Acts of a sexual nature imposed by force, or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power directed against any victim – man, woman, boy or girl. Taking advantage of a coercive environment or of the victim’s incapacity to give genuine consent is also a form of coercion. Sexual violence encompasses: rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization, or any other form of sexual violence of a comparable gravity.

OUTLINE

Chapter 8, II. 2. b) cc) protection against rape and sexual violence [1]

LEGAL SOURCE

GCIV, 27/2 [2]

PI, 76/1 [3]

PII, 4/2e [4]

CIHL, 93 [5]

CASES
Sudan, Report of the UN Commission of Enquiry on Darfur (A. 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, Involvement of MONUSCO

Mali, Conduct of Hostilities

Democratic Republic of Congo, Fighting with the M 23 Group

Central African Republic, Coup d’Etat

Women and Sexual violence

Somalia: Deeply Flawed Rape Inquiry

Colombia – Sexual violence

UN, Report of the Secretary-General on Women and Peace and Security

| Central African Republic: Sexual Violence by Peacekeeping Forces [21] |
| USA, Al-Shimari v. CACI Premier Technology, Inc. [22] |
| ICC, Confirmation of Charges against LRA Leader [24] |
| International Criminal Court, Trial Judgment in the Case of the Prosecutor V. Jean-Pierre Bemba Gombo [25] |
| Somalia, IHL violations in Somalia’s long-running armed conflict [26] |
| 32nd International Conference of the Red Cross and Red Crescent, Sexual and gender-based violence: joint action on prevention and response [27] |

**BIBLIOGRAPHIC RESOURCES**

**Suggested readings:**


PILCH Frances T., “The Crime of Rape in International Humanitarian Law”, in *Journal of Legal Studies*

**Further readings:**


RICHEY Katie C., “Several Steps Sideways: International Legal Developments Concerning War Rape and the Human Rights of Women”, in *Texas Journal of Women and the Law*


