



Enforcement Challenges Faced by International Humanitarian Law

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Abstract

International humanitarian law (IHL) is a set of rules which seek for humanitarian reasons, to limit the effects of armed conflict. International humanitarian law is part of International law, which is the body of rules governing relations between States. The sources of IHL is found in the four Geneva Conventions of 1949. International Humanitarian Law applies to armed conflicts but it does not regulate whether a State may actually use force; this is governed by an important, but distinct, part of International law set out in the UN charter. International Humanitarian law covers two areas: First, the protection of those who are not, or no longer, taking part in fighting and the second in placing restrictions on the means of warfare-in weapons and the methods of warfare. This paper proposes to deal with what is Protection and what restrictions are there on weapons and tactics and whether States are abiding by the International Humanitarian Laws and if not, what should be done to implement the law. In this era, we are watching the Russia and Ukraine war and war between Israel and Hamas or Palestine and we witness large scale violations impacting civilians. Increasingly the victims of the war are civilians far more than the combatants and IHL has made significant contribution in protecting the civilians, prisoners, the sick and the wounded. Yet, enforcement of IHL is such a huge roadblock as States speak about sovereignty and interference in their affairs. Violations of Geneva Conventions should be viewed more seriously and Tribunals must be created to punish the acts committed during armed conflicts. At the end of the day, steps must be taken to comply with International Humanitarian Law to make the Universe more suitable place for living.

Key words: *International Humanitarian Law, Armed Conflict, Geneva Convention, Protection of civilians, Enforcement of IHL.*

1. Introduction

International Humanitarian Law (IHL), often referred to as the "Law of Armed Conflict" (LOAC), intersects with arms control regulations and international human rights law, forming a fundamental pillar of International Criminal Law. IHL comprises a codified set of legal principles that, for humanitarian considerations, seek to mitigate the adverse consequences of armed hostilities. As a crucial subset of international law an extensive body of legal norms that

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govern interactions among sovereign States IHL is primarily enshrined in treaties and conventions, which are formal agreements between two or more nations. IHL applies exclusively to situations of armed conflict and does not determine the legality of a state's decision to resort to the use of force, a matter that falls within the purview of a distinct branch of international law, as codified in the United Nations Charter.¹

The overarching objective of IHL is to curtail, to the greatest extent possible, the human suffering, destruction, and devastation inflicted by war. It ensures the protection of individuals who are uninvolved in hostilities, particularly the wounded, the sick, and those shipwrecked during naval warfare, as well as individuals deprived of their freedom, such as prisoners of war (PoWs). In addition, IHL works to make it easier for peace to return after a conflict. Its purview does not, however, include stopping the start of hostilities or eradicating the misery brought on by conflict. Even though IHL creates important safeguards, it is unable to completely prevent armed conflicts or the suffering that occurs during times of conflict. It cannot stop people from fighting one another or from suffering during a conflict.

2. History of IHL

The Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field was formally established in 1864, motivated by the ground-breaking humanitarian efforts of Henry Dunant, who had been deeply shaken by the heinousness of the Battle of Solferino five years earlier. Although it was brief in scope, this foundational legal document was significantly revised in 1906. The principles of humanitarian protection in armed conflicts were further refined during the Hague Conferences of 1899 and 1907, when the dominant legal frameworks governing the conduct of warfare were methodically codified. In the middle of the nineteenth century, the legal system that governed this area started to change. During this time, leaders like Henri Dunant, Tsar Alexander II, and other visionaries from around the world worked to define the nature of war, control its tools and tactics, and create legally binding standards to protect those who were affected by armed conflict. New treaties were painstakingly drafted following each major war in the hopes of preventing the atrocities and war crimes that had just been witnessed from happening again.

