
NAVIGATING CONTROL AND MEASURES ON HUMAN RIGHTS VIOLATIONS IN RECENT CONFLICT ZONES

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ABSTRACT

This research topic examines how geopolitical constraints impact the relationship between human rights and conflict, at both the international and domestic levels. Political ambitions and territorial disputes are often at the root of serious human rights violations. International conflicts such as the Russia-Ukraine war and the ongoing conflict in Israel-Gaza demonstrate how geopolitical interests fuel civilian suffering. In these areas, conflicts cause forced displacements, targeted attacks, and systemic neglect of healthcare, education, and safety, which severely undermine the rights to life, liberty, and security. In Historic settlements such as South Africa's post-apartheid peace-building processes and negotiated ceasefires in various regions show that diplomacy and multilateral engagement can restore human rights in the midst of geopolitical tensions. These examples also show that commitment to dialogue, legal reforms, and the active engagement of international human rights organizations can pave the way to lasting peace. In case of India, human rights violations occur in conflict areas affected by internal insurgencies and border disputes. Government peace talks, policy reforms, and independent oversight bodies seek to strike a balance between national security and individual rights protection by redressing grievances, ensuring accountability, and respecting human dignity in conflict. So, this article demonstrates an excellent comprehension of the link between human rights and geopolitical barriers, showing why it is essential to formulate integrated policies that encourage peaceful resolutions and safeguard human dignity. This integrated perspective encourages commitment to sustainable global equity. The present article further provides an in-depth analysis of how conflict zones affect humans and their rights with life, and how these rights can be protected by decreasing conflict zones.

Keywords: Human Rights; Conflict Zones; Geopolitical Constraints; Diplomacy; Peace.

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Introduction:

In some previous decades, the armed conflict has largely disrupted the lives of millions of Human beings. Serious violations of humanitarian law and human rights law at international and national stages are the common effect of armed conflict. In some circumstances, these violations may also leads to war crimes, genocide or crime against humanity.² These violation's not only destroys human lives but also damages the Environment and other living beings. The effects of these violations can be traced for very long periods in the conflict zones.

The Universal Declaration of Human Rights (UDHR), adopted by the UN general assembly in 1948, was the first legal document to set out the fundamental human rights to be universally protected. It provides for human rights law at international level. According to this declaration human rights are inherent to us all, regardless of race, sex, nationality, language, ethnicity, religion or any other status. It also says that everyone is entitled to these rights without any discrimination.³ The Human Rights Council established on 15th march 2006, has become the key UN intergovernmental body responsible for strengthening the promotion and protection of human rights around the Globe, and International Humanitarian law is the law that establishes what can and what cannot be done by parties to an armed conflict so that to minimize human sufferings. Similarly in India, The Constitution of India guarantees fundamental rights to all its citizens and The Protection of Human rights Act, 1993 gives for establishment for National Human Rights Commission (NHRC) and state human rights commission, for ensuring the protection of Human Rights to all the Citizens of the country.

The objective behind this research paper is to bring light upon the Human rights transgression at the present conflict zones and to find practically possible control and measures for such violations. This is important so to spread awareness among the people of the world about how breach of human rights law at the conflict zones affects Human lives and to disclose the possible solutions with higher authorities of all countries for peaceful conflict resolution without harming human lives as well as human rights.

This research paper involves the issues that How human rights laws gets violated in conflict zones, How to control these human right violations and What realistic measures can be opted for protecting human rights at such conflict zones. In this research paper, the emphasis was

² https://www.ohchr.org/Documents/Publications/HR_in_armed_conflict.pdf

³ <https://www.un.org/en/global-issues/human-rights>

given upon the exploration of pragmatic solutions to these questions. This research paper uses solution oriented critical analysis methodology and Legal and sociological approach for finding solutions of these research questions with the help of research work.

The research paper will contain limited coverage of recent case analysis and uses historical examples as social views and discloses some other ways of safeguarding human rights law in conflict zones, there by resolving the conflict.

