When one refers national mechanisms, it requires a willingness or optimistic approach towards the international humanitarian laws to implement in their respective state.

So far as concern with SAC (South Asian Countries) the attitude of these countries is in question. The questions may by whether attitude of SAC towards IHL as reflected through adoption and enforcement of international conventions and protocols? Can a generalization be made for the whole region? What is the record of enforcement of IHL in these countries?
In this unit, we will discuss the concept of domestic ameliorative mechanisms, the mechanisms in very countries of South Asia, i.e. India, Bangladesh, Bhutan, Nepal and Pakistan. It will discuss about what is the attitude of the respective countries towards the IHL and their effects on the state.

16.2 OBJECTIVES

After reading this unit, you should be able to:

- explain the concept of domestic ameliorative mechanisms; and
- discuss the ameliorative mechanisms available in various South Asian countries.

16.3 THE CONCEPT OF DOMESTIC AMELIORATIVE MECHANISMS

To understand the enforceability of IHL in SAC, one has to look into the cultural and historical moorings of these countries, affecting their present day compliance with their principles.

As we know the countries in SA have a common culture and Hinduism as the main religion. A just war should be conducted by righteous means under which the limits of war were well defined, i.e. the weapons to be used, area where it should be fought, treatment of combatants and non-combatants, etc. Now this approach towards IHL is deeply imbied in the Asian values, as a part of the cultural heritage, towards human life, which should be respected and valued even under adverse situations too.

All SAC have signed and ratified the Geneva Conventions (GC). But, almost countries have not signed the protocol to GC I and GC II, simply because it expands the ambit of the GC by creating additional obligations. However, except India, no other country in the region has legislated on any of the IHL conventions so far.

Geneva Conventions impose a large number of obligations on the parties to a conflict, international, and non-international. It is, therefore, necessary that the conventions should be internalized through law by all the SAC. Since the implementation of these GC in respective country, SAC facing one distinct problems, are, use and abuse of the emblem of the Red Cross as the distinctive sign of the medical services of armed forces. The misuse and abuse of the emblem is rampant in all the countries of South Asia.

In India, the Geneva Convention Act, 1960 seeks to prevent the abuse of the Red Cross and other emblems by prohibiting their use by any person without the approval of the central government. However, it merely provides five hundred rupees as fine and confiscation of the goods on which the emblem has been used in violation of the provisions of the Act.

Under the existing international instruments on IHL, there is, however, no legal obligation to create any national body to monitor, enforce, and promote humanitarian law in the country concern. In this direction, among the SAC, Sri Lanka is the first country, which, in March 2000, established a national humanitarian law committee at the initiative of its Ministry of Foreign Affairs.

We can say, SAC are in a pivotal position in the adherence to the principles of IHL because of their rich cultural heritage, which accord great value to human dignity in every adversity. By legislating the four GC through the 1960 Geneva Convention Act, and by giving due place to human rights principles in the constitution has shown its commitment to IHL, making these principles a part of the rule of law in the country.
16.4 MECHANISMS IN INDIA

We can say that India’s participation in the drafting of the 1948 Genocide convention, the 1977 protocols Additional to GC-II, and the adoption of the statute of the International Criminal Court shows commitment towards the implementation of IHL. This sub-unit will discuss these major IHL conventions to implement IHL provisions in India.

16.4.1 Role of India in Drafting the Genocide Convention, 1948 to Implement the IHL

Around 20 states have signed the Genocide convention on 11 December 1948; India signed it on 29 November 1949. But India ratified the said convention on 27 August 1959, after around 10 years later to sign.

Focus of India at the time of signing of the convention 1948 was Jurisdiction, Definition of Genocide & liability of person.

India made the declaration while ratifying the convention that for the submission of any dispute in terms of the jurisdiction of the ICJ, the consent of all the parties to the dispute is required in each case.

In the beginning, India adhered to a 1945 agreement, establishing a tribunal for the trial of war criminals and a charter defining the tribunal’s jurisdiction and functions. The tribunal pronounced its jurisdiction on Germany’s violation of several treaties and convicted the offenders of the crime of planning and waging war. However, it could not find jurisdiction over crimes against humanity, as it could not be established that the acts complained of were ‘in execution of, or in connection with’, the war.

India, along with Cuba and Panama, sponsored resolution on genocide. It defined that genocide was a crime under international law and requested the ECOSOC to undertake the necessary studies with a view to drawing up a draft convention.