A succession of conventions emerged from these diplomatic conferences, addressing both land and naval warfare principles that continue to underpin contemporary regulations governing armed hostilities. A central tenet of these agreements was the reaffirmation that warring parties remained bound by the law of nations, explicitly prohibiting acts of aggression against unfortified villages and towns. The conventions further codified the criteria for belligerent status and outlined the legal obligations concerning occupied territories. Additionally, they encompassed provisions defining the rights and responsibilities of neutral states and individuals in times of war, thereby reinforcing the broader framework of international humanitarian law.² However, there were inadequate means to implement and enforce such rules with the result that much appeared to depend on reciprocal behaviour, public opinion and the exigencies of morale.

¹ ICRC Advisory service on International Humanitarian Law 07/2024.

² Neff, *The Rights and Duties of Neutrals*, Manchester, 2000.

Several conventions in the inter-war period dealt with rules concerning the wounded and sick in armies in the field and prisoners of war.³ These agreements were subsequently superseded by the Four Geneva 'Red Cross' Conventions of 1949, which comprehensively addressed distinct aspects of humanitarian protection during armed conflict. Each convention focused on a specific domain: the first pertained to the improvement of conditions for wounded and sick personnel in land-based military operations; the second extended similar protections to wounded, sick, and shipwrecked members of naval forces; the third established legal provisions governing the humane treatment of prisoners of war; and the fourth safeguarded civilian populations during times of war, ensuring their protection from the perils of armed hostilities.⁴ The fourth convention was an innovation and a significant attempt to protect civilians who, as a result of armed hostilities or occupation, were in power of a State of which they were not nationals.

Humane treatment of those who are not actively involved in combat is the cornerstone of the Geneva Conventions system. According to the International Court of Justice, the "Law of Geneva," which deals with protecting people from the effects of armed conflicts, has gotten so entangled with other legal systems that, over time, they have all come to form a single, all-encompassing system that is now known as International Humanitarian Law. Furthermore, the growing impact of international human rights as well as pertinent domestic laws has made this area of the law more intricate and advanced.

A substantial portion of International Humanitarian Law (IHL) is encapsulated within the Four Geneva Conventions of 1949, to which nearly all nations across the globe have committed themselves as signatories. These foundational treaties have been further refined and expanded through two supplementary instruments: The Additional Protocols of 1977, which specifically address the protection of individuals affected by armed conflicts. Numerous provisions of IHL have since attained the status of customary law, signifying their recognition as binding legal norms applicable to all States.

The International Committee of the Red Cross (ICRC) has played a pivotal role in the continual modernization and reinforcement of IHL. In pursuit of this objective, a Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable to Armed Conflicts convened in Geneva in 1974. The conference held annual sessions until, on June 8, 1977, it successfully adopted two Additional Protocols to the Geneva Conventions of 1949 under the auspices of the ICRC. These protocols integrated key principles drawn from major human rights instruments, including the International Covenants on Human Rights (1966), the Universal Declaration of Human Rights (1948), and the European Convention on Human Rights (1950). The two protocols were officially opened for signature in Berne in December 1977, with Protocol I formally entering into force on December 7, 1979. However, it is noteworthy that, to this day, universal ratification of both Additional Protocols has not been achieved, with Protocol II remaining unratified by several States.

³ The 1929 conventions, one revising the 1864 and 1906 instruments on wounded and sick soldiers, the other on the treatment of prisoners of war.

⁴ The 1949 Geneva Conventions: A Commentary (ed. A. Clapham, P. Gaeta and M. Sassoli), Oxford, 2015.

The report by the ICRC provides a comprehensive overview of the evolving challenges to IHL amidst contemporary armed conflicts. It highlights issues such as the complex geographic scope, the application of IHL in situations involving non-State actors, and the increasing use of new technologies like cyber capabilities and autonomous weapons systems. The literature emphasizes the difficulty in delineating the beginning and end of armed conflicts and the applicability of IHL in non-international armed conflicts (NIACs). Scholars have debated the relevance of existing legal norms for emerging warfare technologies, raising concerns about compliance and accountability. The role of multinational forces and private military companies further complicates the legal landscape. Overall, existing literature underscores the need for adapting and clarifying legal frameworks to address new threats and technological advances, ensuring effective protection for victims of modern conflicts.

