
PROTECTION OF WOMEN IN ARMED CONFLICT BY ICRC (INTERNATIONAL COMMITTEE OF RED CROSS)

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ABSTRACT

War is a phenomenon that has been present throughout the ages and is a rot on humanity. Man is dominating by the nature and tries to dominate one another which had often led to war. Whenever two states have fought each other and such has not led to complete decimation of the other side the representatives of either side have together formulated the treaty regarding the code of conduct during the warfare. This led to the formulation of the law of armed conflict which later developed as International Humanitarian law.

War causes great distress to the nation as well as to the immediate societies, often the weaker sections of the society including the women and children become the soft targets of the war. It is whether due to the institutional patriarchy or inherent discrimination that exists which perceives women as the weaker sex and it becomes easy to dominate them. Women are targeted in various ways in an armed conflict they are either subjected to rape, torture or at times are being held as sex slaves as happened during World War 2 when Korean women had been forced to become comfort women for the Japanese army.

The International Humanitarian Law was created to reduce the aftermaths of the war and to ensure that their rights are protected and gross violations of human rights are prevented during the conflict. IHL(International Humanitarian Law) contains several Provisions which established the conduct during the warfare and its affiliated institutions are responsible to ensure such provisions are implemented when conflicts arise.

Modern wars are Non-international in nature which makes the rehabilitative activities difficult as often the states claim the excuse of sovereignty. This paper aims to find out how the institutions ensure the compliance with the provisions of the IHL and how specifically ICRC plays a role in protecting and preventing violations of rights of women in the armed conflict. The research aims to find out the protection of the victim in the international framework¹

¹ Elizabeth Wilmshurst, Susan Breau - Perspectives on the ICRC Study on Customary International Humanitarian Law (2007) Pages 77-80 Cambridge University Press:July 2009

I. INTRODUCTION

ICRC is an international organization that has been created by Henry Durant a famous philanthropic who was appalled by the atrocities of the war. After seeing the disastrous consequences of the war he decided to open an organization whose role would be to provide humanitarian aid and assistance to the sick and wounded soldiers. Initially, ICRC in its role was limited to tending the sick and wounded, however with increasing warfare and the succeeding world wars its role had undergone a massive change and now it protects and provides aid to all victims of the conflict irrespective of any factors.

War is destructive by nature and wreaks havoc on the lives of the combatants and non-combatants alike. The initial destruction at the Napoleonic wars forced the states to minimize the consequences of the war which led to the formulation of the law of war in Vienna at the behest of the proposal by the Tsar Nicholas II of Russia and only 26 countries had officially participated in the conference. The First Peace Conference was held on May 18 and signed on July 29, 1899, and entered into force on September 4, 1900. it was also known as the Hague Convention of 1899.

After that many conventions and treaties had been formulated which led to the codification of the law of war also known as International Humanitarian Law or IHL. The formation of the United Nations after the second world war and later the ratification of the Geneva conventions including the additional protocol codified the concept of the law of the war which later developed into IHL. The IHL aimed to codify the conduct of the parties during the warfare, its motto is not only to prevent the war but also to ensure that during the war the parties respect the basic humanitarian standards in the treatment provided to the combatants and non-combatants so that the gross violation of the human rights can be prevented.

Several organizations are affiliated with the UN whose role is to implement the goals of the UN and ensure the implementation of basic humanitarian standards as mentioned in the charter, as ratified in the under and the successive covenants. ICRC is one such organization that has been affiliated with the UN and plays a special role in the observation and implementation of the international humanitarian law both during and after the armed conflicts.

II. RESEARCH PROBLEM

- Protection of the victims of Armed conflict within International framework

III. RESEARCH QUESTIONS

1. How are the rights of the Women victims in the armed conflict protected by ICRC?
2. Is the protection provided by ICRC to the victims sufficient?

IV. RESEARCH METHODOLOGY

For the research, the Doctrinal method has been used applied. This method has been used and performed meticulously by accessing online databases, articles, and books related to the topic. International treaties and databases are used for primary research work, aside from that internet access are used as secondary sources for the research work.

