

## **“Protecting the defenseless in times of armed conflict”. Is it a myth or reality?**

### **Discuss.**

The protection<sup>1</sup> of the defenseless<sup>2</sup> during armed conflict is a cornerstone of the international humanitarian law. In the context of armed conflict - fighting between states or protracted armed violence between government authorities and organised armed groups or just organised armed groups<sup>3</sup>- some turn a blind eye. Others might consider unjust that the innocent and defenseless are harmed. Few opt for actions. Yet, peacemakers and peacekeepers argue that protecting the defenseless is a reality. Is it so?

One of the most vulnerable victims of armed conflicted are children. Killed<sup>4</sup>, maimed, recruited, targeted, abused, attacked at school, or prevented from getting an education is the horrific reality for millions of children living in conflict zones around the world<sup>5</sup>. The horrendous practice of targeting defenseless civilians during conflict is also seconded by the deplorable active use of child soldiers<sup>6</sup>. Children involved in armed

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<sup>1</sup> Protecting the ‘defenseless is first and foremost, about preventing or minimizing death, injury or ‘harm’ from military action.

<sup>2</sup> In ‘*Protection of Defenseless Persons in International Humanitarian Law*’ (2002), Khan states that ‘defenseless persons’ refer are those persons who do not participate in the hostilities or who are no longer taking part in the hostilities. They may include civilians-children, women, disabled people, displaced people-those who never took part in hostilities. They also involve the sick, wounded, shipwrecked members of the armed forces; prisoners of war- those who did not take part in hostilities but provided support to armed forces.  
Accessed on 17<sup>th</sup> June 2022.

[http://journal.library.du.ac.bd/index.php?journal=DULJ&page=article&op=viewFile&path\[\]=1415&path\[\]=1355](http://journal.library.du.ac.bd/index.php?journal=DULJ&page=article&op=viewFile&path[]=1415&path[]=1355)

<sup>3</sup> *How is the Term "Armed Conflict" Defined in International Humanitarian Law?* (2008)

Accessed on 15<sup>th</sup> June 2022

<https://www.icrc.org/en/doc/assets/files/other/opinion-paper-armed-conflict.pdf>

<sup>4</sup> In May 2021, for instance, 67 Palestinian children were killed during an 11-day escalation in hostilities between Israel and Palestinian armed groups in the Gaza Strip.

Accessed on 15<sup>th</sup> June 2022.

<https://www.nrc.no/perspectives/2022/remembering-the-palestinian-children-killed-in-gaza-in-may-2021/>

<sup>5</sup> In 2020, the United Nations recorded total of 26,425 violations against children in conflict situations across the globe. This corresponds to 72 violations happening every single day or three violations every hour. Accessed on 15<sup>th</sup> June 2022.

<https://www.unicef.org/sudan/stories/five-things-you-need-know-about-children-and-armed-conflict>

<sup>6</sup> In ‘*Factbox: Ten facts about child soldiers around the world*’ (2021)Wuilbercq states that in 2019 alone, more than 7,740 children, as young as six, were recruited and used as soldiers around the globe, according to the United Nations. The Democratic Republic of Congo, Somalia, Syria and Yemen currently have the largest number of child soldiers.

Accessed on 14<sup>th</sup> June 2022.

<https://www.reuters.com/article/us-global-childsoldiers-factbox-trfn-idUSKBN2AC0CB>

conflict thus suffer abuse—physical, sexual, and emotional despite international laws to protect them.

Countries affected by armed conflicts generally have massive numbers of refugees and internally displaced persons<sup>7</sup>. Of particular concern in all humanitarian crises is the mental health of these people who are exposed to armed conflict - namely psychiatric disorders and post-traumatic stress disorder. Currently, hundreds of thousands of forcibly displaced Rohingya<sup>8</sup> struggle to meet basic needs in refugee camps in Bangladesh and face mental health-related concerns<sup>9</sup> linked to such challenges. In 2022, after five years, there is still no meaningful concerted action at the international and regional levels, further attesting that protecting the defenseless is a myth.

Besides, people with disabilities are too often the forgotten victims<sup>10</sup> of armed conflict. They face discrimination, marginalisation<sup>11</sup> and isolation, an increased risk of acute

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<sup>7</sup> According to UNHCR, by the end of 2021, the total number of people worldwide who were forced to flee their homes owing to conflicts, violence, fear of persecution and human rights violations was 89.3 million.

Accessed on 13<sup>th</sup> June 2022.

<https://www.unhcr.org/globaltrends.html>

<sup>8</sup> Since 25 August 2017, the latest outbreak of violence in Rakhine State, Myanmar, has forcibly displaced hundreds of thousands of Rohingya.

<sup>9</sup> *'Systematic human rights violations, traumatic events, daily stressors and mental health of Rohingya refugees in Bangladesh'* Riley et al (2020)

Accessed on 13<sup>th</sup> June 2022.

