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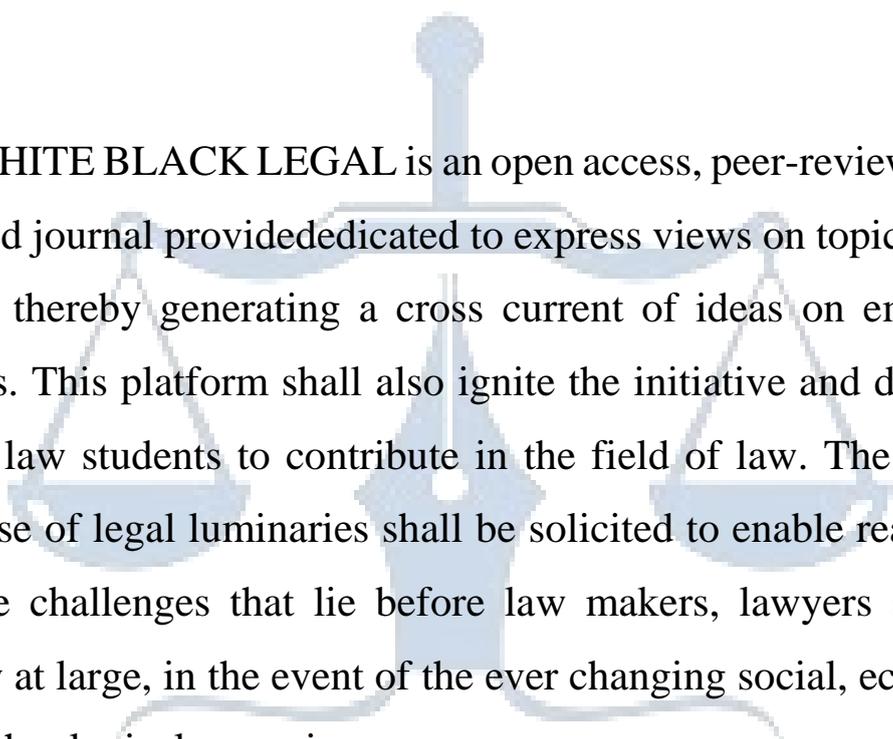


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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you



HUMAN RIGHTS VIOLATION IN CONFLICT ZONES

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ABSTRACT

This research paper delves into the widespread problem of human rights abuses in war zones, which touches millions of people around the world. The paper discusses various forms of abuse, such as genocide, torture, sexual violence, and denial of basic resources, and discusses their causes and consequences. The paper takes into account the deterioration of judicial and social institutions in war zones, which disproportionately affect vulnerable groups. Despite global mechanisms such as the Universal Declaration of Human Rights and humanitarian law, violations still occur, and frequently, impunity follows. Prevention and mitigation strategies are explored in the study with a focus on the contributions of international agencies, legal reform, and grass roots support to protecting human rights in conflict. By examining the nature and extent of such abuses, this paper seeks to enhance solutions toward preserving human dignity and promoting peace in war-affected areas.

KEYWORDS: Human rights, Violation, conflict zones, Human dignity, war torn areas

INTRODUCTION

Human rights abuses in war zones are a deep-seated and endemic problem, concerning millions of individuals globally. They include a variety of abuses ranging from genocide and torture to rape and the deprivation of basic essentials like food, water, and shelter. War zones commonly experience the disintegration of judicial and social systems, resulting in extensive misery and long-term dislocation of society. The effect is especially harsh on vulnerable populations, such as women, children, the elderly, and persons with disabilities, who are exposed to increased risks of violence and exploitation.¹

The global community has set mechanisms such as the Universal Declaration of Human Rights and humanitarian law to safeguard human beings during wars. Despite these, human rights violations have persisted, many times with impunity. These violations need to be addressed in

¹ Human Rights Violations in Conflict Zones: What Can Be Done? PCRF, <https://www.pcrf.net/information-you-should-know/item-1718652928.html>

a multidimensional manner, by use of international legal systems, lobbying, and compensation of the affected people.²

This research paper will attempt to study the intricacies of human rights abuses in conflict areas, considering the causes and implications of these violations. It will also explore possible prevention and mitigation strategies, focusing on the involvement of international agencies, legal changes, and grassroots support towards enhancing human rights during conflict. By comprehending the extent and scope of these violations, we can strive towards more effective solutions to safeguard human dignity and ensure peace in war-torn areas.

