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]

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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]


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Colombia – Sexual violence [18]

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

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


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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]

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Suggested readings:


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


Source URL: https://casebook.icrc.org/glossary/rape-and-sexual-violence

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