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Review article**ON THE HUMANE DIMENSION OF CONTEMPORARY ARMED CONFLICTS THROUGH NUMBERS AND THE LAW****Abstract:**

The re-examination of the classification of modern armed conflicts is done through the analysis of humanitarian law and the available data on armed conflicts, by combining the legal, political and ethical dimensions of war and the statistical indicators of modern conflicts. The author answers the questions about: Defining the conflict according to the various philosophical, social and legal criteria with the cultural, legal and political basis of the war and the corresponding reasons for the occurrence and prolongation of the conflicts; and the main trends of the conflicts through the numerous presences of the conflicts on the global scene, the number of victims, the regional displacement of the conflicts and the role of the Islamic State. In the analysis of the conflicts, the complexity of the modern conflicts through the expanded categories of victims and combatants, as well as the need for the protection of the victims, are emphasized. Hence the research touches on the issue of the applicability of the legal and illegal combatant categories and the corresponding immunity that follows them. Researching the trends of modern armed conflicts cannot avoid the ethical dimensions surrounding the category of child soldiers. From a methodological point of view, the problem of determining precise statistics for the indirectly killed civilians, who continue to represent the largest category, remains unsolved.

Keywords: war, conflicts, trends, victims, fighters.

Introduction

War is not as simple as it used to be. Wars (or armed conflicts, to use the modern term) between states are now rare and civil wars, which have always occurred, attract more attention than before¹. Here the question arises - whether, during the activities of freedom fighters and rebels in civil wars, international law (in the form of international humanitarian law) can be used to protect those who do not participate in the conflict.

According to international humanitarian law, there is no single definition of armed conflict. The classification of cases of armed violence according to the criteria of international humanitarian law has important consequences in the international legal system. In particular, states involved in armed conflict will have rights and duties that do not exist outside of armed conflict. International humanitarian law, specifically general article 3 of the Fourth Geneva Convention, distinguishes between two categories of armed conflicts: international and non-international armed conflicts. Despite contemporary challenges to the legal dichotomy between international and non-international armed conflicts, according to international humanitarian law there is no other category of armed conflict (Cameron et al. 2016, 472).

While the humanization of warfare has been an aspirational concept for centuries, the burden of conflict still falls disproportionately on the innocent and defenceless. The war in Ukraine and other conflicts increased the number of people refugees in 2022 to more than 100 million for the first time in history. By the end of 2021, conflicts around the world have led to acute food insecurity for 140 million people in 24 countries (UN Meetings Coverage and Press Releases, 2022). By mid-2021, fighting had forcibly displaced 84 million people, nearly 51 million of whom were internally displaced.

Thousands of children are being recruited and used in armed conflicts around the world. While living among armed actors, children experience reckless forms of violence. They may be required to participate in gruesome training or initiation ceremonies, undergo dangerous work, or engage in combat—at great risk of death, chronic injury, and disability. They may also witness, suffer or be forced to participate in torture and murder. Girls, in particular, can be exposed to gender-based violence (UNICEF 2021).

2020 provided ample evidence that conflict resolution is a long-term endeavour, as the year was dominated by many of the same conflicts that had been present since 30 years ago. A number of these conflicts resulted from the collapse of the USSR, while another series of protracted conflicts can be found around Africa. The Islamic State (IS) remains a global problem; it was involved in 16 conflicts in 2020.

