



THE VIOLATION OF HUMANITARIAN LAW IN SYRIA AND ITS PSYCHOLOGICAL IMPACT

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Abstract

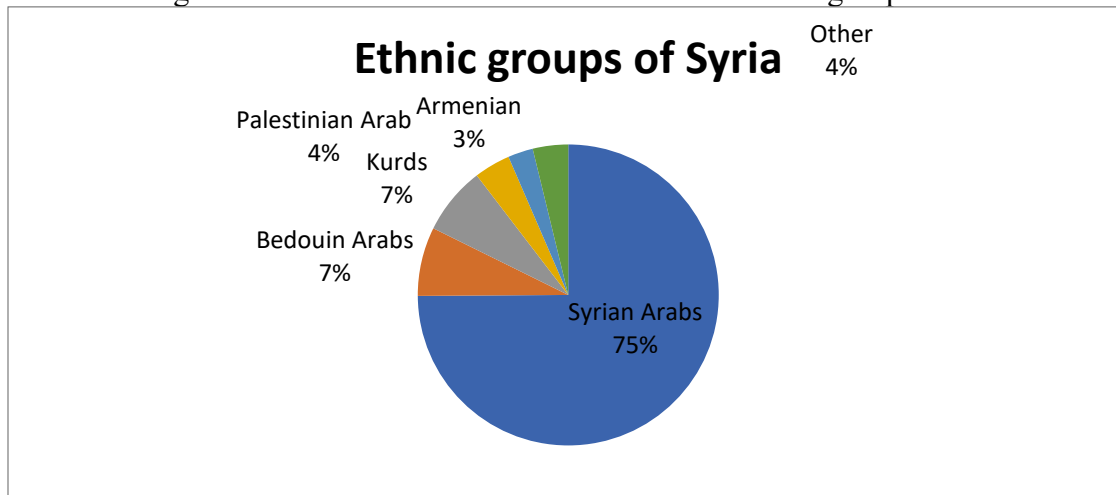
This paper deals with the psychological impacts of the ongoing Syrian conflict which has almost indulged half of the world into it. Syrian war is considered one of that bloodiest civil war which has highest death toll up till yet. The violation of humanitarian law has been creating devastating and heart breaking psychological disorders among Syrian people and the combatants. These psychological impacts are long lasting and would need a huge amount of assistance. The aim of the study is to analyze the impact of war on people's mind living in a war zone and to know types of challenges they face. The researcher has used qualitative approach in order to have content analyses in descriptive form. The researcher has analyzed the conflict from the viewpoint of Johan Galtung in understanding the roots and cycle of a conflict. In this paper, role of major powers like USA and Russia has been recommended for resolution of this issue.

KEYWORDS: Humanitarian Law, Munitions, Post-Traumatic Disorder, Persistent Isolation



Introduction:

Syria is situated near the eastern end of the Mediterranean Sea in Western Asia, north of the Arabian Peninsula. Jordan is its southern neighbor, followed by Lebanon and Israel in the west and southwest, Iraq in the east, and Turkey to the north. It is made up of steep terrain inland and mountain ranges towards the west. It is home to different ethnic groups which include:



Source: Britannica

Despite limited local autonomy in some areas of Syria, the region as a whole remained an essential part of the Ottoman Empire for 400 years. Damascus, Aleppo, and later Tripoli and 'ayd,' or Sidon, whose administrative centre was ultimately shifted to Acre, was divided into provinces, each governed by a governor. It is strategically an important location of Middle East and has been now a pawn for foreign occupiers. Phosphate, iron, chrome, and manganese ores, marble, gypsum, asphalt, salt, and other minerals are among Syria's natural resources. But, the people of Syria are not fortunate much in their political fate. They have been trapped in the interests of other states and have been victim of atrocities being held till date.

People of Syria have been living in this chaotic situation since March 15, 2011 when the state was hit by the wave of Arab Spring in the Middle East which has left it unresolved. There has been violation of Humanitarian law and Human rights in the name of insurgency and terrorism.

