

Forum:	Legal Committee (GA6)
Issue:	Establishing a legal framework to address sexual violence in conflict
Student Officer:	Selina Karatza
Position:	Co-Chair

PERSONAL INTRODUCTION

Dear Delegates,

My name is Selina Karatza, I am a 10th grade student at CGS, and it is my utmost honour and pleasure to be serving as Co-Chair of the Legal Committee at the 11th session of PSMUN. For me, MUN is not just an educational simulation; Through MUN, I have been given the motivation to push myself out of my comfort zone and develop not only as a student but as an individual too. I believe that it provides people with the valuable opportunity of becoming a part of a worldwide community, enabling them to obtain a much more global understanding of the world. That being said, it constitutes a great passion of mine. I have attended the Legal Committee a total of three times as a delegate throughout my MUN journey, and as such, I am particularly honoured to have been given the opportunity to attend it once again, this time as a member of the Presidency. Without a doubt, this committee has always captivated me, since I am intrigued by the notion of justice and also aim to pursue a career in law in the future.

This study guide discusses the issue “Establishing a legal framework to address sexual violence in conflict”. This topic covers a variety of facets of the issue, along with an in-depth examination of its legal ramifications. Throughout the guide, I delve into issues such as the various types of conflict-related sexual violence (CRSV), the role of International and Domestic law, the sources of international law, the several types of international law and how they address CRSV, the underlying causes of its rise amid times of conflict as well as its repercussions on victims and communities at large. As a result, a range of factors must be considered while developing solutions to this particular issue. Despite the fact that this study guide incorporates various aspects of the topic, it should not be regarded as the only source of information during your research. That said, you are strongly urged to conduct extensive research on the subject in order to gain a complete understanding. Of course, if you have come up with any questions and need any further clarifications, please feel free to contact me at the following email: selinak2006@gmail.com .

Kind Regards,
Selina Karatza

TOPIC INTRODUCTION

In the last decade the information available on the scourge of conflict-related sexual violence, its repercussions on international peace and security, the countermeasures necessary to eradicate such atrocities, and the multifaceted services required by survivors has rapidly increased. While the United Nations is progressively addressing sexual violence in conflict on an operational as well as technical level by enhancing security and justice institutions, it is pivotal to recognize and address gender inequality as, arguably, the root cause and driver of sexual violence in both conflict and peacetime.¹

While it is imperative to address the core cause of the issue in order to effectively address conflict-related sexual violence, it is equally essential to comprehend the reasons behind the employment of sexual violence amid periods of conflict. Having said that, it is critical to recognize that a substantial number of parties to armed conflict utilize sexual violence as a brutal tactic of war, terror, torture, and political repression in order to promote their strategic goals, which may include the control of contested territory and natural resources as well as community cohesion and complete victim humiliation.

As a result of restrictive societal norms and the gender-based digital divide, marginalized women and girls constitute the most frequent victims of conflict-related sexual violence in conflict-affected and displaced settings. As the Covid-19 Pandemic, one of the most challenging crises in recent history, raged on, several armed actors seized advantage of the chance to attack and gain ground, with several of them employing sexual violence as a tactic targeting the vulnerable population, while the global community's and the media's scrutiny and attention were distracted. Sexual violence in conflict does not occur in isolation; rather, it is associated with broader security variables such as socioeconomic tensions, impunity, and institutional weakness, which have all been aggravated by the dawning and consequences of COVID-19. These factors include barriers on the provision and ability of law enforcement and criminal justice authorities to collect and process reports of sexual violence incidents, the delaying of legislative reform, and the suspension of training for judicial authorities. That said, due to the complexity of the issue and its immense repercussions, a proper legal response is an urgent and pressing imperative.

¹ "UN Security Council Briefing on Sudan by Hala Al-Karib." *NGO Working Group on Women, Peace and Security*, 14 Sept. 2021, <https://www.womenpeacesecurity.org/resource/un-security-council-briefing-sudan-hala-al-karib/>.

DEFINITION OF KEY TERMS

Sexual Violence in conflict

Sexual Violence in conflict has been defined in the Secretary General's annual report 2021/312 as "rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict."²

Perpetrator

A person who has committed a crime or an act of violence or malice.³

Gender inequality

The propensity for individuals to be ascribed distinct roles and statuses depending on their gender in a variety of situations throughout cultures.

Immunity

In terms of politics, the state of being immune from the repercussions and responsibilities of any crimes committed to a given degree. It must be noted that perpetrators of sexual violence frequently experience near-complete impunity due to the general breakdown of law and order that occurs throughout warfare and relocation, as well as the government's failure to prosecute and convict the perpetrators.

Impunity

Similarly, to immunity, the state of being immune from any conceivable legal consequences of committing crimes. The distinction between immunity and impunity in this context is that immunity refers to the condition of being unsusceptible to the repercussions, exempt from obligation imposed by others and legally granted freedom from prosecution whereas impunity refers to the lack of punishment or retribution.

Criminal liability

Accepting responsibility for and bearing the repercussions of one's illegal conduct that causes damage or injury to another person or object in front of the judicial system, therefore focusing on the mental part of the crime. By and large, the law defines offenses in terms of an act (*actus reus*) and a mental state (*mens rea*) and prosecutes them accordingly. The term "*actus reus*" translates as "guilty act," and it refers to illegal activity that includes the physical component of the crime. *Mens rea*, on the other hand, is Latin for "a guilty mind". The rationale behind the *mens rea* standard

² ODS Home Page - United Nations. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/107/61/PDF/N2110761.pdf?OpenElement>

³ "Perpetrator." Cambridge Dictionary, dictionary.cambridge.org/dictionary/english/perpetrator.

is that it is unfair for someone who causes harm unintentionally to be punished, or at least punished to the same extent as someone who does harm deliberately. Typically, both mens rea and actus reus are needed to convict someone of a crime.

Political repression

Political repression is the mistreatment of a person or group for political purposes, most often with the aim of curtailing or prohibiting their participation in society's political life.

