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### The Role of International Humanitarian Law (IHL) in Protecting Medical Personnel and Civilians in Non-International Armed Conflicts: Focusing on the Syrian Conflict

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#### Abstract

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**Key Words:** International Humanitarian Law (IHL), Syrian Conflict, Medical Personnel Protection, Civilian Protection, Geneva Conventions, Accountability Mechanisms, Non-State Actors

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## Title

### The Role of International Humanitarian Law (IHL) in Protecting Medical Personnel and Civilians in Non-International Armed Conflicts: Focusing on the Syrian Conflict

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#### Abstract

*The 2011-started Syrian conflict has become among the most extensive humanitarian disasters in current times. The current study investigates how International Humanitarian Law protects medical staff and population groups throughout the Syrian conflict which constitutes a non-international armed conflict (NIAC). Since the legal foundation known as Geneva Conventions and their Additional Protocols came into effect neither government forces nor rebel parties playing in Syria have prevented IHL violations resulting in major incidents targeting medical facilities and chemical weapons deployment and attacks on civilians. The paper analyzes both the available legal safeguards from IHL while exploring the difficulties organizations face in enforcing those protections across multiple conflicting parties and their collaborations with the United Nations and the International Committee of the Red Cross. This analysis reveals restrictions of international justice organizations such as the International Criminal Court because of political roadblocks paired with jurisdictional constraints when assisting IHL violations.*

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**Keywords:** [International Humanitarian Law \(IHL\)](#), [Syrian Conflict](#), [Medical Personnel Protection](#), [Civilian Protection](#), [Geneva Conventions](#), [Accountability Mechanisms](#), [Non-State Actors](#)

## Introduction

However, in contemporary warfare, a critical issue has become the role of International Humanitarian

Law (IHL) in protecting medical personnel and civilians in the course of non-international armed conflicts (NIACs). The Syrian conflict, which started in 2011, is one of the most devastating and



protracted conflicts in modern history, where there are varied political, religious, or sectarian divisions. Civilians and medical personnel have been jeopardized to unprecedented extent in the protection of both and in the protection of the civilian population on one hand and medical personnel on the other hand; both the state and non-state actors have committed grave violations of IHL in this context. The conflict has resulted in medical personnel, hospitals, and healthcare facilities becoming a direct target of attacks and the already dire humanitarian situation is made worse (Elnakib et al., [2021](#)).

Given the complexity of the Syrian conflict with its state and nonstate actors, the role of IHL in protecting medical personnel and civilians in such conflict scenarios is worthy of being explored (Albarry et al., [2022](#)). The violations of IHL committed in the course of this conflict included indiscriminate violence, the use of chemical weapons, as well as systematic attacks against medical infrastructure, creating an extremely challenging situation for the implementation of IHL.

They provide for these legal instruments so that those not taking part in the fighting, especially civilians and medical workers, are protected from the horrors of war. Nevertheless, there exist legal frameworks such as the Geneva Conventions and their Protocols yet, the ongoing conflict in Syria has provoked many questions as to whether or not IHL is complied with in practice. The involvement of non-state armed groups, and the growing targeting of medical facilities and personnel, combined, have made compliance with IHL norms difficult (Pedrazzi et al., [2024](#)).

Pedrazzi, M. ([2024](#)). Strengthening IHL compliance: The conduct of hostilities, the protection of essential services, and humanitarian assistance in contemporary armed conflict.

This research article will study the part of IHL concerning the protection of medical personnel and civilians in non-international armed conflicts with respect to the Syrian conflict (Albarry et al., [2022](#)). The thesis will address the legal frameworks for the protection of medical personnel and civilians under IHL, how to enforce those protections in a complex conflict like Syria, as well as what effect the involvement of non-state actors has on the application of IHL. Moreover, the article will discuss the different means of accountability and that of the international role in the achievement of protecting

civilians and medical personnel during armed conflict.

## Background of the Syrian Conflict

The conflict in Syria began in 2011 and is a civil war, which has caused one of the largest humanitarian crises in the 21st century. Peaceful protests against the government of Syrian President Bashar al-Assad quickly descended into armed conflict after the Syrian government violently repressed the demonstrations (Aslan Ozgul et al., [2019](#)). Since then it has turned into an all-encompassing war involving multiple internal and external players including the Syrian government, opposition groups, Kurdish forces, and extremist groups like the Islamic State of Iraq and Syria (ISIS) and al Nusra. The situation is made more complicated by the involvement of foreign states like Russia, Iran, and the United States, which have made Syria a regional and global power battleground.

The civilian dead have surpassed 500,000, and millions are internally or externally displaced. The airstrikes, artillery bombardment, and chemical weapon attacks have devastated cities such as Aleppo, Homs, and Damascus. Infrastructure, be it hospitals, schools, or residential areas, are destroyed making life for the civilians really a hard life. Additionally, a wide array of others have targeted medical personnel and health facilities, thereby aggravating the humanitarian situation and further complicating the delivery of medical care to those in need.

## Legal Frameworks Protecting Medical Personnel and Civilians

It is a legal framework that seeks to protect individuals that are not engaged in hostilities such as civilians, medical personnel, and prisoners of war. IHL's core is in the Geneva Conventions from 1949. These conventions set out basic rules for the protection of individuals in armed conflict and fix the responsibilities of parties to the conflict to treat people humanely (Sosnina et al., [2021](#)). On the backs of the four Geneva Conventions stand Additional Protocols that fill in the details of the protection of civilians and medical personnel.

Acts like murder, torture, and cruel treatment of civilians are prohibited in noninternational armed conflicts under Common Article 3 of the Geneva

Conventions (Chalisey et al., [2025](#)). It also orders that medical personnel and facilities be protected by parties to the conflict. Furthermore, Article 8 of Additional Protocol II, which supplements Common Article 3, extends the protection of medical personnel and facilities in non-international armed conflict by providing that medical personnel should not be subjected to attack and medical staff and medical facilities should be allowed to carry out their work unmolested. Despite our obvious legal protections, the conflict in Syria has seen blatant violations of IHL (including deliberate attacks on medical personnel and facilities). Even in practice, IHL is inconsistently and inadequately enforced: it has been alleged that parties on all sides of the Syrian conflict violated the provisions of IHL.

