

Research Article

Women And Children Suffer In Conflict As Nations And Non-State Actors Bask In Complicity And Impunity

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Abstract:

Major General Patrick Cammaert Could Not Have Said It Better: “It Is Now More Dangerous To Be A Woman Than To Be A Soldier In Modern Wars”; And General Cammaert Knew Exactly What He Was Saying As He Was The Deputy Force Commander Of The United Nations Mission To The Democratic Republic Of Congo In 2008, A Country Know To Be The “Rape Capital Of The World” Where Violating Women And Young Children Seemed To Be The Norm Rather Than The Exception. Forget For A Minute The Litany Of Conventions, Protocols And United Nations Security Council Resolutions That Speak Of Sexual Violence As A Breach Of Human Rights And A War Crime, The Fact Remains That Atrocities Against Women And Children, Especially Young Girls, Continues Either With Complicity Or Impunity Or Both.

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The Democratic Republic Of Congo (Drc) Is Not The Only “Hell On Earth” For Women And Young Girls. It Is Perhaps One Of The Most Vicious Places On Earth Along With Others In Asia, Africa And Latin America Where Local Conflicts—As Opposed To Routine Political Violence And Gang Wars—Have Manifested In An Almost Daily Routine Of Sexual Violence, Gang Rapes And Even Cannibalization In Societies Where Rape Is Considered To Be “Normal” With Primitive Locals And Tribes Even Going To Be Extent Of Believing That Forcing A Woman Gives Some Sort Of “Magical Powers” To Men Before A Conflict Situation And

Fighting. And International Organizations And Human Rights Groups Have Stressed That At Best Only 10 Percent Of The Rapes Are Reported And For Known Reasons.

In Fact The Outrage Has Been Such That The United Nations Has Been Accused Of “Feckless Negligence” In Spite Of The Fact That The Security Council Passed Resolution 1820 In 2008 Empowering The World Body “ To Hold Countries Accountable For Sexual Violence During Conflict And Post Conflict Periods”. The Fact Of The Matter Is That One Of The Main Objectives Of The United Nations Is To “Maintain International Peace And Security” And To Take Adequate Steps To Avert Wars. Statistics Or Data May Not Be Quite Accurate But It Is Generally Believed That Since 1945 There Have Been About 300 Armed Conflicts And That There Has Been Only About 26 Days Of Peace Since The Time The United Nations Came Into Being.

Wars Are Not Exactly Seen In The Way The Two World Wars Have Been; Rather In A Number Of Conflicts Between Nations, Between Nations And Non-State Actors Like Terrorists Groups Involving Regular Military, Military Contractors, Hirelings, Mercenaries And Soldiers Of Fortune. The Fact That Regular Units Of The Military Or The Police Force Are Not Always Involved In Operations Make The Job Even More Difficult To Supervise Behavior On The Battlefield Or Zones Of Operation. The Hostilities Between Rival Outfits Are So Intense That The Results For The Women And Children Caught Literally In The Crossfire Are Simply Appalling.

For Instance In The Rwanda Genocide Of 1994 The Extremist Hutus Massacred Some 800,000 Tutsis In A 100 Day Period Where An Estimate 500,000 Women And Children Were “Raped, Sexually Mutilated Or Murdered” With Thousands Of “War Babies” As A Result Of Forced Impregnation. And These Horrific Acts Were Carried Out By The Interahamwe Militia, Male Hutus (Sometimes Assisted By Females), Rwandan Military And The Presidential Guards. The Killings Of Tutsis Had Happened In Earlier Massacres In 1959 And 1973 But 1994 Was Different Because As A Resident Recalled, “... It Killed Babies On The Back, Children Who Were Beginning To Walk, Pregnant Women And Old People”. Uncovering A Mass Grave In The Province Of Kibuye, **Physicians For Human Rights** Noted That 44 Percent Of Children Were Under The Age Of 15; 31 Percent Were Under The Age Of 10; And Were Mostly Killed

By Machetes. Fewer Than 1 Percent Of The Children Found In The Mass Grave Were Seen As “Lucky” As They Were Killed By Gunfire!