Jurisdiction

Jurisdiction is a sovereign power's authority and obligation to regulate and legislate with the objective of dispensing justice via means such as the interpretation and application of the law by judicial institutions.⁴

Sovereignty

Sovereignty is a political notion that alludes to the supreme authority, or highest power, in the state's decision-making procedure and in maintaining law and order. While the term refers primarily to the ability to enact laws, it also implies autonomy; to possess sovereign authority is to be immune to external intervention. For instance, in a monarchy, the "sovereign," or king, has absolute authority. In contemporary democracies, the general public exercises sovereign authority via representative institutions such as Congress or Parliament.⁵

Social norms

Social norms are the unspoken standards that regulate group and society conduct. They may vary by culture, age, gender, social roles, and circumstances in which individuals find themselves or interact.⁶

Conviction

The verdict of a criminal prosecution in which the defendant is found guilty of the offense accused.⁷

Domestic law

The law or legal system formed within a state to control events, transactions, and individuals occurring within or having a relationship to that state; often referred to as internal, municipal, national, or local law/legal system.⁸

4 "Jurisdiction." Encyclopædia Britannica, Encyclopædia Britannica, Inc., www.britannica.com/topic/jurisdiction.

5 "Sovereignty." Legal Information Institute, Legal Information Institute, www.law.cornell.edu/wex/sovereignty.

6 "Social Norm." Social Norm - an Overview | ScienceDirect Topics, www.sciencedirect.com/topics/psychology/social-norm.

7 "Conviction." The Free Dictionary, Farlex, legal-dictionary.thefreedictionary.com/conviction.

8 "Domestic Law." *Irwin Law*, irwinlaw.com/cold/domestic-law/.

International law

International law is a corpus of laws, norms, standards, and principles that regulate nations' relations and dealings with one another, interactions between sovereign states and individuals as well as international organizations.⁹

Domestic violence

Domestic abuse is defined by the United Nations as "a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner." It can constitute physical, sexual, emotional, economic or psychological acts or threats of actions that have an adverse effect on another person.¹⁰

International Court of Justice (ICJ)

The International Criminal Court (ICC) is a perpetual judicial body established by the Rome Statute of the International Criminal Court (1998) with the objective of investigating and prosecuting individuals charged with the severest international crimes; genocide, war crimes, crimes against humanity, and crimes of aggression.¹¹

Pacta sunt servanda

Pacta sunt servanda, Latin for "agreements must be maintained", is an essential principle of international law and is enshrined in both domestic and international law, when it comes to agreements. In international law, this implies that all treaties are legally binding on all the parties, who are thus obligated to keep their pledges and fulfill their responsibilities to the best of their ability. Without this norm, no international agreement would be enforceable or binding.¹²

Opinio juris

Opinio juris is an abbreviation for the Latin phrase "opinio juris sive necessitatis", which translates to "an opinion of law or necessity". In customary international law, it constitutes the core feature essential for the establishment of a legally binding custom with regards to customs.¹³

Genocide

According to Article 2 of the 1948 United Nations Convention on the Prevention and Punishment of Genocide, genocide is defined as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to

⁹ "International Law." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/topic/international-law.

¹⁰ "What Is Domestic Abuse?" *United Nations*, United Nations, www.un.org/en/coronavirus/what-is-domestic-abuse.

¹¹ "International Criminal Court." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/topic/International-Criminal-Court.

¹² "Pacta Sunt Servanda." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/topic/pacta-sunt-servanda.

¹³ "Opinio Juris (International Law)." *Legal Information Institute*, Legal Information Institute, [www.law.cornell.edu/wex/opinio_juris_\(international_law\)](http://www.law.cornell.edu/wex/opinio_juris_(international_law)).

members of the group; deliberately inflicting on the group conditions of life, calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group, and forcibly transferring children of the group to another group."¹⁴

Crime against humanity

Crimes against humanity are particular crimes committed in the context of a large-scale assault on individuals of any nationality. Murder, torture, sexual assault, enslavement, persecution, and enforced disappearance are all examples of these crimes. Whilst crimes against humanity have often been perpetrated as part of State policies, they can also be conducted by non-State armed groups or paramilitary forces. Unlike war crimes, crime against humanity may occur during peacetime, and unlike to genocide, they are not always directed at a particular national, ethnical, racial or religious group.¹⁵

Rome statute

In simple terms, the 1998 Rome Statute is the treaty that established the International Criminal Court. It was approved on 17 July 1998 during a diplomatic meeting in Rome, Italy, and went into effect on 1 July 2002.

Digital Forensics

Digital forensic science is a subfield of forensic science concerned with the recovery and study of data recovered from digital devices used in cybercrime. In essence, digital forensics is the process of locating, conserving, evaluating, and recording digital evidence, aiming to enable evidence to be presented in a court of law when necessary.

BACKGROUND INFORMATION

Sexual violence in International and Domestic Law

Whilst there has been a certain development in domestic jurisdictions in the past few decades, in the legal and philosophical discourse about rape, seeing that every nation has its own legislation, we aren't able to define the offense of sexual violence in the framework of domestic law. Therefore, in this guide, we will be merely focusing on International Law. Having said that, one of the most pressing concerns in the international law's agenda, and more especially international human rights law, is undoubtedly violence against women and the inadequacy of international human

¹⁴ *Convention on the Prevention and ... - United Nations.*

https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

¹⁵ "Crimes against Humanity." *TRIAL International*, 19 Mar. 2021, [trialinternational.org/topics-post/crimes-against-humanity/](https://www.trialinternational.org/topics-post/crimes-against-humanity/).

rights frameworks to sufficiently protect the general population from sexual violence. Parallel to the post World War II developments of International Humanitarian Law (IHL), the crime of rape gradually acquired recognition as an international crime, including as a crime against humanity. More recently, the acknowledgment of rape as an international crime was established by its mention in the laws of international courts and tribunals and their current judicial interpretation. By the early 1990s, IHL outlawed the infliction of sexual assault, among hostile populations, members of the military and individuals accompanying them, prisoners of war, throughout the international armed conflict, as well as, upon individuals no longer engaged in combat during non-international armed conflict.

Sources of International Law

International law lacks a main legislative body of government such as a Parliament and is also devoid of anything that can be described as legislation. While the International Court of Justice and a variety of specialized international courts and tribunals exist, their authority is vitally reliant on State approval and thus lacks what can reasonably be defined as obligatory jurisdiction comparable to that of national courts. As a consequence, international law is essentially determined by the actions of the States that comprise the international community, by establishing a framework of legal standards that regulate the relations between those nations. The International Court of Justice's Statute, Article 38, cites four sources; treaties, customary international law, general principles and judicial decisions.¹⁶

Treaties

Whilst technically a treaty is a source of law, on a practical level it is more like a source of legal obligations under the law. This is because a tenet of customary international law, *pacta sunt servanda*, mandates all States to adhere to treaties they are the signatories of. Since treaties are only binding on States that become parties to them, and the decision to join or not join a treaty is completely up to the state, their effectiveness may be limited.

