



## “HUMAN RIGHTS AND ITS VIOLATION IN MILITARY AND POLITICAL CONFLICT”

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### Abstract

*Human rights violations in military and political conflicts are a global concern that continues to affect individuals and communities on a large scale. This abstract provides a concise overview of the key issues related to this complex problem. Military and political conflicts often lead to widespread human rights abuses, including extrajudicial killings, torture, displacement, and sexual violence. These violations have a profound and lasting impact on civilians, causing loss of life, trauma, and societal upheaval. The international community has established a robust framework of human rights laws and treaties, such as the Universal Declaration of Human Rights and the Geneva Conventions, which provide a basis for safeguarding human rights even during armed conflicts. However, achieving accountability for perpetrators of human rights violations remains a challenge, with issues such as impunity and political influence hindering justice. Preventing human rights violations necessitates addressing the root causes of conflicts, promoting diplomacy, and resolving underlying grievances. The "Responsibility to Protect" principle underscores the international community's duty to intervene when states fail to protect their citizens from mass atrocities. Civil society organizations, activists, and human rights defenders play a pivotal role in documenting abuses, advocating for justice, and pressuring authorities and international bodies to address human rights violations. In post-conflict settings, restorative justice mechanisms, including truth and reconciliation commissions, reparations, and memorialization efforts, can help rebuild trust and foster reconciliation among conflicting parties. Addressing human rights violations in military and political conflicts requires a multifaceted approach that respects international human rights norms, holds perpetrators accountable, prevents conflicts, and supports the healing and reconciliation of affected communities. International cooperation, political commitment, and a steadfast dedication to human rights are indispensable in working towards a world where such violations are minimized and eventually eradicated.*

**Keywords:** War, Military, Political, Human Rights, Civilian, Crime, Freedom.

## 1. INTRODUCTION:

"All human beings are born free and equal in dignity and rights. Everyone is entitled to all the rights and freedoms set forth in the universal Declaration of Human Rights, without distinction of any kind, such as race, creed, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Everyone has the right to life, liberty and security of person."

### *-Principle 1, ICPD Programme of Action*

Human rights are the fundamental rights and freedoms to which every individual is entitled, regardless of their nationality, ethnicity, religion, gender, or any other distinguishing characteristic. These rights are inherent to all human beings and are often considered the cornerstone of a just and equitable society. The concept of human rights has a rich historical and philosophical background, and it has evolved over time to address the changing needs and challenges of societies across the world.

## 2. HISTORICAL DEVELOPMENT:

The idea of human rights has deep roots in history, dating back to ancient civilizations and early philosophical thought. In various forms, it can be found in the works of ancient philosophers like Confucius, who emphasized the importance of benevolence and respect for others, as well as in the teachings of religious figures such as the Buddha and Jesus Christ, who advocated for compassion and justice.

However, the modern concept of human rights began to take shape during the Enlightenment period in Europe, with influential thinkers like John Locke, Jean-Jacques Rousseau, and Voltaire. Their writings emphasized the natural rights and liberties of individuals, which laid the groundwork for the development of the idea of human rights as we understand it today.

The turning point in the formal recognition of human rights came with the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly on December 10, 1948. The UDHR represented a global commitment to recognizing and protecting the rights and freedoms of all people. It was a response to the atrocities of World War II and aimed to prevent the recurrence of such horrors by establishing a universal standard for human rights.

### 3. KEY PRINCIPLES OF HUMAN RIGHTS:

Human rights are based on a few key principles:

**Universality:** Human rights apply to all individuals, regardless of their nationality, ethnicity, religion, or any other characteristic. They are inalienable and cannot be granted or taken away by governments or other authorities.

**Inalienability:** Human rights are inherent and cannot be forfeited or surrendered. No one should be forced to give up their rights.

**Indivisibility:** Human rights are interconnected and interdependent. Civil, political, economic, social, and cultural rights are all part of a comprehensive framework of human rights.

