

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)

[6]

Democratic Republic of the Congo, Conflict in the Kivus [7] (Part III [8], Paras. 16 [9], 35-37 [10])

Georgia/Russia, Human Rights Watch's Report on the Conflict in South Ossetia (Paras. 87-89) [11]

Democratic Republic of Congo, Involvement of MONUSCO [12]

Mali, Conduct of Hostilities [13]

Democratic Republic of Congo, Fighting with the M 23 Group [14]

Central African Republic, Coup d'Etat [15]

Women and Sexual violence [16]

Somalia: Deeply Flawed Rape Inquiry [17]

Colombia – Sexual violence [18]

UN, Report of the Secretary-General on Women and Peace and Security [19]

Libya, Report of the Office of the UN High Commissioner for Human Rights (2014/15) [20]

Central African Republic: Sexual Violence by Peacekeeping Forces ^[21]

USA, Al-Shimari v. CACI Premier Technology, Inc. ^[22]

Central African Republic, Report of the UN Independent Expert, July 2016 ^[23]

ICC, Confirmation of Charges against LRA Leader ^[24]

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Somalia, IHL violations in Somalia's long-running armed conflict ^[26]

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Geneva Call and the Chin National Front ^[28]

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Links

[1] https://casebook.icrc.org/law/civilian-population#ii_2_cc

[2]

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[5] https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule93

[6] <https://casebook.icrc.org/case-study/sudan-report-un-commission-enquiry-darfur#para333>

[7] <https://casebook.icrc.org/case-study/democratic-republic-congo-conflict-kivus>

- [8] https://casebook.icrc.org/case-study/democratic-republic-congo-conflict-kivus#part_iii
- [9] <https://casebook.icrc.org/case-study/democratic-republic-congo-conflict-kivus#para16>
- [10] <https://casebook.icrc.org/case-study/democratic-republic-congo-conflict-kivus#para35-37>
- [11] <https://casebook.icrc.org/case-study/georgiarussia-human-rights-watches-report-conflict-south-ossetia#para87-89>
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- [20] <https://casebook.icrc.org/case-study/libya-report-office-un-high-commissioner-human-rights-201415>
- [21] <https://casebook.icrc.org/case-study/central-african-republic-sexual-violence-peacekeeping-forces>
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- [25] <https://casebook.icrc.org/case-study/international-criminal-court-trial-judgment-case-prosecutor-v-jean-pierre-bemba-gombo>
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