The danger of latent conflicts remains. Several multi-ethnic countries were disintegrated or experienced major conflicts in the 1990s, but then remained peaceful as of 2022. For example, in Europe, the breakup of SFR Yugoslavia

¹With the exception of the war in Ukraine from the beginning of 2022.

resulted in a series of conflicts, such as in Slovenia, more intensively in Croatia and especially harshly in the civil war in Bosnia and Herzegovina and the NATO intervention in Kosovo. While some ex-Yugoslav republics gained membership in the EU, Bosnia and Herzegovina remains a tense region in which an essential political conflict has not been resolved, and the situation is also tense in Kosovo.² In the Far East, Indonesia had several armed conflicts in its periphery in the 1990s, such as Aceh, West Papua and East Timor. While East Timor will continue to gain independence, Aceh has already fought for a level of autonomy, and the conflict in West Papua, although it remains unresolved, has not seen significant violence in recent years. Algeria's aborted transition to democracy led to a severe civil war in the 1990s, and that conflict remains active through Al Qaeda's Maghreb branch (AQIM). The roots of this conflict can be traced back to the influence of French colonialism – which is also the case with the Ambazonian region of Cameroon.

1. Classification of modern armed conflicts

According to UPSALA's Conflict Data Program (UCDP), armed conflict is defined as a clash of disagreements over government or territory, or both, in which the use of armed force between two sides leads to at least 25 deaths. According to the generally accepted general definition of the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia, "an armed conflict exists whenever there is a resort to armed force between States or prolonged armed violence between governmental authorities and organized armed groups or between such groups within a State" (ICTY1995, 70). In other words, there is an international armed conflict whenever there is a resort to armed force between states, regardless of the intensity of such force. In contrast, for a non-international armed conflict to exist, two cumulative criteria must be met. First, there must be "prolonged armed violence" in the sense that a certain threshold of armed violence in terms of intensity has been reached. Second, at least one party to the conflict is an organized armed group. The difference between international and non-international armed conflict is based on two factors:

- The structure and status of the involved parties are different. Sovereign states are involved in international armed conflicts. In contrast, non-international armed conflicts involve states and organized armed groups (ICRC 2011, 8).

- The threshold of intensity of violence is different. The level of violence required to trigger an international armed conflict is significantly lower than that required to constitute a non-international armed conflict.

Many contemporary armed conflicts do not seem to fit well into either category, as they combine elements of traditional non-international armed conflicts within one state with international interventions of varying degrees and forms, or spill over into the territories of other states. Such challenges to contemporary conflict

²Currently, May-June 2023.

classification relate to the fragmentation of armed conflicts, the relevance of consent, the targeting of non-state armed actors abroad, the use of proxy forces, and the interventions of foreign powers, including multinational forces. As a consequence, these two categories accommodate a wide range of situations, ranging from asymmetric contexts where one side can only intervene from the air and deploy advanced technology and weapons to situations in which there are many non-state armed groups that multiply and fragment.

2. Main trends in armed conflicts after 1945

According to data from the UPSALA Conflict Data Program, there are four main trends in armed conflict after 1945. First, since the mid-1970s, there has been a significant decline in armed conflicts between states in relation to intra-state conflicts, which account for the majority of organized armed violence in the world. More precisely, a significant number of contemporary conflicts are not conflicts between states (34 in 2002, down to 25 in 2005, according to Mack 2007, 3).

A second major trend is that from a peak of 52 state armed conflicts in 1991-1992, the number declined to 40% between 1992 and 2005 (Mack 2007, 1). We will use this pattern of declining armed conflicts as a baseline for the analyses that follow below.

- 1) After a period of steady decline in the number of armed conflicts in the world, the downward trend has ended. Data from PRIO and Uppsala University in 2014 show that the number of active conflicts is no longer falling, but has been maintained at 32 for three years in a row (CSCW, 2014). Intrastate (civil) conflict is the most common form of armed conflict and has been the case since World War II. 2) The period from 2004 to 2018 was the longest period without interstate conflict since before World War II.