Despite these global initiatives, there are still obstacles in the way of adequately addressing human rights abuses in areas of war. The application of international law is frequently hampered by political interests, sovereignty concerns, and a lack of enforcement tools. Additionally, in many situations, it is difficult to hold offenders accountable, which feeds the cycle of impunity. Developing successful plans to stop abuses and hold those responsible for them accountable requires an understanding of the complex issues and historical background of human rights breaches in conflict areas. This background prepares the reader for a thorough analysis of the legal systems intended to resolve these issues.

BACKGROUND: HUMAN RIGHTS IN CONFLICT ZONES

Areas of conflict are typified by governance failure and a collapse of the rule of law, providing an environment that promotes human rights violations. Such violations can be from genocide and ethnic cleansing to rape, child soldiers, and the withholding of minimum necessities like food, water, and shelter.³ The Geneva Conventions and their Additional Protocols, as well as the Rome Statute of the International Criminal Court, establish a legal framework that seeks to safeguard civilians and punish war crimes. In spite of these legal safeguards, abuses continue because of a lack of effective enforcement and political will.

The foundation of IHL is made up of the four 1949 Geneva Conventions and their 1977 Additional Protocols. The Conventions deal with how sick and injured soldiers, shipwrecked

² Carmen Márquez Carrasco et al., *Human Rights Violations in Conflict Settings*, (2014), <https://doi.org/20.500.11825/73>

³ Human Rights Violations in Conflict Zones: What Can Be Done? PCRF, <https://www.pcrf.net/information-you-should-know/item-1718652928.html>

people, POWs, and civilians are treated during armed conflicts. The Additional Protocols broaden the application of IHL to cover non-international armed conflicts and offer more protections for victims of armed conflicts. General practices that are recognized as law and adhered to by governments out of a sense of duty make up customary international law. All governments, whether or whether they are signatories to particular treaties, are bound by the generally recognized procedures in armed conflicts that are reflected in customary international humanitarian law.

THE DIFFERENT TYPES OF HUMAN RIGHT VIOLATIONS ARE:

➤ ***Genocide and Ethnic Cleansing***

Genocide and ethnic cleansing are two of the most egregious human rights abuses. Both entail the systematic killing or expulsion of large numbers of people on the basis of their ethnic, national, or religious identity. Recent instances include the Rohingya crisis in Myanmar, where the military has been accused of genocide against the Rohingya Muslim minority, and the conflict in Sudan's Darfur region, where ethnic cleansing has resulted in mass displacement and violence.⁴

➤ ***Child Soldiers***

The conscription and employment of child soldiers are yet another serious human rights violation. Children below the age of 18 are forcibly recruited into armed forces, frequently subjected to abuse, and compelled to fight. This is common in conflicts like those in the Democratic Republic of Congo and Myanmar. The employment of child soldiers not only contravenes international law but also has serious long-term psychological and social effects on the children.⁵

➤ ***Sexual Violence***

Sexual violence, which entails rape and sexual slavery, is most commonly deployed as a tool of war aimed at intimidating and destabilizing groups of people. It has been well recorded to happen in other wars, including the ones happening in Ukraine, the Tigray area in Ethiopia, and the Democratic Republic of Congo. Sexual violence exposes the victim to permanent physical and psychological injuries and normally brings social

⁴ Human Rights Watch Releases World Report 2025 | ASIL, <https://www.asil.org/ILIB/human-rights-watch-releases-world-report-2025>

⁵ Human Rights Violations in Conflict Zones: What Can Be Done? PCRF, <https://www.pcrf.net/information-you-should-know/item-1718652928.html>

stigmatization and segregation.⁶

➤ ***Denial of Humanitarian Aid***

Denial of humanitarian assistance, such as access to food, water, health care, and shelter, is a fundamental human rights abuse in areas of conflict. This can cause widespread suffering, displacement, and even death. In the case of Ethiopia's Tigray region, for instance, government troops and allied militias have shut off basic services, worsening the humanitarian crisis.⁷

APPLICATION OF HUMAN RIGHTS DUTIES BEYOND INTERNATIONAL BORDERS

The first significant challenge that needs to be addressed is whether human rights law is applicable in all armed conflict circumstances or if there are, after all, restrictions on its scope. The main focus of this question is whether or not human rights duties apply beyond of national borders. Even though it is acknowledged that human rights law has not vanished with the onset of conflict, the issue of extraterritorial obligations is primarily relevant to international armed conflicts because it is in these circumstances that a State is likely to be operating outside its borders⁹ and that concerns are raised about whether human rights obligations can extend to actions of State forces outside the State's jurisdiction.