Public international law includes the humanitarian law. It is made up of several agreements, treaties, conventions, protocols, international non-governmental organisations, etc. This law is also referred to as "*Law*." or "*Law of Armed Conflicts*," respectively. As a result, it contains a set of guidelines designed to keep armed conflict to a minimum. Therefore, this law offers protection to people who are no longer engaged in hostilities, such as civilians, prisoners of war, and ill or injured soldiers. However, there is a war going on in Syria, and millions of people are suffering.



Warfare-related laws have been around for a very long time, but it wasn't until the middle of the nineteenth century that they began to be formalized. The first Hague Conference took place in 1899, and the second one followed about eight years later. The Hague Convention was created as a result of these negotiations to keep the peace. After World War II, a convention of significant significance known as the "Geneva Convention" of 1949 entered the scene. The purpose of this convention is to safeguard people who have left the battlefield. The International Committee of the Red Cross plays a crucial role in ensuring the protection of war victims. The core tenet of international humanitarian law holds that civilians who are not combatants in a war must be segregated from them. There are still violations of international humanitarian law throughout the world, notably in Afghanistan, Syria, Kashmir, Yemen, and other places, in spite of these rules and specific movements. Today, Even though a full ten years have passed, the war in Syria is still raging. Human rights were gravely violated and grossly destroyed during these ten years. Therefore, the present study will concentrate on how humanitarian law is being violated in the region and what are its psychological impacts.

Background:

Syrian civil war is a multiparty conflict which has become the center of attraction of the world because of the atrocities and violations of humanitarian laws. Initially referring to the Syrian conflict as the "greatest manmade calamity the world has seen Since World War II," the UN has since issued a blank statement, indicating that there are no Longer any adequate words to characterise the predicament in Syria. The conflict started in 2011 nearly 11 years back with a protest groups against the dictatorship of Bashar-ul-asad the conflict due to its diversity got the attention of regional and world powers to avail as per their national interest. The revolt began as peaceful demonstrations, but as it was repeatedly met with violence, the demonstrations turned violent. Over 12 million people have been displaced, and an estimated 400,000 Syrians were killed in the first five years after the uprising.

There are number of factors that have been fueling this conflict which includes Sectarian differences, geographical claims and widespread complex terrorism, population surge, state violence, minority rule, corruption and many more.

One of the major catastrophes of Syrian war is Arab Spring that took place in Middle East. It can be described as a chain of an uprising against corruption, dictatorship, worst economic stagnation and oppression by the government. It demanded a pro-democracy government where people were given equal importance and treated fairly.

Tunisia's Jasmine Revolution

It took place when a 26-year-old street seller vendor Mohamed Bouazizi was being brutally ill treated by the police officials and in reaction he put himself on fire in the middle of the street. This



incident captured the attention of the people and it went viral on social media which provoked a sense of unity among the oppressed people in the whole country and its neighboring Egypt. A revolution broke out for freedom and liberty which was named as Jasmine's Revolution or Arab Spring in broader. It hit many state leaders of that time. President Zeni al Abidine Ben Ali in Tunisia was forced to step down while President Hosni Mubarak in Egypt was ousted. In Yemen, President Ali Abdullah Saleh was demanded to resign which would turn out to be a new hard time for the people of Yemen in future. In Syria, President Bashar al-Assad was asked to step down by the protestors pulling the country in the most complex conflict of the future.

Parties involved in the conflict

There are numerous parties indulged in the war fighting pro or against the government the pro government forces and their allies includes Syrian armed government forces, Iran, Russia and Hezbollah (Iran support terrorist groups) while the anti-Assad group includes Sunni opposition rebel groups free Syrian Army, Salafi jihad group, mixed Kurdish, Arab Syrian democratic forces (SDF), Turkey, USA and Saudi Arab. There are numerous fractions within Assad government who are fighting for power which has made this civil war devastating and long lasting conflict.