**Equality and Non-Discrimination:** Human rights are for everyone. They must be respected and protected without any form of discrimination, including race, gender, religion, or other status.

### 4. TYPES OF HUMAN RIGHTS:

Human rights can be categorized into different types:

**Civil and Political Rights:** These rights include the right to life, freedom of speech, freedom of assembly, and the right to a fair trial. They are essential for promoting individual freedom and protecting people from government abuse.

**Economic, Social, and Cultural Rights:** These rights encompass the right to education, the right to work, the right to an adequate standard of living, and the right to health. They are designed to ensure that individuals can live a life of dignity and well-being.

**Collective Rights:** These rights pertain to groups or communities and can include the right to self-determination, indigenous rights, and the right to participate in cultural, social, and political life.

**Solidarity Rights:** These rights emphasize global cooperation to address issues such as poverty, climate change, and health crises. They highlight the shared responsibility of the international community to protect and promote human rights.

### 5. CHALLENGES AND CONTEMPORARY ISSUES:

While the concept of human rights has made significant progress in the last century, numerous challenges remain. Violations of human rights persist in many parts of the world, including issues like discrimination, armed conflicts, censorship, and inadequate access to education and healthcare. Protecting and promoting human rights requires ongoing efforts, both at the national and international levels.

## 6. **MILITARY AND POLITICAL WAR:**

Military and political wars have played a significant role in shaping the course of human history, often influencing the fate of nations, regions, and the global order. These conflicts can be broadly categorized into conventional warfare, asymmetric warfare, and hybrid warfare. Here's an introduction to these concepts:

### 1. **Conventional Warfare:**

Conventional warfare refers to armed conflicts between nation-states or organized military forces that adhere to established rules and doctrines. This type of warfare is characterized by the use of conventional weapons, such as tanks, artillery, infantry, and naval and air forces. Conventional wars are typically fought on recognized battlefields and follow established rules of engagement. Key examples of conventional warfare include World War I and World War II, which were characterized by large-scale battles, trench warfare, and significant military mobilization.

### 2. **Asymmetric Warfare:**

Asymmetric warfare involves conflicts where one side is significantly weaker than its adversary in terms of conventional military power and resources. In such conflicts, the weaker party often employs unconventional tactics, such as guerrilla warfare, insurgency, and terrorism, to offset its disadvantages. Asymmetric warfare can be waged by both state and non-state actors.

Examples of asymmetric warfare include the Vietnam War, where the Viet Cong used guerrilla tactics against the more technologically advanced U.S. military, and the ongoing conflict against terrorist organizations like Al-Qaeda and the Taliban.

### 3. **Hybrid Warfare:**

Hybrid warfare is a modern concept that blends elements of conventional and asymmetric warfare. It combines military, political, economic, informational, and other non-military tactics to achieve strategic objectives. Hybrid warfare blurs the lines between war and peace, and it often involves the use of proxies, cyber attacks, disinformation campaigns, and economic pressure. Russia's actions in Ukraine, particularly in Crimea and the Donbas region, have been cited as an example of hybrid warfare. Russia combined conventional military actions with information warfare and support for separatist groups to achieve its objectives.

The reasons for engaging in military and political wars are multifaceted and can include territorial disputes, political ideology, economic interests, and the desire for power and influence.

The consequences of these conflicts are often profound, leading to loss of life, displacement of populations, destruction of infrastructure, and long-lasting geopolitical ramifications.

Efforts to mitigate the impact of military and political wars include international diplomacy, conflict resolution, peacekeeping missions, and the establishment of international organizations such as the United Nations, which seeks to promote peaceful cooperation among nations and prevent armed conflicts.

The study of military and political wars is essential for understanding the complexities of international relations, the evolution of military strategies and tactics, and the efforts to maintain global peace and security.