V. LITERATURE REVIEW

Elizabeth Wilmshurst, Susan Breau - Perspectives on the ICRC Study on Customary International Humanitarian Law (2007) in this book an extensive study has been made regarding the definition of conflicts and how he states international bodies define a conflict. Further, a study is also done on the difference between the international and non- international armed conflicts and the role states play in "*internationalizing*" the non-international armed conflict.

1. The ICRC (International Committee Of The Red Cross) Its Mission And Work During Armed Conflict

The establishment of ICRC was by chance. When Henry Durant during a business trip to Castiglione Delle Stiviere, only a few kilometers from the site of one of the bloodiest wars witnessed one of the most brutal aftermaths of war in the 19th century. This had been a defining moment in his life and from that very day, Durant pledged to protect and provide assistance to the victim of armed conflict.

The Italian battle for independence was fought at Solferino, it was one of the bloodiest battles fought in Europe since Waterloo which led to the death of almost 6000 thousand soldiers on the very first day of the battle. Henry Durant was very much moved by the plight of the injured, he visited the site every day and assisted the Franko-Sardinian medics in assistance of the wounded persons. It was on his return back to Geneva Switzerland he recorded what he had seen in a small book that would come to symbolize an epoch: A Memory of Solferino. In his

book, he concluded with two proposals including the establishment of relief societies for wounded soldiers in various European countries, and the establishment of relief societies for wounded soldiers which would mobilize private charity resources and the signing of a convention that guaranteed security on the battlefield for the injured and anyone who tried to help them. The first initiative served as the foundation for the national Red Cross and Red Crescent societies that now exist in 181 countries. The second was the origins of modern IHL. From the day of its very inception, ICRC had strived to defend and support the victims of war. It began by tending to the injured veterans of the armed conflict which later got expanded to all the victims².

Henry Durant in his book proposed a common symbol for the organization as well as an international treaty to protect the injured on the battlefield. Although initially ICRC was reluctant to work in the field but with the increasing number of conflicts where the national relief societies of the respective states failed to provide appropriate relief to the sick and wounded as they were too loyal and failed to cope with the rising demand of an increasing number of wounded soldiers after every war the ICRC had to step up to ensure that the wounded irrespective of the nations they were fighting for getting proper medical assistance.

The Geneva Conventions also recognized the importance of the humanitarian and neutral essence of the ICRC's operations and assigned it a special role in ensuring the implementation of international humanitarian law.

1.1. Fundamentals Principles of the International Red Cross and Red Crescent Movement³

In 1956 Jean Picket who was the Director for general affairs for the Red Cross drafted a book called the Red Cross principles. It briefly charted out the principles of the Red Cross movement and accordingly divided it into organic principles And fundamental principles. The former focused on the organizational values while the latter focused on the core of all values which embodied the ICRC. In Prague 1961 the council of delegates of ICRC adopted the principles proposing a few amendments while in 1965v at the XXth conference finally it was adopted in

² 'History of the ICRC' <<https://www.icrc.org/en/document/history-icrc>> accessed 31 July 2021.

³ 'The Seven Fundamental Principles - IFRC' <<https://www.ifrc.org/who-we-are/vision-and-mission/thesevenfundamentalprinciples/#:~:text=%20The%20seven%20Fundamental%20Principles%20%201%20Humanity,.,services%20of...%205%20More%20information.%20%20More%20>> accessed 31 July 2021.

Vienna. The new proclamation came to be known as Red Cross Charter and was unanimously approved by all states who were bound by the Geneva conventions⁴. Those principles were:

Humanity:

The key purpose of ICRC is to uphold the principles of humanity during the times of armed the movement presupposes the existence of conflict between the state and endeavors to promote lasting peace without taking any sides during the war. It aims to alleviate human suffering by providing health education vaccination and other necessities to those who are trapped in a conflict.⁵

Impartiality

It makes non-discrimination or distinction based on race, color, personality, or ethnicity and strives to alleviate the humane pain⁶ This constructive philosophy of helping others without prejudice teaches that people in need not be treated differently.

Neutrality:

Neutrality is the core component of the functioning of the ICRC, however, it does not in any way means apathy towards the war. The success of humanitarian assistance is largely dependent upon the confidence of all parties to the conflict⁷.