To Say That The African Continent Alone Is Responsible For The Plight Of Women And Children During Conflict Is To Miss The Full Picture. Asia For Instance Has Had Its Share Of Its Trauma: Pol Pot And His Murderous Gang Put To Death Some 2 Million Cambodians In A Brutal Rule That Lasted Four Years Starting 1975; And The Military Junta In Myanmar (Formerly Known As Burma) Are Still Accounting For Their Brutality Of The Rohingyas, Krens, Kachins And The Shans With Some 700,000 Of Rohingyas, State-Less People Who Are Muslims, Languishing In Camps In Bangladesh And Other Minorities Of The Country Waiting To Cross Into Thailand For Safer Sanctuaries; And Countries Like Sri Lanka Who Are Now Seemingly Behind A Ruthless Ethnic Conflict That Lasted 26 Years But Where Reconciliation And Accountability Is Still A Far Cry.

It Is Said That In The First Five Years Of The Ethnic Conflict In Sri Lanka Between 12,000 To 16,000 Men, Women And Children Had Been Killed In The Violence; And The United Nations Has Said That In The Final Stages Of The War In 2009 Some 40,000 Civilians Had Been Killed Even As Human Rights Groups Place That Figure To More Than 70,000. It Is Alleged In Some Quarters That Close To 30,000 Tamil Civilians Were Killed In The Last Few Weeks Of The War, An Allegation Denied By The Government In Colombo That Had Consistently Maintained At The Time That It Is “Taking Care Not To Harm Civilians” And Going On To Blame The Liberation Tigers Of Tamil Eelam (Ltte) Of Using Civilians As “Human Shields”. Kenneth Bush Writing On The Ethnic Conflict In Sri Lanka In **Conflict Quarterly** Quotes The Former President J.R. Jayawardene As Saying, “ I Shall Have A Military Solution To What I Believe Is A Military Problem. After Doing So, I Shall Tackle The Political Side”.

In May 2021, Two Major Incidents Rattled The International Community Highlighting Once Again The Dangers Faced By Women And Children In Conflict Zones Of A Different Character. On May 8, A Car Bomb Went Off Near A School Compound In Kabul, Afghanistan Leaving 85 Dead And More Than 100 Wounded. What Was Initially Thought Of As An Incident Of A Routine And Minor Nature And Of A Casualty Figure Around 25, Soon It Unraveled That Most Of The Victims Were Young Girls And In The Process Highlighting The Dangers Faced By

Females, Especially In The Realm Of Their Physical Safety And For Their Education, Should There Be A Return To The Horrors Of The Past By Way Of The Taliban Rule.

The Second Major International Event Was The Full-Fledged Flare Up In The West Bank And The Gaza Where Israel In A Bid To Deliver A Knockout Blow To The Hamas Leveled Large Swaths Of Territory Leaving Behind A Trail Of Destruction And Agony—More Than 200 People Are Said To Have Died, 50 Percent Of Them Being Women And Children. International Efforts Are Under Way By The West And By Leading Nations In The Middle East To Defuse The Situation, But Israel Continues To Pound Away In The Pretext Of Coming To Terms With “Terrorists”—The Flattening Of Residential Complexes, The Deaths Of Palestinians Only Adding To Their Ongoing Travails In The Pandemic Era.