Human rights violations in military and political conflicts are unfortunately a common occurrence throughout history and in various parts of the world. These violations can take many forms and may be committed by state actors, non-state armed groups, or even by individuals. Some of the common human rights violations in such conflicts include:

1. **Arbitrary Detention:** Both governments and armed groups may engage in the arbitrary detention of individuals, often without due process or legal safeguards. This can result in prolonged and unlawful imprisonment.
2. **Torture and Ill-Treatment:** Torture and ill-treatment of detainees are serious human rights violations that can occur in conflict settings. This can include physical and psychological abuse, sexual violence, and other forms of cruel and inhuman treatment.
3. **Extrajudicial Killings:** Extrajudicial killings involve the unlawful and deliberate killing of individuals, often without legal proceedings or justification. This can occur during military operations, as well as through targeted assassinations.
4. **Forced Displacement:** Conflict often leads to the forced displacement of civilian populations. People are forced to flee their homes due to the threat of violence or as a result of military operations. This can result in displacement, refugee flows, and humanitarian crises.
5. **Violations of Freedom of Expression:** Governments may restrict freedom of speech and freedom of the press during conflicts, making it difficult for independent reporting and the dissemination of information. Journalists and activists may be targeted for their work.
6. **Violence against Women and Children:** Women and children are often disproportionately affected by conflict. This can include sexual violence, forced recruitment of child soldiers, and other forms of gender-based violence.

**7. Use of Prohibited Weapons:** The use of weapons such as chemical, biological, or cluster munitions, which are banned under international law, can result in severe human rights violations and long-lasting harm to affected populations.

**8. Restrictions on Humanitarian Aid:** Access to humanitarian aid may be restricted by state or non-state actors, preventing the delivery of essential food, medical care, and other assistance to vulnerable populations.

**9. Disregard for the Principle of Distinction:** The principle of distinction requires parties in a conflict to distinguish between combatants and civilians. Failure to do so can lead to civilian casualties and is a violation of international humanitarian law.

**War Crimes and Crimes Against Humanity:** Some human rights violations in conflicts can constitute war crimes or crimes against humanity, which are prosecutable under international law. These include acts such as genocide, systematic torture, and mass killings.

Efforts to address human rights violations in military and political conflicts include international treaties and conventions, the work of human rights organizations, and international criminal tribunals. However, the prevention and accountability for these violations remain significant challenges in many conflict zones. It is essential for the international community to work toward resolving conflicts peacefully, upholding human rights, and holding those responsible for violations accountable.

## **7. ISRAEL AND PALESTINE CONFLICT:**

The Israeli-Palestinian conflict is a long-standing and complex political dispute with significant human rights implications on both sides. Violations of human rights have occurred in various forms and have had numerous consequences for the people living in the region. It's important to note that the conflict is a deeply sensitive and contentious issue, and perspectives on it can vary widely. Here are some of the human rights violations that have been reported in the context of the Israeli-Palestinian conflict, along with their consequences:

**1. Violations of the Right to Life:** Both Israelis and Palestinians have experienced loss of life due to acts of violence, including bombings, rocket attacks, shootings, and military operations. Civilian casualties have been a major concern.

**2. Displacement and Forced Evictions:** Palestinians in the West Bank, East Jerusalem, and Gaza have experienced displacement and forced evictions due to Israeli settlement expansion. This has resulted in the loss of homes, property, and livelihoods.

3. **Freedom of Movement:** Palestinians in the occupied territories often face restrictions on their freedom of movement due to security measures, checkpoints, and the separation barrier in the West Bank. This can have a severe impact on daily life and access to essential services.
4. **Access to Basic Services:** The conflict has at times disrupted access to basic services such as healthcare, education, and clean water for both Israelis and Palestinians.
5. **Use of Child Soldiers:** Various armed groups on both sides have recruited and used child soldiers, which is a violation of International law.
6. **Torture and Ill-Treatment:** There have been allegations of torture and ill-treatment of detainees by both Israeli and Palestinian authorities.
7. **Discrimination:** Discrimination, based on ethnicity and nationality, has been reported against both Israelis and Palestinians, which can affect various aspects of life, including employment, housing, and access to services.
8. **Freedom of Expression and Association:** Restrictions on freedom of expression and association have been reported, including the arrest of activists and restrictions on media and civil society organizations.