A thorough examination of every instance and viewpoint about extraterritorial applicability would take up too much space here. Therefore, the following is an attempt to outline the primary issues and methods related to this matter. The argument that human rights obligations can extend to regions that are effectively under state control is strongly supported by *case law* ranging from the European case *Loizidou*⁸ to the most recent UK case *Al-Skeini*⁹. The State's human rights obligations may extend to occupied territories over which control has been explicitly established. Both the occupied Palestinian areas and Northern Cyprus experienced

⁶ Millions of people have their lives shattered by armed conflict every year., Amnesty International, <https://www.amnesty.org/en/what-we-do/armed-conflict/>

⁷ Human Rights Watch's Role in Conflict and Crisis | Human Rights Watch: How HRW Documents Wartime Abuses, Advocates to Protect Civilians, and Promotes Justice, (2023), <https://www.hrw.org/news/2023/12/22/human-rights-watches-role-conflict-and-crisis>

⁸ For detailed analysis, see the examination of the case-law contained in High Court of Justice, Queen's Bench Division, Divisional Court, R (Al-Skeini and others). v. Secretary of State for Defence, 14 December 2004; see also Françoise Hampson and Ibrahim Salama, "Working paper on the relationship between human rights law and international humanitarian law," UN Sub-Commission on the Promotion and Protection of Human Rights, E/CN.4/Sub.2/2005/14 21 June 2005, paras. 78–92

⁹ ECHR, *Loizidou v. Turkey (Preliminary Objections)* 40/1993/ 435/514, paras. 62–64; *Al-Skeini*, *ibid.*

this.

Since occupied territory is effectively under the control and authority of the occupying State, the extension of obligations to it is fundamentally founded on the comparison to national territory. However, as demonstrated in Al-Skeini, occupied areas where intense fighting is taking place, like portions of Iraq, continue to be contentious in relation to the State's human rights obligations.

WHEN A DISPUTE BREAKS OUT, WHAT DOES HUMAN RIGHTS WATCH DO?

By urging warring parties to abide by international humanitarian law—also referred to as the laws of war—which are the regulations that direct and restrict conflict, we want to keep people safe while fighting. Human Rights Watch's role is to ensure that fighting parties behave in a way that complies with the law, not to advocate for or against war.¹⁰

HOW DOES INTERNATIONAL LAW PROTECTS HUMAN RIGHTS

States are required to abide by the requirements outlined in international human rights legislation. States take on responsibilities and duties under international law to uphold, defend, and fulfil human rights when they ratify international treaties. States are required by the commitment to respect to abstain from obstructing or restricting the exercise of human rights. Governments commit to implementing domestic policies and laws that are consistent with their commitments and responsibilities under international human rights treaties by ratifying them. Therefore, the primary legal safeguard for human rights protected by international law is provided by the domestic legal system.¹¹

CASE STUDIES

➤ Ukraine

The war in Ukraine, specifically following the Russian Federation's February 2022 invasion, has entailed grave human rights violations. The UN Human Rights

¹⁰ Human Rights Watch's Role in Conflict and Crisis | Human Rights Watch: How HRW Documents Wartime Abuses, Advocates to Protect Civilians, and Promotes Justice, (2023), <https://www.hrw.org/news/2023/12/22/human-rights-watches-role-conflict-and-crisis>

¹¹ United Nations, *The Foundation of International Human Rights Law*, United Nations, <https://www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law>

Monitoring Mission has recorded more than 12,654 casualties among civilians and extensive destruction of infrastructure, while landmines and explosive remnants of war risk civilians for extended periods. Amnesty International has further pointed out isolated incidents, for example, the bombing of Mariupol's theatre, likely a purposeful attack on civilians.¹²

➤ ***Ethiopia's Tigray Region***

In Ethiopia's Tigray region, the war has been characterized by serious human rights abuses. Eritrean forces and local militia have engaged in atrocities, such as rape and sexual violence against women and girls. The war has also caused a serious humanitarian crisis, including mass displacement and denial of basic services.¹³

➤ ***Democratic Republic of Congo***

The war in the Democratic Republic of Congo, especially in the eastern part, has ensnared civilians in a cycle of violence. Sexual violence is widespread, with rape and gang rape reported. The war has also resulted in massive displacement, with more than 6.4 million displaced as of early 2025.¹⁴

➤ ***International Response and Challenges***

The global community also has legal frameworks to deal with human rights abuse, including the Geneva Conventions and the Rome Statute. Enforcement is hard, though, because of political interests and non-access to war zones. The role of Amnesty International and Human Rights Watch cannot be overemphasized when it comes to documenting abuses and pushing for accountability. Notwithstanding these efforts, there are still challenges.¹⁵ The abolition of independent investigation mechanisms, for example, in Ethiopia, makes victims feel that they have been abandoned by the international community. In addition, the inability of governments and international bodies to adhere to human rights standards consistently worsens the situation.¹⁶