The Continuing Bomb Blasts In Afghanistan, The Palestinian Problem And Their Impact On Women And Children Are On Account Of Different Historical And Geo-Political Reasons; The Former Having To Do With The Withdrawal Of American Forces After A Twenty Year Period And The Ensuing Power Grab Attempt By The Taliban; And The Latter Having To Do With A Seven Decade History And Track Record In The Middle East. In Afghanistan, The Plight Of Women And Children Is Bound To Get Worse Should The Taliban Muscle Its Way Back To The Scheme Of Things And In The Return To The Ways Of 1996; In The West Bank And The Gaza, It Is Unlikely That The State Of Israel Will Take The Heat Off The Hamas Insisting That It Is A Terror Outfit Supported From The Outside By Iran And Not A Political Wing Of The Palestinians. The Bottom Line Is For All To See: The Continuing Plight Of What Can Be Considered As The Human “Endangered Species”, Not Merely Fighting For Physical Survival But Also Looking For Space In A Civil Society Platform Like Education For Young Girls.

The Horrors Of Humanity Is More Appalling In Syria That Has Literally Descended Into Absolute Chaos. Writing For The **Council On Foreign Relations** On March 17, 2021, Zachary Laub Essentially Captures The Scene Thus: “Ten Years Since Protesters In Syria First Demonstrated Against The Four-Decade Rule Of The Assad Family, Hundreds Of Thousands Of Syrians Have Been Killed And Some Twelve Million People—More Than Half The Country’s Prewar Population—Have Been Displaced. The Country Has Descended Into An Ever More Complex Civil War: Jihadis Promoting A Sunni Theocracy Have Eclipsed Opposition Forces Fighting For A Democratic And Pluralistic Syria, And Regional

Powers Have Backed Various Local Forces To Advance Their Geopolitical Interests On Syrian Battlefields”.

The Estimates Of The Dead In The Brutal Civil War Varies Between 400,000 And 600,000 With Some Researchers Maintaining That Close To Seven Million Syrians Have Fled The Country To Neighboring Countries In The Middle East And Turkey; And Some Desperately Seeking Safer Havens In Europe And North America. And The Internally Displaced Are Clustered Around Major Centers Like Damascus Fearful Of The Advances Of The Isis, The Islamic State For Iraq And Syria. Opposition Activist Groups Like The Syrian Observatory For Human Rights Have Estimated That Close To 14,000 Women And More Than 22,200 Children Have Been Killed In The Conflict With Amnesty International Saying In 2017 That An Between 5000 And 13000 Have Been Executed In Government Prisons And Thousands More Reportedly Dead As A Result Of Torture By Syrian Authorities.

Atrocities Against Women Are Taken Quite Seriously By International Organizations And Non-Governmental Organizations; But Even More So When It Comes To The Plight Of Young Children For The Simple Reason That Every Slain Child Is Seen As A “Lost” Generation. And This Is Precisely One Reason Why At The Global Level Particular Emphasis Is Placed On Children, At Times Even Giving The Benefit Of Doubt To Those Youngsters Who May Have Been Involved In Genocide. “While Armed Conflicts And Crises Affect People Of All Ages, Children Are Particularly Susceptible To The Effects Of War. In 2019, Almost Two Thirds Of The World’s Children Were Living In A Conflict-Ridden Country” Says Relief Web, An Information Hub For Human Rights Issues, Making The Point That About 426 Million Children – Over One In Six – Were Living Less Than 50 Km From The Actual Conflict Zone.

It Is Estimated That As Of 2019 Some 1.6 Billion Children Or Nearly 70 Percent Were Living In A Conflict Affected Country With Africa Accounting For The Highest Number Of Kids In Conflict Zones At 179 Million And The Middle East Had The Highest Share At 40 Percent. In All Some 71 Million Children Between The Age Of Zero To Five Years Were In Areas That Had Witnessed Conflicts In Their Entire Lifetime. Repeatedly Scholars, Jurists And Academics Have Been Hammering Away At The Point That International Laws And Customs Have Clearly Prohibited Six Grave Violations Against Children But Something That Have Been Callously Or

Even Willfully Tossed Aside: Killing And Maiming; Recruitment And Use Of Kids By Armed Forces And Groups; Sexual Violence;Attacks Against Schools And Hospitals; Abduction And Denial Of Humanitarian Access. Terror Outfits Like The Boko Haram In Nigeria Regularly Kidnap Young Girls In Schools, Many Of Whom Are Kept Behind For Forcible Impregnation; And The Same Has Been Said Of Another Terror Unit, The Isis, Doing The Same With Yazidi Women In Syria.