Numerous treaties serve as authoritative statements of customary law as well. A freely negotiated treaty between a large number of States is sometimes considered as codifying previously unwritten norms of customary law. The 1969 Vienna Convention on the Law of Treaties constitutes a great example. Simply put, although less than half of the world's states are parties, every court that has considered the matter has interpreted its basic provisions as codifying customary law and hence as binding to all states, whether or not they are party to the Convention. Additionally, even if a treaty provision is not meant to codify any previously unwritten norm of customary law but rather serve as a rule-changing initiative, whether this means introducing new legislation or

¹⁶ "Statute of the International Court of Justice." Statute of the Court | International Court of Justice, <https://www.icj-cij.org/en/statute>

providing new evidence it might become part of customary law if it is adopted in practice.

In reality, the adoption of multiple treaties on various aspects of international law (war, terrorism, diplomacy, and treaty-making) has been the primary means by which international law has evolved in the years after 1945.

Customary International Law

Customary law is the oldest source of international law and the one that provides laws applicable to all States. Nevertheless, it does not constitute a written source of law. A rule of customary law is considered to contain two aspects, both of which are essential for the creation of a new custom; the first is broad and consistent State practice and the second is *opinio juris*, i.e., belief in legal obligation. When it comes to the concept of "*opinio juris*," however, the standard definition of a duty conviction falls far short. To begin, it neglects the fact that many laws are permissive, indicating that the real *opinio juris* is one of right rather than obligation. Second, and perhaps most importantly, there is something artificial about addressing the opinions of a state. Perhaps a more precise definition of *opinio juris* would be the assertion of a legal right or the acceptance of a legal obligation. Once sufficient practice and *opinio juris* are established, a new rule of custom will emerge that will be obligatory on all states, with the only exception being the idea of the "persistent objector." The persistent objector concept permits a State that has repeatedly opposed the adoption of a new rule to do so even before the rule becomes operative. In terms of practice, this covers not just the administration of a State, but also its courts and legislature. It encompasses both what States say and do.

General principles

Whilst Treaties and Customary law are the primary sources of international law, the third source- general principles of law such as good faith and the impartiality of judges, should not be overlooked. Although they are seldom referenced in judgments, they are often used when the International Criminal Court (ICC) or another international tribunal seeks to embrace a notion widely accepted in national legal systems. However, international law rarely accepts an entire legal concept from an individual national legal system. Rather, it seeks, a concept that is accepted in some form or another by a broad variety of different national legal systems.

Judicial decisions

The International Court of Justice's Statute Article 38 alludes to judicial decisions as a "subsidiary means"¹⁷ for establishing legal principles. Seeing as they would not have been provided directly by the court or tribunal, but rather by "third parties", they would represent secondary and hence "subsidiary"

¹⁷ "Statute of the International Court of Justice." Statute of the Court | International Court of Justice, <https://www.icj-cij.org/en/statute>

means in respect to the court or tribunal. Indeed, the ICJ's Statute specifically states that a Court judgment is not binding on anybody but the parties to the case in which it is rendered, and even then, only in that particular case¹⁸. Nonetheless, the ICJ often refers to its previous decisions, and the majority of international courts rely on past cases as a guide to determine the content of international law, thus it would be a mistake to presume that "subsidiary" denoted a lack of significance.

Additionally, while article 38 makes no distinction between international and domestic court rulings, in the majority of subjects, the international court decisions are typically regarded as the more authoritative evidence of international law, with exception to those which are more commonly handled by national courts, such as the law on sovereign immunity. However, court judgements are a key component of a state's practice and may therefore directly contribute to the establishment of customary international law.

Types of Sexual Violence in Conflict

Under international law and in the work of the UN, eight different forms of conflict-related sexual violence are distinguished, namely, rape-gang rape, sexual slavery, sexual trafficking-prostitution, forced pregnancy, forced abortion, forced marriage and female genital mutilation. All of the above may have adverse implications for survivors, families, and society at large, however, it is essential to note that while they all come under the category of sexual assault, each type of sexual violence constitutes a distinct crime that requires a unique approach, investigation, and penalty. Thus, while addressing conflict-related sexual assault in a legal framework, it is critical to bear in mind that each of these demands a unique strategy to be effective. In simple terms and with reference to resolution-making, it is critical for delegates to comprehend that separate clauses may be necessary to address each type of sexual violence independently whilst outlining solutions and forming clauses.

Causes of sexual violence increase amid times of conflict

Unequivocally, rape accounts for a significant fraction of the crimes against individuals in the continual cycle of violence that occurs during armed wars, which is saturated with incidences of sexual assault. The overall breakdown of law and order that emerges during warfare and relocation results in an upsurge in all types of violence, with sexual violence being one of the most prevalent. With that considered, it is critical to note that, despite increased international attention to sexual assault in armed conflict, two critical elements have prevailed. To begin, whilst it is regularly utilized on a vast scale in the majority of conflicts with women constituting main

¹⁸ "Statute of the International Court of Justice." Statute of the Court | International Court of Justice, <https://www.icj-cij.org/en/statute>

target, men and boys are sometimes targeted as well, albeit far less often. Secondly, perpetrators of sexual violence frequently experience near complete impunity. The number of successful convictions over the last decade has been minuscule in comparison to the magnitude of the offenses.

Tactic of war

Sexual violence as a “weapon of war”¹⁹ has become prevalent in much of the media coverage, with terms such as “terror tactic”²⁰, “deliberate military strategy”, and even “bio-political strategy of war”²¹ in which armed troops symbolically pass enemy lines, terrorizing and controlling the civilian population. Sexual assault is a “tactic of war,” according to UN Security Council Resolution 1820, in which civilian populations are purposefully targeted as “part of a widespread or systematic attack”. At the dawn of the twenty-first century, as we witness some of the most atrocious documented incidents of sexual assault occurring amid armed conflict, one must inquire why conflict-related rape occurs with such alarming frequency. Numerous essential variables contribute to the phenomena of sexual violence increasing during times of conflict as well as making it resistant to eradication.

Gender inequality

To begin, women, hold a subordinate and unequal role, in comparison to men, amid times of conflict. That said, and especially in communities where ancestral structures that promote more unequal gender norms, such as reliance on male-dominated activities, are prevalent, women constitute the most common victims of conflict-related sexual violence (CRSV). On the other hand, societies with more egalitarian ancestral relationships, such as in the majority of the Western World, are less prone to indulge in sexual violence during conflict. These types of violence can be a direct weapon of war used for ethnic cleansing and for punishing opponents. More commonly, this type of violence may be a crime of opportunity facilitated by the general breakdown of social order, a climate of impunity, and the contagion effect of war violence.