Violation of Humanitarian Law

Humanitarian Law was made to give security to the non-combatants and grants them liberty to choose not to be part of conflict. It ensures to keep balance between unavoidable military conflicts and humanitarian assistance. Following are some principles of Humanitarian Law:

- *Principle of Humanity*
- *Principle of Proportionality*
- *Principle of Necessity*
- *Principle of Universality*
- *Differentiate between combatants and civilians*

Despite of all this, non-combatants are still not able to have defensive position. They have targeted as follows:

- **Indiscriminate attacks**

Since the conflict has begun it has been recorded to the most deadliest war crimes since number of factors are involved in it .Syrian observatory for human rights reported 511000 fatality toll was on record by march 2018.Indiscriminate attacks on civilians and their objects by the Syrian Russian military alliance persisted in 2018.1600 civilians were reportedly killed between February 08 until march 21.25 medical facilities were struck,11 schools and countless civilian residence on June 16,massive displacement towards Jordan and Israeli occupied Golan heights was accrued non state armed groups have also committed a host of violations ISIS has reportedly used civilian as human shields and



employed landmines and other IDE causing significant harm to civilian and civilian infrastructure civilian casualties from air strike by the US led coalition fighting ISIS increased with a local groups, the Syrian network for human rights ,reporting 2,286 civilian deaths since the beginning of campaign until september2017. According to Pro-opposition Syrian Network for Human rights, 227,413 civilians were killed from March 2011-June 2022 while Pro-opposition Syrian Observatory for Human Rights claimed the death toll of civilians was 160,681 from March 2011- March 2022).

- **Use of Cluster munitions**

A cluster munition is a type of explosive weapon that is dropped from air or launched from the ground that releases or ejects smaller submunitions. They've killed numerous civilians therefore it is prohibited from use, manufacturing, stockpiling and transfer under 2008 Convention on Cluster Munitions and states are required to make sure that no one get harm from that but Syrian government forces used at last 13 types of internationally banned cluster munitions under the draft of Convention on Cluster munitions in over 400 attacks on oppositions held areas between July 2012 to august 2016 killing and injury civilians, including children. The Syrian Russian joint military operations, which began on September 30, 2015, have extensively used internationally banned cluster munitions. Cluster munitions have been outlawed by most countries since their summations fall over a wide area, falling to distinguish between fighters and civilians and because many sub munitions fail to explode and become de facto land mines that can explode if disturbed, even after many years if they are not cleared.

- **Torture, Persecutions and Inhuman acts**

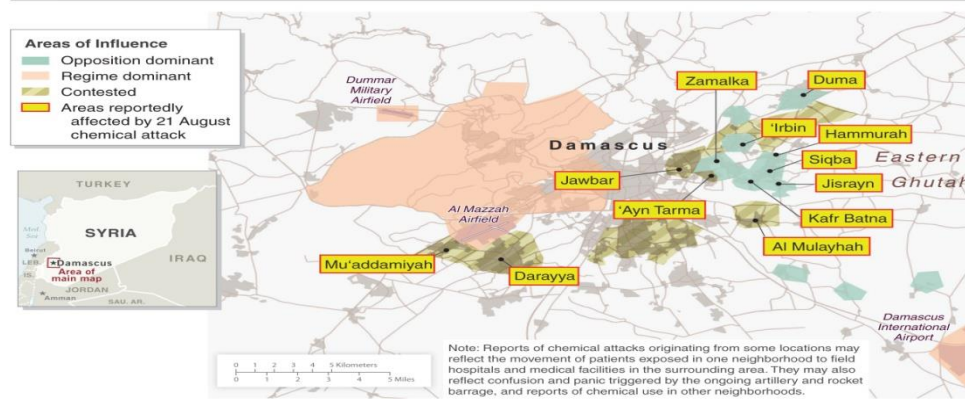
As per United Nations Convention against Torture and other Cruel, inhuman or Degrading Treatment or Punishment adopted on 10 December 1984 by General Assembly Resolution 39/46 State parties are prohibited to do inhuman acts with the civilians and non-combatants despite of that Arbitrary detention, ill-treatments torture and forced disappearances by government forces continue to be widespread and systemic in Syria and take place within a climate of impunity deaths in government detention from widespread torture abuses starvations beatings and disease is also extensive with at least 12679 persons dying in between march 2011 and June 2016,according to local monitors sexual violence's by government officials has also been reported by the UN independent international commissions of inquiry on Syria Judaic Abdullah Nawfal ,dictator_of Syrian center for civil society and democracy was arrested by Syrian forces and was being held by military intelligence brunch 235,barred form meeting lawyers and his Family. These are a serious war crime declared in the Hague Regulations of 1899 and 1907(Art23), Geneva Conventions Art 50-53 of 1949 and IMT charter Art 6(b).