Independence:

ICRC being a Swiss organization and entirely staffed by Swiss members tries to maintain its independent existence amidst all the pressures. Article 5 of the statute states that the ICRC is an organization with an own legal personality and constitution of its own which is devoid of any state control. Although the Swiss federal state provides time-to-time grants to ICRC yet it does not interfere with day-to-day functioning. Adding to that it is imperative for the national society working under the auspices of the ICRC to have a separate and independent status of its own to achieve recognition by the authorities

⁴ (Fundamental Principles of the Red Cross and Red Crescent Movement)

⁵ <https://www.icrc.org/en/doc/assets/files/publications/icrc-002-2116-03.pdf>

⁶ The preamble of the Rome Statute 1998.

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[/www.icrc.org/sites/default/files/topic/file_plus_list/4046-the_fundamental_principles_of_the_international_red_cross_and_red_crescent_movement.pdf](https://www.icrc.org/sites/default/files/topic/file_plus_list/4046-the_fundamental_principles_of_the_international_red_cross_and_red_crescent_movement.pdf) accessed on 12 July 2021

Voluntary Service:

The purpose behind the formation of the ICRC was selfless devotion to the cause of humanity. Henry Durant classified himself as a volunteer who alongside other volunteers' actively had taken part in serving the sick and wounded at the battle of Solferino. ICRC classifies volunteers into two categories one who serve humanity work without remuneration and others who are although paid but have voluntarily chosen to render their potential service to the organization

Unity:

The concept of the unity of purpose embodies the purpose of ICRC. *Firstly* the presence of national society in each country has been accordingly laid down in the conference of 1863. *Secondly*, the openness regarding membership is the key cornerstone of the movement. The membership in ICRC should be open to all and no discrimination on any ground is permitted. *Thirdly* the national societies in respective countries are extended in their activity throughout the territory of the state in nations where the national societies are based upon.

Universality:

The resolution of the Geneva conventions of 1963 envisioned ICRC to be a worldwide movement the International Red Cross and Red Crescent Movement is an international organization in which all Societies have equal status and share equal roles and duties in aiding one another. One of its characteristics is the obligation to support one another, which promotes the spread of these principles in all countries, thus fostering friendship and peace among men and amongst the nations

1.2. The mission of the International Committee of the Red Cross

The International Committee of the Red Cross was formed in the year 1963 to protect and serve the victims of armed conflict. Initially, its role was confined to assisting the wounded soldiers in the conflict but later it was extended to cover all the victims of the conflict, soldiers, and civilians alike.

Initially, when ICRC was formed it charted out the role of assisting the victims of armed conflict in the respective national societies. However, later it was found that the national societies of the countries in the conflict were often too close to the authorities who hampered the impartial, neutral status of the ICRC. It was then the ICRC decided to build up its

operational capacity to serve the sick and wounded on both sides of the conflict. It was later when the Geneva Convention recognized the independent status of ICRC.

The ultimate mission of ICRC can be summarized as follows:

- As an impartial, neutral, and independent organization it performs the task of providing humanitarian assistance to the victims of the conflict assistance.⁸
- Implying to the neutral and impartial status of ICRC it leads and coordinates the principal functions of the red cross and red crescent movement in situations of armed conflict

Also due to the specific policy and aims of ICRC, the delegations in this area are provided total independence in determining how to best assist the victims of conflict in military conflicts and other violent situations.⁹

1.3. Role of ICRC

The International Committee of the Red Cross (ICRC) does play an important role in the dissemination of International humanitarian in armed conflict situations all around the world

Firstly it strives to carry out the duties which are assigned to it according to the Geneva conventions and further investigate any breaches of the convention if committed by any parties.

Secondly, it aims to serve the victims of the conflict internal or external, and strives to play a role as a neutral entity accompanying and assisting the victims on both sides.

Thirdly it recognizes the national societies which are newly formed and accordingly meets the standards required for recognition and intimate the same to them.

Fourthly in collaboration with the national society, it carries out assistance activities including providing medical services and supplies to the conflict-ridden areas.

Lastly, as an impartial and independent institution, it strives to carry out an initiative to promote stability and take part in peace-building measures consequences;¹⁰

⁸ 'Mandate and Mission' (International Committee of the Red Cross, 28 July 2014) <<https://www.icrc.org/en/who-we-are/mandate>> accessed 16 May 2021.

⁹ Article 2, Statute of the International Committee of Red Cross.