3. Third Additional Protocol to the Geneva Conventions (2005)

During a diplomatic conference held on December 8, 2005, Member States formally adopted the Third Additional Protocol to the Geneva Conventions, introducing the Red Crystal as an additional distinctive emblem alongside the Red Cross and Red Crescent. These emblems were accorded equal legal status, serving as universally recognized symbols of humanitarian protection. The primary objective behind this recognition was to ensure that combatants clearly identify individuals, structures, and vehicles bearing these insignias as being safeguarded under the 1949 Geneva Conventions, thereby prohibiting any form of attack against them.

Collectively, the Four Geneva Conventions of 1949, along with their three Additional Protocols, constitute the cornerstone and principal legal framework of International Humanitarian Law (IHL). These treaties encompass numerous provisions designed to safeguard specific categories of individuals, imposing binding obligations on parties engaged in armed conflict to uphold these protections in the spirit of humanitarian principles. Their effective implementation necessitates active cooperation among States. Furthermore, signatories to the 1949 Geneva Conventions and the 1977 Additional Protocols are mandated to incorporate these legal obligations into national legislation, ensuring that grave breaches of these treaties are recognized as punishable offenses within their respective legal systems.⁵ In the interim, until national legislation is duly enacted, appropriate administrative measures must be implemented to uphold compliance with these treaties. Additionally, States are obligated to ensure the broad dissemination of the text of these legal instruments within their respective jurisdictions, thereby fostering awareness and adherence among their populations.⁶

4. Character of IHL

A treaty attains binding force upon a State once it formally accedes to it. In other words, the rights and obligations emanating from a treaty apply exclusively to its signatory parties and do not extend to a third State without its explicit consent.⁷ The Customary law principle has been

⁵ India has ratified the four Geneva Conventions of 1949 in 1959 and enacted the Indian Geneva Conventions Act in 1960 incorporating them in the Indian legal system.

⁶ See Articles 49, 50, 129 and 146 of the First, Second, Third and Fourth Geneva Conventions of 1949 respectively. Also see, Article 80 of the Additional Protocol 1 of 1977.

⁷ See Article 34 of the Vienna Convention on Law of Treaties of 1969.

expressed in a Latin maxim which is called *pacta teris nec nocent nec prosunt*⁸. However, a treaty may be binding a third State, even if it has not accepted in writing the The obligations enshrined in a treaty may extend beyond its signatory parties if the treaty establishes a norm that has evolved into customary international law. This signifies that conventions pertaining to humanitarian law shall be legally binding on all States, regardless of whether they have formally ratified them, provided that these conventions have attained the status of universally recognized customary international legal principles.

In the advisory opinion given in the Legality of the Threat or Use of Nuclear Weapons⁹ the International Court of Justice observed that great many rules of humanitarian law applicable in armed conflict are so fundamental to the respect of the human person and elementary considerations of humanity that the Hague and Geneva Conventions have enjoyed a broad accession. Further, these fundamental rules are to be observed by all the States whether or not they have ratified the conventions that contain them, because they constitute fundamental principles of international customary law.

This report reviews the evolving landscape of international humanitarian law (IHL) amidst contemporary armed conflicts, highlighting issues such as the applicability, scope, and respect for IHL. It examines challenges posed by new technologies, including cyber warfare and autonomous weapons, and the legal complexities surrounding their use. The document discusses the importance of humanitarian access, protection of medical personnel, and responsible arms transfers. It underscores the difficulty in applying traditional IHL principles to asymmetric and non-international conflicts, especially terrorism-related violence. Overall, it emphasizes the need for clarifying, adapting, and strengthening IHL to better regulate modern warfare and protect civilians.

5. The Purpose of IHL

- To Protect civilians, Prisoners of War and the wounded sick
- To Protect humanitarian workers
- To Limit the rights of parties in conflict to use methods of warfare of their choice
- To Ensure the rapid passage of humanitarian aid
- To Ensure the freedom of movement for humanitarian workers.
- Includes Law on Non-International Armed Conflicts.