India mainly emphasised on the intention of the combatant, to define the ‘Genocide’. According to India, intent was closely linked to the act. India further focused to define ‘Genocide’ on the result. India said result must be the total or partial destruction of the group. Result could not be asserted. Further, India added that ‘the protection of the cultural right of groups should be assured by the declaration of human rights, which would shortly come before the General Assembly.

Further, to implement the IHL India supported the USSR amendment for deletion of the draft convention the reference to a penal tribunal. India emphasised that before the tribunal could begin to function, a host of complicated problems, such as jurisdictional conflicts between the national courts and the international tribunal, would have to be solved and a detailed convention drafted.

16.4.2 Implementation of Geneva Conventions, 1949

This is the second mechanism to implement IHL in India. It shows the commitment at international level to implementation of IHL in India. India was one of the sixty-three states which signed the final Act, incorporating the convention for the Amelioration of the condition of the wounded and sick in Armed Forces in the field, the convention for the Amelioration of the condition of the wounded sick and shipwrecked members of armed forces at sea, the convention related to the treatment of prisoners of war, and the convention relative to the protection of civilian persons in time of war.
16.4.3 Implementation of the GC in Court of India

We have to keep in mind the implementation scheme of GC in India. The Act does not give any special or direct remedy to the victims in GC Act, 1960. GC Act, 1960 does give indirect protection by providing for breaches of convention. The conventions are not made enforceable by Government against itself. Thus, there is only an obligation undertaken by the Government of India to respect the conventions regarding the treatment of civilian population. There is no right created in favour of protected persons.

Self Assessment Question
1) What is the role of India in drafting the Genocide Convention, 1948?

16.5 MECHANISMS IN BANGLADESH

As we know that one of the most important events in SA is emergence of Bangladesh as an independent state in 1970. It is very difficult to implement the international law at the domestic level in general and some time it is difficult to ascertain who, in the final analysis, has the responsibility of applying it.

16.5.1 Ratification of IHL Conventions in Bangladesh

Bangladesh is a 132\textsuperscript{nd} High Contracting Party to the four Geneva Conventions of 1949 and has declared itself bound to them. The Bangladesh Government has also ratified the 1977 protocols Additional to Geneva Conventions.


16.5.2 Status and Implications of IHL in Bangladesh

If we observe the Bangladesh Constitution, it is silent on the status of international law upon the domestic legal regime. But we may find the provisions of human rights and respect of international law in the constitution of Bangladesh.

The general principle of the Bangladesh Constitution is in such a nature that, the principles of international law and the municipal legal regime, international treaties can become part of the domestic law in Bangladesh only if they are specifically incorporated into the law of the land.

The international treaties and protocols are not self-operating in Bangladesh. The Constitution of Bangladesh does not contain any specific provision, which obliges the state to enforce or implement international treaties and conventions including implementation and enforcement of IHL.
16.5.3 Obligation to Implement IHL Treaties in the State of Bangladesh

As we know that the primary responsibility lies with the state for application of IHL. So far as concern with the GC and Additional Protocol to GC respective state i.e. Bangladesh, have an obligation to ensure implementation of and respect for humanitarian law.

We have to keep in mind that adoption of international norms, rules, regulations or provisions in peace time, implementation is an administrative function at the national level, and, thus, as a state party to those different conventions and protocols, the government of Bangladesh has under the obligation to it.

16.5.3.1 Repression of Breaches of IHL

Generally, International Humanitarian Law lays down the principle of individual penal responsibility subject to the acts in question are punishable under national law. Now, so far as concern with the national provision of Bangladesh state, it has not enacted specific legislation to this effect. The only law that has some bearing is the International Crimes Tribunal Act, 1973. Problem arises at international platform in language. As we know that different countries has different languages. It is a duty of the High Contracting Party to translate the communication of IHL in to their language. So far as concern with Bangladesh, since independence, it has not experienced any hostilities.

16.5.3.2 Constitute an International Fact-finding Commission and IHL

This is one of the mechanisms in state of Bangladesh to implement the IHL. This mechanism refers to enable international implementation mechanisms to operate properly in the event of hostilities. There is no such time period for declaration. Generally, in practice, the appropriate time is before the need arises for an inquiry into a breach of humanitarian law.

The government of Bangladesh has not yet made any declaration.