Before starting the explanation lets get familiar with terminologies:

Humanitarian law or IHL: International humanitarian law (IHL) is a set of rules that seeks, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not, or are no longer, directly or actively participating in hostilities, and imposes limits on the means and methods of warfare. IHL is also known as "the law of war" or "the law of armed conflict".⁴

Conflict Zones: Conflict zone refers to war or political instability that disrupts essential services such as housing, transportation, communication, sanitation, water, and health care which requires the response of people outside of the community affected.⁵

Human Rights Violations: Human rights violations can be defined as violations of internationally recognised standards relating to human rights, whether or not these have yet been incorporated into national laws.⁶

How Human Rights law gets violated in conflict zones ?

Conflict between humans is the true nature of human beings existence. But when these conflicts surpasses the basic humanity standards it violates the international humanitarian law. Currently whole world is involved in armed conflict which creates conflict zones with large number of humans, suffering violation of their human rights such as-

Violence to life health or physical or mental well-being of persons such as Murder, Tourture of all kinds mental or physical, Corporal punishment, Mutilation;

⁴ <https://www.icrc.org/en/document/what-international-humanitarian-law>

⁵ Schwarz ED, Perry BD. The post-traumatic response in children and adolescents. *Psychiatric Clinics of North America*. 1994;17:311–326. [PubMed] [Google Scholar]

⁶ <https://www.thecommonwealth-ilibrary.org/index.php/comsec/catalog/download/998/994/8427?inline=1>

Harm to individuals personal dignity such as Humiliating and degrading treatment, enforced prostitution, Rape, Molestation and any form of indecent assault;

Taking of Hostages, Collective punishments, Threat to commit any of the foregoing acts;⁷

These conflict results in Genocides i.e mass human killing and other War crimes. War crimes includes crimes like Murder, Torture, Sexual or gender-based violence, Hostage-taking, Pillaging, Deportation to slave labour, Killing of prisoners of war, Biological experiments etc. These conflict zones contains sufferers of human right violations, here mostly people die of starvation, many people become homeless, children gets separated from their families and many people becomes victim of armed conflict and hostages for opposite party to the conflict.

Thousands of children die each year as a direct result of armed violence, but millions of them die from the indirect consequences of armed warfare - as a result of the disruption in food supplies, destruction of health services, water systems and sanitation.⁸

Rape and other forms of sexual violence that amount to serious violations of international humanitarian law entail individual criminal responsibility and must be prosecuted. All States are obliged to criminalize these violations under domestic law, and to effectively investigate and prosecute any instance of sexual violence.⁹

Data of Human right violation from history:

In First World War, civilians accounted for 5 per cent of casualties. Where as in the Second World War the figure rose to 48 per cent. Today, up to 90 per cent of casualties are civilians - an increasing number of these are women and children. Some 17 million children have been displaced by war, more than 2 million children have been killed due to armed conflict and three times as many have been seriously injured or permanently disabled since 1990.¹⁰

The countries with the highest share of children living in conflict zones with reports of sexual violence perpetrated by conflict actors against children include Colombia (with 24% of all children in the country facing this risk), Iraq (with 49% of all children at risk), Somalia (56%),

⁷ Article 75 of Protocol I to 1949 Geneva Conventions (1997)

⁸ UNICEF: State of the World's Children. 2003. [Google Scholar]

⁹ <https://www.icrc.org/en/document/sexual-violence-armed-conflict-questions-and-answers>

¹⁰ UNICEF: State of the World's Children. 2001. [Google Scholar]

South Sudan (19%), Syria (48%) and Yemen (83%).¹¹

According to the United Nations, over 117.3 million people were forcibly displaced worldwide by the end of 2022, many due to conflict and persecution.¹²

[In the year 2020, there were reports of human rights violations in dozens of countries, affecting millions of individuals. Some specific example includes:

Syria: Over 500,000 people killed and millions displaced since the conflict began in 2011.

Myanmar: The Rohingya crisis, with over 700,000 Rohingya Muslims fleeing to Bangladesh to escape ethnic cleansing and violence.

Yemen: More than 20 million people in need of humanitarian assistance, with widespread reports of torture, arbitrary detention, and sexual violence.]¹³

Case study: Ukraine Russia Conflict¹⁴

The human rights impacts of Russia's war on Ukraine continued to eclipse all other rights issues in Ukraine. As of September, at least 9,614 civilians had been killed and more than 17,535 injured since Russia's full-scale invasion began in February 2022. Millions more had to flee abroad or were internally displaced.