¹⁰ Article 4 of the Statute of the International Committee of Red Cross

- a) To work for the understanding and dissemination of knowledge of international humanitarian law applicable in armed conflicts and to prepare any development thereof.¹¹
- b) carry out the mandates delegated to it by the International Conference

The ICRC also undertakes any humanitarian initiative that falls within its ambit with the ultimate goal to promote peace and stability in an armed conflict situation as an impartial and autonomous institution ¹²

1.4. How does ICRC Operates

Although the ICRC lacks the formal authority to apply the laws of the conflict with consistent efforts and engagement in dialogue with the parties of the conflict it has been to a larger extent able to mitigate the blatant breach of the principles of the code of conduct during the conflict.

ICRC uses the mode of Action based approach when it comes to dealing with any cases of armed conflict which includes a range of actions involving persuasion, mobilization, denunciations, support, and substitution. Depending upon the needs of the conflict it does not limit itself to the use of any single mode's rather a combination of several modes. Article 2, paragraph 2 of the 4th Geneva Convention states that the ICRC is an independent organization that can give necessary assistance to the parties to the conflict. Article 3 paragraph 2d of the movement notes that ICRC as an independent organization should strive at all times to carry out humanitarian work in any conflict.

It operates by:

- persuading the parties to the conflict to uphold the principles of the rule of war. in cases where the persuasion does not work it mobilized the support of third-party organizations including the religious or charity organizations to persuade the failing party to respect the IHL. In case when either of the two approaches fails it may break the rule of confidentiality and may use the mode of public denunciation in any international forum where the gross violation of the party is openly called out for to coerce them to prevent the breaches.

¹¹ 'Statutes of the International Committee of the Red Cross' <<https://www.icrc.org/en/document/statutes-international-committee-red-cross-0>> accessed 16 May 2021.

¹² Article 4, Statute of the International Committee of Red Cross

- In the situations where the parties are unable to take appropriate action due to lack of means or unwillingness ICRC will assist in ensuring that such are followed or tackle down action substituting them.

The moment the United Nations implemented the partition plan for Palestine, it was clear that war would erupt as the mandatory force withdrew, as declared on May 15, 1948, so on March 24, the ICRC delegate suggested that protection zones be created in which civilians could seek shelter in the event of a disaster, in an attempt to gain the cooperation of all parties¹³. Thus we can safely conclude that the advances in IHL were a direct result of ICRC interventions in war zones¹⁴.

The Additional Protocol I further give authority to the ICR to intervene in the cases where conflicts have taken place. ¹⁵

1.5. Activities of the ICRC¹⁶

The ICRC engages in a wide variety of operations, including providing aid to people in military conflict, visiting prisoners, training people who have gone missing, providing food or medical support, and disseminating awareness of international humanitarian law and Red Cross fundamental principles. According to the 2020 annual report;

1.5.1. ICRC action to protect the population

The International Committee of the Red Cross (ICRC) protects people in armed conflict from such actions that could cause great pain and fear within the community. It also seeks to protect the population from potential breaches of international humanitarian law, such as hostage-taking, looting, rape, population relocation, intimidation, intentional denial of access to food and medical assistance, and exposing detainees in detention to great risk. It also works to discourage forced disappearances or extrajudicial executions, as well as ill-treatment and violations of basic judicial guarantees, and, where possible, take steps to change prison conditions.

1.5.2. Visits to Detainees

¹³ 'Customary IHL - 1. Rules' <<https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1>> accessed 31 July 2021.

¹⁴ Ibid

¹⁵ See Article 5(3) of Additional Protocol

¹⁶ 'Annual Report 2020' (2021) Report <<https://www.icrc.org/en/document/annual-report-2020>> accessed 31 July 2021.

According to the ICRC Annual Report 2020, the delegates visited 860,094 detained at 1073 places of detention in 78 contexts, it further monitors 21,667 detainees individuality of whom 11,223 were visited and registered for the first time [1,026 women and 995 minors included.

