others are partial traces. The meaning of a manifestation depends upon the type of claim for which it is offered.

This layered method helps clarify several distinct inferential hazards. A written protection rule can establish a legal proposition but does not demonstrate compliance in a particular operation. A record of completed delivery can establish an event in a supply sequence without proving satisfactory reception or use. An account of trust may identify a possible institutional condition without establishing that it caused access or refusal in the case under examination. A pattern of mutually conditioning actions may be described through GR without thereby creating a legal duty. Even when the same description proves useful across settings, its generality supplies neither empirical confirmation nor a justification for overriding established classifications or participants' agency.

The proposed source-to-practice interface-divergence mechanism should consequently remain open to adverse results. Where a denial of protection is fully explained by a treaty's inapplicability, an ordinary shortage, a transport breakdown, or a documented exercise of lawful discretion, relabeling the explanation as relational would yield little analytical benefit. In other cases, an institutional pattern may identify a consequential dependency that a narrow study of formal rules or isolated service outputs overlooks. The relative merits of these interpretations require a clear outcome, bounded case selection, credible evidence, and rival hypotheses specified before results are interpreted. A null finding or a simpler account is a legitimate research result. The framework's ability to accommodate diverse observations is not itself evidence of causal accuracy.

The relation between generativity and normativity also remains bounded. A historically successful coordination arrangement may reproduce exclusion, domination, or unaccountable discretion; its persistence gives no independent moral justification. Conversely, lawful protection may impose substantial costs or interrupt a seemingly efficient institutional routine. Legal validity, moral justification, practical efficacy, and generative capacity are therefore evaluated by distinguishable criteria. The present manuscript proposes a language in which their interactions may be examined, while leaving legal judgment with applicable legal sources and normative judgment with an explicit ethical argument.

15.4 Heterogeneous Subjects and the Boundaries of Jurisprudential Extension

Heterogeneity has been treated as a legal and analytical condition rather than as evidence that every subject should possess an identical bundle of rights or capacities. In human emergencies, heterogeneity includes differences in language, disability, age, social position, mobility, institutional access, and the ability to communicate or authorize assistance. Existing protections must be interpreted with attention

to these circumstances, including duties of accessibility and respect for agency where the relevant law so provides. A theory of relational dependency can make practical obstacles visible; it should not replace the individual legal personality and protections already recognized by a legal order.

The nonhuman analysis illustrates the importance of distinguishing an ethically salient interest, an interest protected under a specific statute or treaty, and procedural standing conferred by a particular legal system. Animal-welfare duties and environmental protections provide real positive-law objects for comparison, but their addressees, purposes, and sanctions differ among jurisdictions. Certain domestic arrangements provide legal personality or representation to particular natural entities under carefully specified statutes. They cannot be generalized into a finding that all ecological systems or animals are persons in every jurisdiction. The paper uses those configurations to examine the relationship among protected interests, responsible human institutions, representation, and the accessibility of remedies. Its additional ethical questions require arguments appropriate to their subject matter rather than extension by vocabulary alone.

Artificial intelligence and possible extraterrestrial beings serve a different role. The former is currently regulated through particular obligations placed on human and institutional actors; the legal status of a system, the protection of humans affected by its use, and the accountability of operators must be distinguished. The latter raises prospective questions about discovery, uncertainty, mutual interpretation, and legitimate authority for protective action. Neither set of thought experiments establishes presently applicable general humanitarian personality, standing, or sovereignty for the conjectured subject. Existing instruments concerning AI or outer space may constrain human action without answering the broader metaphysical or ethical questions [24, 58]. For these cases, the paper's defensible result is a structured inventory of questions and possible institutional safeguards, not a doctrinal assertion of legal rights whose sources have yet to be identified.

The comparison identifies a more general research problem: *protective concern, procedural voice, and legal competence may be distributed across different actors*. A person whose decisions require support, an animal whose welfare is protected by an enforceable statute, an ecological entity represented under a domestic legal arrangement, and a person affected by an automated allocation decision occupy different legal positions. Their situations may nevertheless motivate a comparative inquiry into the procedures through which interests are registered, decisions are reviewed, and authorities are held accountable. The comparison remains defensible when its analogies are marked as analogies and its legal results remain anchored to each regime.