Russian forces have carried out indiscriminate attacks on populated areas, destroying critical infrastructure, including hospitals, schools, and energy facilities—actions that have severely disrupted access to essential services for millions, especially the elderly and the disabled. Since February 2022, Russian forces extensively used at least 13 types of antipersonnel mines in multiple areas, heavily mining its front lines in anticipation of Ukraine's ongoing counteroffensive. This has resulted in an unprecedented situation in which a country that is not party to the Mine Ban Treaty is using the weapon on the territory of a state party to that treaty.

The conflict has also seen the widespread use of prohibited weapons and the contamination of some 174, 000 square kilometers by landmines, which continue to pose a long-term risk to

¹¹ <https://resourcecentre.savethechildren.net/document/weapon-war-sexual-violence-against-children-conflict/>

¹² <https://www.unhcr.org/global-trends>

¹³ <https://www.pcrf.net/information-you-should-know/item-1718652928.html>

¹⁴ <https://www.hrw.org/world-report/2024/country-chapters/ukraine>

civilians. More than 1, 000 attacks against health workers and health facilities have been reported, and systematic reports document enforced disappearances, summary executions and arbitrary detentions 91 percent of 864 detainees having experienced torture or ill-treatment.

[There are 3.7 million internally displaced people in Ukraine (as of February 2025).

6.9 million refugees from Ukraine have been recorded globally (as of February 2025).

Approximately 12.7 million people are in need of humanitarian assistance in 2025, including nearly 2 million children.]¹⁵, These are the recognized data but actual affected persons will be more than the number provided.

By September, Ukrainian authorities documented 231 cases of conflict-related sexual violence (CRSV) perpetrated by Russian forces in occupied areas of Ukraine and in Russian detention facilities. The true figures are likely much higher, as stigma, shame, and fear of reprisals prevent survivors from seeking help. The issuance of arrest warrants by the International Criminal Court for Russian president and other officials for child demonstrates the need for accountability and justice in the face of these systematic human rights violations.

Case study: Israel Palestine Conflict¹⁶

In 2023, the Israel-Palestine conflict has experienced unprecedented levels of human rights violations with profound intergenerational consequences. Since October 7, more than 1, 200 Israeli civilians have been killed, including 133 held captive by Hamas-led forces. In Gaza, more than 18, 700 Palestinians—more than 7, 800 children—were killed between October 7 and December 12. In the West Bank, Israeli forces killed 464 Palestinians, including 109 children, an 18-year high in fatalities. Administrative detention reached an all-time high of 2, 873 Palestinians held without charge. Settler violence averaged three incidents per day, rising to five post-October 7.

The level of destruction in Gaza is also immense more than 46, 000 housing units have been destroyed and another 234, 000 damaged, including serious damage to 342 schools and 187 health facilities. These figures reflect not only immediate casualties and destruction but also a

¹⁵ <https://www.unrefugees.org/emergencies/ukraine/>

¹⁶ <https://www.hrw.org/world-report/2024/country-chapters/israel-and-palestine>

wider pattern of structural injustice that affects multiple generations and undermines long-term human rights and stability in the region.

Human right violations at national level conflict zones:

At national level, the Central Government is majorly responsible for the human right violations. In India, several times due to lack of proper security arrangement and enforcement of laws, many violations can be seen, like in north eastern states of India like Manipur and Assam etc conflicts are very common, these conflicts is due to extremist cultural differentiation, territorial and reservation based conflict or other reasons that results in riots, sexual offences and refugee problems etc.

These are some examples through which we can understand how Human Right violation is an integral part of conflict prone areas. This will give us edge in finding the answer of second question-

How to control these human right violations ?

While addressing violations of human rights it becomes crucial to identify the methods of control and prevention of human right violations in conflict zones. It will play a major role in safeguarding the international humanitarian law. The control methods consists of multifaceted approach such as-

International Response

International bodies like the United Nations and various human rights organizations play crucial roles in documenting abuses and pressing for action. They employ various strategies including:

- Sanctions and Embargoes: Imposing economic sanctions on countries or groups violating human rights to pressure them to change behavior.
- Peacekeeping Missions: Deploying international forces to help reduce hostilities and protect civilians.
- War Crime Tribunals: Holding individuals accountable for war crimes and genocides

in trials, such as those conducted by the International Criminal Court.