<https://conflictandhealth.biomedcentral.com/articles/10.1186/s13031-020-00306-9>

<sup>10</sup> The World Health Organisation (WHO) estimates that 15 % of the world's population have impairments. UNHCR estimates that there are 89.3 million people forcibly displaced, worldwide. Based upon these estimates, approximately 13.4 million persons with disabilities would face forced displacement. Persons with disabilities are one of the most vulnerable groups in need of humanitarian assistance during armed conflict.

<sup>11</sup> For instance, in a study released by Amnesty International entitled "Unshielded, Unseen - The Implementation of UNSC Resolution 2475 on the Protection of Persons with Disabilities in Armed Conflict in Yemen," the focus is the impacts of Yemen's war on people with disabilities. Entering its fifth year, the conflict in Yemen, the report depicts a harrowing picture for more than 4.8 million people with disabilities living in the war-torn country.

Accessed on 17<sup>th</sup> June 2022.

[https://www.hi-us.org/yemen\\_alarming\\_new\\_report\\_shows\\_dire\\_situation\\_for\\_persons\\_with\\_disabilities](https://www.hi-us.org/yemen_alarming_new_report_shows_dire_situation_for_persons_with_disabilities)

harm, major human rights violations, and targeted killings. Blind people or those having vision impairment may require support from others to flee. Persons with hearing, intellectual or developmental disabilities often cannot hear, know about, or understand what occurs during attacks.<sup>12</sup>The imperfections and shortcomings in the procedures and mechanisms of humanitarian aid operations show that there is still a long way to go to effectively protecting them.

Sexual violence constitutes a ruthless weapon of war. Warring parties resort to rape and sexual slavery of women to humiliate, intimidate and terrorise one another, as exemplified in conflicts in Bosnia and Herzegovina and Rwanda. The massive extent and the extreme brutality of sexual violence that has taken place and is ongoing in Darfur and Democratic Republic of Congo for instance, is harrowing. Women in war zones continue to suffer and global commitments to protect this vulnerable group remain largely unmet<sup>13</sup>.

Conflict environments can also be fertile incubators for disinformation. Disinformation in armed conflicts poses an ever-growing threat to defenseless people. Since Russia began its invasion of Ukraine on 24 February 2022, manipulated photos, false statements, state propaganda and deepfake videos have gone viral. A glaring example is when Russia-aligned hacker group called Ghostwriter compromised the social media accounts of several of Ukrainian military representatives<sup>14</sup>. The spread of harmful rumours, misinformation, disinformation, hate speech and propaganda online pose harm to the defenseless. This proves that disinformation is a major impediment to the protection of the defenseless in times of conflict.

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<sup>12</sup> For instance, a 43-year-old man with hearing and intellectual disabilities who lived in the North-West region of Cameroon was killed by Rapid Intervention Battalion soldiers because he did not answer their questions. Accessed on 15<sup>th</sup> June 2022. <https://www.bbc.com/news/60528276>

<sup>13</sup> Quoted in ‘*Women Still Suffering in War Zones, Special Representative Tells Security Council, Highlighting Unmet Global Commitments to Victims of Sexual Violence*’ (2021) Accessed on 15<sup>th</sup> June 2022. <https://www.un.org/press/en/2021/sc14493.doc.htm>

<sup>14</sup> *Russian disinformation surged on social media after invasion of Ukraine, Meta report* (2022) Accessed on 12<sup>th</sup> June 2022. <https://www.theguardian.com/world/2022/apr/07/propaganda-social-media-surge-invasion-ukraine-meta-reports>

However, humanity has been striving ceaselessly to protect the defenseless. Human rights law, refugee law and humanitarian law are three aspects of modern international law that serve to protect the defenseless. The Geneva Conventions stipulate “...*the imperative to protect the wounded and sick, without discrimination and in respect of the rules of medical ethics*”<sup>15</sup>. The duty of treating the wounded and sick, and the protection of medical personnel and facilities, being at the core of international humanitarian law since its inception in 1864 proves that protecting the defenseless is a fact.

To ensure the protection of the vulnerable in times of armed conflict, the work of humanitarian organisations such as the International Committee of the Red Cross (ICRC) is laudable. Protection being the very essence of the Red Cross Whether prisoners of war, civilian internees or refugees, wounded, women, children or aged require the assistance and the protection of the Red Cross, whether to survive or to keep their human dignity<sup>16</sup>. During the Syrian War, the Syrian Arab Red Crescent runs ambulance services and have assisted in evacuating countless families to host communities or temporary shelters. Hence, existence of humanitarian organisations allows better protection of the defenseless.