¹² Millions of people have their lives shattered by armed conflict every year., Amnesty International, <https://www.amnesty.org/en/what-we-do/armed-conflict/>

¹³ Spotlighting Human Rights Violations in Six Countries, Including Ethiopia, Ukraine, Third Committee Denounces War Crimes, Sexual Violence, Shrinking Civic Space | Meetings Coverage and Press Releases, <https://press.un.org/en/2023/gashc4391.doc.htm>

¹⁴ High Commissioner for Human Rights: Civilians in the East Democratic Republic of the Congo are Trapped in a Spiral of Violence in this Crushing Conflict | The United Nations Office at Geneva, (2025), <https://www.ungeneva.org/en/news-media/meeting-summary/2025/02/high-commissioner-human-rights-civilians-east-democratic>

¹⁵ Human Rights Watch's Role in Conflict and Crisis | Human Rights Watch: How HRW Documents Wartime Abuses, Advocates to Protect Civilians, and Promotes Justice, (2023), <https://www.hrw.org/news/2023/12/22/human-rights-watches-role-conflict-and-crisis>

¹⁶ Human Rights Watch Releases World Report 2025 | ASIL, <https://www.asil.org/ILIB/human-rights-watch-releases-world-report-2025>

HUMAN RIGHTS AND ARMED CONFLICTS

Human rights violations are frequently most prevalent during military conflicts. Therefore, the development of tools to lessen human suffering during war and conflict has received a lot of attention from professionals over the years. Human rights law, refugee law, and humanitarian law are the three branches of contemporary international law that aim to protect conflict victims. Despite their close connections, these fields must be methodically differentiated from one another.

In armed conflict, humanitarian law is applicable, limiting the acts of warring parties and ensuring the protection and humane treatment of those who are unable or unwilling to participate in the fighting. Similar to international human rights law, humanitarian law safeguards people's lives and dignity by outlawing cruel treatment or torture, establishing rights for those going through the criminal justice system, outlawing discrimination, and laying out measures to protect women and children.¹⁷

DIFFERENCES BETWEEN HUMAN RIGHTS LAW AND INTERNATIONAL HUMANITARIAN LAW IN ARMED CONFLICTS

While both Human Rights Law and International Humanitarian Law (IHL) aim to protect individuals, they differ in scope, application, and focus, especially during armed conflicts.

1. *Applicability*

Human Rights Law: Effective at all times, including armed conflict. Nevertheless, some rights can be suspended or restricted under a declared state of emergency (according to special provisions and restrictions in human rights treaties).

International Humanitarian Law: Mainly effective during armed conflict (international or non-international). Regulates the conduct of hostilities and seeks to protect those not taking part in the conflict (civilians, wounded, prisoners of war).

2. *Scope and Focus*

Human Rights Law: A wider scope encompassing a broad variety of rights (e.g., right to life, freedom against torture, freedom of expression, right to a fair trial, etc.). It has

¹⁷ Human Rights and Armed Conflict, Icelandic Human Rights Centre, <https://www.humanrights.is/en/human-rights-education-project/human-rights-concepts-ideas-and-fora/human-rights-in-relation-to-other-topics/human-rights-and-armed-conflict>

a focus on the connection between a state and those who are under its jurisdiction.

International Humanitarian Law: A more limited field, namely the conduct of hostilities. It concentrates on safeguarding civilians and those hors de combat (out of the fight), controlling the means and methods of warfare, and humane treatment of prisoners of war.

3. Derogation/Limitations

Human Rights Law: Permits derogations (temporary suspensions) of some rights in a declared state of emergency that endangers the life of the nation. Derogations have to be strictly necessary and proportionate. There are some non-derogable rights (e.g., the right to life, the ban on torture).

International Humanitarian Law: Does not permit derogations. Its rules are intended to be applied as a whole in armed conflict.

4. Obligations

Human Rights Law: Essentially entrenches duties on states to respect, protect, and realize the human rights of those persons within their territory and jurisdiction.

International Humanitarian Law: Enjoins obligations on all the parties to the conflict (state and non-state actors alike) to wage war in line with its provisions.

5. Examples of Key Provisions

Human Rights Law: Universal Declaration of Human Rights, International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention against Torture.

International Humanitarian Law: Geneva Conventions, Additional Protocols to the Geneva Conventions, Hague Conventions.

6. Monitoring and Enforcement

Human Rights Law: Checked by treaty bodies, special Human Rights Council procedures, and regional human rights frameworks. Enforcement depends on state reports, individual grievances, and diplomatic pressure.