Advocacy and Aid

Non-governmental organizations (NGOs) and many humanitarian groups from different parts of the world offer direct aid to victims, such as medical care, psychological support, and resettlement assistance. These aid offers the victims, great sense of relief. The Awareness and advocacy are also crucial for understanding the psychological impact of conflict on children and providing targeted support for recovery and rebuilding efforts. The UN Peacekeeping force is the International organisation developed for advocacy and maintenance of peace in the conflicted areas.

Education and Public Awareness

Education will play the key role in making people familiar with humanitarian laws and describing them the effects of human right violations at conflict prone areas. And there by educating the global public about the realities and consequences of violations of human rights in conflict zones the will act responsibly and try to secure their rights by the help of other control measures. This awareness can drive international pressure on governments and organizations to uphold and protect human rights.

Effective Root Cause Identification

The root causes of conflicts are to be identified and according to these problems solutions are to be framed for resolving such conflict in hand before it starts harming or violating international humanitarian law and human rights.

Legal Policy Reforms

Legal policy reforms at both the national and international levels are very much necessary to strengthen the protection of human rights. This reforms includes:

- Strengthening International Laws and Treaties: Ensuring that existing laws are enforced and that new laws are created to address emerging issues.
- Improving Accountability Mechanisms: Enhancing the capacity of international courts and tribunals to prosecute human rights violators.

- Supporting Local Justice Systems: Providing resources and training to local authorities to help them effectively address and prevent human rights abuses.

International Criminal Court (ICC) and International Court of Justice (ICJ)¹⁷

ICC and ICJ plays very crucial role in determining the liability of conflicted parties so that the proper imposition of sanctions can be done, there by reducing the chances of the future war crimes and other human rights violations.

Other control technique includes Strengthening International laws, establishing effective accountability mechanisms, promoting diplomacy and dialogue between conflicted parties and so on.

At national level conflict zones, Proper implication of the laws are the matter of focus. Here people must learn about the laws protecting their human rights and the how it can be guaranteed in case of violation of such human right. Here the ruling government can make policies for proper enforcement of the procedure. The Indian Constitution by its Part III¹⁸ ensures that each and every individual of the country must get protection from the state when their fundamental rights are violated with the help of writs under article 32 and 226, and such other protections under Bhartiya Nyaya Sanhita 2023, POCSO Act etc.

As the growing right to access internet is slowly becoming part of human rights, the Supreme of India, in one of its cases had ruled that indefinite suspension of internet services was impermissible under Indian Law¹⁹, there by Keeping Human rights above all other laws.

Now after finding some of the controls and preventions of human right violations at Conflict zones, it becomes necessary to discuss what realistic measures should be opted by parties to the conflict to ensure that no human right violations will take place at the time of conflict. Thus we came up to find the answer of the last question-

What realistic measures can be opted for protecting human rights at conflict zones?

The main focus of this research is to explore the practically possible measures to secure human

¹⁷ <https://www.ungeneva.org/en/news-media/news/2024/01/89269/what-international-court-justice-and-why-does-it-matter>

¹⁸ Fundamental rights, part III, constitution of India.

¹⁹ Anuradha Bhasin v. Union of India AIR 2020 SC 1308

rights as conflict zones. These realistic measures will not only contribute in safeguarding human rights but also it will help in peaceful conflict resolution and thereby improving international relations with other countries. Some of these measures are-

Diplomatic negotiations and mediation by neutral third parties.²⁰

This will help the conflicted countries to peacefully discuss or negotiate about their positions, their needs and wants and what are they seeking from the other disputed country. These negotiations in presence of the mediator country helps the conflicted countries to reach to an agreement by ignoring the path of conflict to resolve the matter and thus eventually secures Human right Violations. This method is also the most supported method for peaceful conflict resolution. Here neutral third could be any country, any international organizations, etc. E.g., Qatar had played an "instrumental role" in securing hostage exchange in Israel-Hamas conflict.

International organizations and forums facilitating dialogue between conflicting parties.