Medical care is of utmost importance to alleviate the suffering of victims of armed conflict. Doctors Without Borders (MSF) is one of the international medical humanitarian organisations that provide assistance to people living in areas of armed conflict such as Central African Republic, Iraq, Syria and Yemen. In Amman, Jordan, for example, their reconstructive surgery hospital provides plastic, maxillofacial, orthopaedic surgery and physiotherapy for war-wounded people from across the region. To boot, Doctors Without Borders are one of the few medical organisations in

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<sup>15</sup> Quoted in ‘Primer: Protection of medical services under International Humanitarian Law’ (2015) Accessed on 10<sup>th</sup> June 2022.  
<https://reliefweb.int/report/world/primer-protection-medical-services-under-international-humanitarian-law>

<sup>16</sup> In ‘*Red Cross assistance and protection*’ (1981) by Moreillon stresses on the categories of persons who, in situations of armed conflict, call for Red Cross assistance and protection.

Accessed on 17<sup>th</sup> June 2022.  
<https://international-review.icrc.org/sites/default/files/S0020860400067747a.pdf>

Taiz who remain committed to working in war-torn Yemen. With active medical support and awareness campaigns of humanitarian organisations, more helpless people are protected.

Technology offers humanitarian agencies unprecedented access to crisis-affected communities and defenseless people. It also facilitates the timely and efficient delivery of aid to isolated, war-torn areas. UN peacekeeping forces, for instance use drones<sup>17</sup> for intelligence gathering in Mali, the Central African Republic, and the Democratic Republic of the Congo. Research led by the ICRC suggests messaging apps could play a crucial role in humanitarian work in the future. Indeed, communities affected by armed conflict can rely on these platforms to keep in touch with each other or connect with humanitarian facilities. Military robot technology is used to enforce safe havens that protect unarmed defenseless people from genocides similar to those that happened in Srebrenica and Rwanda, and unlawful bombing as in Syria. Besides, footage from throwable robots can help rescue teams locate people who are trapped in confined spaces and monitor their wellbeing until the helpless people reach safety.

Protecting the defenseless during armed conflict is definitely possible if humankind really wants to. International laws serve as an impetus to reflect on ways to better protect vulnerable populations during crises and their immediate aftermath. International organisations, peacekeepers, peacemakers and global government bodies should work collaboratively to commit to the principles of international law based on justice, peaceful settlement of disputes and respect for human dignity to alleviate the suffering of the defenseless.

(1057 words)

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<sup>17</sup> Cited in '*The flying doctors' saving lives from the air*' (2021).  
Access on 17<sup>th</sup> June 2022.

<https://www.bbc.com/future/article/20211215-the-flying-doctors-delivering-vaccines>

Appendix 1  
Reference materials

‘Children recruited by armed forces or armed groups’  
[www.unicef.org/protection/children-recruited-by-armed-forces](http://www.unicef.org/protection/children-recruited-by-armed-forces)

‘Civilians protected under international humanitarian law’  
[www.icrc.org/en/doc/war-and-law/protected-persons/civilians/overview-civilians-protected.htm](http://www.icrc.org/en/doc/war-and-law/protected-persons/civilians/overview-civilians-protected.htm)

Human Rights Watch, “Cameroon: People with Disabilities Caught in Crisis,” Human Rights Watch news release, April 5, 2019  
<https://www.hrw.org/news/2019/08/05/cameroon-people-disabilities-caught-crisis>

‘International Humanitarian Law and Human Rights’, American Red Cross  
[www.redcross.org/content/dam/redcross/atg/PDF\\_s/Family\\_\\_\\_Holocaust\\_Tracing/IHL\\_HumanRights.pdf](http://www.redcross.org/content/dam/redcross/atg/PDF_s/Family___Holocaust_Tracing/IHL_HumanRights.pdf)

‘INTRODUCTION TO THE LAW OF ARMED CONFLICT’, page 10  
[www.icrc.org/en/doc/assets/files/other/law1\\_final.pdf](http://www.icrc.org/en/doc/assets/files/other/law1_final.pdf)

‘Liar’s war: Protecting civilians from disinformation during armed conflict’  
[international-review.icrc.org/articles/protecting-civilians-from-disinformation-during-armed-conflict-914](http://international-review.icrc.org/articles/protecting-civilians-from-disinformation-during-armed-conflict-914)

‘Persons with Disabilities in the Context of Armed Conflict’  
[www.hrw.org/news/2021/06/08/persons-disabilities-context-armed-conflict](http://www.hrw.org/news/2021/06/08/persons-disabilities-context-armed-conflict)

‘Protection of Civilians’  
[casebook.icrc.org/highlight/protection-civilians](http://casebook.icrc.org/highlight/protection-civilians)

‘Sexual violence during war: toward an understanding of variation’, Cambridge University Press  
[www.cambridge.org/core/books/abs/order-conflict-and-violence/sexual-violence-during-war-toward-an-understanding-of-variation/](http://www.cambridge.org/core/books/abs/order-conflict-and-violence/sexual-violence-during-war-toward-an-understanding-of-variation/)

‘UN Action Against Sexual Violence in Conflict’ Progress Report  
<https://www.un.org/sexualviolenceinconflict/wp-content/uploads/report/un-action-progress-report-2010-2011/UN-Action-Progress-Report-2010-2011.pdf>