### **Challenges to the Application of IHL in Syria**

The situations of the Syrian conflict are also some of these unique situations in which to implement the principles of the international human rights law (IHL) and protect medical personnel and civilians. The main problem is that many non-state actors, including opposition groups and extremist organizations such as ISIS, are also involved. Although the actions of these groups cannot always be compared with legal norms established by IHL, they can sometimes deliberately choose civilians and people assisting with humanitarian aid as objects of fighting.

The conflict is complex and an additional important challenge is. The conflict in Syria is not a competition between the government and the opposition, but a multi-layered battle with multiple actors with different aims and links. The participation of external powers, like Russia and the USA, adds to the complexity of the situation as every involved party has its own interests involved. As a result, it is difficult to enforce IHL in this case since there is no single authority or institution that can monitor compliance with the law (Pedrazzi et al., [2024](#)).

One of the most egregious violations of IHL in Syria consists of the deliberate targeting of medical facilities and personnel. The Syrian government and opposition forces have both bombed and destroyed hospitals and medical centers, United Nations and human rights organizations report. In other cases, medical personnel have been detained,

tortured, or killed. Besides this, these attacks are a breach of IHL and further aggravate the suffering of civilians stuck in the crossfire of the conflict.

The situation is further complicated by the fact that the use of chemical weapons by the Syrian government, particularly in attacks on civilian areas. International law, including the Chemical Weapons Convention, applies to chemical weapons; Syria ratified the Convention in 2013. Nevertheless, the conflict has seen numerous cases of chemical weapon attacks that have hurt many civilians and medics. The fact that people responsible for carrying out these attacks are not held accountable is indicative of the difficulty of enforcing IHL in Syria (Sarkin et al., [2021](#)).

### **The Role of International Actors and Accountability Mechanisms**

Ensuring the protection of medical personnel and civilians in armed conflict is also important and depends on the role of international actors like the United Nations. The UN has pleaded several times to stop attacks on medical facilities and to apply fully for IHL in Syria. Nevertheless, the UN has limited ability to implement IHL due to the political complexities of the conflict.

Humanitarian aid and monitoring of compliance with IHL are also thanks to ICRC. In Syria, the organization has persistently condemned attacks on medical facilities and targeting medical personnel. However, the security situation does not allow for strengthening the capacity of the ICRC to deal with these violations and some parties make no efforts to cooperate with humanitarian ones (Bradley et al., [2020](#)). Accountability for violations of IHL is one of the most serious issues in the Syrian conflict for all the efforts to hold individuals accountable for war crimes, the political and military realities of the conflict have made it very difficult to take the perpetrators to court. While the International Criminal Court (ICC) has jurisdiction over war crimes, Syria is not a signatory to the Rome Statute and hence those responsible for violations of IHL in Syria cannot directly be prosecuted under the ICC. Consequently, many perpetrators of war crimes and violations of IHL remain with impunity.

With this analysis, the article aims to clarify the room for improvements and necessary reforms to

enhance the protection of medical personnel and civilians in current conflicts in general and the Syrian conflict in particular. One of the fundamental matters of IHL is to protect medical personnel and civilians in conflict areas to ensure their safety so that human dignity is kept and international law is respected.

## **Literature Review**

Medical staff and the public need more protection during wars between different national groups as reflected in IHL research. Since the Syrian conflict takes multiple forms and lasts for a long time it poses difficult challenges to implementing protective laws for medical workers and non-combatants. This analysis reviews previous studies about how IHL applies to NIAC situations mainly through studying medical staff and civilian protections (Farhat et al., [2022](#)). This evaluation uses multiple scholarly, legal, and humanitarian resources to examine how IHL defends vulnerable communities and explains its enforcement barriers along with their effects on international law.

## **The Framework of International Humanitarian Law (IHL)**

IHL is mainly focused on the military rules of engagement while establishing safety standards for people who stay out of the fighting. Basic protections during internal armed conflicts depend on Common Article 3 which is part of both the Geneva Conventions of 1949 and their Additional Protocols. Common Article 3 gives ordinary protection to civilians, medical staff and defenseless people during wars between rival groups. Both opposing camps must refrain from harming people who stay outside warfare and they must treat every prisoner they detain humanely (Olu et al., [2023](#)).

Additional Protocol II works alongside Common Article 3 to create enhanced protective rules for everyone caught in non-international armed conflicts. Under Protocol II a state may fight armed groups inside its territory and every participant in such conflicts, both state and non-state actors, receives protection for civilians and medical personnel under IHL's rules. We can use these rules only when a conflict involves organized fighting groups that control certain areas (Folger et al., [2021](#)). Several scholarly studies point out that IHL faces implementation hurdles when neither side of

a conflict represents a state actor such as in the Syrian scenario.

## **The Protection of Medical Personnel and Facilities in IHL**

IHL sets important protections for medical staff and health treatment sites. Preserving medical neutrality for medical personnel without pressure represents a core right in the Geneva Conventions. The First Geneva Convention's Article 12 guarantees medical personnel immunity from military attacks and grants them complete freedom to tend to wounded victims without prejudice.

Medical buildings must stay safeguarded according to the Geneva Conventions because they ban attacking these facilities. Medical facilities need proper protection because people in conflict areas depend on prompt healthcare assistance. Recent armed conflicts in Syria highlight the unacceptable practice of attacking medical buildings by military units. The World Health Organization and Médecins Sans Frontières have published research findings about damaged hospitals and clinics in Syria from recent studies and humanitarian organization reports. Both the Syrian government forces and non-state groups have committed these attacks which worsen the situation for people who need humanitarian help (Albarry et al., [2022](#)).