The purpose of the visit was to check the treatment and living conditions provided to them. Cooperation with the authorities was carried out on behalf of the detained addressing the humanitarian issues and recommendations were suggested if required.¹⁷

1.5.3. Assistance of Food and Medical

In relief strategy, the ICRC offers a support program for the population's sustainability. The ICRC serves as a principal body for coordination. In 2011, the ICRC launched a four-year project which mobilized delegates from various organizations all around the world intending to provide health care facilities during the armed conflict. Thus ICRC has helped to uphold the basic human dignity and values by proving for basic needs including proving for sanitation facilities, medical care, and other vital good

According to the ICRC 2020 estimate around 4,214,606 received food assistance of which 2,474,466 were IDPS while 6,991,691 people were provided basic household items such as blankets and mats. Amid the pandemic COVID-19, 4,474 distributions of food, hygiene items, and other essential items were provided to detainees and civilians alike. It also provided 659 primary health care centers including 7,534,552 curative consultations while a staggering number of 801,461 people attended health information sessions on COVID-19.¹⁸

1.5.4. Restoring Family Links (ICRC)

Restoring the kinks between the family members of those who have either got lost or mission had been one of the primary tasks of ICRC. in recent years it listed the names of 9801 people on the websites so that they could be tracked easily by their families from anywhere in the world, 7974 people had re-established links with their family members of which 1049 were reunited with their families.

1.5.5. State Participation in Implementation of International Humanitarian Law (IHL) Treaties within their Domestic Jurisdictions

¹⁷ Ibid

¹⁸ ibid

The ICRC engages with a wide range of authorities to ensure that the IHL treaties are implemented in their respective domestic jurisdictions. Also, legal and technical help advice was provided to the governments and further support was provided so that they could establish appropriate ministries for the implementation of IHL at the national level.¹⁹

1.5.6. Expenditure

A total expenditure of 1.93 Billion CHF was made for the year 2020 with the implementation rate of 87.3% of the original budget of CHF 2.21 Billion. The majority of the budget was spent in the Syrian Arab Republic at CHF 155.6 million budget while it received 1.87 billion CHF funding as a contribution from individuals and governments.

The ICRC carries out many other activities throughout the world in its quest for limiting the aftermath of war and implementation of the International Humanitarian Law (IHL) both during and after the conflict²⁰.

1.6. Dissemination of International Humanitarian Law and Cooperation with the National NGO or Red Crescent Societies.

ICRC plays a major role in the dissemination and implementation dissemination of the IHL its mission is to support and provide necessary aid to the states for the implementation of the principles of International Humanitarian Law.

There are many ways by which ICRC aids in the dissemination process some of which are:

- It provides teaching materials and assistance in translating the text containing the provisions of IHL in various languages.
- It monitors the implementation of new technologies, conducts research, organizes expert meeting as well as provides an incentive for writing articles that contains information regarding IHL.
- It encourages the ratification of the international treaties as well as helps in quicker conformity of the law during the armed conflict.

¹⁹ Ibid

²⁰ Ibid

- It helps in the recognition and establishment of the national societies and provides them with legal support

As a lead agency ICRC coordinates with national societies in carrying out the relief operations during the situation of armed conflict or in situations where there is a general crisis the conflicts seem to co-exist. Recently ICRC incorporated COVID-19 as an important new parameter in its operations and adapted itself to the changing needs of the society and circumstances.²¹

1.7. ICRC Approach to Violence Against Women in Armed Conflicts

The ICRC according to its constitutional mandate strives to provide humanitarian assistance to the victims of the conflict. In any given armed conflict ICRC presupposes that sexual violence might have taken place and thus it takes a proactively evidence-based approach towards the prevention of the same. It also takes a recommendation from its staff to effectively deal with gender-based violence. However, it is not in a legal position to place the blame on any party or go against the legal principle of "presumption of innocence"²²

It takes a similar disciplinary approach acknowledging the special needs of women in any armed conflict and further helps in the prevention and protection of the same by providing education, health care, and preventive facilities regarding the sexual violence

The approaches taken by ICRC to prevent violence against women can be summarized as follows;

- a) ICRC strives to promote the "*do no harm principle*" when dealing with sexual violence. It ensures that in doing so it does not violate the dignity of women who have been violated.
- b) It collaborates with other players in the field to improve the norms of behavior and decision-making, strengthening societal capabilities, reducing vulnerabilities, and reinforcing coping mechanisms.

²¹'Implementation of International Humanitarian Law: Challenges and New Approaches - ICRC' (19 October 1998) <<https://www.icrc.org/en/doc/resources/documents/statement/57jpf3.htm>> accessed 31 July 2021.

