



**NEAR EAST UNIVERSITY
INSTITUTE OF GRADUATE STUDIES
DEPARTMENT OF INTERNATIONAL LAW**

**PROTECTING WOMEN AND GIRLS IN TIMES OF
ARMED CONFLICT: AN ANALYSIS OF LEGAL
FRAMEWORK ENFORCEMENT MECHANISMS.**

LL.M THESIS

ASTA MAEVA YASMINE DOSSO

**Nicosia
May, 2024.**

**ASTA MAEVA
YASMINE DOSSO**

**PROTECTING WOMEN AND GIRLS IN TIMES OF ARMED
CONFLICT: AN ANALYSIS OF LEGAL FRAMEWORK AND
ENFORCEMENT MECHANISMS.**

2024

**NEAR EAST UNIVERSITY
INSTITUTE OF GRADUATE STUDIES
DEPARTMENT OF INTERNATIONAL LAW**

**PROTECTING WOMEN AND GIRLS IN TIMES OF ARMED
CONFLICT: AN ANALYSIS OF LEGAL FRAMEWORK
ENFORCMENT MECHANISMS.**

LL.M THESIS

ASTA MAEVA YASMINE DOSSO

**Supervisor
ASST. PROF. DR. PERÇEM ARMAN**

**Nicosia
May, 2024**

Approval

We certify that we have read the thesis submitted by Asta Maevo Yasmine Dossó titled “**protection women and girls in times of armed conflict: an analysis of legal framework and enforcement mechanisms**” and that in our combined opinion it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Laws in International Law.


Examining Committee	Name-Surname	Signature
---------------------	--------------	-----------

Head of the Committee:	Asst. Prof. Dr. Perçem Arman	
------------------------	------------------------------	---


Committee Members:	Assoc. Prof. Dr. Nabi Berkut	
--------------------	------------------------------	---

	Asst. Prof. Dr. Özde Dereboylular	
--	-----------------------------------	--

Approved by the Head of the Department

.....

.....
Assoc. Prof. Dr. Nabi Berkut
Head of Department

Approved by the Institute of Graduate Studies


.....
Prof. Dr. Kemal Hüsnü Can Başer
Head of Institute

Declaration

I hereby certify that all data, materials, analyses, and conclusions in this thesis were gathered and presented in accordance with the academic standards and moral principles of the Institute of Graduate Studies at Near East University. I further affirm that I have properly cited and referenced any information and data that are not unique to this work, as required by these rules and conduct.

Asta Maeva Yasmine Dosso

22/May/2024

Acknowledgements

I also want to express my gratitude to the university's academic staff and administrative personnel, who gave me the resources I needed to succeed in my studies. I especially thank my academic supervisor who guided my thesis, and I also thank her the constant support, availability, and confidence.

I'm full of gratitude to my family who have supported me throughout this journey, to my grandfather may his soul rest in peace, to my mom who showed that never mind what happen in this life you can still achieve your goals, to my sister who is keep calling to remind me I have to come back to my hometown, to my best friend and her mother without whom I would never have had the opportunity to register for this master's. To my friends who have supported me without even knowing it. The fact that I have experienced armed conflict in my country Côte d'Ivoire, in 2000 and 2010, knowing that I come from a family mainly made up of girls, this subject had a very important sentimental value for me, as I was displaced by the war from a very young age, as we were no longer safe, firstly because I belonged to an ethnic group at the time, which was considered problematic, and also because women were not safe there anymore.

Asta Maeva Yasmine Dosso

Abstract

Protecting Women And Girls In Times Of Armed Conflict: And Analysis Of Legal Framework And Enforcement Mechanisms.

Asta Maeva Yasmine Dosso

LL.M, Department of International Law

May 2024, 73 pages

Considering the vulnerability of women and girls in this particular situation, the protection of these groups during armed conflict is a critical problem for international humanitarian law, as the practice does not always align with the realities, the objective of this thesis is to analyze the legal measures that refer particularly to the protection of these and how is the implementation of these provisions. The actions being more concrete than the theory, we will analyze two recent practical cases including the war between Ukraine/Russia and Palestine/Israel. We will explore the legal protection framework for women under the IHL in conflict situations. As part of this exploration, the thesis has outlined the pertinent clauses of the Hague and GCs and the Additional Protocols to the Geneva Conventions 1907. In addition, the thesis has elaborated on the critical UN Security Council resolutions. Moreover, the thesis has assessed the compliance and enforcement mechanisms of the given laws at both national and global levels. It has brought attention to the gaps in enforcement, such as those in the areas of women's rights protection, gender- and sex-based criminal investigation and prosecution, women's representation in decision-making, and the importance of women's needs in the post-conflict recovery agenda.