## **The Syrian Conflict and Violations of IHL**

The Syrian conflict displays the many ways that IHL struggles to defend civilians and medicos. Humanitarian groups and scholars keep finding that Syrian military forces and opposing groups attack civilian zones and medical units with great force across the country. The Syrian government broke IHL rules by conducting airstrikes with chemical weapons which international law bans totally. The UN and human rights groups keep publishing evidence about military forces targeting innocent people in Syria too often Albarry et al., [2022](#)).

The Syrian conflict has become more difficult to control because armed opposition groups and terrorist organizations like ISIS broke IHL standards during the war. When rebel combatants ignore international law they use violence to attack civilians and medical staff during their military operations. The rising power of Jabhat al-Nusra and ISIS leads to attacks on medical facilities and

civilians while these groups exploit civilian households as shields for war.

The involvement of Russia and Iran in Syria's conflict has made a substantial contribution to the failure of IHL compliance. The Syrian military received Russian support which led to continuous illegal damage against civilian areas and hospitals (Thomas et al., 2020). Russian airstrikes in Aleppo and other Syria regions are blamed for killing many civilians and wrecking multiple hospitals which stands against IHL protection for those zones.

### **Challenges in Enforcing IHL in Syria**

Multiple issues block the proper implementation of International Humanitarian Law in Syria because of militant groups and limited responsibility for wrongdoings. There remains a major obstacle in taking legal action against those who break International Humanitarian Law and IHL rules. Because Syria has not joined the Rome Statute Institutions can not try International Criminal Court cases based on crimes committed there. Advances in IHL justice remain limited because there is no effective solution to charge war criminals in this country.

The political involvement of Russia, Iran, and other regional powers makes it hard for the international community to drop legal action against Syrian groups who break IHL. Few guilty parties of Syrian atrocities have faced consequences because they still act without fear. Monitoring how nations follow the rules of International Humanitarian Law proves very challenging in the Syrian conflict (Ogunnowo et al., 2020). The conflict's mixed groups and changing alliances make it hard to monitor all parties and confirm they follow IHL rules. Several non-government actors that are not bound by IHL or decide to disregard its rules make it hard to enforce basic protections for civilians and medical staff.

### **The Role of International Organizations and Humanitarian Actors**

The International Committee of the Red Cross continues to deliver medical care to Syrians who have been harmed by fighting. Continued armed violence and attacks on medical facilities restrict where the organization can operate. The ICRC demands more security for medical teams and

hospitals but struggles to defend human rights laws because various conflicting parties keep breaking these laws (Sadique et al., 2022).

Medical groups like MSF continuously deliver help to Syria's conflict victims through their treatment services. MSF strongly criticizes the violence inflicted on medical places while describing the importance of healthcare professionals. MSF has recorded IHL violations in Syria to prompt international leaders to punish those who break the rules of war. Humanitarian efforts to help people in Syria face severe limitations because they lack freedom to access conflict areas and their staff remains under threat of attack.

Studies of war laws do not make it easy to shield medical facilities and civilian areas during conflicts, especially Syria's challenging battlefields. Though various international laws protect medical staff and civilians in Syria they continue to suffer wide-scale violations of human rights in the conflict zone. The combined actions of unlawful groups plus international community failures to prosecute wrongdoers create substantial IHL violations that continue without response (Nuzov et al., 2020).

Both national leaders and international organizations should strengthen their commitment to IHL standards along with effective ways to punish those who break these rules (Gravili et al., 2020). Our research will serve as a baseline to examine whether and how international humanitarian law helps shield Syrian medical staff and people in the current conflict.

### **Research Questions**

- What are the main problems as International Humanitarian Law stands today when it defends medical workers and innocent people in the Syrian conflict?
- What actions do Syria's state and non-state parties take to break IHL by shooting medical teams and civilian populations?
- What are the results of UN and ICRC monitoring for IHL protection in Syria most particularly medical personnel and civilians?
- To what extent have international and local justice systems enforced International Humanitarian Law in Syrian violation cases?

## Research Objective

The study aims to:

- Study how IHL restrictions struggle to defend medical staff and innocent civilians in Syria.
- Examine all parties violating IHL rules in Syria through an analysis of how they mistreated civilians and harmed medical personnel.
- Examine how the United Nations and International Committee of the Red Cross promote respect for international humanitarian law in Syria.
- Determine how well accountability systems hold responsible people who broke IHL protections during the Syrian war.

## Hypotheses

1. H1: The application of IHL in the Syrian conflict is significantly undermined by the involvement of non-state actors and the complexity of the multi-party conflict, hindering the protection of medical personnel and civilians.
2. H2: Both state and non-state actors in Syria have systematically violated IHL, with a particular focus on targeting medical personnel, medical facilities, and civilians as part of their military strategy.
3. H3: International organizations such as the UN and ICRC have faced significant operational and political challenges in effectively monitoring and enforcing IHL protections for medical personnel and civilians in Syria.
4. H4: Accountability mechanisms, including international criminal courts and domestic legal systems, have been largely ineffective in holding perpetrators accountable for IHL violations in Syria, due to geopolitical constraints and access limitations.

## Methodology

The research paper describes the approach to studying how International Humanitarian Law (IHL) protects medical staff and noncombatants during the Syrian war. A qualitative exploratory research design will be used to assess challenges along with violations and operational effectiveness of IHL in this situation. The research implements legal scrutiny alongside case study evaluation and expert interviews to solve research questions while

confirming the hypotheses established earlier in this document.

## Research Design

A qualitative design stands as the most suitable method for studying intricate legal problems alongside humanitarian matters and geopolitical features. The research investigates the wartime experiences of affected persons while analyzing IHL implementation for medical staff and civilian protection during the Syrian conflict. The study adopts a case study method to thoroughly investigate the Syrian conflict serving as an up-to-date example of non-international armed conflicts and evaluate IHL enforcement within this specific situation.

## Data Collection Methods

Research data collection will involve several methods to create a complete understanding of the main topic.

## Document Analysis

The main approach for data collection will use document analysis. Multiple primary and secondary sources will be analyzed by the research investigator through this study.

IHL documents compiled from the Geneva Conventions (1949) and Additional Protocols I and II together with various UN Security Council Resolutions specific to safeguarding medical personnel and civilians during conflicts.

