

*How does IHL address sexual violence? Is sexual violence a weapon? A method of warfare? Does it matter whether the victim is a civilian, a combatant, a fighter? A child, a man, a woman? Does IHL require specific strategies to cater for the medical and psycho-social needs of victims and survivors of sexual violence?*

Rape and other forms of sexual violence are prohibited under IHL, in both international and non-international armed conflicts. International criminal law moreover provides for the individual criminal responsibility of sexual crimes' perpetrators.

Yet, sexual violence persists in contemporary armed conflicts as a devastating phenomenon with damaging consequences for victims – women, men, girls and boys – as well as their families and whole communities. Strengthening the implementation of the legal framework remains a challenge to bridge the gap between the law and the reality on the ground.

IHL rules protecting persons against sexual violence can be found in The Law chapters on Civilian population, Combatants and POWs and Criminal repression.

## **Related case studies in The Practice:**

- Women and Sexual violence
- UN, Report of the Secretary-General on Women and Peace and Security
- Somalia: Deeply Flawed Rape Inquiry
- Colombia – Sexual violence
- Syria: Detention and Abuse of Female Activists
- Central African Republic, Coup d'Etat
- ICC, The Prosecutor v. Lubanga
- Democratic Republic of Congo, Involvement of MONUSCO
- Mali, Conduct of Hostilities
- Colombia/ICC, Situation in Colombia, Interim Report
- Sudan, Report of the UN Commission of Enquiry on Darfur [Paras 333-358]
- Democratic Republic of the Congo, Conflict in the Kivus [Part III, paras 16, 35-37]
- Georgia/Russia, Human Rights Watch's Report on the Conflict in South Ossetia [Paras 87-89]
- Democratic Republic of Congo, Fighting with the M 23 Group
- Philippines, Armed Group Undertakes to Respect Children
- Central African Republic: Sexual Violence by Peacekeeping Forces
- Central African Republic, Report of the UN Independent Expert, July 2016

- ICC, Confirmation of Charges against LRA Leader
- International Criminal Court, Trial Judgment in the Case of the Prosecutor V. Jean-Pierre Bemba Gombo
- Geneva Call and the Chin National Front

## **Related notions in A to Z:**

- Rape and sexual violence
- Crimes against Humanity
- Women

## **To go further:**

- E-briefing on sexual violence
- ICRC workshop on sexual violence
- Podcast of the conference 'Sexual violence in armed conflict: Underlying causes and prevention strategies'
- Resolution on Sexual violence and gender-based violence adopted at the 32<sup>nd</sup> International Conference