²²https://www.icrc.org/sites/default/files/topic/file_plus_list/2019_specialappeal_sv_final.pdf (accessed on 13 May 2021)https://www.icrc.org/sites/default/files/topic/file_plus_list/2019_specialappeal_sv_final.pdf

- c) The ICRC aims to provide victims/survivors of sexual assault with clear access to adequate primary-health-care and emergency facilities to protect them from sexually transmitted diseases, treat any complications, and avoid unintended births, following the national health framework and, where applicable, internationally recognized guidelines, within a secure and confidential setting.²³
- d) The ICRC plays an important role in preventing the violence by engaging with various parties in an armed conflict including the authorities and weapon bearers to dissuade them from committing any forms of sexual abuse²⁴. It also helps women organize schedules to collect firewood or fetch water that is closer to residential communities so that they are not attacked by sexual predators or become victims of sexual abuse.
- e) The ICRC carries out activities to enhance the protection of individuals and groups at risk of sexual violence²⁵. It works round the clock to enhance the protection of those who are at greater risk of violence and further helps to relocate people to safe shelters and provide them legal support whenever needed
- f) It pays attention to the multi-tiered vulnerabilities and needs of detainees and creates a Standard Operating Procedure (SOP)²⁶ regarding the visit to detainees for interrogation to ensure that detainees especially the women are not sexually violated while in detention. It also provides information on how to report suspected sexual abuse of detainees to the concerned authorities and helps in improving the standards in detention facilities²⁷.

1.8. Operations of ICRC

ICRC helped to safeguard the lives of those people who have been victims of the armed conflict which includes men, women as well as children. Their houses were bombed, and they were compelled to leave their belongings and loved ones. In this decade ICRC took part in the relief measures for various countries that had been affected by war, calamities, or even natural

²³For example, the WHO guidelines for the clinical management of rape, are available at: [http://www.who.int/reproductive health/publications/emergencies/924159263X/en/](http://www.who.int/reproductive_health/publications/emergencies/924159263X/en/)

²⁴https://www.icrc.org/sites/default/files/wysiwyg/Activities/Sexualviolence/2020_specialappeal_sv.pdf (Accessed on 13 May 2021)

²⁵http://www.diplomatie.be/oda/39745_PROGDESCR_Annexe%20f%202019_BelgiumFundingProposal_SexualViolence.pdf (Accessed on 13 May 2021)

²⁶ 'How Does the ICRC Work in Detention?' <<https://www.icrc.org/en/document/how-does-icrc-work-detention>> accessed 13 May 2021.

²⁷ https://www.icrc.org/sites/default/files/topic/file_plus_list/2019_specialappeal_sv_final.pdf (Accessed on 13 May 2021)

disasters. In Syria, it helped to provide medical and psychological assistance to those women who had been sex slaves by ISIS, while in the Philippines it assisted those who had been struggling with the aftermath of Typhoon Bopha and, a year later, Typhoon Haiyan. To address the complex issues arising out of the complexity of the violence

To address complex issues arising out of the complexities of the violence ICRC teams used coordinated security to support and mitigate the chronic needs of the affected communities. In 2013 it initiated a 4-year initiative to improve its comprehensive approach toward the victims of armed conflict. It saw the emergence of a collaborative agency of various NGOs, and international and government bodies coming together to alleviate the sufferings of the victims of the conflict, the Red Cross volunteers played a special part by stepping up their efforts in coordinating with them at the frontline.

1.8.1. Syrian Arab Republic-A Case Study

This section highlights the tasks that have been carried out by The ICRC delegations in 2019, including concrete, on-the-ground samples of the work outlined in previous parts. A summary of the situation and humanitarian needs in each case is also given to include an overview of the setting in which the ICRC is operating. Six field positions are scheduled for 2019 to help ensure a more comprehensive approach to sexual harassment, including preventive activities, based on the conclusions and recommendations of an assessment conducted in 2017 and input obtained from selected ICRC delegations. The activities presented are at various stages of the project cycle, indicating the differing degrees to which delegations have formulated their view of the issue and the solution strategies they have created.