16.5.3.3 Provisions of Bangladesh Constitution and Implementation of IHL

The preamble of the Bangladesh constitution have been made, which is indeed the basic objective of the IHL. We can find in the Art. 32, Bangladesh Constitution, guarantee against ‘grave breaches’. Art. 27 and 28 of the constitution are comprehensive enough to encompass the principles of IHL incorporated in the various Geneva Conventions, and the Additional Protocols. Art. 35, which provides certain safeguards ad protection to persons accused of crimes. But, one thing we have to emphasise that, those constitutional provisions does not directly provide for the implementation of IHL principles.

16.5.3.4 Domestic Laws and Implementation of IHL

The Bangladesh Government has passed Geneva Conventions Implementing Act 1936. This Act has been amended several times, and last it was amended in 1974. At initial time it was enacted on Article 36 of the GC. Subsequently, it was amended by Article 53, of First GC 1949.

Another, piece of legislation, which is the Bangladesh Red Cross Society Order, 1973, under which, Bangladesh Red Crescent Society was established. Main emphasised on Art. 4, and Art. 5 of the Act, which says society shall in all its activities, observe all seven objectives of IHL.
16.6 MECHANISMS IN BHUTAN

Let us see the provisions to implement of IHL in the state of Bhutan.

The office of Legal Affairs was established in March 2000. The responsibilities of the office include conduct of state prosecutions, drafting of legislation, and rendering of legal advice. It comprised a Legal Services Division which became the Ministry of Law and Justice with domestic, international, and human rights sections, and a prosecution division with a criminal and civil section.

Since, considerable rise in ethnic conflicts and separatist tendencies, it is underlining the importance of humanitarian law.

Let see few conventions which Bhutan has signed to implement the IHL in the state.

The ICRC plays a very vital role in Bhutan. Bhutan is a party to the GC 1949. But it is not a party to the protocols of 1977. Bhutan is also a party to the Biological weapons convention, 1972, and the chemical weapons convention 1993.

But, Bhutan has not ratified the cultural property convention, 1954, the environment Modification convention, 1977, the convention on conventional weapons, 1980, the Ottawa anti personnel landmines treaty, 1998, and the statute of the international criminal court, 1998.

Bhutan has not ratified the Mine Ban Treaty too.

16.6.1 National Legislations to Implementation of IHL

Bhutan has not enacted any national legislation to give effect to the GC domestically. Bhutan is not a signatory to the 1951 UN convention relating to the status of Refugees, or its protocol 1967. Since, there reorganization the right to asylum in according with international refugee law, it has no official policy on refugees, asylum, first asylum, or the non-return of refugees to countries in which they fear persecution.

Bhutan is a state party to the convention on the Rights of the Child, 1989. There are no recognized human rights non-governmental organizations in the country. The government
regards human rights groups established by ethnic Nepalese exiles, the human rights organization of Bhutan, the people’s Forum for Human Rights in Bhutan, and Association of Human Rights Activists as political organizations and does not permit them to operate in the country.

Self Assessment Question

4) Give names of the conventions and treaties signed and ratified by State of Bhutan.

16.7 MECHANISMS IN MALDIVES

There has been an encouraging trend towards efforts to advance the cause of these humanitarian principles by ratifying some of the main IHL treaties. However, these treaties have not been incorporated within the domestic laws, a huge step away from its effective implementation.

Maldives is a party to the four GC of 1949. Maldives is the only other state after Bangladesh, of South Asia to have signed two protocols. It is also a party to the convention on prohibition or restrictions on the use of certain conventional weapons.

16.7.1 Ratified Conventions on IHL

Maldives ratified the convention on the prohibition of the Use, Stockpiling, Production, and Transfer of Anti-personnel Mines and on Their Destruction 1998. But there is no report on the national implementation legislation or other measures. Maldives has supported to pro-ban United Nations General Assembly resolutions.

Maldives has ratified the protocol for the prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, Geneva 1925. Further, Maldives has ratified convention on the prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin weapons and on their destruction, convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, Geneva, 10 October 1980, protocol on non-detectable fragments (protocol i), Geneva, October 1980, protocol on prohibitions or restrictions on the use of incendiary weapons (protocol iii), Geneva, 10 October 1980, international convention against the recruitment, use, financing and training of mercenaries, 4 December 1989, convention on the rights of the child, 20 November 1989, convention on the prohibition of the development, production, stockpiling, and use of chemical weapons and on their destruction, Paris, 13 January 1993, protocol on blinding laser weapons (protocol iv to the 1980 convention), 13 October 1995, and protocol on prohibitions or restrictions on the use of mines, booby-traps, and other devices as amended on 3 May 1996.