Governments’ failure to prosecute and convict perpetrators of CRSV

Without a doubt, sexual violence offenders frequently enjoy near-complete impunity as a result of the overall collapse of law and order associated with conflict and relocation, as well as the government’s incompetence to

19 Smith-Spark, Laura. “In Depth | How Did Rape Become a Weapon of War?” BBC News, BBC, 8 Dec. 2004, <http://news.bbc.co.uk/2/hi/4078677.stm>

20 Peritz, Aki, and Tara Maller. “The Islamic State of Sexual Violence.” Foreign Policy, Foreign Policy, 16 Sept. 2014, <https://foreignpolicy.com/2014/09/16/the-islamic-state-of-sexual-violence/>

21 Anholt, Rosanne Marrit. “Understanding Sexual Violence in Armed Conflict: Cutting Ourselves with Occam’s Razor - Journal of International Humanitarian Action.” SpringerOpen, Springer International Publishing, 30 June 2016, <https://jhumanitarianaction.springeropen.com/articles/10.1186/s41018-016-0007-7#ref-CR25>

investigate and convict the perpetrators. As a result, the urgent and pressing need for new regulations and methodologies, including effective evidence management, for the recording, collection, and restoration of both digital and physical evidence is an urgent and pressing imperative.

Challenges in prosecuting sexual violence in conflict

Lack of worldwide attention and case underreporting

Despite several resolutions, it was only a little more than a decade ago in 2008 that the United Nations (UN) first acknowledged sexual violence as a war strategy and commenced adopting methods to combat and react to such violence on a worldwide scale. This delay and lack of worldwide attention are the result of a number of long-held ideas regarding rape, sexual assault, and consent, as well as an understanding of conflict-related sexual violence as inevitable. Furthermore, escalating worldwide attention and public indignation over rape in wartime have not resulted in thorough investigation and conviction of offenders, a vital component of any real endeavor to curb such violence. Unequivocally, conflict-related sexual violence is underreported by victims/survivors and family members, but at the same time national legal systems and institutions fail to prioritize and adequately resource preparedness and response to CRSV. Due to underreporting, CRSV is sometimes undetectable, rendering it impossible to determine the scope of its transmission, even when it is prevalent. The conditions under which it occurs, as well as the identity and motivations of offenders, are often obscure, further hindering any preventative efforts.

Lack of governmental engagement

Inadequate aid for survivors of wartime sexual assault reflects a lack of government concern for the harm caused on women and girls during conflict and a lack of commitment to reintegrating rape survivors into society. In conflict-affected areas, a lack of state authority and a lack of reaction by national legal systems to CRSV occurrences may potentially contribute to the growth of an impunity culture. There may be little or no public trust in the formal justice system, as well as opinions that the police and courts are biased, discriminating, and/or that members of these institutions are themselves violent. Victims/survivors of CRSV often confront immeasurable barriers to justice and are hence hesitant to file reports against their assailants. Conventional, informal, and community-based methods may be insufficient to prosecute sexual assault offences in accordance with international human rights and legal standards, and guidelines.

Lack of health infrastructure

In many conflict-affected communities, a lack of health infrastructure precludes and limits victims/survivors from accessing medical treatments, particularly sexual, reproductive, and mental health care. CRSV has substantial and life-altering implications for victims/survivors, and a dearth of access to resources makes it more difficult for them to seek the assistance necessary to restore their lives. As such, it is a significant impediment to prosecuting and overall addressing CRSV.

Lack of communication with witnesses

A related sort of conundrum which constitutes significant impediment to prosecuting sexual assault crimes concerns the institutional difficulty of communicating with witnesses, both to keep them informed of events but also to persuade them to testify when necessary. This is becoming increasingly feasible as a result of technological advancements, but also political developments: in particular, digital identities are becoming increasingly inextricably linked to thrusts for legal identity as a goal under UN Sustainable Development Goal 16.9, according to which a legal identity is assumed to enhance access to basic services, financial inclusion, social integration, and regularization. Simply put, when people's legal identities are encoded in a digital manner, they become instantaneously trackable. Hence, prosecutors' offices and victim services can easily establish contact with possible witnesses.

Scarcity of digital forensics

Unequivocally, users generate a plethora of data through electronic devices, including text messages, pictures, audio files and location data. In order, to prosecute sexual violence, including CRSV, both domestically and internationally, new technology necessitates normalized and consistent digital forensic guidelines and methods including proper evidence handling for the documentation, gathering, and restoration of both digital and physical evidence. Thus, digital forensic approaches to sexual violence demand new sorts of knowledge and training for investigators, criminologists, medical personnel, and attorneys.

Dearth of clarity in the legal definition

The lack of internationally accepted definitions as well as the lack of clarity in the already existing ones, have impeded attempts to develop effective legal responses to activity involving any of them. When it comes to addressing and tackling CRSV, nations must establish a universal definition of what constitutes a CRSV crime as well the components required to comprise such a crime.

Consequences of Sexual Violence in Conflict

The United Nations Security Council designated sexual violence in conflict as a weapon of war and declared it a threat to international peace and security. Without a doubt, conflict-related sexual violence has a long-term impact on the lives of victims, as it is one of the most atrocious forms of violence perpetrated against the general population, and in the majority of cases, against women and girls, with the intent of targeting vulnerable groups, inciting displacement, inflicting suffering, and severing community cohesion.

It highlights pre-existing problems

Conflict-related sexual violence demonstrates a government's inability or reluctance to defend its population. Years of violence may render governments in a condition of dysfunction, with crippled institutions, judicial systems, and a shattered social fabric. Unequivocally, CRSV is detrimental to the nation as a whole, as it reveals a lack of federal control, imposes a significant financial burden, and obstructs reconciliation attempts.

Marginalization of victims

If victims' needs are not met appropriately, they suffer social exclusion and marginalization long after the conflict has ceased. For example, many communities reject and marginalize raped women and girls due to the stigma associated with sexual assault and prostitution. They have forfeited their dignity in the eyes of their families and society. Furthermore, frequently, children born as a result of rape that occurred during conflict are often rejected by their mother, family, and/or community, resulting in impoverishment and poverty. This marginalization frequently leads to unfair treatment from the criminal justice system.

