

# [Riddled someone you love ever again may](https://assignbuster.com/riddled-someone-you-love-ever-again-may/)

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Riddledby bullets, torn apart by explosion, caught in between bricks of walls thatcame crashing down, losing a life while living in the most cautious waypossible and not knowing when might be the last time you see a familiar face ofsomeone you love ever again may be the fate of every innocent civilian caughtin between an armed conflict between two or more states that leech on power andsupremacy over the other state/states not knowing the damage and the life ofinnocent children, adults or even families that are at stake of beingdiminished in a split of a second from the destructive  impact of attacks throughout these armedconflicts. Waris a cold and petrifying period for many but mainly for civilians that are caughtin between this hot mess. The laws regulated to provide protection for innocentlives such as civilians are known as International Humanitarian Laws (IHL) andits main purpose is to limit and prevent human suffering in times of armedconflict. Part II and Part III of the Geneva Convention Relative to theProtection of Civilian Persons in times of War of 12 August 1949 sets out anumbrella of provisions that should be adhered to by states in periods ofconflicts of war.

But with all these piles of rules and regulations in times ofwar that are still at a constant occurrence as of now, civilians still pay ahefty price in having to deal with the consequences of it. Bearing that inmind, the issue arises as to what may be a possible solution or even suggestionto curb this problem? Firstand foremost, adherence of InternationalHumanitarian Laws by states or non-state actors should be strengthened andrespected 1asit is a prerequisite requirement in order to halt the brutal violation that aredriving an endless cycle of violence and devastation to the civilians. Lack ofcompliance only exacts a hefty price on civilian. IHL should not be takenlightly by states but rather in a more serious approach as lives are beingstringed along with it in its lack of adherence by member states. With thatbeing said, if a breach of IHL occurs, punishment should be implemented in avery stringent manner in order for states to be mindful of the consequences ofwar.

Few of the existing punishment available are by firstly being liable topay compensation if the act of the party violates any provision laid down inany Conventions and also that of imposing sanctions on an offending state. Oneof the most common forms of sanction has been an embargo on trade or weapons. Embargo is known to be one of the forcefultypes of economy sanctions. A clear measure was taken in Iraq during the Gulf War where Saddam Hussein, Iraqileader in the 1990s ordered the invasion and also occupation of neighboringcountry Kuwait believing it was initially part of Iraq and was intentionallycarved out by the British for imperialistic reasons. Kuwait was also a landrich with oil and was economically able to lift Iraq from its economic holewhich was caused by the extended war with Iran. However, Kuwait’s invasion byIraq flared the western countries and it provoked the United Nationsresolutions condemning Iraq’s invasion as well as imposing an economic sanctionon Iraq for failing to comply with International Humanitarian Laws imposed bythe United Nations2. Jacques Forster 3, member of the governing body of the International Committee of the Red Cross, said that the lack of political will to fully acknowledge and respecthumanitarian laws and any other applicable rules remained as one of the mainimpediment and obstruction in fully articulating protection for civilians intimes of armed conflicts.  Inorder to achieve such heights of adherence from States, one must have the accurate information on violation andthis would enhance compliances with the law and also for an effective responsefrom States.

For a clearer picture, in 2005 the Security Council Resolution16124which was established by the United Nation’s agencies and other actors was animpactful mechanism for the collection of information on six particularviolations against children in armed conflict. Similarlyin our present situation, information gathering arrangements could be arrangedin relation to other IHL violations in order to alleviate the casualties thatare caused in an armed conflict. With the advancement of technology, factfinding mechanisms have been established and should be put to proper use. Clarityand precision of purpose of the mechanism and its operating quality is a verycritical part in this process as justifying one’s wrongdoings may be an eyeopener as to the why international humanitarian laws are modeled in the way itis and this may encourage and motivate parties to armed conflicts to cooperatewith the process. Without prejudice the to the role of the InternationalHumanitarian Fact Finding Commission 5whichwas established under Article 90 of Additional Protocol 1 which brings togetherindependent experts from relevant fields, should draw on its expertise, even onan ad hoc basis.