In relation to the number of ongoing conflicts together with the number of new conflicts as of 2005, the following is stated (CSCW, 2014): 1. The number of new conflicts is fairly constant and generally low. 2. Two periods are associated with an increase in the number of new wars; 1958–67, which is associated with decolonization and the emergence of new states; and 1989–93, which corresponds to the end of the cold war. 3. More generally, in relation to the proportion of the number of countries in the world, the frequency of new conflicts has a clear negative trend. 4. The increase in the number of conflicts up to 1992 was not due to an increase in new conflicts, but a steady accumulation of conflicts that either did not end or started again shortly after the peace agreements. 5. Accordingly, the main reason for the decline in the number of conflicts since 1992 is a significant increase in the successful resolution of conflicts combined with a steady but small decline in the frequency of new conflicts (CSCW 2014).

The lower level of armed conflicts after the Cold War is mainly due to 4 main factors. First, the end of colonialism removed a major source of political violence from world politics. But colonialism has not yet been completely eradicated because there are still groups that are leading the struggle for their

liberation from imperialist rule. A second key factor was the end of the Cold War, when the superpowers stopped fuelling wars in underdeveloped countries. Third, the most important was the increasing level of international activism under the auspices of the UN after the end of the Cold War. This activism included efforts at preventive diplomacy, peace-making, peace operations, and other peace support mechanisms, as well as increased concern for global security. With this increased effort, the international community stopped wars more successfully. The last factor that until 2022 gave grounds for optimism for a future with a reduced number of armed conflicts was the growing popularity of global norms, which prohibit the use of military force in international relations.

According to Strand and Hegre (2021), there were 56 active conflicts in 2020, a record high for the period covered by the UCDP. Eight of these active conflicts were wars, compared to seven wars in 2019 and six in 2018. The increase in the number of wars is worrying. Research shows that while smaller conflicts have little impact on societies, it is wars that cause a large number of problems, often for a very long time.

A third significant trend in armed conflicts since 1945 is a decrease in the number of dead. If the average number of deaths on the battlefield (in state conflicts) per year was 38,000 in 1950, by 2005 it fell to 700 which is a 98% decrease. The death toll does not include the international level of civilian casualties, or the so-called indirect death from war-related diseases or starvation. In relation to non-state armed conflicts, a similar trend can be observed: since 2002 until 2005 the decline in deaths in non-state conflicts was 71% (Mack 2007, 7). According to SIPRI (2022), the total estimated number of conflict-related casualties increased to about 150,000 in 2021, which was 13 percent higher than in 2020. The increase was driven by significant increases in casualties in Asia and Oceania (up 59 percent from 2020)—mostly due to increases in Afghanistan, Myanmar and Pakistan—and sub-Saharan Africa (up 19 percent). Estimated conflict-related casualties fell for the third consecutive year in the Middle East and North Africa. The conflict in Ukraine in the form it is in after February 2022 will witness an even higher percentage of death tolls.

In an analysis by the Centre for the Study of Civil War (CSCW) showing the number of battle deaths per year from 1900 to 2005, the figures include civilian deaths, but only deaths resulting directly from armed conflict are counted.¹ It is difficult to pinpoint the indirect effects of warfare such as increased mortality from disease and starvation. The figures also exclude unilateral violence (genocide, terrorist attacks on civilians) and non-state conflicts (ethnic/sectarian violence)³.² The two world wars are above over all other conflicts. Even the Korean War, the Vietnam War, and the Chinese Civil War are pale in comparison.³ Although interstate wars are (and since always have been) less common, they also account for the majority of deaths (and probably

³ Although the ethical dimension does not allow the fascist holocaust, the genocide in Rwanda, the "Fields of Death" in Kampuchea or the Chinese Cultural Revolution to be excluded.

destruction).⁴) It is worth noting that until recently the worst conflicts of the new millennium such as Iraq and Afghanistan, although they have attracted massive media attention, their battle-related death toll has been quite moderate compared to previous wars.(CSCW 2014).

An analysis of the number of annual battle deaths by region since World War II highlights the following:

A)The general trend of battle deaths is downward.This is partly due to the decline in the number of conflicts, but partly due to at least two other developments: the reduction of conventional inter-state conflicts and the concentration of intra-state conflicts in non-democratic and very poor countries with limited military capabilities (Lacina et al. 2006).