Sets the basis for the continuance of sexual violence post-conflict

However, the primary source of concern is the number of unprosecuted offenses. Victims frequently remain quiet out of fear of rejection and disgrace. They lack access to justice and are left with little means of subsistence. Additionally, children and young people learn to tolerate sexual assault, and regressive violent norms and behaviors resurface. Rapes and other types of gender-based violence against civilians are widespread in such situations. For example, former soldiers and militia members often perpetrate domestic abuse and rape against their wives and children after the conflict. Thus, sexual trafficking, prostitution, rape, and other forms of sexual violence that occur during conflict lay the groundwork for their continuance beyond the conclusion of the conflict.

Sexual Violence and Criminal Liability

Whilst the absence of legal recourse for sexual violence has been lamented on several occasions, it has been justified on two grounds. The first is the inability to identify physical perpetrators; and the second the inability to prosecute non-physical offenders, such as political officials or military commanders who were geographically remote from the crime site. However, two distinct types of criminal individual liability exist: direct criminal responsibility and indirect criminal responsibility. These two types of criminal individual liability address the seeming contradiction.

Direct responsibility extends to any defendant who planned, instigated, committed, ordered, aided, or enabled the commission of offenses under the State's authority. Direct liability does not always imply physical commission. In other situations, the offender had no physical contact with the sexual assault victim/survivor, notwithstanding his closeness to or distance from the scene of the crime. This is reflected in the reformed International Criminal Court's regulations on direct criminal liability. Additionally, the term "joint criminal enterprise" (JCE) refers to a direct form of individual criminal liability and it entails significant ramifications for sexual assault adjudication. When a perpetrator engages in criminal activity with a large number of actors, he or she commits a JCE. Thus, sexual assault crimes, whether committed as part of the initial common criminal plan, as a predictable result of another common plan, or as evolving crimes that conform to the original common purpose, generate individual criminal liability under JCE. Recognizing sexual violence's foreseeability gives a valuable, clear foundation for shared accountability, particularly for participants/perpetrators who are geographically far from the places of sexual assault crimes, such as military and political leaders.

Indirect criminal responsibility is the second type of individual criminal liability. This is a legal term that refers to the accountability of a person in a position of higher authority, whether military, political, corporate, or any other hierarchical standing, for crimes perpetrated directly by his or her subordinates. Crimes against military troops or political figures in bureaucratic structures are common to wartime settings. Indirect superior responsibility is an exceedingly suitable method of establishing the accountability of certain individuals who are in a position of authority above the direct offenders.

Different Legal Approaches to Sexual Violence in Conflict

Humanitarian law

International humanitarian law is a key component of international law and encompasses the principles that strive to protect persons who are not or have ceased to be involved in hostilities, as well as to limit the techniques and means of warfare used. To be more precise, the International Committee of the Red Cross (ICRC) defines international humanitarian law applicable to armed conflicts as customary rules that are specifically designed to resolve

humanitarian concerns arising directly from armed conflicts, whether international or non-international in nature; For humanitarian norms, these rules prohibit the parties to a conflict to utilize the methods and means of warfare of their choosing and protect people and property. More precisely, neither the parties to the conflict nor their armed forces members have an unlimited right to pick their tactics and means of warfare. It is prohibited to use weapons or techniques of combat that are likely to result in excessive casualties. Moreover, other fundamental rules of International Humanitarian Law include the necessity for parties to a conflict to distinguish between civilians and combatants in order to protect the civilian population and civilian property, as neither the civilian population as a whole nor individual civilians may be attacked, and the toleration of attacks directed solely at military targets. Finally, those who do not or can no longer engage in conflicts are entitled to respect for their life and physical and mental Integrity. International humanitarian law is mostly derived from international treaties and customary international law. Concerning CRSV, the 1949 Geneva Conventions and its 1977 Additional Protocols clearly outlaw rape, forced prostitution, and other types of sexual violence or indecent assault against civilians, as well as assaults on human dignity, including humiliating and degrading treatment.

Criminal law

International criminal law (ICL) codifies a corpus of legislation aimed at regulating the conduct of nations, organizations, and people who commit international crimes beyond national boundaries. International criminal law also governs the commission of severe crimes on the territory of sovereign nations, including genocide, crimes against humanity, war crimes, and aggression. In contrast to conventional international law, ICL places a premium on individual criminal culpability. The Rome Statute, which established the International Criminal Court, is one of the primary sources of ICL. Additionally, international criminal law is enforced by and prosecuted within international criminal tribunals, such as the International Criminal Tribunal for Rwanda, the International Criminal Court, and similar courts. Finally, prominent sources of international criminal law constitute international treaties and international customary law.

When it comes to CRSV, the Rome Statute of the International Criminal Court defines sexual violence as the following offenses: rape, sexual slavery, forced prostitution, forced pregnancy, and forced sterilization. Among these other types of sexual violence include forced nudity, trafficking for sexual exploitation, forced virginity tests, and invasive strip searches, while rape and other types of sexual violence may be examined and executed as war crimes, crimes against humanity, and acts constituting genocide.

More precisely, acts of sexual violence may constitute war crimes if they are committed against protected persons in the context of and in association with an international or non-international military conflict and the offender was

conscious of the factual circumstances that formed the situation as one of armed conflict. War crimes may occur exclusively in the context of an armed war, whether international or domestic.

Regarding sexual assault as a crime against humanity, any acts of sexual violence may become crimes against humanity if they are perpetrated in the midst of a broad or systematic attack against a civilian population, with the perpetrator's knowledge. Sexual violence may rise to the level of a crime against humanity if it is conducted as part of a federal policy or as part of a broader practice of crimes perpetrated, supported, or approved by a government, or organized armed force. Crimes against humanity do not have to be connected to military conflict and may occur in both peace and wartime. This is essential because sexual assault generally escalates during the instability before war and often continues in magnitude and intensity post-conflict.

Finally, with respect to sexual violence as a component of genocide, a crime is defined as genocide when "a person commits a prohibited act with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group." It is a crime against the community perpetrated by injuring individuals as a result of their membership in a specific group and as a step towards to the ultimate goal of the group's elimination. When sexual violence is perpetrated with these essential specific intentions, it has the potential to constitute genocide.