1.8.1.1. Context

In the Syrian Arab Republic, there has been an armed conflict between the government and religious groups with the government forces aimed at recapturing the nation from the rebel groups also continuing. Infighting among the rebel groups also continues, as a result, thousands of people are displaced from their homeland, and casualties of civilians are in hundreds of thousands. The government agencies continue to arrest the people in connection with the conflict while the security environment in the nation is unfit for any kind of assistance to be

provided to the sick, wounded, and disabled²⁸.

1.8.1.2. Actions taken by ICRC for protection of women against violence

ICRC has taken a multi-dimensional approach to provide assistance and protection to the victims of the conflict which includes

Firstly having a dialogue with the weapon bearers to protect the civilians and women and engaging the authorities for cessation of sexual violence in conflict.

Secondly conducting forensics, workshops, and creation of the Syrian Red Crescent shall be able to assist the victims in the future.

Thirdly providing supplies, equipment, staff training, and assistance for the creation of mobile health units which shall be able to treat disease as well as provide medical and psychological assistance to the sexual assault victims.

Fourthly assisting those women who are unable to reach the facilities through the means of outreach activities or by referring them to similar other facilities.

Fifthly organizing training of the national society personnel who will be responsible for psychological and social support to the victims of the conflict.

Sixthly to provide materials, financial and other logistic facilities to those areas which are inaccessible including setting up of the mobile clinics.

Last but not the least it will provide protection-related dialogue and dissemination sessions with the members from both the spectrum to ensure that the principles of IHL are followed in the future conflicts

1.8.1.3. Steps taken for prevention of violence against women

Several steps are taken by ICRC for the prevention of the incidence of sexual violence against women which are accordingly

²⁸ 'Syria: Facts & Figures 2020' (2021) Report <<https://www.icrc.org/en/document/syria-facts-figures-2020>> accessed 31 July 2021.

- Distribution of the expertise of ICRC to the national IHL committee and conduct studies with it on the compatibility of IHL together with the committee and the national society.
- Organize workshops for government officials, judges, and parliamentarians.
- Provide the information regarding the ground realities about Syria to the international committee through social media, online platforms, and other events so that awareness can be created at the international level.
- Provide training and financial support to the national societies.

1.8.1.4. Budget approved so far

In the financial year 2019, the amount of 1,155 CHF was approved for Syria to

- Fund the activities taken up by the ICRC
- Spending on the activities particularly addressing the sexual violence and the need of the victims affected by so.

1.8.1.5. ICRC operations in Syria

ICRC took several steps intending to alleviate the sufferings of the people from Syria which were,

I. Food and livelihood assistance

In 2020 ICRC has assisted the 60000 people. It's also provided meals for 70000 people daily and over 200000 vulnerable people including women and the elderly benefited from the ICRC emergency food assistance. It operates displaced centers in Hussaky. In Raqqa the ICRC provided aid and assistance to the main bakery center at AL-sabkka which in turn helped to feed 50000 populations daily²⁹

II. Health

²⁹ 'COVID-19: Millions Dealing with Sporadic Water Shortages, Crippled Health Services in North-East Syria' (International Committee of the Red Cross, 20 May 2020) <<https://www.icrc.org/en/document/north-east-syria-millions-dealing-sporadic-water-shortages-crippled-health-services>> accessed 31 July 2021.

With the advent of the conflict, the health infrastructure in Syria is completely decimated and rendered useless. Displaced people particularly women are vulnerable to health complications.

ICRC also set up a field hospital at Al-Hol camp in AL Hassekeh which provide medical assistance to 60,000 people of whom the majority were women, elderly, and physically displaced persons, further consultations were provided to 6000 people. The physical and rehabilitation centers at Aleppo and Damascus provided the patients with prosthetics and orthodontic devices in addition to physiotherapist services.³⁰

III. Water and habitat

ICRC in collaboration with the Syria Arab crescent helped to provide daily drinking water facilities to 10 million displaced Syrians. It also build sewage treatment plants and pumping stations intending to provide proper sanitation and drinking facilities to the refugees³¹.