- **Use of Chemical Weapons**

Chemical weapon is any poisonous substance that, when released by a delivery mechanism like an artillery shell, rocket, or ballistic missile, has the potential to cause devastation, harm, incapacitation, and sensory discomfort. The use of chemical weapons in armed conflict is prohibited by international law since they are classed as weapons of mass destruction. The most heinous aspect of the war has been the repeated use of chemical weapons by the Assad regime since late 2012, including the massive August 2013 gas attack that killed more than 1400 civilians in Damascus suburb of Ghouta. The use of chemical weapons is prohibited in the international framework of Hague Declaration, Geneva Protocol, Chemical Weapons Convention and Statute of International Criminal Court (ICC). Chemical weapons of mass destruction. Exposure to Sarin gas, a colorless, odorless nerve agent used repeatedly in Syria leads to muscle twitches, unconsciousness, paralysis of respiratory organs and eventually a horrifying death through asphyxiation. It is because of their inhumane effects as well as the fact that chemical weapons do not discriminate between combatants and civilians that chemical weapons are internationally outlawed. Nerve agents, such as Syrian Choking agents, such as weaponized chlorine, and blister agents, such as Sulphur Mustard, have been used in Syria over the course of civil war. The OPCW fact-finding mission reported chlorine use in March 2012 and February. According to Arms Control Association, meanwhile discussions with Syrian government over use of chemical weapons from 2012-2015, in December 2016, chemical weapons were being used in the areas controlled by Islamic State in Hama Governorate, northwest of Palmyra. Syria's Idlib province was also not safe from chemical weapons in April 2017. An industrial chlorine cylinder was allegedly used as a chemical weapon on October 1, 2016, in Kafr Zeita, Syria, according to a report released by the Organization for the Prohibition of Chemical Weapons' Fact-Finding Mission on February 1, 2022.

Syria: Damascus Areas of Influence and Areas Reportedly Affected by 21 August Chemical Attack



Source: Arms Control Association



- **Abuse by Non State Armed Group**

Organizations and people that are not connected to, controlled by, or supported by the government are referred to as non-state actors. Today, every second state is facing this challenge of dealing with Non-State Actors which are mostly heavily armed and most probably backed by States keeping their interests. Syria is being a home to such actors now as there is no clarity between the interest groups of the conflict. Prominent Non-State armed groups active in Syria are Islamic State of Iraq and Syria which was a broken fraction of Al-Qaeda group in Syria after US invasion in Iraq in 2003 claiming about the presence of Weapons of Mass Destruction. In Syria these Non-State armed groups continued to perpetrate abuses, ranging from summary executions and kidnapping to interference in aid delivery Hayat Tahirir al-sham (HTS), anal-Qaeda affiant present in Idlib, attacked local political personalities from opposition and journalist doing assassinations and car-bombing left civilian dead in July .ISIS led simultaneous incursions in Al-Suwerda govern ate resulted in 200 fatalities and 27 kidnapped .survival harassment, rape, murder, ransom, torture ,suicide bombardment are brutal war tactics adopted by ISIS and other non-state armed groups. Between October 2017 and April 2018, more than, 1000 people have been injured or killed by homemade mines, according to local medical workers. As reported by International Crises Group, speculations have been made for the attack on the SDF-run prison in Hasakeh which was held by ISIS and its allies. Though United States under President Trump's presidency claimed to kill ISIS's wanted leader Abu Bakr in Syria but functioning of ISIS and violations are still in the practice.