#### **CONSEQUENCES OF THESE VIOLATIONS:**

1. **Loss of Life and Suffering:** The conflict has resulted in significant loss of life, injuries, and immense suffering for individuals and communities on both sides.
  2. **Displacement and Refugees:** The conflict has led to the displacement of Palestinians and the creation of a large population of Palestinian refugees, many of whom have been living in refugee camps for generations.
  3. **Barriers to Peace:** The ongoing conflict and human rights violations have been barriers to achieving a lasting and peaceful resolution to the Israeli-Palestinian conflict.
  4. **Global Concern:** The Israeli-Palestinian conflict has garnered international attention and concern, leading to efforts by the international community to mediate and resolve the conflict. However, a comprehensive and lasting peace agreement has been elusive.
- It's essential to acknowledge that this is a highly complex and contentious issue with deep historical, political, and religious roots. Achieving a just and lasting resolution to the conflict that upholds the rights and dignity of all involved parties remains a significant challenge. International diplomacy and negotiations continue to play a role in addressing these issues, and there are ongoing efforts to find a peaceful solution to the conflict.

## 9. CONCLUSION:

Human rights are a vital component of a just and equitable society. They represent the ethical and moral framework for respecting the dignity and worth of every human being. Understanding the history, principles, and types of human rights is essential for advocating for their protection and ensuring that they are upheld and respected worldwide. The issue of human rights violations in military and political conflicts is a deeply troubling and complex challenge that continues to plague societies around the world. It is crucial to acknowledge the following key points when drawing conclusions about this issue:

1. **Systematic Violations:** Human rights violations in military and political conflicts often include a range of egregious abuses, such as extrajudicial killings, torture, forced displacement, sexual violence, and more. These violations are not isolated incidents but are often systemic and widespread.
2. **Impact on Civilians:** Conflict-related human rights violations have a devastating impact on civilians, leading to loss of life, physical and psychological trauma, displacement, and the destruction of infrastructure, making it difficult for communities to rebuild their lives.
3. **Accountability and Impunity:** Achieving accountability for those responsible for human rights violations is challenging. In many cases, perpetrators go unpunished due to the lack of effective legal mechanisms, corruption, or political influence.
4. **International Human Rights Framework:** The international community has developed a comprehensive framework of human rights laws and treaties. These provide a foundation for protecting individuals' rights, even during armed conflicts. The Universal Declaration of Human Rights, the Geneva Conventions, and other international instruments play a critical role in upholding human rights.
5. **Responsibility to Protect:** The principle of the "Responsibility to Protect" (R2P) emphasizes the duty of the international community to intervene when a state is unwilling or unable to protect its citizens from mass atrocities. R2P is a potential tool to prevent and respond to human rights violations in conflict.
6. **Prevention and Conflict Resolution:** Preventing human rights violations in military and political conflicts requires addressing root causes of conflicts, promoting dialogue and diplomacy, and resolving underlying political, economic, and social grievances.

**Role of Civil Society:** Civil society organizations, activists, and human rights defenders play a



vital role in documenting abuses, advocating for justice, and pressuring governments and international organizations to address human rights violations.

7. **Restorative Justice and Reconciliation:** In post-conflict situations, restorative justice mechanisms can help rebuild trust and facilitate reconciliation among conflicting parties. These processes may include truth and reconciliation commissions, reparations, and memorialization efforts.

In conclusion, addressing human rights violations in military and political conflicts is an ongoing challenge that necessitates a multidimensional approach. It involves respecting international human rights norms, holding perpetrators accountable, preventing conflicts, and supporting the healing and reconciliation of affected communities. International cooperation, political will, and a commitment to human rights are essential in working toward a world where such violations are minimized and ultimately eliminated.

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