Human rights law

International human rights law (IHRL) regulates States' responsibilities to citizens and other individuals under their jurisdiction, and all states must adhere to it. States undertake obligations and duties under international law to respect, defend, and implement human rights by becoming parties to international treaties. States shall refrain from interfering with or restricting the implementation of human rights. They are required to protect individuals and organizations against human rights violations, implement proactive measures to make basic human rights more accessible. Simply put, the highest of human values, that every human being has a set of rights and freedoms, is enshrined in IHRL. As a result, states cannot overlook human rights, and they must consider them at all times (although specific derogations and limitations are permitted to certain rights and freedoms).

International human rights legislation is applicable in both peace and war. While States have the main responsibility for human rights, it is increasingly recognized that armed organizations, particularly those in effective control of territory and its residents, bear human rights obligations as well. Sexual violence violates a number of human rights, such as the right to life, the right to liberty and security of the person, the right to privacy, the right not to be tortured or subjected to other cruel, inhuman, or degrading treatment or punishment, the right to equality, the right to equal protection under the law, and the right to be free from all forms of discrimination. It is a breach of the greatest quality of bodily and mental health that is achievable. States are expected to take reasonable steps to prevent, investigate, and punish sexual assault committed by State and non-State actors, as well as to compensate victims and survivors.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Afghanistan

The United Nations Assistance Mission in Afghanistan (UNAMA) reported 271 incidents of sexual and gender-based violence in 2020, 18 of which were confirmed as conflict-related sexual violence, impacting nine boys, five women, and four girls. Sexual assault against three females has been ascribed to Taliban fighters. Afghan National Army, Afghan National Police, and Afghan Local Police personnel were also involved.²² Sexual violence committed during armed conflict is now classified as a war crime, a crime against humanity, and a constituent act of genocide under the new Penal Code, which took effect in February 2018. Furthermore, UNAMA convened a meeting in August with the Government, Afghan military and law enforcement forces,

²² "Afghanistan - United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict." United Nations, United Nations, <https://www.un.org/sexualviolenceinconflict/countries/afghanistan/>.

foreign military forces, and the Afghanistan Independent Human Rights Commission to identify methods to prevent sexual violence impunity.

Central African Republic

Monitoring conflict-related sexual assault is challenging due to the pervasive environment of insecurity, stigma, fear of reprisals, and impunity, as well as the scarcity of accessible services, the majority of which are provided by foreign organizations. The United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) reported 240 incidents of conflict-related sexual assault during the reporting period, including 129 girls, 108 women, and three males. There were 221 rapes or attempted rapes among these cases, as well as 12 instances of sexual enslavement.²³

Iraq

In Iraq, one of the most serious impediments to women's empowerment and progress is violence against them. The continuation of warfare, the rise of terrorism and extremism, and the legal enshrinement of tribal values have all led to high levels of physical and sexual violence, as well as the creation of damaging phenomena and practices based on discrimination and inequality. When combined and enhanced by societal and cultural norms, these factors hinder incidents of violence from being reported and offenders from being punished. Despite the fact that the Iraqi Constitution of 2005 prohibits all types of domestic and social violence, the number of reported cases daily continues to be alarmingly high. Furthermore, a year after the legislation against female genital mutilation took effect, the practice persists in Iraq's Kurdistan region, due to the Kurdistan Regional Government's reluctance to enforce the rule.²⁴

United States of America (USA)

The United States has long been devoted to eradicating and penalizing individuals responsible for CRSV, as well as to supporting and protecting survivors. Having said that, the country is paving the way to prevent and respond to all types of gender-based violence, notably CRSV. President Biden announced in March the creation of the United States' first-ever National Action Plan on Gender-Based Violence and a revived Global Strategy on Gender-Based Violence, with a focus on promoting initiatives to tackle CRSV. Additionally, the United States is dedicated to bolstering legal reforms and justice for all CRSV survivors, including as part of transitional justice mechanisms, while also endorsing women's safe and meaningful engagement in such procedures through the Department's Women, Peace, and Security Strategy Implementation Plan.

²³ "Central African Republic - United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict." *United Nations*, United Nations, <https://www.un.org/sexualviolenceinconflict/countries/central-african-republic/>

²⁴ *Annual Report 2018 - Un.org*. <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2019/04/report/s-2019-280/Annual-report-2018.pdf>

International Criminal Court (ICC)

The International Criminal Court continues to serve as a venue for accountability for sexual assault committed during armed conflict in States that have adopted the Rome Statute or in instances submitted by the Security Council. For instance, the Ongwen and Ntaganda lawsuits are now pending and include allegations of sexual assault. Non-judicial accountability mechanisms created by the Security Council, General Assembly, and Human Rights Council, including those in Iraq, Myanmar, South Sudan, Syria, and the Kasais, are also required to curb conflict-related sexual assault explicitly.

North Atlantic Treaty Organization (NATO)

NATO is a military alliance founded on April 4, 1949, by the North Atlantic Treaty and composed of 28 member countries, aiming to provide a counterbalance to Soviet forces deployed in central and eastern Europe post World War II. NATO is committed to defending and promoting the principles of individual liberty, democracy, human rights, and the rule of law, and thus their Heads of State and Government are dedicated to combating sexual violence in conflict, acknowledging that such violence obstructs the establishment of a lasting peace. Military Guidelines were established in 2015 in accordance with this commitment. NATO has established certain objectives for combating CRSV via training and education. More precisely, all personnel assigned to NATO missions, operations, and Council-mandated activities will undergo mandatory pre-deployment and in-mission training from NATO organizations' heads on recognizing, combating, and reacting to CRSV. Additionally, the organization will be prepared to provide training and increase awareness about CRSV in compliance with its established policy as well as training programs.

TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
1947	Throughout the Kashmir conflict, mass rapes were perpetrated by Dogra forces, Hindu and Sikh mobs, and Pakistani invaders, notably the Mirpur Massacre.
1992	Over 20,000 women were raped in Bosnia and Herzegovina during the conflict, including sadistic rapes aimed to degrade the victim, rapes with the purpose of forced pregnancy, and rapes as sexual slavery.
1994	Approximately 250,000 women were raped during the Rwandan genocide, often in conjunction with sexual mutilation, sexual enslavement, and forced pregnancy.
April 19 th 2000	Adoption of Resolution 1296
October 31 st 2000	Adoption of Resolution 1325

2006-2008	440 pediatric and 54 adult sexual abuse cases were identified during the violent conflict in the Democratic Republic of the Congo
June 19 th 2008	Adoption of Resolution 1820
2013	In Mogadishu, Somalia, the United Nations documented approximately 800 incidences of sexual and gender-based violence.
June 19 th , 2015	Adoption of Resolution 69/293
April 23 rd , 2019	Adoption of Resolution 2467
September 30 th 2009	Adoption of Resolution 1888
January 2020	Amid South Sudan's conflict, over 390 women and girls were kidnapped during battles for access to natural resources by highly armed competing civil defense organizations for the purpose of forced marriage and sexual slavery.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

[UN General Assembly Resolution 69/293, June 2015](#)²⁵

Invited all Member and Observer states, as well as all organizations and bodies, to raise awareness about the crucial need to cease conflict-related sexual violence, including rape, sexual slavery, forced prostitution, forced pregnancy, and forced sterilization, and to commemorate victims, survivors, and those striving to put an end to the aforementioned crimes.