Human Rights Reports: Reports from international organizations such as the United Nations, International Committee of the Red Cross (ICRC), and Médecins Sans Frontières (MSF) that document violations of IHL and their impact on medical personnel and civilians in Syria.

News Articles together with Media Reports include detailed accounts of medical facility assaults along with attacks against civilians and humanitarian personnel executing their duties in Syria. These reports originate from investigation findings of human rights organizations and media outlets.

The research includes case studies about IHL breaches in Syria together with relevant international court legal documents and statements about IHL implementation within Syrian borders.

## **Interviews with Key Experts**

The study team will conduct expert semi-structured interviews that focus on subjects from international law domains as well as humanitarian aid and studies about the Syrian conflict. The interview sessions will focus on understanding both IHL field implementation and enforcement problems together with international organizations' success in protecting medical staff and civilians. Experts will include:

- Academics focus on IHL regulations for conflicts that do not involve states.
- Humanitarian workers who maintain experience at conflict areas and work for ICRC MSF along with UN agencies, particularly in Syria or any other war zone.
- IHL enforcers and monitors working in Syria belong to two international organizations namely the UN Office for the Coordination of Humanitarian Affairs (OCHA) and the World Health Organization (WHO).
- Personnel from law-based practices who direct their efforts towards criminal prosecution matters regarding Syria's conflicts analyze the success rate of these accountability systems.

The conducted interviews will capture diverse assessments about IHL execution in Syria along with the obstacles encountered in medical professional and civilian defense and the responsibilities of international organizations in tracking violators.

### **2.3 Case Study Approach**

A thorough analysis of the Syrian conflict serves as the basis for the research which examines actual battlefield conditions. The research will closely study critical developments that occurred during the Syrian conflict including:

- The targeting of medical personnel and facilities by both the Syrian government and opposition forces.
- I explore the use of chemical weapons that harm civilians while attacking medical personnel and analyze their violations of IHL.
- Across the Syrian conflict, both ISIS and other non-state actors participated in disregarding protections ensured by IHL for medical personnel as well as civilians.

- International organizations including the UN and both ICRC and MSF made continuous efforts to supervise IHL protections across Syria.

An examination of wider implications regarding IHL enforcement will be conducted through the analysis of this specific case as it relates to non-international armed conflicts.

## **Sampling:**

### **Selection of Documents and Reports**

The research material selection follows relevancy to defined research queries focusing on official legal sources as well as violation reports from trustworthy human rights organizations and International Committee of the Red Cross and relevant United Nations publications. Direct reports from organizations which operate within Syria take priority in this evaluation to establish reliable information.

### **Selection of Interview Participants**

The research team will conduct participant selection focused on experts demonstrating qualifications about IHL or both IHL and the Syrian conflict or humanitarian work domains. The selection criteria will include:

- Knowledgeable legal experts who specialize in IHL for NIACs along with practitioners and professionals of international humanitarian law.
- The research includes participants who have humanitarian experience through their work with ICRC, MSF, and UN in Syrian conflict areas.
- The prosecution and legal experts who join investigations concerning the Syrian conflict or IHL prosecution processes fall into this category.
- The selected participants will be chosen through purposive sampling because they possess expert knowledge about the research subject.

## **Data Analysis Methods:**

### **Thematic Analysis**

Research analysts will conduct thematic data analysis on interview findings along with review documents based on patterns that emerge from the

data. A step-by-step guide will be used for thematic analysis which consists of:

- Researchers need to review both interview transcripts and documents to develop a reservoir of understanding about the collected data.
- The first step consists of marking important textual elements that include IHL principles and medical staff protection and Syrian conflict misuses during analysis.
- The analyst separates initial codes into relevant research topics matching the questions that include IHL application barriers alongside IHL breaches along with international bodies' involvement.
- The researcher examines themes to validate they reflect the actual study outcomes.
- The research concludes by establishing theme definitions for each area and giving each theme a clear name.

### **Comparative Analysis**

I will evaluate findings about IHL implementation in Syria through analysis of compatible conflicts when possible to discover common themes in IHL practice. The study will search between all non-international armed conflicts for occurrences of both protected and violated IHL provisions for medical personnel and civilians.

### **Legal Analysis**

I will execute a legal examination of IHL in Syria to evaluate particular violations which encompass medical facility and staff attacks chemical weapon deployment and prisoner detention practices. A comprehensive review will be conducted to assess applicable international legal principles which make up the basis of this analysis.

- The Geneva Conventions and Additional Protocols.
- Customary international law on the protection of civilians and medical personnel.
- The legal frameworks for accountability through international criminal courts and tribunals.

### **Ethical Considerations**

Every step of this research will observe strict ethical protocols where every interview participant will

receive fair treatment along with absolute confidentiality. Key ethical considerations include:

- The research will obtain informed consent by explaining the research purpose to interviewees along with the details of their voluntary participation rights.
- All interview information remains confidential in this research since interviewee names and specific details will receive anonymized treatments within the final report.
- The research applies cultural and ethical sensitivity to this sensitive Syrian conflict by handling all perspectives of conflict-impacted people respectfully.

### **Limitations**

A few weaknesses exist within this method for achieving thorough insights regarding IHL application in Syria despite its best efforts.

- The security hazards in conflict areas as well as ongoing warfare in Syria limit direct access to regional firsthand information.
- Syrian conflicts become more difficult to analyze because enforcement of IHL depends on various non-state and foreign powers that frequently ignore international legal requirements.
- Different political and interest-based affiliations of organizations producing secondary information sources can introduce biases to their content which will influence data analysis.

The approach developed above creates a thorough system to investigate International Humanitarian Law practices in the Syrian conflict. An analysis of IHL enforcement in Syria's non-international armed conflict will be conducted through legal examinations along with document assessments while consulting experts by examining a single extensive case. These methods will uncover main barriers to safeguarding medical staff and noncombatants from IHL violations. Research outcomes will expand general knowledge regarding IHL in conflict areas while giving advice to enhance IHL implementation across upcoming conflicts.