Psychological Impacts

No one rather than a person living and suffering in a war zone with full of insecurity and fear could understand the psychological condition of such people .While writing the researcher cannot fell the pain, and horror of being in a war zone the constant dilemma of being killed or losing any loved one could not be described in a certain piece of writing. This ongoing conflict has left a deep and dark impact on mental health of Syrians who has been shifted from the title of citizens to internally displaced persons (IDPs) and refugees. According to United Nations Office for the Coordination of Humanitarian Affairs (Syrian Arab Republic) About 23,500 IDP movements were monitored by the humanitarian community in Syria in September 2022, an increase of about 11% in August 2022. This absence of shelter, lose of family and property and constant risk of life has created a serious challenge of survival for the people in Syria. Some of the Psychological disorders being reported among the victims are as follows:

- **Post- Traumatic Stress Disorder**

Post Traumatic Stress Disorder (PTSD) refers to the mental condition where unwanted distressing memories of the traumatic incidents or times haunt a person and makes them unable to sleep and have peaceful mind.

Some common symptoms according to Muhammad bhhea aldin alhaffars study on oral health and prevalence of severe post stress traumatic disorder among children, 91. %of



children suffered from PTSD in Damascus only. It can be understood what could be overall ratio, 50% of Syrian refugees are patient of PSTD. The fact that while conducting such studies many of the Syrians would not be able to response or would be out of reach. Hence, those unrecorded Syrians can increase the ratio of patients.

- **Intellectual and Development Issues**

Children who experienced persecution, several forms of maltreatment, and displacement are more likely to experience current mental and physical problems.

IDPS showed that 26% of youngsters suffer developmental and intellectual disabilities.

As reported by UNICEF, approximately 200,000 women are expecting in Syria who needs urgent care for their to be born children as many women under their improper condition has a risk of having children born with intellectual and development issues.

- **Emotional Disorder**

While it may be simple to put down terms like "aggressive temperament," "insecurity," "hopelessness," "grief," "revenge temptation," and other similar ones, it can be quite challenging to comprehend the suffering.

Approximately 50% of youngsters claim they never feel safe at school, and 40% claim they never feel safe playing outside, not even in front of their own homes.

Adults said that 89% of children showed higher fear and anxiety. More than 1.5 million Syrian refugee children now call Turkey home as a result of other host nations' unwillingness to accept their children as refugees. Around 550,000 Syrian children are currently living in Lebanon, and more than 300,000 more are forcedly migrating to Jordan, where they now have no hope for the future.

- **Persistent Isolation and Tension**

6.1 million Syrians have been forced to leave their homes and relocate within the nation, while another 5.5 million have feed as refugees there are 2.6 million register Syrian refugee children. The separation and ongoing strain brought on by these displacements People in Syria have experienced a lot that a person from a non-war zone could not comprehend, as well as different types of anxiety problems. Relay marriage, child labour, recruitment by the armed forces or criminal organisations, as well as isolation, discrimination, and other forms of exploitation place refugee children, especially those who are not in school, at risk for a variety of problems. 2017 was the bloodiest year on record for Syrian children, according to UNICEF, with 910 deaths and 361 injuries, a 50% increase from the year.

- **The mental health conditions**

The mental health condition of Syrian citizen is devastated and worse than ever, with 69% languishing in extreme poverty. Nine in 10 families now spend more than half of their



annual income on food while food prices are eight times higher than pre-conflict levels .some 5.6 million people endure life threaten condition in terms of their security, basic rights or living standards, and require urgent humanitarian assistance according to research of world health organization.

Research objectives:

- The researcher wants to explore Syrian conflict.
- The researcher wants to analyze the humanitarian cost of Syrian conflict.
- The researcher wants to discuss the psychological impact of a war zone keeping Syria as a case study.
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Research Questions:

1. What is the cause of Syrian conflict?
2. Who are involved in the conflict and why?
3. How Humanitarian law is being violated in Syrian conflict?
4. How the conflict is impacting on mental health of the people?
5. What are some possible solutions to this conflict?
- 6.

