

# Humanity in Crises: The Legal Framework of War and Displacement

## Editors

Dr. Huma Khan  
Dr. Kavya Chandel



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## CHAPTER 5

# Crisis of Humanity: Legal Responses to War and Displacement Challenges

*Dr. Waseem Ahmed<sup>1</sup>*

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### **Introduction**

The intricate and evolving nature of modern warfare, coupled with its far-reaching consequences such as widespread displacement, presents profound challenges to the legal frameworks designed to uphold human dignity during crises. International Humanitarian Law and International Human Rights Law stand as the cornerstone mechanisms to regulate armed conflicts, protect non-combatants, and mitigate the humanitarian toll of war. These frameworks, rooted in decades of international agreements, aim to balance military necessities with the imperative to minimize human suffering. However, the shifting dynamics of contemporary conflicts characterized by urban warfare, rapid technological advancements, and climate-induced crises expose significant limitations in their scope, application, and enforcement. The rise of non-state actors, the integration of artificial intelligence in warfare, and the exacerbation of displacement due to environmental factors demand a critical reassessment of these legal structures. This chapter provides an in-depth examination of the legal frameworks governing war and displacement, analyzing their effectiveness in addressing pressing issues such as urban combat, cyber warfare, autonomous weapons systems, and mass displacement. By drawing on recent conflicts in Ukraine, Sudan, and Gaza, it evaluates the adequacy of IHL and IHRL, exploring their strengths, weaknesses, and the urgent need for adaptive legal responses to safeguard humanity in an era of unprecedented crises.

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

## **The Evolution of International Humanitarian Law**

International Humanitarian Law, commonly referred to as the law of war, is a body of rules designed to limit the effects of armed conflict by regulating the conduct of hostilities and protecting those not engaged in fighting, such as civilians, prisoners, and the wounded. Its origins can be traced to the 1864 Geneva Convention, which was inspired by Henry Dunant's advocacy for humane treatment of war victims following the Battle of Solferino.<sup>2</sup> This foundational moment led to the development of the 1949 Geneva Conventions, which were later expanded by the Additional Protocols of 1977 and 2005, forming the bedrock of modern IHL.<sup>3</sup> These treaties codify protections for vulnerable groups and establish core principles such as distinction, which mandates separating military targets from civilians; proportionality, which limits excessive harm relative to military gain; and necessit