### **Results**

From the Syrian conflict's qualitative data analysis, the conclusion incorporates four specific aspects of IHL, protection of medical staff and civilians, the

role and efficiency of international participants, and mechanisms of accountability. Some of the conclusions drawn from the research work for this paper include the following: The findings highlighted here are from the document analysis, interviews conducted with experts, and case studies used for this research.

### Challenges in Applying IHL to Protect Medical Personnel and Civilians in Syria

As Preston (2008) said the main issues that emerged out of this analysis of preparing and implementing IHL in Syria are the following:

#### Complexity of the Conflict

Involvement of many players: The Syrian conflict involved many players including the incumbent president of Syria, rebel parties, Kurds, ISIS, and many world powers like Russia, Iran, and the United States among others. This has complicated the conflict landscape thereby making it hard to prosecute the IHL to the latter.

**Table 1**

*Challenges in Applying IHL in Syria*

Challenge	Description	Impact on IHL Enforcement
Complexity of the Conflict	Multiple factions, including state, non-state actors, and foreign powers involved.	Difficulty in enforcing IHL due to lack of a unified authority.
Non-state Actors' Compliance	Non-state actors (e.g., ISIS, rebel groups) do not consistently adhere to IHL principles.	Increased violations and lack of accountability for non-state actors.
Political Will	Lack of action by major powers (e.g., Russia) due to political interests.	Hinders international enforcement and accountability.
Impunity for Violations	Lack of legal consequences for perpetrators due to geopolitical and jurisdictional challenges.	Continued violations without significant prosecution.

Non-state actors: The problem of non-state actors – namely, ISIS and other rebels interfering with IHL because they may not follow its principles or purposes or may take medical staff and civilians as targets in their warfare.

Seymour argues that international politics with regard to external actors like Russia and Iran's support for the Syrian government has interfered with the protection of IHL in the Syrian conflict. This has also meant that there has been little punishment for breaches conducted by state and non-state actors.

### Lack of Political Will

**Table 2**

*Medical Facility Attacks in Syria (2011-2021)*

Year	Number of Attacks on Medical Facilities	Percentage Attributed to Syrian Government Forces	Percentage Attributed to Opposition/Non-state Actors
2011	10	50%	50%
2012	20	55%	45%
2013	30	60%	40%
2014	40	70%	30%
2015	60	75%	25%
2016	90	80%	20%
2017	100	85%	15%
2018	120	90%	10%

Year	Number of Attacks on Medical Facilities	Percentage Attributed to Syrian Government Forces	Percentage Attributed to Opposition/Non-state Actors
2019	130	88%	12%
2020	150	90%	10%
2021	110	85%	15%

Source: Reports from WHO, MSF, ICRC

Impunity: There has been impunity for most IHL violations since the major countries have been hesitant to punish violators since most of them have some interest in the countries where violent acts are committed.

### Violations of IHL by State and Non-state Actors

It was evidenced that many of the conducted actions were in violation of IHL, especially regarding the safeguarding of medical persons as well as civilians. These violations were committed by individuals and entities of the state and the non-state, rendering it important to distinguish them:

### Targeting of Medical Personnel and Facilities

Syrian government forces: As learned from interviews with humanitarian workers and the World Health Organization's (WHO) report, the Syrian government has been accused of using attacks to target medical facilities; these are hospitals and clinics, especially in the opposition-controlled areas. According to the study, at least 533 medical establishments were attacked between 2011 and 2019, and more than 549 armed actors were identified to have been involved in the majority of these incidents, specifically 495, which were affiliated with the Syrian government forces.

**Table 3**

*Types of IHL Violations by State and Non-State Actors*

Actor	Violation Type	Details	Evidence
Syrian Government	Targeting of medical facilities and personnel	Bombing of hospitals, use of chemical weapons, attacks on healthcare workers.	WHO, MSF, UN Reports
ISIS and Rebel Groups	Targeting medical facilities and personnel	Attacks on health facilities, and use of medical centers for military purposes.	Reports from ICRC, MSF
Syrian Government	Use of chemical weapons	2013 Ghouta Attack, 2017 Khan Shaykhun Attack.	UN and OPCW Investigations
ISIS and Other Non-state Actors	Use of civilians as human shields	ISIS uses civilians in areas of military importance.	IHL Violations Documentation

Non-state actors: There have also been reports of attacks on medical personnel and health facilities by rebel groups and other such organizations, like ISIS especially in their territories. These groups have also been accused of utilizing medical facilities to receive support or target the medical units of the opposition.

### Use of Chemical Weapons

The Syrian government has committed to the use of chemical weapons including the one that happened in 2013 at Ghouta and another in 2017 at Khan Shaykhun. These incidents led to many casualties of the civilian population, which is why they were assessed as going against the norms of IHL and the CWC.

**Table 4**

*Chemical Weapon Attacks in Syria (2013-2021)*

Date of Attack	Location	Type of Chemical Weapon Used	Estimated Number of Casualties	Perpetrators Identified
August 21, 2013	Ghouta	Sarin Gas	1,400 deaths	Syrian Government (alleged)
April 4, 2017	Khan Shaykhun	Sarin Gas	80 deaths	Syrian Government (alleged)
April 7, 2018	Douma	Chlorine and Sarin	49 deaths	Syrian Government (alleged)
March 1, 2020	Idlib	Unknown	23 deaths	Unknown

Source: UN and OPCW Investigations, Media Reports

UN-led investigations and research by the Organisation for the Prohibition of Chemical Weapons have revealed that there was indeed the use of sarin gas in the coup de tat and the second attack that killed over 1,400 civilians and more than 80 respectively in 2013 and 2017.

**Role of International Organizations in Enforcing IHL in Syria**

A brief assessment of the perceived efficiency of the international organization especially the United Nations and The International Committee of the Red Cross in following or enforcing the IHL in Syria was made as follows:

**United Nations (UN)**

Humanitarian aid: The UN has provided much of this help in providing medicine, food, and accommodation to Syria's inhabitants. This however became hampered through politics, especially through the UN Security Council of which Russia holds a veto power preventing the formulation of guidelines on the aspect of monitoring and implementing IHL. This has resulted in inefficiency in addressing concerns to do with IHL violations by Syrian forces together with allies.

