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 [1] chapters on Civilian population [2], Combatants and POWs [3] and Criminal repression. [4]

Related case studies in The Practice [5]:

- Women and Sexual violence [6]
• Somalia: Deeply Flawed Rape Inquiry [8]
• Colombia – Sexual violence [9]
• Syria: Detention and Abuse of Female Activists
• Central African Republic, Coup d’Etat [10]
• Democratic Republic of Congo, Involvement of MONUSCO [12]
• Mali, Conduct of Hostilities [13]
• Colombia/ICC, Situation in Colombia, Interim Report

Related notions in A to Z [14]:
• Rape and sexual violence [15]
• Crimes against Humanity [16]
• Women [17]

To go further:
• E-briefing on sexual violence [18]
• ICRC workshop on sexual violence [19]
• Podcast of the conference ‘Sexual violence in armed conflict: Underlying causes and prevention strategies’ [20]
• Resolution on Sexual violence and gender-based violence [21] adopted at the 32nd International Conference

Source URL: https://casebook.icrc.org/highlight/sexual-violence-armed-conflict

Links
[1] https://casebook.icrc.org/law