

HUMANITY IN CRISES

THE LEGAL FRAMEWORK FOR
WAR AND DISPLACEMENT



Editors

Dr. Huma Khan
Dr. Kavya Chandel

Humanity in Crises: The Legal Framework of War and Displacement

Editors

Dr. Huma Khan
Dr. Kavya Chandel



Published by

The Lawgical Junction and MJS Publishing House
[Printed in India]

Imprint

MJS PUBLISHING HOUSE

Email: mjspublishinghouse@gmail.com

Mobile: +91-9889657595, 6387320400

Place: Lucknow.

Year: 2025

MRP: INR 899/-

ISBN No. 978-81-970528-1-1

Copyright @ Dr. Huma Khan and Dr. Kavya Chandel

All Rights Reserved

No part of this publication may be reproduced, transmitted or stored in a retrieval system, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the editor and the publisher.

CHAPTER 8	105
Terrorism in the Cyberspace: Addressing thresholds Under International Humanitarian Law	
	<i>Dr Medha Tiwari</i>
CHAPTER 9	119
Sexual Violence in Conflict Zones: A Comparative Study on Gender-Neutral Legal Protections across International Jurisdictions	
	<i>Mr. Ashutosh Mishra , Arma Malik & Dr. Abhijeet Mishra</i>
CHAPTER 10	137
The United Nations and Displacement in Armed Conflict: Mandates and Challenges	
	<i>Mohd Ubais Ansari</i>
CHAPTER 11	148
The Crisis of Norms: Legal Accountability of Non-State Armed Groups under International Humanitarian Law	
	<i>Faiz Osmani</i>
CHAPTER 12	164
Prosecuting Crimes Against Humanity in Forced Migration: The ICC's Role in the Rohingya Crisis	
	<i>Ashraf Azmi</i>
CHAPTER 13	179
Children Conflict and Compliance: The Law's Failing Frontlines	
	<i>Dr. Gaurav Gupta & Swati Joshi</i>
CHAPTER 14	195
The Digital Dilemma: Safeguarding Human Rights in the Age of Cyber Threats	
	<i>Dr. Manvendra Singh & Dr. Vaishali Arora</i>
CHAPTER 15	207
International Legal Norms Concerning Stateless Persons	
	<i>Mohammad Faiz Khan</i>

CHAPTER 12

Prosecuting Crimes Against Humanity in Forced Migration: The ICC's Role in the Rohingya Crisis

Ashraf Azmi

*"Crimes of forced displacement are as destructive as the bullet or machete, and international law must evolve to ensure such violations are met with justice."*²

The Rohingya crisis has emerged as one of the most pressing humanitarian tragedies of the 21st century, drawing widespread international attention for its scale of violence, systematic persecution, and forced mass displacement. The crisis escalated significantly in August 2017, when Myanmar's military launched brutal operations against the Rohingya population in Rakhine State.³ Reports of killings, sexual violence, village burnings, and widespread human rights abuses led to the exodus of over 700,000 Rohingya into neighbouring Bangladesh, creating a complex and ongoing refugee emergency.⁴ The suffering of the Rohingya people not only raised moral and humanitarian concerns but also posed significant legal questions under international law, particularly concerning crimes against humanity and the obligations of the global community to prevent and respond to such atrocities.⁵

Forced migration on such a large scale is not merely a humanitarian issue it intersects deeply with international legal frameworks, including refugee law, human rights law, and international criminal law. The global legal order, through treaties and customary norms, places obligations on states and international bodies to protect

¹ Assistant Professor, Faculty of law, Integral University, Lucknow.

² Philippe Sands KC

³ United Nations Human Rights Council, *Report of the Independent International Fact-Finding Mission on Myanmar*, A/HRC/39/64 (12 September 2018)

⁴ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Mission Report: Interviews with Rohingyas Fleeing from Myanmar since 9 October 2016* (February 2017).

⁵ Takemura, H., *The Rohingya Crisis and the International Criminal Court* (Singapore, Springer Nature Singapore, 2023) pp. 27–61.