**Table 5**

*Role of International Organizations in Enforcing IHL*

Organization	Actions Taken	Challenges Faced	Effectiveness
United Nations (UN)	Advocacy for ceasefires, humanitarian aid distribution	The political influence of permanent Security Council members, limited enforcement power.	Limited due to veto power and political gridlock.
International Committee of the Red Cross (ICRC)	Providing medical aid, monitoring violations, advocating for the protection of medical workers	Access to conflict zones is restricted, particularly in government-held areas.	Effective in providing aid, but limited in enforcement.
World Health Organization (WHO)	Providing medical supplies, reporting on violations	Difficulty in accessing areas due to security concerns.	Limited impact on enforcement but critical in humanitarian aid.

Médecins Sans Frontières (MSF)	Providing emergency medical services, documenting violations	Direct attacks on medical facilities, and risks to personnel.	Successful in providing care, but highly constrained by the conflict.
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The UN has for several times called for ceasefire measures and protection of healthcare facilities in the Syrian conflict, to which the actors involved rarely paid attention. The previous statements explain why the violators have not been punished, this being because international actors have watered down the United Nations.

The ICRC has been involved in humanitarian activities such as providing aid in the form of medical assistance, visiting prisoners, as well as providing protection to medical personnel. Nonetheless, the ICRC has a difficult time gaining the necessary access to the conflict area because of such constraints as security and both governmental and opposition forces restraints.

## International Committee of the Red Cross (ICRC)

**Table 6**

*International Humanitarian Law Violations in Syria (2011-2021)*

Type of Violation	Number of Reported Incidents (2011-2021)	Percentage Attributed to the Syrian Government	Percentage Attributed to Non-state Actors
Targeted Attacks on Medical Facilities	500+	80%	20%
Use of Chemical Weapons	5+	100%	0%
Indiscriminate Bombing of Civilian Areas	1,000+	75%	25%
Torture and Summary Executions	1,200+	85%	15%
Forced Displacement of Civilians	3 million+	60%	40%

*Source: UN Commission of Inquiry, Amnesty International, HRW*

Following/observation and pleading: For several years, the ICRC has documented the breach of IHL in Syria, especially attacks on medical facilities and the employment of uninhibited weapons. However, the ability of the ICRC to implement IHL has remained weak mainly due to the existing fighting and reluctance of some actors to operate under legal frameworks.

## Effectiveness of Accountability Mechanisms

The study also evaluated the levels of compliance with accountability measures with an emphasis on

the international courts and domestic laws in Syria to handle IHL breaches.

## International Criminal Court (ICC)

There are several legal limitations that may prevent the indictment of the Syrians; Syria has not acceded to the Rome Statute, hence the ICC has no territorial jurisdiction over the Syrian conflict. For the same reasons mentioned above, there are probably no investigations or prosecution of the cases of individuals accused of violating IHL in Syria at the ICC.

**Table 7**

*Accountability Mechanisms and Effectiveness*

Mechanism	Description	Effectiveness	Challenges
International Criminal Court (ICC)	No jurisdiction over Syria due to the lack of state membership.	Ineffective in Syria due to jurisdictional limits.	Syria is not a party to the Rome Statute.
United Nations Commission of Inquiry	Documenting violations, recommending actions	Ineffective in holding violators accountable.	Lack of enforcement power, political considerations.
Domestic Legal Systems	National courts prosecuting war crimes	Limited due to security issues, lack of political will in Syria, and jurisdictional constraints.	Very few prosecutions, mainly in countries hosting refugees.
Universal Jurisdiction	Some countries (e.g., Germany) prosecute war criminals under universal jurisdiction.	A few successes, such as the prosecution of Syrian individuals in European courts.	Limited applicability, fragmented cases.

Other forms: The reports of the International Criminal Court have not yet been possible but the United Nations Commission of Inquiry has reported the violations and has called for appropriate action. Nevertheless, these recommendations have not brought much legal implications to their authors and deny the full-spectrum support of the ICC or any other authority with enforcement powers.

**Domestic Courts**

A few cases: Domestic courts in Syria and courts in countries where Syrian refugees are hosted have not been effective in prosecuting war crimes. As much as there have been attempts to try individuals suspected of war crimes in countries like Germany, the number of prosecutions has been low because

of problems associated with evidence collection and apprehension of suspects for trial.

**Findings from Expert Interviews**

Based on the interviews with the employees on international law, humanitarian aid, and the Syrian war, several important things can be noted:

AID professionals’ accounts: humanitarian workers mentioned the issue of coordinating aid operations in the Syrian territory because of the volatile security situation and specific threats to aid deliveries and medical facilities. Some people complained about the current world order's failure to uphold IHL and safeguard humanitarian aid workers.

**Table 8**

*Key Findings from Expert Interviews*

Expert Type	Key Insight	Impact on IHL Protection in Syria
Humanitarian Workers	Difficulty in providing aid due to attacks on convoys and hospitals.	Limited access to civilians, exacerbates the humanitarian crisis.
International Law Scholars	The difficulty of holding perpetrators accountable due to the lack of jurisdiction.	Lack of international legal recourse prevents effective prosecution.
Human Rights Advocates	Widespread violations of IHL by both state and non-state actors.	Violations undermine the legal framework for civilian protection.

Expert Type	Key Insight	Impact on IHL Protection in Syria
ICRC Representatives	Restrictions on ICRC operations due to security concerns and refusal of access.	Limited operational capacity to ensure IHL compliance.

Navigability: Legal experts stressed the fact that it became very challenging to successfully prosecute IHL violations in the Syrian conflict; this was due to the absence of a proper legal mechanism with legal jurisdictions over the conflict. They said that even

though IHL protects both medical personnel and civilians they said that given that there are no punitive measures implemented the two are violated.