Keywords: Women, girls, Protection, conflict, Legal framework, enforcement mechanisms.

Abstract
(Turkish translation)

**Silahlı Çatışma Zamanlarında Kadınları Ve Kızları Korumak: Ve Yasal Çerçeve
Ve Uygulama Mekanizmalarının Analizi**

Asta Maeva Yasmine Dosso

LL.M, Department of International Law

Mayıs 2024, 73 sayfa

Silahlı çatışma zamanlarında kadınların ve kızların korunması, bu durumda ikincisinin savunmasızlığı göz önüne alındığında uluslararası insancıl hukukta çok önemli bir konudur . Gerçekler her zaman pratikle uyumlu olmadığından, bu tezin amacı, özellikle bunların korunmasına atıfta bulunan yasal önlemleri ve bu hükümlerin nasıl uygulandığını incelemektir. Eylemler teoriden daha somut olarak, Ukrayna/Rusya ve Filistin/İsrail arasındaki savaş da dahil olmak üzere iki yeni pratik durumu analiz edeceğiz. Çatışma durumlarında uluslararası insancıl hukuk kapsamındaki kadınlar için yasal koruma çerçevesini araştıracağız. Bu araştırmanın bir parçası olarak, tez, çeşitli Lahey ve Cenevre Sözleşmelerinin ve 1907 Cenevre Sözleşmelerine Ek Protokollerin ilgili hükümlerini özetledi. Ayrıca, tez kritik BM Güvenlik Konseyi kararları üzerinde ayrıntılı olarak yer aldı. Ayrıca, tez, verilen yasaların ulusal ve uluslararası düzeylerde uyum ve uygulama mekanizmalarını değerlendirmiştir. Kadın' haklarının korunması, cinsiyete dayalı ve cinsiyete dayalı suçların araştırılması ve kovuşturulması, karar alma süreçlerinde kadınların temsil edilme düzeyi, kolluk kuvvetleri çabaları da dahil olmak üzere uygulama boşluklarının altını çizmiştir, ve çatışma sonrası toparlanma gündeminde kadınların ihtiyaçlarının öncelik düzeyi.

Anahtar Kelimeler: Kadınlar, kızlar, Koruma, çatışma ,Hukuki çerçeve, uygulama mekanizmaları .

Table Of Content

Approval	2
Declaration.....	3
Acknowledgements.....	4
Abstract.....	4
Abstract.....	6
(Turkish translation)	6
List Of Abbreviation.....	10

CHAPTER I

Introduction.....	12
Background of the study	12
Statement of the problem	14
Purpose of the Study	15
Research Questions	16
Significance of the Study	16
Limitations of the Study.....	16
Definition of Key Terms	17

CHAPTER II

LEGAL FRAMEWORK FOR THE PROTECTION OF WOMEN UNDER THE LAW OF ARMED CONFLICT	19
Hague Convention Of 1899 And 1907.....	19
Geneva conventions of 1949 and 1977 additional protocols	21
Principle Of Non-Discrimination And Equal Protection.....	21
Prohibition Of Sexual Violence And Gender-Based Crimes	23

Protection Of Civilian Women And Female Combatants	28
Access To Humanitarian Assistance And Health Care	29
United Nations Security Council Resolutions.....	31

CHAPTER III

ANALYSING ENFORCEMENT MECHANISM OF LAW OF ARMED CONFLICT FOR THE PROTECTION OF WOMEN	34
Research Methodology.....	34
Enforcement Mechanisms At National Level	35
Enforcement Mechanisms At International Level	35
Shortcomings In The Enforcement Of IHL's Protections For Women	37
Lack Of Investigation And Prosecution Of Gender Based Crimes	37
The Under Representation Of Women In International Humanitarian Law	38
Decision Making.....	38
The Failure To Prioritize Women's Need In Post Conflict Recovery	40

CHAPTER IV

CASE STUDIES -VIOLATIONS AGAINST WOMEN IN ARMED CONFLICT SITUATION OF UKRAINE/RUSSIA AND PALESTINE/ISRAEL WAR	43
Threats Pertaining to Women in the Ukraine Conflict.....	43
The Extent and Severity of Sexual Violence Inflicted by Russian Troops	43
Limited Mobility and Access to Services for Pregnant Women	46
Psychological Trauma and Economic Insecurity	47
Women's Rights Violations Linked to the Israel-Palestine Conflict.....	49
Movement Restrictions and Reduced Access to Healthcare in Palestine.....	49
Reports of Abuse of Palestinian Women in Israeli Detention.....	51
Impact of the Gaza Blockade on Women and Girls	53