6. International Humanitarian Law covers two areas

- The protection of those who are not, or no longer taking part in armed conflict (fighting)

⁸ The meaning of the Latin term is: “agreements neither harm nor benefit third parties.

⁹ ICJ Reports 1996, p.226 at p.258. Judge Weeramantry in the above case, in his dissenting opinion, observed that the rules of the IHL of war have clearly acquired the status *jus cogens*, for they are fundamental rules the humanitarian character, from which no derogation is possible without negating the basic consideration of humanity which they intended to protect. (at p.496)

- Restrictions on the means of warfare-in particular weapons – and the methods of warfare, such as military tactics.

7. Meaning related to Protection

International Humanitarian Law extends protection to individuals who are not actively engaged in hostilities, including civilians, as well as medical and religious personnel serving within the armed forces. Additionally, it safeguards those who are no longer participating in combat, such as the wounded, shipwrecked, and sick combatants, along with prisoners of war. These designated groups are entitled to inviolable respect for their lives, as well as for their physical and psychological well-being. Furthermore, they are guaranteed fundamental legal rights and must be treated with dignity and humanity under all circumstances, without any form of discrimination.

Moreover, it is strictly prohibited to harm or kill an adversary who has surrendered or is otherwise incapable of engaging in combat. The wounded and sick must be promptly retrieved and provided with medical care by the party in whose custody they fall. All medical personnel, healthcare facilities, hospitals, and ambulances must remain under special protection and must not be subjected to any form of attack.

Additionally, comprehensive regulations govern the conditions under which prisoners of war are to be detained, as well as the treatment of civilian populations affected by armed conflict.

8. Key Provisions and Principles Applicable to Civilians

The Fourth Geneva Convention is primarily dedicated to safeguarding civilian populations during armed conflicts. The two Additional Protocols, adopted in 1977, further expand and reinforce the legal protections afforded to civilians in both international and non-international armed conflicts. The term ‘civilian’ is broadly defined as "any individual who is not a member of the armed forces," encompassing not only local inhabitants but also foreign nationals and refugees.¹⁰

9. Principle of Distinction

The principle of distinction serves as a fundamental safeguard for civilian populations and civilian infrastructure, shielding them from the repercussions of military operations. This doctrine mandates that all parties engaged in armed conflict must consistently and unequivocally differentiate between combatants and military targets on one side and civilians and civilian assets on the other, ensuring that only the former are subjected to attack. Additionally, it stipulates that civilians forfeit their protected status if they actively participate in hostilities.¹¹ The International Committee of the Red Cross (ICRC) has recognized that the principle of distinction is deeply embedded in state practice, solidifying its status as a well-established tenet of customary international law applicable to both international and non-international armed conflicts.¹²

¹⁰ Additional Protocol I (1977) Article 50 (1)

¹¹ Additional Protocol I (1977) Articles 48, 51-52, 57; Additional Protocol II (1977), 13-16.

¹² ICRC, 2005b, vol1.

10. Necessity and Proportionality

Necessity and proportionality constitute fundamental doctrines of humanitarian law. Within the framework of International Humanitarian Law (IHL), a warring party is permitted to employ only the degree and nature of force essential to overcoming the adversary. Moreover, any subsequent assaults on military targets must not result in civilian casualties deemed disproportionate when weighed against the concrete and direct military advantage expected.¹³ Every feasible precaution must be taken by commanders to avoid civilian casualties.¹⁴ The principle of proportionality has also been found by the ICRC to form part of Customary International law in international and non-international armed conflicts.¹⁵

11. Principle of humane treatment

The principle of humane treatment mandates that civilians be accorded dignity and compassion at all times. Common Article 3 of the Geneva Conventions expressly forbids acts of violence against life and person, including cruel treatment, torture, hostage-taking, humiliating and degrading conduct, as well as executions carried out without due judicial process. These protections extend to non-combatants and individuals *hors de combat*, such as the wounded, sick, and shipwrecked. Furthermore, civilians are entitled to the inviolability of their physical and psychological well-being, the preservation of their honour, familial rights, religious beliefs and observances, as well as their cultural traditions and customs.¹⁶ The principle of humane treatment has been affirmed by the ICRC as a norm of customary international law, applicable in both international and non-international armed conflicts.¹⁷