IV. Promoting Human Dignity

ICRC proactively had taken steps to restore and promote human dignity along with that it also allowed Re connection between the families as a part of the initiative

- 9700 oral greetings and Red Cross messages were exchanged between individuals of separated families.
- 36 visits to the detention places were conducted by ICRC
- 12 public communiqués on the humanitarian situation including the new releases and articles were made.
- Conducting 420 dissemination sessions and workshops with the people to spread the knowledge regarding the IHL to the general masses.
- 9000 people including women-headed households were provided financial assistance as a part of rehabilitation efforts³².

³⁰ ‘Operational Update on Syria: Maintaining Vital Support to the Most Vulnerable in Times of COVID-19, While Bracing for Increased Needs’ <<https://www.icrc.org/en/document/operational-update-syria-maintaining-vital-support-most-vulnerable-times-covid-19-while>> accessed 31 July 2021.

³¹ Ibid

³² ‘Syria: Facts & Figures 2020’ (2021) Report <<https://www.icrc.org/en/document/syria-facts-figures-2020>> accessed 31 July 2021.

CONCLUSION

To a larger extent, ICRC had been able to protect and provide the human right of the victims of the armed conflict, the activities taken up by ICRC in the conflict-ridden areas is truly commendable and has helped a lot of people, especially women in gain access to the sanitary facilities and health care something which are fundamental to the existence and dignity of the women. It has also provided food and other assistance including the livelihood initiatives which have helped people to rehabilitate post-conflict.

However, there are many challenges faced by the ICRC in its operational activities which includes access to the victims. In any conflict-ridden area access to the victims and groundwork are considered very important in order to ensure that the relief and rehabilitation efforts reach directly to the victims although ICRC has developed a network of delegations, sub-delegation, and officers throughout the world yet all of them are ineffective Unless reasonable opportunities are provided to deliver them to the people. With the changing nature of the conflicts one that has been mostly international nature, but after the incident of the Second World War now conflicts are largely internal or non-international in nature. This has forced international organizations to think otherwise to devise new ways by which necessary aid to the victims in the conflict can be provided.³³

States often use sovereignty and security reasons to prevent the international organization from operating within their territory and provide relief to the victims of the internal conflicts. This seriously hinders the capability of the ICRC to promote and protect the rights of the victims in the conflict. In addition to that, the lack of specific provisions in the International humanitarian law regarding the role played by the international organizations in any internal conflict limits the ambit of the ICRC effectively carrying out its activities.

Initially when ICRC came into existence war was mostly an affair between the two states and was international in nature, the internal nature of war was either non-existent or was included within the provision of the internal rebellion. However, with the changing circumstances and subsequent formation of the UN, the definition of conflict had undergone a massive change and now the ambit of the provisions of war has expanded. Thus with the changing circumstances, a major overhaul of the IHL needs the time and more provisions are required to

³³ 'Challenges Faced by ICRC and International Humanitarian Law (IHL) - ICRC' (19 October 2006) <<https://www.icrc.org/en/doc/resources/documents/statement/kellenberger-statement-191006.htm>> accessed 31 July 2021.

ensure that it can deliver the required facilities and reliefs to the victims of the conflict irrespective of the nature of the conflict.

BIBLIOGRAPHY

Articles

- ‘Challenges Faced by ICRC and International Humanitarian Law (IHL) - ICRC’ (19 October 2006)
- ‘Syria: Facts & Figures 2020’ (2021)
- ‘Operational Update on Syria: Maintaining Vital Support to the Most Vulnerable in Times of COVID-19, While Bracing for Increased Needs’
- COVID-19: Millions Dealing with Sporadic Water Shortages, Crippled Health Services in North-East Syria’
- How Does the ICRC Work in Detention?
- ‘Customary IHL - 1. Rules’
- Mandate and Mission’ (International Committee of the Red Cross, 28 July 2014)
- Annual Report 2020’ (2021)
- ‘Statutes of the International Committee of the Red Cross’
- ‘The Seven Fundamental Principles - IFRC’
- Annual Report 2020’ (2021) Report
- For example, the WHO guidelines for the clinical management of rape, available at:<http://www.who.int/reproductivehealth/publications/emergencies/924159263e/>
- How Does the ICRC Work in Detention?
- ‘History of the ICRC’
- ‘Implementation of International Humanitarian Law: Challenges and New Approaches - ICRC’ (19 October 1998)

Book

- Elizabeth Wilmshurst, Susan Breau - Perspectives on the ICRC Study on Customary International Humanitarian Law (2007)