Anothereffective solution that could provide increased protection for civilians intime of armed conflicts would be that of strongerand more sustainable partnerships between countries in conflict and the UnitedNations system that systematically identifies their various protection needs6. Prevention of casualties, protection of civilians and impunity could only bebridged by a combined action by all of the parties concerned in a conflictsetting their hatred and ego aside for a minute to thing of the consequencesthat may follow if they were to go through with an armed conflict against eachother. Thisdoesn’t only involve the individual States but also the international communityand the United Nations agencies. This step would seek to achieve agreementbetween parties to a dispute with a view of preventing a violent conflict. Theactivities concerned in this field would be through mediation or facilitatingtalks or reconciliation between conflicted States. A Mediation Support Unit 7 establishedin the 2006 has been set up by the United Nation Secretariat which can be useto facilitate mediation and provide services such as operational support topeace processes and providing advice to resolve issues between conflictingstates. This Mediation Support Unit should be emphasized and regulated moreoften and especially to conflicting states. Opportunities for exertinginfluence on parties are the greatest if communication with all parties concerntakes place at an early stage of the conflict and before any violence has beenerupted.

This would not only be a breakthrough to ensure peace and harmony onearth but would also save the hundreds of millions innocent lives that suffer painand injury or sometimes even death. Besidesthat, establishing a dedicated focalpoint on IHL in the United Nations such as a Special Representative who acts asa neutral person in dealing with conflicts between countries and one that isnot politically inclined. The United Nation system should establish apermanent and a dedicated position in order to supervise and focus mainly onthe international humanitarian laws. This position if created would be of greatvalue in raising concerns and awareness of violations and protectionchallenges. This would be an independent and impartial monitoring of incidentsinvolving loss of lives or injury to civilians and such institutionalarrangement could reduce the risk of being much politically inclined and themandate of the Special Representative for IHL could be developed slowly butprogressively as states would gain confidence in the position. A more precisepicture would emerge clearly distinguishing what is necessary and what ispossible and practical to be done in a convenient manner as it is a meticulousduty to deal with conflicts involving states that are only interested in theirown welfare and benefits. Anothersolution that can be discussed in order to provide a more wholesome protectionfor the civilians is by all parties involved in an armed conflict should avoid using explosive weapons thathas a high and wide impact area in a populated place.

The United Nationsshould restrict or even ban the usage of such explosives in an armed conflictas this act of using very dangerous explosive weapons don’t only discriminatecivilian’s death and injury but it can also cause extensive damage to criticalinfrastructure such as health care centers and education centers whicheventually leads disruption in the convenience of a civilian’s life as it isunder the laws of international humanitarian law that civilians must not onlybe protected from such attacks from the impacts of conflict but must also beable to go about their daily lives. But in every case of armed conflict morethan often we see the fabric of communities being destroyed and eroded away. Hence, lead politicians that call the shots on an attack on another stateshould bear in mind the grave consequences that these attacks serve to theinnocent public in general and try their level best to minimize the impact ofdestruction or find an alternative way in handling the issue at hand instead ofan act of hostility. Lastbut not least, in order to increase the protection of civilians the UnitedNations could systematically incorporate the International Humanitarian Lawinto military manuals and operational order and directives as a constantreminder in times of war. Ina nutshell, I would like to quote a prominent International Committee of theRed Cross war surgeon who has worked in conflicts across the world Doctor MarcoBaldan that said “ As I stand in the emergency theatre, operating patients tornapart physically by explosion and mentally and emotionally by theirsurroundings, I wish a handful of prime politicians in war-torn countries couldjoin me. Would their decisions be any different if faced on a day to day basiswith the human cost of war in its most raw manifestation? It does not have tobe like this, the people in the room today have the power to make a change fora better tomorrow and to ensure the protection of civilians from the worstimpact of war and violence.”