B)Certain conflicts stand out significantly from the crowd, representing leaders on a regional basis.The Korean War and the Chinese Civil War share the top spot.The Vietnam War (1965-75) is in second place, and the third is mainly shared by the Iran-Iraq War (1980-88) and the Soviet Afghanistan War.The civil war in the Democratic Republic of Congo (1996-2001) can be positioned in fourth place.If non-state violence were included in these statistics, we would see an additional position in 1994with the genocide in Rwanda and, potentially, in recent years, the violence in Iraq and Afghanistan.

C)The Korean War is the worst in terms of annual casualties;however, when totalling combat deaths during the conflict, the Vietnam War is the deadliest.

D)In the mid-1980s, Africa replaced Asia as the continent worst affected by armed conflict.

While conflict-related deaths generally showed a downward trend in the years to 2020, other impacts of armed conflict (sometimes combined with additional factors) appear to have increased in severity, including population displacement, food insecurity, humanitarian needs and violations of International Humanitarian Law (SIPRI 2022).

The fourth trend is the displacement of the regional spread of armed conflicts.Historically, the constraints imposed by climate and geography meant that major wars were fought over a relatively small area (Keegan 1994, 68-73). Since 1945it became clear that at different times certain regions saw more wars than others.So, for example, until 1970East and Southeast Asia had the most deaths from warfare, while in the later stages of the Cold War most casualties were in Central Asia, Africa and the Middle East.Since the mid-1990s, sub-Saharan Africa has emerged as the most conflict-prone region.

In terms of the geographical trend, a significant recent decline in the number of conflicts in Europe and America is shown.European conflict reached its peak in the early 1990s with civil conflicts in the Balkans.Armed conflicts in the Americas, which affected many countries in Central and South America, reached their zenith in the 1980s.²) The number of conflicts in the Middle East remained relatively stable throughout the period, although with a slight increase in the 1980s.³) Most of the conflicts in the new millennium were fought

in Asia or Africa and hence, these continents contributed to no general decline in the frequency of armed conflicts in the last decade.(CSCW 2014).It is noted that most conflicts are geographically clustered.The ellipses stretching from the Caucasus to the Philippines and from the Great Lakes to the Horn of Africa demonstrate the transnational dimensions of civil conflict, that is, civil conflict spills over borders and destabilizes neighbours.Only Colombia and Algeria lie outside the regional nexus of conflict;however, Colombia used to be part of a conflict zone that stretched from Mexico to Peru.These patterns show that conflicts cannot be considered in isolation from each other.

According to SIPRI research (2022), in 2021 active armed conflicts occurred in at least 46 countries (one less than in 2020): 8 were in the Americas, 9 in Asia and Oceania, 3 in Europe, 8 in the Middle East and North Africa and 18 in sub-Saharan Africa.As in previous years, most took place within a country (intra-state), between government forces and one or more-armed non-state groups. Three were major armed conflicts (with more than 10,000 combat-related deaths per year): Afghanistan, Yemen, and Myanmar.A total of 19 were high-intensity armed conflicts (with 1000-9999 combat-related deaths): Nigeria, Ethiopia, Mexico, Syria, Democratic Republic of the Congo, Brazil, Somalia, Iraq, Burkina Faso, South Sudan, Mali, Sudan, Central African Republic, Niger, Cameroon, Pakistan, Colombia, Mozambique and the Philippines.There have only been three armed conflicts between the states: the low-level border clashes between India and Pakistan;Armenia and Azerbaijan;and Kyrgyzstan and Tajikistan. Two other armed conflicts were fought between state forces and armed groups aspiring to statehood (between Israel and the Palestinians and between Turkey and the Kurds).