[Security Council Resolution 2467, April 2019](#)²⁶

Encouraged national authorities to strengthen legislation to foster accountability for sexual violence and stressed the critical role of the domestic investigation and judicial systems of member states to prevent and eliminate sexual violence in conflict and to ensure accountability for those responsible. Furthermore, reiterated the demand for the complete cessation with immediate effect by all parties to armed conflict of all acts of sexual violence and its call for these parties to make and implement specific time-bound commitments to combat sexual violence, which should include, inter alia, issuance of clear orders through chains of command and development of codes of conduct prohibiting sexual violence.

²⁵ United Nations. (n.d.). *Documents*. United Nations. Retrieved January 22, 2022, from <https://www.un.org/en/our-work/documents>

²⁶ ODS - *Sédoc* - United Nations. (n.d.). Retrieved January 22, 2022, from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/118/28/pdf/N1911828.pdf?OpenElement>

Security Council Resolution 1296, April 2000²⁷

Reiterated the critical importance of accordance with regulatory provisions of international humanitarian, human rights, and refugee law, as well as of providing adequate training in such law, such as child and gender-related provisions, as well as in negotiation and communication skills, cultural awareness, civil-military cooperation, and responsiveness to HIV/AIDS and other communicable diseases mitigation, to personnel involved in peacemaking, peacekeeping, and peacebuilding activities.

Security Council Resolution 1888, September 2000²⁸

Invited all parties to armed conflict to completely respect international law applicable to women and girls' rights and protection, especially as civilians, such as the 1949 Geneva Conventions, as well as to implement appropriate measures aiming to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in times of armed conflict.

Security Council Resolution, 1325 October 2000²⁹

Highlighted the crucial role women play in peacekeeping operations and the "disproportionate effect of armed conflict on women and girls." According to the Stockholm International Peace Research Institute (SIPRI), this Resolution was a positive first step toward putting women at the forefront of a global "security agenda" that often overlooks them.

Security Council Resolution, June 2008³⁰

Acknowledged that sexual violence has the potential to substantially aggravate situations of armed conflict and obstruct the restoration of peace and security, and that coercive actions such as sanctions may be considered against parties who commit rape and other forms of sexual violence during armed conflict. In accordance with UNSCR 1820, various punishment regimes, notably those for the Central African Republic and Mali have established a stand-alone criterion for sexual assault.

Security Council Resolution 1888, September 2009³¹

Required peacekeeping mandates to include measures on preventing and responding to CRSV, as well as more systematic reporting to the Security Council. It created the mandate for the deployment of specialized WPAs inside peacekeeping operations. The

²⁷ ODS - Sédoc - United Nations. (n.d.). Retrieved January 22, 2022, from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/399/03/PDF/N0039903.pdf?OpenElement>

²⁸ United Nations S Security Council - Un Peacemaker. (n.d.). Retrieved January 22, 2022, from https://peacemaker.un.org/sites/peacemaker.un.org/files/SC_ResolutionWomenPeaceSecurity_SRES1325%282000%29%28english_0.pdf

²⁹ United Nations S Security Council - Un Peacemaker. (n.d.). Retrieved January 22, 2022, from https://peacemaker.un.org/sites/peacemaker.un.org/files/SC_ResolutionWomenPeaceSecurity_SRES1325%282000%29%28english_0.pdf

³⁰ Resolution 1820. (n.d.). Retrieved January 22, 2022, from <http://unscr.com/en/resolutions/doc/1820>

³¹ ODS - Sédoc - Documents-DDS-Ny.un.org. (n.d.). Retrieved January 22, 2022, from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N09/534/46/PDF/N0953446.pdf?OpenElement>

Security Council sought the creation of a Special Representative on Sexual Violence in Conflict (SRSG-SVC) to improve coordination and collaboration among all relevant parties, among other things.

The Preventing Sexual Violence in Conflict Initiative (PSCI)³²

The UK Government developed the Preventing Sexual Violence in Conflict Initiative (PSVI) in 2012 in collaboration with the Ministry of Defense (MOD), the Foreign, Commonwealth and Development Office (FCDO), and the Home Office. Its purpose is to increase worldwide awareness of the magnitude of CRSV among women, men, girls, and boys and to support global efforts to eliminate it. The PSVI works on three aspects: combating damaging attitudes toward victims and survivors of CRSV, enhancing access to medical care as well as justice, and bolstering security and peacekeeping forces' capacity to mitigate and react to sexual violence that occurs during periods of conflict.

POSSIBLE SOLUTIONS

In terms of addressing the issue, deterring sexual violence requires substantive gender equality prior to, during, and after conflict, including ensuring women's effective participation in political, economic, and social life, as well as accessible and responsive justice and security institutions.

Survivor-centered strategy

To begin, we must ensure that survivors' voices are heard and acknowledged at all levels of decision-making. Thus, the adoption of a survivor-centered strategy to combat and eradicate conflict-related sexual violence that recognizes survivors as separate individuals and strives to empower them by highlighting their diverse needs, perspectives, and desires as well as paying close attention to combating inequalities could constitute an effective measure that could potentially eradicate the phenomenon as well as its repercussions.

Amending the criminal code with respect to CRSV crimes

Combating CRSV starts with the right identification of the illegal conduct during the investigation stage and the prosecution's adequate legal qualification. This is a comparatively straightforward undertaking in many instances of rape perpetrated during armed conflicts, owing to the growing corpus of international and state law defining the crime. However, there are still some challenges when it comes to obtaining a universally recognized and approved definition of what constitutes a CRSV crime, as well as the elements required to comprise such a crime. Having said that, we

³² Preventing sexual violence in conflict initiative. GOV.UK. (n.d.). Retrieved January 22, 2022, from <https://www.gov.uk/government/organisations/preventing-sexual-violence-in-conflict-initiative>

must encourage all nations legislature to revise substantive legislation to properly reflect contemporary international norms on sexual violence amid times of conflict.