Theoretical Framework and Related Studies

Johan Vincent Galtung, who established the field of Peace and Conflict Studies, has vociferously argued for a future free of nuclear weapons and centered his study on the use of scientific language and techniques to comprehend and resolve conflicts. Galtung, who created the phrase "peace research," spent a significant amount of effort developing the influential and original "transcend method," which puts the emphasis on peace rather than security. He has argued in favor of a comprehensive approach that is focused on in-depth comprehension and interaction with each side separately. Galtung argues that conflict that hasn't been transformed or transcended owing to the existence of opposing goals is the root cause of all violence. If the objectives fall under one of the four fundamental requirements of survival, well-being, identity, or freedom, it is assumed that the conflict is severe and will be very challenging to settle if ignored. Remember that a conflict does not develop linearly; rather, it moves in a circle, going from nonviolence to violence to post-violence and, if it is not resolved, likely returning to violence. Unfortunately, one of the most brutal conflicts of this century is the civil war in Syria. The war is frequently viewed as the result of the 2011 Arab Spring, also known as the eruption of pro-democracy rallies. While approaching to Galtung's view to the conflict it can be categorized in three different forms of violence.

First, we have been watching the horror of direct violence in Syria as a result of years of repression, which were made possible by the government's brutal response to the nonviolent demonstrators in 2011. Second, the systemic corruption and decades of economic restrictions that exacerbated the already-existing poverty and inequality among the population. The third is cultural violence, which



has contributed to maintaining the current bloodshed by distorting, denying, and dehumanizing the victims and enabling Assad and his foreign backers to keep killing Syrians in large numbers. As noted by Galtung, sanitization of language is crucial in this situation since attempts to falsify reality frequently result in violence losing its moral connotation and becoming to be accepted without hesitation.

Hence we can conclude that when a state government is unable to provide positive peace to its people who do not include absence of war but also welfare and due rights of its citizens specifically freedom of speech will eventually end up in intra conflict and as per the realist's international relations lies upon national interest and needs dominancy in order to survive which allows states to get involved in opportunities of external conflict.

Kaur Amrtipal, Kaur Ranjit (2021) in their research work *International Humanitarian Law and its relevance in War Conflict Zones: A study with special reference to Syria* aimed to study the relevance of international humanitarian law in Syrian war. The authors further described violation of rights and problems faced by Syrian people such as indiscriminate attacks, torturing, hurdles in access to basic necessities, looting of property, sexual violence, and crimes against civilians. The author also focused on the condition of women living in a civil war. Women are pushed into forced marriages, honor killings, not given access to education which made their lives a living dungeon. Most significantly, it has a significant impact on children in Syria and elsewhere in the region. Families split apart, separating the kids. They experienced violence. Malnutrition became a bigger issue as a result of the COVID-19 epidemic, and furthermore they were also denied an education. There have been 6 million births there since the war began. The families are unable to give them adequate means of support and cannot afford to pay for their education. As a result, the nation experiences child labour and child marriages. These kids require humanitarian aid. Numerous agencies travelled there to protect children and give them access to childhood. The caregivers there strive to provide the kids all they need for their complete growth. Around 7 million Syrian children, according to a different UNICEF report, are believed to be living in poverty. Among which 5127 male children while 4068 female children making it total of 9195 in death toll. The authors have also spotted light on role of foreign players in the conflict such as Iran which backs Assad's regime on basis of national and ideological interest while Turkey supports people in Syria and Russia being Assad's close ally. On the other hand, United States along with its allies has stance over human rights abuse and terrorism. The authors also highlighted the constant role of international organizations for their peace keeping efforts and humanitarian services which prominently names United Nations and International Committee of the Red Cross.

Alamedeen Ahmed, Beuck Erik, Sagheer Tayyab (2021) in their research article *Violations of International Humanitarian Law: Threats to Noncombatants in the Syrian Crises, 2011-2020* focused on Protests, unrest, and civil war that have plagued Syria since 2011. State and nonstate actors have both consistently sought to take advantage of the crisis to advance their own agendas during this protracted crisis. Since then, the civil conflict that followed has caused considerable



damage, numerous casualties, and great suffering among non-combatants who are nevertheless subject to everyday risks from the conflict. The authors also focused on the degree to which the strategic objectives of international actors provide obstacles to the implementation of the protection of civilians in accordance with international humanitarian law are explored. Additionally, the research shows how international organisations have failed to reduce the suffering of the people who live there. The research article finishes off by looking at how international institutions and international actors have contributed to the crisis's resolution.

