

# 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**

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Dr. Kavya Chandel**



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## CHAPTER 18

# Gender-Based Violations in Conflict Zones

Zainab Iftikhar Khan<sup>1</sup>

### Abstract

*Gender-based violations in conflict zones represent one of the most pervasive and devastating forms of human rights abuses in times of war and political unrest. Women, girls, and marginalized gender groups are disproportionately affected, often facing targeted acts of sexual violence, coerced migration, exploitation through trafficking, and violations of reproductive autonomy. These violations are not random acts of cruelty but are frequently employed strategically as instruments of warfare aimed at instilling fear, breaking community structures, and achieving military or political objectives. The collapse of legal and social protections in conflict situations leaves survivors with limited avenues for justice or recovery. While international legal instruments like the Geneva Conventions, the Rome Statute, and UN Security Council Resolutions (notably Resolution 1325) have acknowledged and condemned these crimes, the implementation of protective mechanisms and prosecution of offenders remains inconsistent. This chapter critically examines the nature, causes, and consequences of gender-based violence in conflict zones, exploring historical and contemporary case studies such as Rwanda, Bosnia, the Democratic Republic of Congo, and Syria. It also discusses the role of international law, peacekeeping missions, and grassroots advocacy in addressing these atrocities. The chapter concludes by emphasizing the need for survivor-centered justice, gender-sensitive peacebuilding, and stronger accountability frameworks to combat impunity and ensure long-term healing.*

### Introduction

Gender-based violence in conflict zones is a persistent and systemic issue that transcends borders, cultures, and historical periods. It encompasses a range of human rights violations, including but not limited to sexual violence, trafficking, forced marriage, and reproductive control. These acts are not merely by-

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<sup>1</sup> Assistant Professor, Faculty of Law, Integral University, Lucknow.

products of war but often used as deliberate strategies of warfare and repression. The impact of such violence extends far beyond the immediate physical and psychological harm to survivors; it deeply affects families, communities, and the fabric of society. Understanding Gender Based Violence in conflict zones necessitates a multidimensional approach that incorporates legal, socio-political, and humanitarian perspectives.<sup>2</sup>

## **Historical Context and Evolution**

Historically, women and girls have been disproportionately affected by armed conflict. Ancient military campaigns often included rape and enslavement of women as war spoils. The 20th century witnessed mass atrocities in conflicts such as World War II, where the Japanese military forced women into sexual slavery as '*comfort women*'<sup>3</sup> During the Rwandan Genocide (1994), an estimated 250,000 to 500,000 women were raped.<sup>4</sup> These examples underscore the use of sexual violence as a tool for ethnic cleansing, domination, and psychological warfare.

## **Legal Frameworks and International Response**

- The international community has taken steps to address Gender Based Violence in conflict through legal mechanisms. The Geneva Conventions (1949) and their Additional Protocols prohibit sexual violence and protect civilians in armed conflict. The Rome Statute of the International Criminal Court (1998) recognizes acts such as rape, sexual slavery, enforced prostitution, and forced pregnancy as constituting both crimes against humanity and war crimes (ICC, 1998). Furthermore, UN Security Council Resolution 1325 (2000) emphasizes women's participation

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<sup>2</sup> ICRC. (1949). Geneva Conventions and Additional Protocols

<sup>3</sup> YOSHIMI Y. (2000). *Comfort Women: Sexual Slavery in the Japanese Military During World War II*

<sup>4</sup> UN Human Rights Council. "Report of the Independent International Fact-Finding Mission on Myanmar." A/HRC/39/64, 2018

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*Dr. Huma Khan is a dedicated academician and legal scholar with over six years of teaching experience in the field of law. She is currently serving as an Assistant Professor at the Faculty of Law, Integral University. Her research and academic interests span across contemporary legal issues, with a focus on criminology, International Law, constitutional law, and emerging dimensions of crime in the modern world. Huma Khan holds an LL.B. degree from Lucknow University and completed her LL.M. from Sri Ram Swaroop Memorial University, demonstrating a strong foundation in both the theoretical and practical aspects of law throughout her academic career; Dr. Khan has shown a deep commitment to legal research and scholarship. She has presented papers at numerous national and international conferences, contributing valuable insights into various areas of legal concern. Her scholarly contributions include several research articles and book chapters published in reputed journals and edited volumes, reflecting her engagement with contemporary legal discourse. Demonstrating her leadership and organizational capabilities, she has successfully organized and coordinated various academic events, aimed at enhancing legal awareness and student engagement. She is also the editor of the book titled "Changing Dimensions of Crimes in the 21st Century", which explores the evolving nature of criminal activity and the legal system's response to these changes. Before joining Integral University, she held teaching positions at Ambedkar Law College and Geeta Law College, where she was recognized for her engaging teaching style and her dedication to mentoring students. With her rich academic background, research orientation, and passion for teaching, Huma Khan continues to contribute meaningfully to legal education and scholarship in India.*



*Dr. Kavya Chandel is a dynamic academite in the field of Legal Academia. She has previously held the position of Assistant Professor (Law) at Sharda University in Greater Noida (UP). Additionally, she has served as an Assistant Professor at Integral University in Lucknow. Furthermore, she was part of Amity and City Academy Law College. With an extensive academic experience spanning five years, she completed her Master's degree in Environmental Law from Hidayatullah National Law University in Raipur, along with a PGDIPR from Rammanohar Lohiya National Law University in Lucknow. Dr. Kavya is a silver medalist in Intellectual Property Rights and possesses a profound passion for environmental issues, which motivated her to pursue a PhD in Environmental Law. She has judged various competitions, including the Second Round Table Conference, moot court competitions, and debate competitions. Dr. Chandel has been interviewed by Lawctopus and TV India, and she has presented research papers at numerous national conferences. She has also moderated international conferences and hosted various events. In addition to her academic pursuits, she has a keen interest in poetry and marathons, having contributed her poetry to Sahitya Ajtak and the Lucknow Literature Festival. She has participated in several marathons throughout the city and is an enthusiastic speaker who doesn't shy away to express her views. Dr. Chandel has delivered guest lectures on Intellectual Property Law, Environmental Law, Sports Laws in India, and the NDPS Act across the country. She hosts and runs a podcast 'Legal Fatum' and has published her research papers in Scopus and international journals.*

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