15.5 Doctrinal Review, Comparative Evidence, and Ethical Research Design

The remaining research tasks fall into three connected programmes. The *doctrinal programme* requires verification of treaty applicability, reservations where relevant, domestic legislation, authoritative interpretation, adjudicative decisions, institutional competence, and procedures for responsibility and remedy in each selected setting. A source-indexed comparison should make room for divergent interpretations and jurisdictional variation. Its immediate priority is to replace preliminary mappings with independently checked legal analyses, particularly in contested or rapidly changing fields. Verification of a provision's wording remains distinct from a complete assessment of its legal operation in an identified historical episode.

The *comparative programme* should study carefully delimited protective sequences through evidence proportionate to its claims. A candidate case would specify the affected subject or protected interest, governing sources, relevant actors, decision stages, observable outcomes, alternative explanations, and limits of the record. Publicly available materials can support a documentary phase, subject to clear attribution and critical source evaluation. Where competent authorization, ethical review, and local participation permit, additional investigation might examine decision records, referral pathways, accessibility, transport, or complaints mechanisms. Such research should separate statutory or treaty noncompliance from technical failure, organizational design, unequal resources, contested priorities, and reporting error. Findings that favor established explanations should be reported without reinterpretive inflation. The

source-indexed examples offered in this paper are analytical configurations; they do not amount to a completed empirical comparative study.

The *ethical programme* concerns the conditions under which inquiry itself can proceed without compromising humanitarian work or affected persons' safety. Protection data may contain sensitive information about identity, movement, family relationships, medical circumstances, or allegations against powerful actors. Research access, processing, publication, and retention require appropriate authorization, a suitable legal basis where applicable, proportionality, minimization, secure handling, and attention to foreseeable harm. Institutional guidance concerning data protection and responsibility in humanitarian action is pertinent to designing such procedures, although its recommendations should be distinguished from particular legal obligations [38, 31]. Consultation should be adapted to the practical constraints facing participants and should not make the receipt of essential assistance contingent upon participation in academic inquiry. A prospective investigation should be deferred or redesigned when methodological gain is outweighed by significant, insufficiently mitigated risk.

Further philosophical research may clarify the basis of protective reasons where capacities and kinds of subjects differ, the relationship between legal personality and moral consideration, the legitimacy of representatives, and the conditions for recognizing new forms of interest. The jurisprudential questions cannot be settled solely through an account of social interdependence, while the practical effects of legal rules cannot be established solely by textual interpretation. The disciplines retain distinct criteria of warrant. Their collaboration is most valuable when disagreements are made explicit and each contribution can be revised against relevant evidence, argument, and institutional experience.

15.6 Scope and Significance of the Jurisprudential Reconstruction

The paper's bounded conclusion is that humanitarian protection becomes more intelligible when legal positions and their practical realization are examined together while their different evidentiary and normative grounds remain visible. Its most secure product is a source-dependent conceptual architecture distinguishing protective interests, duties, permissions, representation, standing, remedies, and responsibility. Its second product is a comparative method for identifying where institutional coordination, information, resources, supported agency, and review may condition the practical significance of these positions. Its more ambitious GR interpretation remains a provisional research hypothesis, answerable to rival explanations and open to rejection or restriction.

This architecture has a practical implication without itself authorizing a particular intervention. An investigator can ask whether the relevant duty continues after a handover, whether an aid actor possesses permission to operate, whether assistance has reached a usable endpoint, whether the affected person's preferences have been elicited and respected under the applicable framework, and whether a competent avenue of review exists. The answers may differ, and their differences can identify tasks for legal experts, organizations, public authorities, researchers, and affected communities. They may also establish that a particular problem requires legal reform, operational correction, additional resources, or no further GR explanation. Preserving these possible outcomes is part of the method's accountability.

Humanitarian protection also retains a temporal dimension. A legally recognized duty can persist across changing institutional arrangements; a remedy may arrive after a harmful interruption; a repaired referral pathway may depend on records and trust accumulated over earlier episodes. Such historical dependencies provide a suitable object for the broader Braid–Justice research programme, although the present paper does not establish a braid-theoretic representation or claim topological invariants for these legal relations. Future work could investigate whether formal descriptions of historical trajectories supply identifiable explanatory benefits. The present jurisprudential argument stands on its own source-based distinctions and does not depend on that prospective formalization.

The inquiry thus ends with a qualified methodological commitment. The protection of heterogeneous subjects calls for legal precision, empirical care, attention to agency, and ethical restraint. A relational perspective may contribute by making historically constituted dependencies available for comparison and criticism, provided its propositions remain distinguishable from legal facts, verified operational outcomes, and independent normative judgments. The resulting framework is an invitation to disciplined

investigation rather than a claim that a complete theory of humanitarian protection has already been achieved.

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