A key reason for the increasing number of conflicts in the last decade is the Islamic State (IS).The nature of IS and its political claims are quite unique. While most insurgencies are fighting to become the government of a country (as in Yemen) or striving to achieve independence for part of a country (as in Ethiopia), IS seeks to unite all Muslims into a new political entity that spans and subsumes several countries under a new political form defined by adherence to Islam.As such, IS tends to fight not only against governments but also other rebel organizations, as we have seen in Syria and Iraq.These conflict vectors add new layers of complexity to all conflict resolution and conflict mapping attempts.Many of the sites must be coded as parallel conflicts, as IS and other rebel organizations are fighting for different reasons.(Strand & Hegre 2021).

3. **Combatants in modern armed conflicts**

Opponents in modern armed conflicts are not only states, that is, political units.The actors of warfare come in all shapes and sizes.Apart from states with their organized armed forces, other actors involved in warfare are international organizations and various non-state entities.International organizations go to war for various reasons, but mostly as a result of peacekeeping operations in the zones of ongoing conflicts.The UN, the EU, NATO and the Economic Community

of West African States and the African Union most notably had forces on the ground involved in the conflicts. Faced with terror and localized violence against civilians on a large scale within a single state, certain international security organizations may feel compelled to do something to prevent such actions in the future. This "thing" may include the use of armed force to defeat or "bring to justice" those deemed responsible for the punishable acts. Often overlapping with such action is the desire for humanitarian action to provide medical care, care, food and other services to those affected by the conflict. In reality, violence largely tests the ability of law to prevent that violence.

Government forces, in terms of military equipment and manpower, will usually have an advantage over their opponents in civil conflicts, rather than insurgents. Thus, for example, the insurgents are unlikely to possess the numerous assets of sophisticated modern weapons systems, nor will they possess the experience of a traditional military organization and the discipline that entails such a military organization. Hence, insurgents may resort to more "baseline" activities that include terrorizing, killing, or injuring those not actively participating in the conflict. Moreover, insurgents are unlikely to have any knowledge or training of the limits of action imposed by international humanitarian law.⁴ With international humanitarian law covering the law of the affected state, the government will often regard rebels as "outlaws" or "terrorists". In such conflicts, unlike international armed conflicts, there is no concept of a "lawful combatant" for the fighters on the rebel side.

According to international military law, a combatant is a person who directly engages in hostilities, meaning participation in an attack intended to cause physical harm to enemy personnel or facilities. Historically, such belligerents have been classified as either "privileged", i.e., "legal" or "unprivileged", i.e., "illegal" fighters. A so-called "privileged" or "legal" combatant is a person authorized by a party to an armed conflict to engage in hostilities and, as such, is entitled to the protections encompassed in the "combatant's privilege" (Solf, 1983, 59). This privilege is essentially a license to kill or injure enemy combatants, destroy other enemy military targets, and cause indirect civilian casualties (U.S. DEPT OF THE AIR FORCE, 1976, 110-31 para.3.2 at 3.1). A lawful combatant possessing this privilege shall have the status of a prisoner of war upon capture and immunity from prosecution under the domestic law of his captors for his hostile acts which do not violate the laws and customs of war.

An "unprivileged" or "unlawful" combatant refers to a person who does not have the privilege of a combatant, but still participates directly in hostilities. Such category of unlawful enemy includes: civilians, non-combatant personnel in the armed forces⁵, as well as non-combatant members

⁴ Assuming that government forces have basic training in this area of law and that commanders will want to maintain discipline among their troops.

⁵ Such persons, who are not combatants, include civilian crew members of military air-

of the armed forces⁶ who, in violation of their protected status, are actively engaged in hostilities. These individuals temporarily lose their immunity from direct attack for the time they assume the role of a fighter. Unlike privileged combatants, unlawful combatants upon capture may be tried and punished under local law for their unprivileged belligerence, even if their hostile acts are in accordance with the laws of war.