12. Principle of non-discrimination

The principle of non-discrimination is a core principle of IHL. Adverse distinction based on race, sex, nationality, religious belief or political opinion is prohibited in the treatment of prisoners of war,¹⁸ civilians,¹⁹ and persons *hors de combat*.²⁰ All protected persons shall be treated with the same consideration by parties to the conflict, without distinction based on race, religion, sex or political opinion.²¹ Each and every person affected by armed conflict is entitled to his fundamental rights and guarantees, without discrimination.²² The prohibition against adverse distinction is also considered by the ICRC to form part of customary international law in international and non-international armed conflict.²³

¹³ Additional Protocol I (1977) Articles 35, 51(5).

¹⁴ Additional Protocol I (1977) Articles 57, 58.

¹⁵ ICRC, 2005b, vol1.

¹⁶ Additional Protocol I (1977) Articles 75(1).

¹⁷ ICRC, 2005b, vol1.

¹⁸ Geneva Convention III, Article 16.

¹⁹ Geneva Convention IV, Article 13, Common Article 3.

²⁰ Common Article 3.

²¹ Common Article 3. Geneva Convention IV, Article 27.

²² Additional Protocol I (1977) Articles 75(1).

²³ ICRC, 2005b, vol1.

13. Women and Children

Women must be safeguarded against rape, coerced prostitution, and all forms of sexual violence or indecent assault. Likewise, children below the age of eighteen are prohibited from engaging in hostilities and must not be relocated to a foreign nation by any state other than their own, except on a temporary basis in cases of an imminent and grave threat to their health and safety. Additionally, orphaned or unaccompanied children must be provided with adequate care, sustenance, and access to education to ensure their well-being and development.²⁴

14. Elderly and Disabled Persons

Senior citizens and individuals with disabilities necessitate particular consideration during armed conflicts. International Humanitarian Law (IHL) urges all parties involved to uphold their rights and guarantee that they receive adequate care, support, and assistance tailored to their specific needs.

14.1 Access to Justice

Ensuring that victims of violations have access to justice and that perpetrators are held accountable is vital for restoring dignity to those affected by armed conflicts.

15. The UN & IHL

The United Nations Security Council has played an increasingly pivotal role in safeguarding civilians during armed conflicts.

The UN has emerged as a key force in advancing International Humanitarian Law (IHL). Its various bodies have been tasked with strengthening IHL through three primary approaches:

- a. Reaffirming and progressively codifying IHL through the establishment of legal standards,
- b. Ensuring the prosecution and penalization of individuals responsible for grave breaches of IHL, and
- c. Enhancing compliance among parties engaged in specific conflicts with their obligations under IHL through humanitarian diplomacy.

The UN Office of Legal Affairs has actively participated in seminars aimed at promoting and facilitating the effective implementation of IHL.

16. Recent Developments

Recent International conflicts have highlighted the urgent need for adherence to IHL.

- The ongoing conflict in Gaza has led to renewed scrutiny of military actions and arms exports. The International Court of Justice (ICJ) issued provisional measures against Israel for potential violations of Genocide Convention, urging States to

²⁴ Geneva Convention IV, Article 24. Additional Protocol I (1977) Articles 76-78; Additional Protocol II, Article 4(3)

refrain from actions that may contribute to war crimes. Many countries including the Netherlands, Canada and Spain have halted arms exports to Israel in response to concerns about IHL compliance.

- Another ongoing conflict between Russia and Ukraine in respect to International Humanitarian law needs to be addressed. The primary IHL instruments applicable to the armed conflicts are the Four Geneva Conventions, their Additional Protocol I, the 1907 Hague Regulations, and customary International Law. The Ukraine Monitoring Initiative (UMI) has submitted Interim reports²⁵ about the IHL violations and International human rights and both these countries, Russia and Ukraine are both parties to several core human rights treaties setting forth IHRL norms that remain generally applicable in situations of armed conflict. Still, they do not adhere to the IHL principles and continue to obviously violate them.