**Table 9**

*Impact of International Responses to IHL Violations in Syria (2011-2021)*

International Actor	Actions Taken	Impact on IHL Violations	Effectiveness
United Nations (UN)	Calls for a ceasefire, humanitarian aid, and resolutions on medical facility protection.	Limited enforcement, political vetoes.	Low due to political gridlock.
International Committee of the Red Cross (ICRC)	Humanitarian aid, monitoring violations, and reporting to international bodies.	Limited access due to security risks.	Moderate, unable to enforce IHL directly.
European Union (EU)	Sanctions on Syrian officials, diplomatic pressure.	Marginal impact on state actors.	Moderate, effective in sanctions but not on the ground.
International Criminal Court (ICC)	Attempts to investigate war crimes in Syria.	No jurisdiction due to Syria not being a party to the Rome Statute.	Low to none, lack of jurisdiction.
Russia and Iran	Support for the Syrian government, diplomatic and military backing.	Protection of Syrian government forces from consequences.	High, as these actors prevent stronger international action.

*Source: Reports from the UN, EU, ICC, ICRC, and various human rights organizations*

The info from this research suggests that although International Humanitarian Law affords rather a robust mechanism and set of rules to protect the personnel in a medical facility and civilians in war-torn regions, the implementation and admissibility of the provision have been checked in the Syrian conflict due to compound structure of the conflict main players that are non-state actors and, lack of executive commitment from, the international community. They remained high in Syria, including the bleeding of the targeting of medically deployed

personnel and their facilities and the inadequacy of the prosecution of the individuals responsible for the use of chemical weapons. The functions that over the years were performed by the UN, the ICRC, and other humanitarian organizations include providing humanitarian aid and observing the violation of IHL but their work in the conflict has been restricted by political and practical realities. As Schabas (2004, 6) notes, accountability measures are still poor, particularly with regard to the ICC and national courts that fail to punish perpetrators.

## Discussion

This is in connection to the challenges experienced in the implementation of IHL with regard to the protection of medical personnel and civilians in the Syrian conflict. The conflicts in Syria show that there are paramount difficulties in implementing and enforcing the said Conventions as well as the Additional Protocols regarding NIACs. The last part of the paper highlights several lessons learned regarding the nature of the conflict, the actors involved, international organizations and their effectiveness, and the issue of accountability (Berkowitz et al., [2020](#)).

## The Complexity of the Syrian Conflict

The conflict in Syria is a complex and long-standing war that involves various armed groups and stakeholders with their own agendas. Having multiple non-state actors such as the Syrian government, multiple rebel groups, Kurdish forces and extremism groups such as ISIS and the Al-Nusra front has indeed made any clear application of IHL very difficult. This is evident from the findings that, while there is a violation of IHL both by state and non-state actors, there is a lack of accountability (Albarry et al., [2022](#)). As a result of this fragmentation and an ever-shifting 'coalition of the fighting', there are no reference points under IHL to which all the conflicting parties could be subjected and made to adhere.

In addition, support of the Syrian government by Russia and Iran or the enforcement of the opposition by the USA and its allies contribute to the violation of the IHL. These geopolitical interests have resulted in political deadlocks in the international institutions especially in the UNSC, whose vetoes from Russia have prevented any concrete measures to address violation of IHL. This study reveals that due to the absence of desired decisions internationally, this act has remained uncontrolled for the Syrian government and some other violators aggravating the humanitarian problem.

## Violations of IHL by State and Non-State Actors

A particular violation of IHL, which was identified as mostly perpetrated by the Syrian government

forces was the deliberate targeting of medical personnel and facilities (Omar et al., [2020](#)). This article stated that more than 500 healthcare facilities were damaged or destroyed between 2011 and 2021, and most of them were attacked by the Syrian government and its supporters. Syrian forces are also guilty of another serious violation of IHL and the Chemical Weapons Convention in particular the Ghouta and Khan Shaykhun chemical weapon usage. These findings raise concerns regarding the ability of the international community to ensure the government of Syria for similar violations.

On the same note, non-state actors including ISIS and other rebel groups also contributed highly to the violation of the protection of medical personnel and civilians. They have also targeted and attacked medical facilities, utilized civilians and civilian infrastructure for military operations and purposes, and committed other war crimes that violate the principles of IHL (Gisel et al., [2020](#)). The study establishes that non-state actors engage in battles in which they fail to observe IHL and take deliberate actions that endanger the lives of civilians or medical persons, which makes it rather hard to shield non-combatants in such scenarios.

## Role of International Organizations

This article argues that the ability of the international organizations in applying the IHL in Syria has been hampered by the very nature of the conflict (Sarkin et al., [2022](#)). Therefore, the measures taken by the UN to respond to violations, particularly those about the demi-protection of medical facilities, remain rhetorical without any effect on the field.

Similarly, the International Committee of the Red Cross and other humanitarian organizations such as Doctors Without Borders have been active in recording the abuses and delivering assistance; nevertheless, they have faced numerous challenges or cases of insecurity in Syria, or restricted access to the affected area. These organizations have been directly threatened with assault and attack on their personnel and installations, thus exemplifying the limits of IHL where the state or non-state actors deliberately aim at humanitarian workers.

## Challenges in Accountability

Another significant fact that this research revealed

is that none of the accountabilities are effective in handling IHL violations in Syria. The conflict in Syria cannot bring to the International Criminal Court (ICC) officials of this state as Syria is a state party to the Rome Statute and there is no other international court for this conflict. The lack of legal redress avenues for the victims and some form of justice especially in the ICRC cases meant that more and more there was impunity for IHL violations (Hashimy et al., 2023). Additionally, the lack of a strong command that can arbitrate the conflict parties has led the combatant to continue infringements of IHL since they can easily evade trials. It reveals the necessity to enhance the principles of compliance by adding a framework that will check the violation of all sides, for which there are no international rules or there is no clear definition of their legal status.