International Organizations Like The Unicef Have Repeatedly Pointed Out That Children Continue To Pay A “Deadly Price” As Conflicts Rage With A Verified 170,000 Grave Violations In The Decade Starting 2010, Or Some 45 Violations Each Day With Killing , Maiming And Forcible Movement Of Children Being The Order Of The Day. “Conflicts Around The World Are Lasting Longer, Causing More Bloodshed And Claiming More Young Lives. Attacks On Children Continue Unabated As Warring Parties Flout One Of The Most Basic Rules Of War: The Protection Of Children. For Every Act Of Violence Against Children That Creates Headlines And Cries Of Outrage, There Are Many More That Go Unreported”,Says Henrietta Fore, Unicef Executive Director.

What Makes Violence Against Women And Children In Conflict Zones So Bone Chilling Is The Galling Fashion In Which National States And Non-State Actors Have Gone About The Whole Thing, Alternating Between Brazen Denials, Complicity And At Times Even Being An Active Participant In The Perpetrated Brutalities. Violence Against Women Is Not Just A Product Of The 20th Or 21st Century Wars And Conflicts; The Abuses Have Been Historically Recorded With Only Flimsy Attemptsmade To Redress Them As For Instance In The War Crimes Tribunals Of Tokyo And Nuremberg In The Aftermath Of The Second World War. The Tribunals Set A Reference To Rapes As A War Crime But Hardly Any Convictions Or Serious Mentions, Jurists Have Said.

Similarly The Sordid Acts Of Soldiers Against Women In Vietnam And Bangladesh Have Also Gone Largely Unnoticed. It Is Estimated That In The Balkans War Between 1992 And 1995 Anywhere Between 30,000 To 50,000 Bosnian Muslim Women Were Systematically Raped By Serbs In A Manner That Would Put The Japanese Imperial Army To Shame In Its Rape Of Nanking During The Second World War Or The “Comfort Women” Of Korea. Yet At The Time And For Several Months Key Serbian Military Commanders Radovan Karadzic And Ratko

Mladic The Prime Accused In The Genocide Of Srebrenica In July 1995 Were Brazenly Moving Around.

Writing In 1997 On The Rape Of Muslim Women In Wartime Bosnia, Adriana Kovalovska Maintains, “It Has Been Fifty Years Since The End Of World War Ii, And Barbarian War Crimes Have Emerged Again. All The International Documents Have Proven To Be Of No Worth In This Situation. Although The Tribunal Took The Opportunity To Recognize Rape For The First Time As A War Crime, The Tribunal And The International Community Have An Obligation To Arrest And Convict The Criminals Guilty Of Rape And Other Sexual Abuses”. Nearly Two And A Half Decades Later And With The International Community A Spectator To What Is Going On By Way Of Violence Against Women (And Children) In Places Like Syria, Yemen And Afghanistan For Instance, The Question Arises If All The Conventions, Protocols And Resolutions Are Even Worth The Paper They Are Printed On.

To Lay The Blame At The Door Steps Of The United Nations Or Its Functional Agencies Like The Security Council May Be Misplaced For At Least Two Reasons: First, Nation States Are Under The Impression That They Can Get Away With Anything Just Because Of Their Standing In The Region Or Their Perceived Importance In The Global Play Of Things; Second, Major Powers Themselves Are Culpable To The Horrendous Goings On As They Are In A Position To Use The Veto Power In The Security Council—The United States Getting On The Side Of Israel Over The West Bank/Gaza; Russia Backing Syria; And China On The Side Of Pakistan And Sri Lanka On Issues Of War Time Accountability Or Terrorism And Terror Financing.