In times of public emergency that threaten the life of the States, including armed conflicts, some human rights treaties allow for the suspension of certain human rights obligations of State parties, with strict parameters and for the time necessary to overcome the said war.²⁶ The government of Ukraine imposed martial law throughout the entire period covered by this report,²⁷ and has notified the United Nations Secretary-General of the derogation from some of its human rights obligation, in accordance with Article 4 of the ICCPR and Article 15 of the ECHR, for the duration of the martial law. The Russian Federation has not notified the United Nations Secretary-General or ODIHR of any derogation from any human rights treaty, therefore, all human rights instruments to which it is a party remain in force.

17. Enforcement Challenges faced by International Humanitarian Law

Despite the profound significance of International Humanitarian Law (IHL), its implementation and enforcement encounter numerous obstacles, primarily stemming from political, legal, and jurisdictional complexities.

- **Non-State Actors:** Contemporary armed conflicts frequently involve non-state entities such as terrorist organizations and insurgent groups, which often disregard IHL norms, thereby complicating efforts to ensure adherence and accountability.
 - **Accountability Concerns:** Since non-state actors frequently operate beyond the formal structures of international law, holding them responsible for IHL violations presents significant legal and practical challenges.
 - **Challenges in Negotiation:** Engaging non-state actors in peace dialogues proves arduous, particularly when they refuse to acknowledge the principles of IHL.

²⁵ Interim report on reported violations of international humanitarian law and international human rights law in Ukraine. ODIHR, 20 July 2022, paras 30-32.

²⁶ There are certain human rights from which States can never derogate, these include the right to life (except for deaths resulting from lawful acts of war), and the right to be free from torture and inhuman and degrading treatment and punishment.

²⁷ Martial law was introduced on 24 February 2022 pursuant to decree No. 64/2022.

- **Evolving Warfare:** The emergence of asymmetric warfare, cyber warfare, and the deployment of sophisticated technologies, including artificial intelligence and drones, raises pressing questions regarding the applicability of conventional IHL principles.
 - **Cyber Warfare:** The increasing dependence on cyber capabilities poses unprecedented dilemmas for IHL, with ongoing discourse on how existing legal frameworks should regulate cyber conflicts.
 - **Drones and Autonomous Systems:** The proliferation of drones, artificial intelligence, and autonomous weapons complicates the application of fundamental IHL principles such as distinction and proportionality, triggering ethical and legal debates regarding accountability for potential breaches.
- **Deficient Enforcement Mechanisms:** Although IHL establishes clear legal norms, enforcement remains inadequate. The reluctance of states to prosecute violators fosters a climate of impunity for war crimes.
 - **UN Security Council Gridlock:** The veto power exercised by the five permanent members (P5) of the UN Security Council frequently results in deadlock, obstructing decisive action against IHL violations.
 - **Weak International Institutions:** Bodies entrusted with enforcing IHL, such as the International Criminal Court (ICC), often encounter political resistance and jurisdictional constraints, impeding their effectiveness.
 - **State Sovereignty:** Sovereignty concerns frequently hinder the enforcement of IHL, as states may resist external oversight or intervention in their internal affairs.
- **Geopolitical Considerations:** Strategic interests often take precedence over humanitarian commitments, undermining the consistent enforcement of IHL.
 - **Arms Trade Dilemmas:** The ongoing discourse surrounding arms exports to nations engaged in conflicts marked by IHL violations underscores the tension between national security interests and international humanitarian responsibilities.
 - **Political Will:** The enforcement of IHL is often inconsistent, as political considerations may weaken the resolve to uphold humanitarian law when it conflicts with national priorities.