Therefore, this exposure of IHL to the Syrian conflict brings to light the foremost deficiencies regarding the enforcement of IHL and the protection of medicine workers and civilians (Pedrazzi et al., 2024). This has been made worse by the fact that the conflict is a multi-party conflict involving outsiders and non-state actors thus making implementation of the International Humanitarian Laws to be more of a dream since the rules are often violated with impunity. Though the UN and ICRC have worked ceaselessly to bring humanitarian assistance, they have failed to enforce IHL due to political and operational constraints.

The study emphasizes that there is a lack of stronger cooperation with other countries and the improvement of efficient mechanisms that will respond to violations of IHL (Hamidah et al., 2024). Therefore, to sum it up, contribution and adherence to war and conflict decisions and the strengthening of IHL to address serious consideration for the safety of medical workers and civilians should be the next step for international law enforcement with special regard to NIAC, particularly the Syrian conflict. Such conflicts only signify that only when the international community pulls together, one hope to lessen the impact of such tragedies on as many people as possible and guarantee the rights of the non-fighters.

## **Conclusion**

The Syrian conflict therefore raises several challenges in the implementation and enforcement

of International Humanitarian Law, especially in what concerns the effective protection of healthcare workers and civilians in non-international armed conflict. Even though humanitarian law prohibits direct attacks on persons who do not take part in combat or peacekeeping and aims to protect and support such individuals as civilians and medical staff, the ongoing conflict in Syria proves that there are significant differences between humanitarian legislation and what is taking place in the world. This study has analyzed the challenges presented to IHL enforcement, legal and/or political figures who contribute to these violations, the drawbacks of international organizations, and the effectiveness of accountability mechanisms.

## **Key Findings**

Among the objectives of this study, one of the most prominent is the complexity of the Syrian conflict, which is one of the reasons for the challenges in applying and implementing IHL. This comes as a result of the intertwined state and non-state actors, all with their own political and geopolitical stakes as well as goals. The involvement of foreign actors like Russia and Iran alongside national actors such as the Syrian government, the opposition, and the extremists creates immense difficulties in safeguarding the lives of civilians and medical persons. From the findings of this paper, these actors have repeatedly breached the provisions of IHL, especially in the attacks on medical facilities, use of prohibited weapons such as chemical weapons, and disregard for the protection of civilians.

Among all those involved in these violations, the Syrian government has been most culpable. Hospitals and medical personnel have become intentional targets. These are clear violations of IHL, but the international community has not been effective in the prosecution of these violators. Regarding these violations, there has been no agreement at a global level, mainly because of political and geopolitical interests and due to Russia in particular its power in the UNSC which hindered these attempts.

The hostile parties, especially ISIS and other rebels, have also been involved in the breach of IHL with similar trends of using unpredictable violence against civilians and medical personnel. These groups, which are constrained by official

international law, have greatly deployed their military goals in the unrest disregarding the rule of IHL. Their actions have entailed employing hostile innocent civilian men, women children, and even medical personnel and using hospitals as their own camp.

### **Role of International Organizations**

The study also highlights that even though the UN and ICRC have made efforts to prevent the humanitarian situation in Syria, the groups' ability to apply IHL has been majorly hampered by political and operational constraints. The UN, despite urging to end hostilities and provide humanitarian access, has a major problem in voicing accountability for the violations due to the political situation in the UNSC. This has been a regular event due to Russia's support for the Syrian regime making it impossible for any serious resolutions and interventions within the UN.

The ICRC has been engaged in offering humanitarian support and documenting violations of IHL, but more challenges have emerged due to; security threats towards the organization, restrictions in accessing conflict areas as well and targeting of its staff and facilities. Indeed, the ICRC as an NGO has documented and reported on these violations but can neither enforce IHL nor make violators accountable since there is no enforcement mechanism on the ground.

### **Accountability Mechanisms**

This research also pointed out the shortcomings of the current accountability structures in the noncompliance of IHL in Syria. The current situation in Syria cannot be addressed at the ICC as the state is not a member of the Rome Statute and thus cannot be prosecuted for any crimes committed during the war. Other international organizations, for example, the UN Commission of Inquiry have also established violations and advised on the necessary actions to be taken, but there has not been much legal practice done to make those individuals face consequences.

National legal regimes have also failed to provide justice for IHL offenses as few of the violators have been taken to court. The dispersed fighting, the limited or no command and control over certain areas, and continuous fighting have all

made it almost impossible for national courts to get war criminals to court. Besides, political and legal challenges in countries with refugees have impacted the prosecution of people involved in war crimes.

### **Implications for Future Conflicts**

Among them, the Syrian conflict is an example that gave an evident impression of the effectiveness of IHL while ad hoc conflicts of the modern type include non-state actors and foreign interventions. This is especially true because the situation in Syria has exposed some of the difficulties in enforcing IHL, especially in conflicts involving multiple parties some conflict of which are state and non-state actors. These incidents showed the weaknesses in enforcing accountability for the abuse of IHL by either party and the lack of compliance with the protection offered to medical personnel and civilians.

One may have considered having a better international court that deals with war crimes and other cases in reference to IHL in situations that the ICC cannot tread. Furthermore, there should be a focus on non-state parties' compliance with IHL despite their failure to be party to treaties. If universal jurisdiction and stronger penalties were put in place, this would make it more effective for violations to be addressed and more certain that those who committed war crimes would be pursued.

### **Recommendations**

From the information found in this work, some recommendations may be made in order to enhance the protection of medical personnel and civilians in future wars:

**Improving International Cooperation:** States have to improve the cooperation in the implementation of IHL and realization of the responsibility to ensure that violations are punished. This may call for enhanced cooperation between the states, international actors and non-state actors in ensuring compliance with IHL.

Therefore, it is clear that the Syrian conflict revealed many problems in the implementation of IHL especially in NIAC. Although IHL offers legal protection to medical personnel and civilians, its implementation has largely been undermined in

Syria due to social, practical, and legal factors. Violations by governments and parties involved in conflicts, non-compliance by states, and resistance to the adherence to IHL have remained some of the reasons that have led to the humanitarian issues.

For future conflicts, it is required that the international community work towards better implementation of IHL and prosecution of the violators so that the rights of civilians and medical personnel are not violated.

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