International Humanitarian Law: Depends on state responsibility, the International Committee of the Red Cross (ICRC), and international criminal courts (e.g., the International Criminal Court).

7. *Overlap and Interaction*

Both sets of law run in parallel with armed conflict. International Humanitarian Law is *lex specialis* (special law) binding armed conflict, such that it should displace general human rights law in circumstances expressly regulated by IHL. Nonetheless, human rights law still operates and can cover gaps in IHL protection.

In short, although both human rights law and international humanitarian law have the identical purpose of shielding individuals, both have different purposes and application. Human rights law offers a wide-ranging framework of protection, but international humanitarian law offers detailed regulations for the rules of conduct for hostilities. They complement one another to make sure that protection is afforded in the maximum feasible way to people in armed conflicts.

RECOMMENDATIONS THAT CAN BE FOLLOWED

Strengthen International Legal Frameworks: Make international law more effective by holding all states to the Geneva Conventions and the Rome Statute, and by backing the efforts of the International Criminal Court.

Increase Access to Conflict Zones: Enhance access for humanitarian assistance and impartial investigators to make sure abuses are recorded and resolved in a timely manner.

Support Victims: Offer full support to victims of human rights violations, such as psychological counselling, legal aid, and economic support.

Promote Accountability: Press governments and international bodies to make perpetrators accountable through judicial and non-judicial channels.

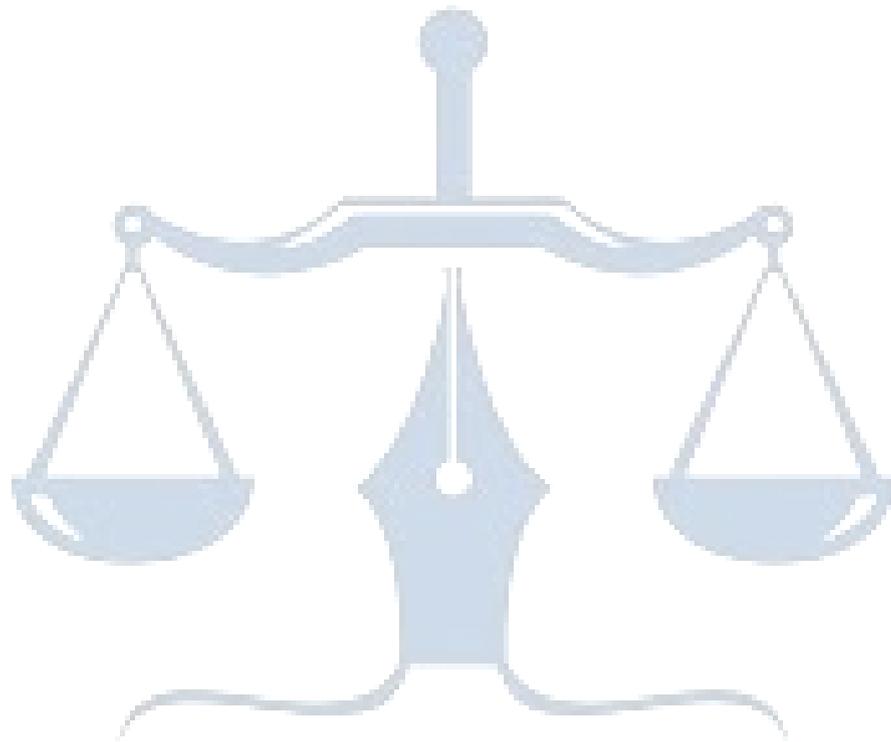
Foster Global Cooperation: Strengthen global cooperation to deal with the causes of conflicts and prevent human rights abuses.

By adopting these suggestions, the global community can strive to decrease human rights abuses in war-torn areas and facilitate a more equitable and peaceful world.

CONCLUSION

Human rights abuses in conflict situations are a pervasive and challenging problem requiring thorough and coordinated response. Even with existing international law, flagrant violations continue to exist, calling for stronger enforcement provisions and more political will. Situations in Ukraine, Ethiopia's Tigray state, and the Democratic Republic of Congo exemplify the pressing need for action and accountability. The global community has to make its priority the

fortification of legal systems, greater access to areas of conflict for humanitarian assistance and inquiry, and extensive assistance to victims. Encouraging accountability among perpetrators, both judicially and non-judicially, is vital to preventing future abuses. Ultimately, it is critical to achieve global cooperation in order to end the causes of conflict and stop human rights violations. Through the adoption of these suggestions, the international community can contribute towards reducing the violations of human rights in conflict areas and towards creating a more equitable and peaceful globe.



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