The term underprivileged combatant is also used to describe irregular or part-time combatants, such as guerrillas, partisans, and members of resistance movements, who either fail to distinguish themselves from the civilian population at any time while on active duty or otherwise ineligible for privileged combatant status. Others who fall into this category are those privileged combatants who violate dress code requirements, such as regular military personnel caught spying while not in military uniform. (U.S. AIR FORCE, 1976, *supra* note 4, at para.3.3a at 3.3).

The term "unlawful" combatant is used only to denote the fact that a person lacks the privilege of a combatant and has no right to participate in hostilities. Participation in combat by such persons does not constitute a violation of the laws of armed conflict, although their specific hostile acts may qualify as such (Lieber Code, 1863, Art 82)).⁷

Conversely, a government engaged in a civil war or other type of internal hostilities is not required to grant its armed opponents prisoner of war status because these dissidents do not enjoy combatant privilege. An explanation of the reason for the inapplicability of this privilege in internal armed conflicts is as follows: Governments, especially those that may be affected by an emerging dissident or separatist movement, are unwilling to agree to a rule of international law which would, in effect, repeal their treason laws and would grant domestic enemies the legitimacy to kill, maim, or kidnap security personnel and destroy security installations and thereby make those enemies of theirs subject only to honourable detention as prisoners of war pending the completion of internal armed conflict.

The Third Geneva Convention in Article 4A(2) states that, in order to qualify as privileged combatants entitled to prisoner of war status, members of

craft, contractor supply personnel, technical representatives of government contractors, military correspondents, and members of labor units or civilian services responsible for the welfare of the armed forces. Unlike other civilians, these persons are subject to capture and treatment as prisoners of war under Article 4(A)2(4) of the Third Geneva Convention.

⁶Such persons include physicians, other medical personnel, and chaplains. These members of the armed forces are classified as non-combatants as they enjoy special protection under the 1949 Geneva Conventions. Unlike civilians accompanying the armed forces, they may not be prisoners of war.

⁷Subnote 5, which includes among those not entitled to prisoner of war status, persons fighting "with intermittent returns to their homes and activities, or the occasional assumption of an apparent peaceful disposition."

such irregular forces must meet the following conditions: (1) they must belong to an organized group; (2) the group must belong to a Party to the conflict; (3) the group must be commanded by a person responsible for his subordinates; (4) the group must ensure that its members have a permanent, distinctive sign that can be recognized from a distance; (5) the group must ensure that its members carry their weapons openly; and (6) the group must ensure that its members conduct their operations in accordance with the laws and customs of war.

But these conditions "... allow the occupying power to deny prisoner of war treatment to captured guerrillas who meet all of the above requirements of the privileged/unprivileged combatant distinction through several clauses that do not apply to regular soldiers." (Aldrich, 1982). Thus, for example, it would be virtually impossible for a detainee, as a member of a resistance group, to prove that his group complied with conditions (1) and (3) without jeopardizing the security of his group. Indeed, a captured combatant who is forced to prove that he is a member of an organized resistance movement with a responsible commander would be forced to reveal the identity and location of his comrades. To do so would be the end of the resistance movement. In the event of an internal armed conflict, condition (2) that the group belongs to a party to the conflict is also an avoidance clause of the government military, that is, subject to abuse by the detaining force. A member of an otherwise compliant guerrilla group may be denied prisoner of war status simply because his captors do not recognize the side of the conflict to which he belongs. This outcome is quite likely if that party is a government in exile or an insurgent resistance or liberation movement. By contrast, Article 4A (2) of the Third Geneva Convention confers prisoner-of-war status on a member of a regular armed force, even if that force belongs to a party (as guerrillas) not recognized by the captors.

3.1. Child soldiers and children in wars

When it comes to armed non-state actors, the most common participants are private military companies and a wide variety of military, paramilitary and territorial self-defence forces, as well as suicide bombers. A more recent trend is the increasing number of child fighters in modern conflicts. They can be recruited by the state, but more often by the non-state actors mentioned above. Customary international humanitarian law clearly prohibits the use of child soldiers, stating that "children shall not be recruited into armed forces or armed groups" and that "children shall not be permitted to take part in hostilities", nor in international armed conflicts, nor in civil wars. (IISS 2018).