Establishment of an improved legal framework

Additionally, seeing as the topic of the guide alludes to the establishment of a legal framework, we should first endeavor to address conflict related sexual violence, by establishing such a framework. Through this legal framework we aim to achieve actions including, clarifying the distinction between acts that fall under the category of CRSV, and are prosecutable under national and international law as well as the condition, the rights and the needs of sexual violence survivors and clearly outlining the grounds on which sexual violence acts constitute war crimes, crimes against humanity, and genocide. It may also function as a protective legal framework for women and girls who are at risk of sexual violence, by the promotion of women's leadership in national political, security, and rule of law institutions. Recognizing the importance of addressing the root causes of conflict-related sexual violence, including structural gender inequality, damaging social norms that contribute to the stigmatization of survivors, and forms of exclusion and discrimination, it will aim to maximize the protection of women human rights defenders and encourage the meaningful engagement of women in peace negotiations and decision-making at all levels.

Eradication of repercussions

Moreover, we should endeavor to eradicate the implications of conflict-related sexual violence incidents. With that said, we should foster the development of centers that provide comprehensive care to sexual assault victims, the design and planning of camps to reduce susceptibility to violence, the thorough documentation of cases, and the provision of seminars with the primary objective of adequately educating and training medical staff so as to effectively recognize, respond to, and prevent sexual violence, as well as medical care and other support services, including procedures to avoid further trauma to victims.

Thorough documentation of cases

Finally, in order to address all facets of the subject, we must acknowledge the substantial number of unprosecuted cases on both local and international levels. More precisely, sexual violence prosecutions have often been impeded or abandoned as a result of female witnesses fearful that their evidence might jeopardize their safety. They dread, in particular, that their identities would be disclosed, resulting to the disgrace of their families. Hence, successful prosecution requires robust witness and victim protection programs.

BIBLIOGRAPHY

- Diva Raj, et al. "Pacta Sunt Servanda: All You Need to Know about It." *IPleaders*, 19 Feb. 2020, blog.ipleaders.in/pacta-sunt-servanda/.
- "About the International Criminal Court." *About the ICC*, www.icc-cpi.int/about.
- Anholt, Rosanne Marrit. "Understanding Sexual Violence in Armed Conflict: Cutting Ourselves with Occam's Razor - Journal of International Humanitarian Action." *SpringerOpen*, Springer International Publishing, 30 June 2016, jhumanitarianaction.springeropen.com/articles/10.1186/s41018-016-0007-7.
- Comments on the Guiding Principles on Internal ...* international-review.icrc.org/sites/default/files/irrc_324-2.pdf.
- "The Foundation of International Human Rights Law." *United Nations*, United Nations, www.un.org/en/about-us/udhr/foundation-of-international-human-rights-law.
- Haddad, Heidi Nichols. "Mobilizing the Will to Prosecute: Crimes of Rape at the Yugoslav and Rwandan Tribunals - Human Rights Review." *SpringerLink*, Springer Netherlands, 8 Apr. 2010, link.springer.com/article/10.1007/s12142-010-0163-x.
- The Handbook for United Nations Field Missions on ...* www.un.org/sexualviolenceinconflict/wp-content/uploads/2020/06/2020.08-UN-CRSV-Handbook.pdf.
- HICN - Hhs.gov*. www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents/11191%20partial%203-07-06%20w%2034%20back%20pgs_9.pdf.
- In War as in Peace: Sexual Violence and Women ... - Refworld*. www.refworld.org/pdfid/402bac094.pdf.
- "International Criminal Law (ICL)." *Professionals in Humanitarian Assistance and Protection (PHAP)*, phap.org/PHAP/Sector_Monitoring/Themes/Law_and_protection/ICL/PHAP/Themes/ICL.aspx.
- "International Criminal Law." *International Criminal Law | How Does Law Protect in War? - Online Casebook*, casebook.icrc.org/glossary/international-criminal-law.
- "International Criminal Law." *Legal Information Institute*, Legal Information Institute, www.law.cornell.edu/wex/international_criminal_law.
- "International Day for the Elimination of Sexual Violence in Conflict - United States Department of State." *U.S. Department of State*, U.S. Department of State, 20 June 2021, www.state.gov/international-day-for-the-elimination-of-sexual-violence-in-conflict/.
- "International Human Rights Law (IHRL)." *Professionals in Humanitarian Assistance and Protection (PHAP)*, phap.org/PHAP/Sector_Monitoring/Themes/Law_and_protection/IHRL/PHAP/Themes/IHRL.aspx.

International Humanitarian Law. www.icrc.org/en/doc/assets/files/other/icrc-002-0703.pdf.

Key NATO and Allied Exercises in 2021.

www.nato.int/nato_static_fl2014/assets/pdf/2021/3/pdf/2103-factsheet_exercises.pdf.

Malemo Kalisya, Luc, et al. "Sexual Violence toward Children and Youth in War-Torn Eastern Democratic Republic of Congo." *PloS One*, Public Library of Science, 18 Jan. 2011, www.ncbi.nlm.nih.gov/pmc/articles/PMC3022750/.

ODS - Sédoc - Documents-DDS-Ny.un.org. documents-dds-ny.un.org/doc/UNDOC/GEN/N09/534/46/PDF/N0953446.pdf?OpenElement.

Paper Prosecution of Sexual Violence - Office of the

...www2.ohchr.org/english/issues/women/docs/Paper_Prosecution_of_Sexual_Violence.pdf.

Resolution 1820, unscr.com/en/resolutions/doc/1820.

"South Sudan - United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict." *United Nations*, United Nations, www.un.org/sexualviolenceinconflict/countries/south-sudan/.

"Sovereignty." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., www.britannica.com/topic/sovereignty.

"Sovereignty." *Legal Information Institute*, Legal Information Institute, www.law.cornell.edu/wex/sovereignty.

"United Nations Office on Genocide Prevention and the Responsibility to Protect." *United Nations*, United Nations, www.un.org/en/genocideprevention/crimes-against-humanity.shtml.

US Legal, Inc. "Find a Legal Form in Minutes." *Political Repression Law and Legal Definition | USLegal, Inc.*, definitions.uslegal.com/p/political-repression/.

"Here, Rape Is Normal." *Human Rights Watch*, 26 Jan. 2021, www.hrw.org/report/2014/02/13/here-rape-normal/five-point-plan-curtail-sexual-violence-somalia.