16.7.2 Ratification of Convention and Protocol on the Rights of Child

one of the fundamental sources of Maldivian law and not recognizing the system of adoption and the laws of the Republic of Maldives stipulate that all Maldivians should be Muslims. The reservations to Articles 14 and 21 of the convention were reiterated upon ratification.

Maldives in May 2000 signed the optional protocol to the convention on the Rights of the Child, on the involvement of children in armed conflict. Maldives maintains only one security unit, the National Security Service (NSS). Its mission includes preserving security, and patrolling the country’s territorial waters for illegal fishermen and smugglers.

Ratifications of IHL treaties are only initial stage. These international humanitarian law treaties need to be incorporated into the national legislation in the interest of Maldives and its citizens.

Unless IHL becomes incorporated into the municipal laws and made an integral part of military training at all levels of hierarchy, it would not have a favourable impact on the civilians as well as armed forces engaged in battle.

Thus, it is imperative for Maldives that legislative and practical measures be adopted, which would reflect the genuine intention in fulfilling their commitments as well as a positive message for other SAC.

Self Assessment Question
5) Mention the different treaties, signed and ratified by the state of Maldives.

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16.8 MECHANISMS IN NEPAL

State of Nepal has incorporated the principles and guidelines in constitutions itself. The directive principles of the state, chapter four of the 1990, of the Kingdom of Nepal, have included the values of world peace of the foreign policy of Nepal. This policy is towards the neighbouring and other countries based on the principles of equality and cooperation.

Main purpose of the policy is to maintain the sovereignty, integrity, and independence of the country and thereby enhance the dignity of the nation.

If we look the constitution of Nepal, Article 126, the provision is related to ratification, accession, acceptance, or approval of a treaty, or an agreement. This article forbids the government from entering into treaties that can have adverse impact on the territorial integrity of the country.

Now, the provisions of Article 126, are regulated and elaborated upon by the Nepal Treaty Act, 1990. The Treaty Act stipulates that the provisions of the treaties duly ratified by Nepal prevail over the laws of Nepal in the event of conflict between the two.

With regard to the protection of fundamental rights, the Nepalese constitution incorporates most of the civil and political rights embodied in the International Bill of Rights. The constitution of Nepal also covers and empowered the judiciary to dispense
justice in accordance with, the ‘recognized principles of justice’, in enforcing the fundamental rights and freedoms guaranteed under the constitution. The Supreme Court has gone on to invoke international law principles in a number of cases when delivering its judgment.

Supreme Court of Nepal and IHL

Now, let us see the approach of the Supreme Court to implement of IHL principles through very well recognized case of Reena Bajracharya vs. HMG, where, Supreme Court of Nepal emphasized the importance of observing the provisions of international human rights instruments, particularly the convention on the political rights of women, 1952, The Universal Declaration of Human Rights, 1948, and, convention on the elimination of all forms of discrimination against women, 1979 (CEDAW). Supreme Court interpreted section 9 of the Nepal Treaty Act, 1990, which gives precedence to international law over municipal law. In this case, the right to equality guaranteed under the constitution and similar provisions of the CEDAW were invoked by the Supreme Court.

In another case, prakash Mani Sharma bhusal vs. HMG, the acquisition of the land surrounding a historical site, for development which would have resulted in the destruction of the cultural heritage was in dispute. The Supreme Court of Nepal invoked the convention on Natural and Cultural Heritage (CCH), 1972. Since Nepal is a party to CCH, the court ordered the government to protect the cultural heritage of Rani Pokhari (disputed place), citing its obligations and responsibilities under the CCH.

In Chandra Kanta Ganwali vs. HMG, the Supreme Court issued an order asking parliament to amend the provisions of section 3 (4) and (5), of the citizenship Act and Rule 3 (1), and Appendices 1 and 2 of the citizenship Rules, 1992 in order to make them compatible with the provisions of the constitution and those of CEDAW.

Nepal Red Cross (NRC) and implementation of IHL

Let us see the role of Red Cross of Nepal in implementation of principles of IHL.