Dr. Kakajee Ameer, (2020) in his research paper published in Cambridge University Press discussed about a study based on Damascus city in Syria in which target population was Syrian children approximately 1,300 enrolled and actively attending regular schools. The aim of the study was to analyze the impact of conflict on children exposed to war. According to the study Post Traumatic Stress Disorder PTSD, excessive rage, and other serious mental health difficulties are present in more than half of those with negative effects. As reported by the author there was no difference between the sexes when screening for problematic anger, which may suggest that boys underreported their symptoms on the self-report scales because of gender stigma. They were free to express their issues because anger is not stigmatized, and both genders may have been seriously impacted. This may also imply that mental illness affects people of both sexes; however males may not have found alternative outlets for their emotions than anger. The limitations of the research cannot be overlooked as the children out of schools were not accessible for the research. As per the author the ratio of the study might be larger in real than it has been evaluated in the paper.

Research Methodology:

The researcher has used qualitative method for this study. In order to better understand social life via the study of specific people or locations, qualitative research is a sort of social science research that gathers and analyses non-numerical data. In this research paper, the author has collected data from websites and research pdfs. As there were limitations over interview as the respondents (Syrian people) were not in access. Moreover, this research is descriptive and based on content analysis.

Results and Discussion:

The results of the study shows that Syrian conflict is a type of conflict which was started with an intra state problem later grabbed foreign attention and became an international conflict. However, parties involved in the conflict have their own interests of security and dominancy. International law despite of its existence is not able to provide protection for the non-combatants of the conflict. It has left millions under the complex issue of violence, poverty, political instability and mistrust. The state government is still victorious in maintaining its dictatorship but has failed almost 11 years ago in winning its people. This conflict has left millions with mental health issues and has sow seeds for the upcoming generations to live in the horrors of a bloodiest conflict. The present and future of Syrian citizens is not in safe hands unless the issue is resolved.



Recommendations:

Conditions for Syrian civilians—both those within its borders and the millions compelled to escape to neighboring nations—continue to deteriorate as the civil war in their country drags on. Fighting on the grounds that there cannot be a military solution to the war and in support of the rights to equality, dignity, and human rights for all Syrians. Further military action won't make the lives of Syria's suffering population any better; instead, it will fuel further violence and instability throughout the country, the region, and even the world. A conflict can never be solved with a win-lose approach. As this issue has been now a home for sub issues in these eleven years. There is no simple answer to this problem as state actors and non-state actors both are involved in the conflict. However, being a super power and one of the major powers United States and Russia can provide such support to resolve the issue. President Assad needs to negotiate with the people dissatisfied by him as per the Sikh school of thought a government loses its legitimacy if it fails to provide welfare to its citizens.

United Nations needs to use its soft power of sanctions on President Assad to stop him from using force on Syrian citizens violating International Humanitarian Law.

From a liberal point of view, the author believes at this point of time Syrian conflict cannot be resolved with a military action as unimaginable damage has already been done by the interest groups. Victims of Syrian conflict have a right to live peaceful life and have a protected territory.

Conclusion

Inspired by the freedom and liberty slogans, since past 11 years the people of Syria have been living in a night mare which not only has damaged their properties, families and morals but also has worsen their mental stability. A conflict which is heading towards an unknown direction has created psychological disorders among the people especially in women and children. They have lost hopes to their lives and homeland. These untreated psychological diseases could make Syrian's condition more devastating .There could be possibility of putting the children of Syria in danger for their own and world's future the untouched and invisible wounds can lead to addictions, revenge, legal activities. The impact of the violations of law in this crisis has left many with long lasting emotional material and psychological loss. Many organizations and local groups have tried their best to assist humanitarian aid to them but still there are number of people deprived of it. While exploring about their condition the researcher cannot imagine what life has become for people of Syria, Palestine, Kashmir and all those who are out of Humanitarian Assistance.



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