Despite the legal ban, the use of child soldiers in armed conflicts has increased over the past 20 years. Between 2005 and 2020, more than 93,000 children were confirmed to have been recruited and used by parties to the conflict, although the actual number of cases is believed to be much higher. Singer (2005) estimates that in 2005 there were about 300,000 child fighters who were then fighting or had just been demobilized and another 500,000 child fighters who were mobilized at that time in the armies that were not fighting.

Often referred to as “child soldiers,” these boys and girls suffer wide-ranging forms of exploitation and abuse that are not fully encompassed by that term. Children become part of an armed force or group for a variety of reasons. Some have been kidnapped, threatened, coerced or manipulated by armed actors. Others are driven by poverty, forced to generate income for their families. However, others band together for survival or to protect their communities. Regardless of their involvement, the recruitment and use of children by armed forces is a serious violation of children’s rights and international humanitarian law. Severe abuse of children - which includes recruitment, abduction, sexual violence, denial of humanitarian access, attacks on schools and hospitals, and killing and maiming - can have a profound impact on their lives, ranging from physical to psychological trauma, or life-altering injuries and death (Save The Children 2022).

The current prevalence of children in armed conflict is also accompanied by a trend for armed groups to use younger children, a fact reflected in the continued decline in the overall median age of suicide bombers. As with teenagers, groups now often use 12-year-olds (and sometimes children as young as seven) as suicide bombers. By exploiting children, armed groups gain comparative advantages, especially the element of surprise and increased media attention due to the shock value of breaching previous social and psychological barriers.

How many children around the world are currently directly or indirectly experiencing armed conflict? About 449 million children worldwide - or 1 in 6 - lived in a conflict zone in 2021, a slight decrease from the previous year (450 million). Africa had the highest total number of children affected by conflict (180 million), followed by Asia (152 million) and the Americas (64 million). In 2022, more than half of all children living in conflict areas in 2021 – around 230 million – lived in the deadliest countries in conflict⁸, a 9% increase on the previous year, reveals new analysis by Save the Children, published during the African Conference on Children and Armed Conflict.

While the number of recorded incidents of killing and maiming in conflicts has fallen by about a third since 2018, more than 8,000 children - an average of 22 a day - died or were maimed in 2021. These numbers were tragically increased slightly in 2022 (perhaps due to the war in Ukraine). According to analysis by Save the Children, Yemen tops the list of 10 countries where children were most affected by conflicts in 2021. Despite an increase in the number of children living in the deadliest war zones, which saw more than 1,000 combat-related deaths in a single year, the overall number of serious violations against children has decreased since 2020, but this statistical decrease is likely due to incorrect or insufficient reporting as a result of access restrictions. Media monitoring platform Meltwater found that between January 1 and September 30, 2022, Ukraine received five times more media coverage than all 10 countries worst affected

⁸Countries in conflict with more than 1,000 battle-related deaths.

by the conflict combined. During that period, Yemen - the worst country for a child in conflict - had only 2.3% of media coverage compared to Ukraine. While multiple factors can influence how donors distribute money, Humanitarian Response Plan (HRP) funding for countries most affected by child conflict in 2021 was, on average, only 43% funded as of 4 November 2022 –leaving millions of children without access to life-saving essentials such as health care and food, as well as education and protection services. As of November 4, the Syrian HRP was down to only 27.5% funding, while Myanmar was only 22.5% funded. Ukraine's updated appeal, on the other hand, was 68.1% funded.