Nepal is a party of the Geneva Red Cross Conventions 1949, since 1963, February. Now, ratification of this Red Cross Convention was the precondition for the recognition and establishment of Nepal Red Cross (NRC). As a consequence of this, in the month of September of 1963, NRC was established and got reorganisation from ICRC. The League of the Red Cross and Red Crescent Societies also supported the said establishment in Nepal in 1964. NRC helped Bhutanese Refugees too.

Now, we focus on role of NRC. Main function of the NRC is to promote international humanitarian law in the state. At present NRC is functioning in according with its constitution and is guided by the universally accepted seven principles of Red Cross and the tenets of international humanitarian law.

Implementation of IHL

As we know that Nepal is a party of GC 1949, though, it has not yet ratified the 1977 protocols to the GV, 1949. The very encouraging step taken by the government of Nepal is that, it has published the full text of the GC in Nepali, and introduced international humanitarian law to the Royal Nepalese Army’s training course, and organized training seminars with the help of ICRC.

Implementation of IHL by active participation of ICRC in the State of Nepal

The government of Nepal has allowed representatives of the Nepal Branch of the
ICRC to visit jails in different districts of Nepal and accepted confidential reports presented by the ICRC. It shows its commitment towards the implementation of humanitarian laws in the state.

**Many treaties yet to be signed by the state of Nepal**

The government of Nepal established a working group in 1985 to recommend on the measures necessary to ratify the 1977 protocols. However, in spite of the recommendations of the working group, Nepal has not yet ratified the protocols, nor has it ratified the UNESCO convention for the protection of cultural property in armed conflict, 1954; Ottawa treaty for banning of anti-personnel landmines of 1977; the rome statute of the international criminal court, 1998; the biological weapons convention 1972, environmental modification techniques convention of 1977; and conventional weapons convention and its protocols of 1980.

**ICRC and State of Nepal**

ICRC activities started with visits to detention centres. The visits later turned into full scale protection - oriented missions. The ICRC has been organising seminars for officers of the Royal Nepal Army and the police force with a view to making them aware of their rights and duties under international humanitarian law during conflict.

**Domestic law in Nepal**

Nepal does not have any specific legislation incorporating the GC into its domestic law. However, the provision of section 9 of the Nepal Treaty Act, 1991, implies that the provisions of international treaties ratified by Nepal have become part of domestic law and actually prevail over other laws.

A draft law for the protection of the emblem of Red Cross has been submitted to the authorities and the Supreme Court held in a case, Narayan Khadka vs HMG, that the government was under an obligation to protect the emblem. As a result of, the government issued a directive to all government hospitals, dispensaries, and other medical establishments to refrain from using the Red Cross emblem on their premises and other facilities, including, ambulances.

**Grounds for slow progress of IHL regulations**

Politicians are not fully familiar with the obligations of Nepal under international law.

Government ministers and officials do not seem to give priority to enacting a new law in this area due to the ongoing conflict within the country between the Maoist rebels and the security forces.

There is an absence of a national legislation, to this effect, concerned individuals and human rights campaigners have difficulty in holding the perpetrators of such violations to account.

**Self Assessment Question**

6) Discuss the role of NRC as a Mechanism to implement of IHL in the state of Nepal.
The national attitude of Pakistan towards the IHL is best measured by legislative developments, changes in law, and the treatment of IHL concepts in the legislation.

As we know, the basic law of Pakistan closest to regulating the armed conflict-related issues is the Pakistan Army Act. This law governs the entire army.

If we look into this Army Act, 'combatant' and 'civilian' define in one. But if see the definition of 'enemy', it includes all armed mutineers, armed rebels, armed rioters, pirates and any person in arms against whom it is the duty of any person, subject to this Act, to act. It seems, in fact, treated as de facto definition of 'combatant'. Now, it is similar to the scope of one article, 43, of the 1977 protocol I, but, contrary to the protocol's description.

The definition of 'enemy' is the same in substance in the Pakistan Air Force Act and also in the Pakistan Navy Ordinance.

If we see Article 8(1), of the of the Army Act, it defined to include persons attached, or forming part of a force, engaged in military operations, in the line of duty. This is closer to the protocol I description but it is more in the nature of determine the jurisdiction of the Act.