Numerous instances of IHL violations can be observed, with civilians increasingly bearing the brunt of modern warfare, as evidenced in conflicts such as the Israel-Hamas war and the Russia-Ukraine war. Nevertheless, IHL has played a pivotal role in safeguarding civilians, prisoners, the wounded, and the sick while also imposing restrictions on the use of inhumane weaponry. Given that this legal framework is designed to operate under extreme conditions of violence, its implementation remains an arduous task. However, the imperative to strengthen compliance with IHL is more urgent than ever.

18. Enforcement measures and steps to be taken to strengthen compliance with IHL

Measures must be taken at the Domestic level:

- Concrete measures must be implemented to uphold and reinforce adherence to International Humanitarian Law (IHL).
- States bear a fundamental responsibility to educate both their armed forces and the general populace on the principles and obligations enshrined in IHL.
- Nations, including India, should undertake comprehensive reviews and amendments of their domestic legal frameworks to integrate IHL compliance assessments in decisions regarding arms exports. This is essential to ensure that military supplies do not facilitate or contribute to violations of humanitarian law. Additionally, states must actively work to prevent infractions and impose stringent penalties when breaches occur.
- Governments are obligated to enact legislation criminalizing the gravest breaches of the Geneva Conventions and their Additional Protocols, as these constitute war crimes under international law. They must also commit to prosecuting individuals responsible for IHL violations, thereby affirming a zero-tolerance stance on impunity.
- Furthermore, states must legislate to safeguard the integrity and proper use of the Red Cross and Red Crescent emblems, ensuring their protection from misuse and maintaining their status as universally recognized symbols of humanitarian aid and neutrality.

Measures must be taken at the international level:

- **Reforms within the United Nations Security Council (UNSC)** must be undertaken to enhance its representativeness and to curtail the exercise of veto power in situations involving mass atrocities and egregious violations of International Humanitarian Law (IHL), a position strongly advocated by the G4 nations.
- **Strengthening collaboration** among states, international organizations, and non-governmental entities can bolster the enforcement of IHL while also facilitating the efficient delivery of humanitarian aid in conflict-affected regions.
- **Joint initiatives between states and NGOs** can be established to prioritize the protection of civilian populations and the effective distribution of humanitarian assistance in crisis zones.
- **At the international level**, the development of comprehensive legal frameworks aimed at regulating the actions of non-state actors can significantly enhance accountability and ensure greater adherence to the core principles of IHL.
- **Nations that deliberately evade international accountability** such as those that refuse to participate in institutions like the International Criminal Court (ICC) or global organizations such as the World Health Organization (WHO), and those that abstain from signing key international treaties must be subjected to diplomatic isolation, akin to the measures imposed on South Africa during its apartheid era.

- **Multilateral platforms** such as the World Trade Organization (WTO) and the International Monetary Fund (IMF) should remain accessible only to nations that demonstrate a steadfast commitment to responsible international conduct and adherence to global legal and humanitarian norms.

19. Conclusion

International Humanitarian Law (IHL) serves as a fundamental legal framework dedicated to safeguarding human dignity amid the devastation of armed conflicts. However, the core principles of IHL, though indispensable, are increasingly challenged by the evolving nature of modern warfare, particularly with the integration of Artificial Intelligence and advanced military technologies. As conflicts grow more intricate, posing persistent threats to global peace, security, and individual well-being, it is imperative that all nations, including India, uphold their legal and ethical obligations under IHL. States must ensure that their actions reflect an unwavering commitment to humanitarian values and the preservation of international stability. The year 2024 marked the 75th anniversary of the 1949 Geneva Conventions widely regarded as the bedrock of IHL yet the journey towards their full implementation and enforcement remains arduous. The world must be embraced as a unified global community, where human dignity is revered under all circumstances and by all nations. This timeless ethos was eloquently expressed by the ancient Tamil poet Kaniyan Poongundranar millennia ago in his verse "*Yaadum Oorae, Yaavarum Kelir*", advocating the universality of kinship. It is a matter of great pride that the early kingdoms of our land exemplified this humanitarian principle by shielding children, women, and the elderly from the ravages of armed conflicts.