4. **Victims in modern armed conflicts**

Although there is a decrease in the number of conflicts, as well as the subsequent decrease in the number of dead, we are not surprised by the trend according to which civilians continue to make up the majority of the dead in modern armed conflicts. According to one study (Human Security Centre, 2005, 75) between 30 and 60% of those killed in modern conflicts are civilians, although the difficulties in obtaining reliable systematic data from war zones make it impossible to know the exact number of dead civilians. Today's conflicts are internal and urban - with a greater impact on civilians and infrastructure. Conflicts continued to cause widespread civilian deaths through 2021, particularly in densely populated areas, where civilians accounted for 90 percent of casualties due to the use of explosive weapons, compared to 10 percent in other areas. Thus, since the beginning of the so-called special military operation in Ukraine on February 24, in just 3 months, the Office of the High Commissioner for Human Rights of the United Nations (OHCHR) recorded 8,089 civilian casualties in Ukraine, with 3,811 killed. The extensive shelling of cities on both sides by warring forces on the territory of Ukraine is carried out with "cynical indifference" to the protection of civilians. Hospitals, schools, residential buildings and shelters have been hit, and 12 million Ukrainians have been forced to flee their homes.⁹

Part of the reason for the rising number of civilian deaths in modern armed conflicts is that according to sources from the Uppsala Conflict Data Program (UCDP) there has been a more than 50% increase in the number of massacres against civilians since 1989 carried out by governments and by non-state actors, with aid workers also becoming targets of deliberate violence. Attacks on aid workers are often part of military strategy. After decades of relative immunity for humanitarian workers, from 1997 to 2005 the number of aid workers killed increased by 50%, although the rate of violent attacks against aid workers increased only slightly over the same period (Stoddard 2006). Some warring parties impose severe restrictions on humanitarian activities with bureaucratic measures that have slowed or stalled humanitarian operations. The growing number of non-state armed groups is complicating negotiations, while private

⁹Plus the Ukrainian Russians from the territories annexed by the Russian Federation.

military contractors are creating problems for aid workers working to reach people in need. Confirmed incidents of denial of humanitarian access have jumped significantly over the past three years, mainly caused by incidents in Yemen and the occupied Palestinian territories. There is concern over increasing attacks on aid workers, and whenever perpetrators escape accountability, a culture of impunity is established. This puts humanitarian workers even more at risk and weakens the rule of law more broadly, and this is exactly what calls for greater efforts from both states and respected international authorities to break this cycle.

Most of the dead in modern armed conflicts are from the so-called indirect death. It refers to people (mainly women, children and the elderly) dying of war-related diseases and malnutrition, usually exacerbated by displacement. Although it is the most numerous categories of death, this type is the least researched and documented because the measurement of indirect death is accompanied by problems arising from the methodology of data collection (especially how to measure and compare normal and abnormal mortality rates), because the registered data has been modified due to propaganda. However, it is generally agreed that the changing demographics of casualties are related to the mode of modern warfare.

Conclusion

The criteria of the threshold of violence and the degree of organization of the armed group distinguish situations of non-international armed conflicts from situations of internal unrest, unrest, terrorism or high crime that are not subject to international humanitarian law. If the threshold or criteria for organization are not met, the situation does not amount to a non-international armed conflict. From the point of view of humanitarian law, there is no other category of armed conflict except international and non-international armed conflict.

Serious questions are being raised about how the parties to modern conflicts interpret and apply the relevant rules of international humanitarian law, emphasizing that the concept of "military necessity" is being misused more often. The diplomatic, political, legal and humanitarian system to protect civilians is failing.

The recruitment of child soldiers remains a major problem, as the internet offers a way for armed groups to reach young people who are not close to the conflict. Efforts to obtain the next generation are found in diaspora communities in the United States and the United Kingdom. However, the recruitment habits of armed groups are still most tangible at the ground level. Schools dedicated to producing "martyrs" have been established in Iraq, Pakistan, Syria and Sudan; football teams, streets, parks and summer camps in Palestine are named after terrorists. Some groups kidnap children, while others trick them with incentives.

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