In Fact In The Last Several Years Sri Lanka Has Managed To Dodge An International Composition To Enquire Allegations During The Ethnic Conflict Not Because Of Shrill Noises It Makes On “National Sovereignty” But Also Because Of Lack Of Sufficient Numbers Thanks To Political And Geo-Political Considerations By Nations Including India. The International Geo-Politics Evolving The Way It Does, Talking About Morality And Values In Foreign Policy Sounds Fancy And High Sounding But Pales Into Insignificance When Major Capitals Of The World Start Looking For “Deals” At The Expense Of The Local Population.

“In Conflict Zones Around The World Today, Impunity Is On The March. Whether It Is Saudi Arabia Bombing A Bus Carrying Yemeni Schoolchildren Or President Bashar Al-Assad And His

Allies Targeting Health Facilities In Syria, Governments And Rebel Groups Increasingly Violate International Laws And Norms Without Being Punished Or Held To Account. The Missiles And Rockets Flying Between Israel And The Occupied Palestinian Territories, With Civilians On The Receiving End, Are Just The Most Recent Example”, Writes David Miliband, Former Foreign Secretary Of The United Kingdom Writing In **Foreign Affairs**.

“As A Result Of The Rise Of Impunity, Civilian Death And Displacement Are On The Rise. An Average Of 37,000 Civilians Were Killed In Conflict Each Year Between 2016 And 2020... That Is Two And A Half Times As Many Civilian Fatalities As In The Previous Five-Year Period And Nearly Ten Times As Many As In The Period From 2005 To 2009. Around The World, A Record 79.5 Million People Have Been Forced To Flee Their Homes, Primarily As A Result Of Conflict. Attacks On Health Facilities Have Also Increased. Since The Un Security Council Passed A Resolution Condemning Attacks On Hospitals In May 2016, There Have Been Over 2,000 Attacks On Health Facilities Worldwide. Even During The Covid-19 Pandemic, More Health Workers And Patients Were Killed In 2020 Than In 2019. Meanwhile, Ethnic Cleansing And Killings Of Aid Workers Have Accelerated As Well” Miliband Adds.

One Of The Things That People Like Miliband Stress Is That Those Who Think That There Are No Consequences Of Taking The Lives Non-Combatants Will Have To Seriously Re-Consider. And This Will Have To Come About Both In A Legal And A Political Fashion That Would Include Meaningful Economic Punitive Measures. Sanctions As They Have Evolved Over The Years Are Largely Lop Sided—Some Like Iran And North Korea Face The Wrath While Others Get A Slap On The Wrist By Way Of Preventing Travel Of Some Individuals As If They Are Anxious To Spend Time In Foreign Lands. More Than Anything Major Powers Cannot Given Even The Slightest Impression That They Are Complicit In This Ugly Scenario; Or Worse Sitting On Intelligence Information That A Genocide Is About To Happen.

Disappointing As It May Sound, A Recent Report Has Pinned Down France As Bearing “Significant” Responsibility For “Enabling A Foreseeable Genocide”. The Report Commissioned By The Government Of Rwanda Has Come To The Conclusion That Paris Had A Role Both Before And During The Horrific Days That Claimed Close To One Million Lives. France, The Report Maintains, Not Only Did Nothing To Stop The Willful Massacres But Also

That The Government Of Francois Mitterand Had Prior Knowledge Of What Was Going To Come And Worse Kept Supporting The Then Government .” The French Government Was Neither Blind Nor Unconscious About The Foreseeable Genocide”, The Report Stressed.

It Is Not Just A Question Of Coming Down Hard On Complicity Or Impunity But A Duty Of Responsible Members Of The International Community To Make It Clear That All Nations Are Under The Scanner Of Accountability When It Comes To Crime Against The Vulnerable Populations In Conflict Zones. This Requires A Political Will Of A Rare Order, Individually And Collectively At International Forums, If Women And Girl Children In Conflict Zones Are Not To Be Seen As “Sperm Envelopes”.