International humanitarian law grants women general protection as civilian persons [1], and required that women members of the armed forces [2] shall in all cases benefit from treatment as favourable as that granted to men.

Besides this basic protection international humanitarian law grants women special protection including:

a. protection against outrages upon personal dignity and in particular against rape [3], enforced prostitution and any form of indecent assault;

b. the protection given to expectant mothers, maternity cases and mothers of infants;

c. the rule that women deprived of liberty, i.e. civilian internees [4] or prisoners of war [5], must be confined in separate quarters from male internees and must be under the immediate supervision of women.

See Rape [3];

OUTLINE

Chapter 8, II. 2. b) special protection of women [6]

LEGAL SOURCE
special protection of

GCI, 12 [7] (see ICRC updated Commentary [8])

GCII, 12 [9] (see ICRC updated Commentary [10])


GCIV, 14 [16], 16 [17], 21 [18]-27 [19], 38 [20], 50 [21], 76 [22], 85 [23], 89 [24], 91 [25], 97 [26], 124 [27], 127 [28] and 132 [29]

PI, 70 [30], 75 [31]-76 [32]

PII, 5/2 [33] and 6/4 [34]

CIHL, 134 [35]

expectant mothers

GCIV, 14/1 [16], 16 [17], 23/1 [36], 38/5 [20], 50/5 [21], 89/5 [24], 132/2 [29]

PI, 70/1 [30]; 76 [32]

PII, 6/4 [34]

maternity cases
GCIV, 21 [18]-23 [26], 89/5 [24], 91/2 [25] and 127/3 [28]

PI, 8 [37], 70 [30]

POWs


PI, 75/5 [31]

Internees

GCIV, 76/4 [22], 85/4 [23], 97/4 [26], 124/3 [27]

PI, 75/5 [31]

PII, 5/2 [33]

CASES

ICRC Report on Yemen, 1967 [38]

Germany, Government Reply on Rapes in Bosnia [39]

ICTY, The Prosecutor v. Kunarac, Kovac and Vukovic [Paras 127-186] [40]

Afghanistan, Separate Hospital Treatment for Men and Women [41]
Sudan, Report of the UN Commission of Enquiry on Darfur [Paras 333-358] [42]

Democratic Republic of the Congo, Conflict in the Kivus [Part III, paras 16, 35-37] [43]

Georgia/Russia, Human Rights Watch’s Report on the Conflict in South Ossetia [Paras 87-89] [44]

South Sudan: Medical Care Under Fire [45]

Democratic Republic of Congo, Involvement of MONUSCO [46]

Mali, Conduct of Hostilities [47]

Democratic Republic of Congo, Fighting with the M 23 Group [48]

Central African Republic, Coup d’Etat [49]

Women and Sexual violence [50]

Somalia: Deeply Flawed Rape Inquiry [51]

European Court of Human Rights, Kononov v. Latvia [52]

Colombia – Sexual violence [53]

UN, Report of the Secretary-General on Women and Peace and Security [54]
Somalia, Traditional Law and IHL [55]

Libya, Report of the Office of the UN High Commissioner for Human Rights (2014/15) [56]

Central African Republic: Sexual Violence by Peacekeeping Forces [57]

Central African Republic, Report of the UN Independent Expert, July 2016 [58]

Italy, Use of force against ambulances in Iraq [59]

ICC, Confirmation of Charges against LRA Leader [60]

International Criminal Court, Trial Judgment in the Case of the Prosecutor V. Jean-Pierre Bemba Gombo [61]

Central African Republic/Democratic Republic of Congo/Uganda, LRA attacks [62]

Central African Republic, Coup d’Etat [63]

32nd International Conference of the Red Cross and Red Crescent, Sexual and gender-based violence: joint action on prevention and response [64]

BIBLIOGRAPHIC RESOURCES

Suggested readings:

Carpenter Charli R., Innocent Women and Children: Gender, Norms and the Protection of Civilians, Hampshire (England), Burlington (USA), Ashgate, 2006,


**Further readings:**


Feminist approach

Suggested readings:


Further readings:


Source URL: https://casebook.icrc.org/glossary/women

Links
[7]