When there is no single country to resolve the dispute between conflicted countries, the International Organisations and forums become the role player in arranging the dialogues between the countries to the dispute so that they can discuss their interests and in presence of such organization and select peace over harming human lives by the way of conflict. International Organization includes, International Crisis Group (ICG), World Bank etc. E.g., Indus Waters Treaty, (1960) between India and Pakistan was brokered by the World Bank.

Economic sanctions to influence behavior.

The imposition of Sanctions also plays a crucial role in stopping international conflicts by forcing conflicted countries to stop war crimes and to choose peaceful resolution to save human rights, if not, then will be deprived for the country's basic needs requirements due to boycott from international trade, or heavy penalties on sale and purchase of goods internationally etc. E.g., The UN Security Council has the authority to impose sanctions under Article 41 of the UN Charter.

²⁰ <https://www.un.org/en/chronicle/article/conflict-resolution-and-human-rights-peacebuilding-exploring-tensions>

Peacekeeping missions and interventions by multinational forces.²¹

Peacekeeping forces save the human rights at ground levels by maintaining peace on the ground so that countries do not violate international humanitarian law and opt for ceasefire and agreement instead of carrying conflicts. It is mostly impactful in minor conflicts. E.g., India has contributed to UN peacekeeping missions in Lebanon, Sudan and South Sudan, Golan Heights and Ivory Coast.

Legal mechanisms like international courts for dispute settlement.

International Criminal Courts and International Court of Justice help in ensuring the legality of conflict actions by the conflicted countries there by holding them liable of war crimes and other acts against humanity. This sets example for other countries to not to commit such acts if they do not want to get punished with sanctions and penalties at international level. E.g., the International Court of Justice (ICJ) issued an advisory opinion that the UK should give up control of the Chagos islands.

Case study: Indo-Pak war of 1971²² was the prime example of choosing Human rights above armed conflict as the UN security council adopted resolution 307 on December 21, 1971. Here the security council having discussed the grave situation in the subcontinent, which remains a threat to international peace and security and Having heard the statements of the Deputy Prime Minister of Pakistan and the Foreign Minister of India have made the resolution. The resolution calls for an immediate and lasting ceasefire, urging all parties to avoid actions that escalate conflict. It emphasizes protecting human life, upholding the Geneva Conventions, aiding refugees, and ensuring their safe return. It also authorizes the UN Secretary-General to assist in resolving humanitarian issues.

Conclusion:

Human rights violations in conflict areas remain among the most serious challenges facing the world today, affecting millions of people and jeopardizing international peace and security. Armed conflicts do not only result in loss of life and destruction but also widespread violations of international humanitarian law and fundamental human rights. These violations, including

²¹ <https://peacekeeping.un.org/en>

²² <https://www.refworld.org/legal/resolution/unsc/1971/en/80062>

war crimes, genocide and crimes against humanity, profoundly affect societies and hinder progress toward peace and stability.

A multipronged approach is needed. International institutions such as the United Nations, International Criminal Court (ICC), and International Court of Justice (ICJ) can document abuses, hold perpetrators accountable, and help facilitate diplomatic negotiations. Peacekeeping missions, legal mechanisms, and international sanctions are also critical tools for preventing and mitigating human rights violations in conflict-affected areas. In addition, education, public awareness, and legal reforms at both the national and international levels strengthen protections and build frameworks for sustainable peace.

Ultimately, protecting human rights in conflict areas requires a commitment to justice, accountability, and diplomacy. Through increased international cooperation, enforcement of legal protections, and humanitarian prioritization, the international community can work toward lasting peace while protecting the dignity and rights of those most affected by armed conflicts.

Suggestions:

- The resolution of conflict through the mediation is the best method to resolve international conflict as well as national conflict as friendly nations or individuals in case of national conflict, can be appointed as mediator to speak in interest of both the parties to dispute.
- There must be formation of such an enforcement body which can ensure reduction in human right violations at any conflicted areas and whose directions will be followed by each and every nation of the country. As the Body can consist of members from every region of the world.
- The popular political leaders and news channels must promote the safegaurds for these human rights violations and the measures for effective conflict resolution, and makes people aware of their by birth rights that is human rights at national and international level both.
- Other suggestion is that sanction may sometime angers the conflicted parties therefore peaceful resolution by the way of mediation and negotiation must be opted to make them aware of the human rights violations caused due to the conflict.