Care of Wounded and Sick

In this regard, war injuries ordinance, 1941 guarantees compensation to victims. Again, the War Injuries Compensation Insurance Act, 1943 makes it obligatory on all the employers to pay compensation in addition to the 1941 Act. Even under the 1943 Act, a war injuries compensation insurance fund was also established, similary section 7 of the Red Cross Society Act, 1920 also authorized the utilization of gifts, subscriptions, etc., for the relief of the sick or distressed due to the operation of war. The schedule to the Act provides for a clear preference for members of the Pakistan forces and includes such purposes as making essential supplies to hospitals, etc.

Legal and illegal commend by the official and implementation of IHL

If we observe section 33 of the Army Act, a soldier is liable to be punished if he disobeys a lawful command. The position is similar under the air force and naval laws and so is the case for Frontier Crops. Section 33 can be interpreted to mean that there will be no punishment under the Army Act, if soldier has disobeyed a command which is illegal. Again the Federal shariat court had quoted with approval in 1985, the incidence of a famous Muslim warrior, Khalid bin walled; whose command to kill certain prisoners was out rightly disobeyed and was subsequently receive with approval.

The concepts regarding clear distinction between combatants and non combatants, military and civilian targets, prevention of indiscriminate attacks, adoption of the proportionality principle, protection of safe areas and humanitarian corridors, treatment of POWs, and principles regarding legal and illegal command need to be incorporated in existing or new laws and they should be adopted by courts as legally binding principles.

It is also required to be done regarding widespread dissemination of IHL, especially among the personnel of administrative, judicial, and legislative branches of the government, both at the national and international levels, in order to being the law to life.
16.10 SUMMARY

- In this unit, we discussed the attitude of different states of south asian countries to implement the International Humanitarian Law. We saw the attitude and willingness of the state, by incorporating Humanitarian Laws in to their domestic laws.

- We discussed the mechanisms in India to implement the previsions of International Humanitarian laws by emphasised on role in drafting the Genocide convention, 1948 to implement the IHL, by Implementation of Geneva Conventions 1949, by Implementation of the GC in Court of India as well.

- Further, we discussed the mechanisms in Bangladesh to implement rules of International Humanitarian Law, by Ratification of IHL Conventions in Bangladesh, Status and implications of IHL in Bangladesh, by implement IHL Treaties in the state of Bangladesh, Repression of Breaches of IHL, International Fact-Finding Commission and IHL, Provisions of Bangladesh Constitution and implementation of IHL, & by Domestic Laws and implementation of IHL.

- We examined the Provisions of IHL for implementation in the state of Bhutan too. We discussed conventions which Bhutan has signed to implement the IHL in the state, and also observed the National legislations to implementation of IHL.

- We also discussed the mechanisms in Maldives to implement the IHL. We was - Ratified Conventions on IHL & protocols too. We discussed Ratification of Convention & Protocol on Right to Child.

- We saw the situation of Nepal too. We discussed Supreme Court of Nepal and IHL, Nepal Red Cross (nrc) and implementation of IHL, Implementation of IHL, Implement of IHL by active participation of ICRC in the State of Nepal, ICRC & State of Nepal, Domestic law in Nepal, and Grounds for slow progress of IHL regulations.

- We saw the situation of Pakistan also. We saw legislations for Care of Wounded and Sick, Legal and illegal commend by the official and implementation of IHL too.

16.11 TERMINAL QUESTIONS

1) Discuss the role of Indian Court to implement IHL.

2) Discuss the National Mechanism of Bhutan, Maldives, Nepal, Srilanka, Bangladesh and Pakistan relating to the implementation of IHL Conventions.

16.12 ANSWERS AND HINTS

Self Assessment Questions

1) Refer to Sub-section 16.4.7

2) Refer to Sub-section 16.5.1

3) Refer to Sub-section 16.5.3

4) Refer to Section 16.6

5) Refer to Section 16.7

6) Refer to Section 16.8
Terminal Questions
1) Refer to Section 16.4
2) Refer to Section 16.5, 16.6, 16.7, 16.8 and 16.9

16.13 GLOSSARY

Combatant : Includes all armed mutineers, armed rebels, armed rioters, pirates, and any person in arms against whom it is the duty of any person, subject to the Act.

Wounded and sick : According to the Geneva Convention, 1949, define as who becomes wounded during the armed conflict.

16.14 REFERENCES AND SUGGESTED READINGS

1) Four Geneva Conventions 1949
2) Protocols to Geneva Conventions 1977
3) Constitution provisions of very countries
4) Introduction to ICRC