Analysis of Parties' Efforts on Women's Inclusion in Peace Processes	54
--	----

CHAPTER V

FINDING, CONCLUSION AND RECOMMENDATIONS	56
Findings	56
Conclusion.....	57
Recommendations	58
REFERENCES	60
APPENDIX.....	73

List Of Abbreviations

IHL: International Humanitarian Law

LAOC: Law of Armed conflict

ICRC: International Committee of the Red Cross

OHCHR: Office Of United Nations High Commissioner for Human Rights

UN: United Nations

IRC: International Rescue Committee

IDPs: Internally Displaced Persons

NGO: Non-Governmental Organization

WPS: Women Peace Security

UNSCR: United Nations Security Council

UNFPA: Unites Nations Population Fund

MSF: Médecins Sans Frontières

PTSD: Post Traumatic Stress Disorder

HIV: Humane Immunodeficiency Virus

GBV: Gender Based Violence

UNRWA: United Nations Relief and Work Agency

GIWPS: Georgetown Institute for Women Peace and Security

BMJ: British Medical Journal

ICC: International Criminal Court

ICTY: International Criminal Tribunal for the Former Yugoslavia

HVC: Hague Convention

GCs: Geneva Conventions

GCI: First Geneva Conventions

GCII: Second Geneva Convention

GCIII: Third Geneva Convention

GIV: Fourth Geneva Convention

CHAPTER I

Introduction

Background of the study

International humanitarian law (IHL) categorizes armed conflicts into two types: international conflicts, which include two or more governments, and domestic conflicts, which often involve non-governmental armed groups and government forces.¹ IHL, which was born on battlefield, has as its ultimate aim of regulating the behaviors of combatants during battle and also of protecting civil, who are most of the time the victims of collateral damage.

It has been well-established by the IHL that the protection of civilians of the deadly aftermath of war is essential.² The 4th Geneva Convention of 1949 is full of provisions regarding the protection of noncombatant, especially for women, during times of hostilities.³

¹ International Committee of the Red Cross (ICRC), “How Is the Term ‘Armed Conflict’ Defined in International Humanitarian Law?” (2008). Available at <https://www.bing.com/ck/a?!&&p=0af83dd664634ae9JmltdHM9MTcxNTM4NTYwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjE5YjY4ZjcmaW5zaWQ9NTQ2OQ&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=armed+conflict+definition&u=a1aHR0cHM6Ly93d3cuaWNyYy5vcmcvZW4vZG9jL2Fzc2V0cy9maWxlc9vdGhlci9vcGluaW9uLXBhcGVyLWFyZWVkbWVbmZsaWN0LnBkZg&ntb=1> . accessed 11 May 2024.

² “Women, Human Rights and International Humanitarian Law - ICRC” <https://www.icrc.org/en/doc/resources/documents/article/other/57jpg4.htm>. accessed 11 May 2024.

³ OHCHR, “Geneva Convention Relative to the Protection of Civilian Persons in Time of War” (OHCHR). Available at [https://www.bing.com/ck/a?!&&p=d93e1ff2239a3ee8JmltdHM9MTcxNTk5MDQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjE5YjY4ZjcmaW5zaWQ9NTQ0Mw&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=OHCHR%2c+%e2%80%9cGeneva+Convention+Relative+to+the+Protection+of+Civilian+Persons+in+Time+of+War%e2%80%9d+\(OHCHR\).&u=a1aHR0cHM6Ly93d3cub2hjaHlu b3JnL2VuL2luc3RydWl1bnRzLW1lY2hhbmlzbXMvaW5zdHJ1bWVudHMvZ2VuZXZhLWNvbnZlbnRpb24temVsYXRpdmUtcHJvdGVjdGlvbiljaXZpbGlhbi1wZXJzb25zLXRpbWUtd2Fy&ntb=1](https://www.bing.com/ck/a?!&&p=d93e1ff2239a3ee8JmltdHM9MTcxNTk5MDQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjE5YjY4ZjcmaW5zaWQ9NTQ0Mw&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=OHCHR%2c+%e2%80%9cGeneva+Convention+Relative+to+the+Protection+of+Civilian+Persons+in+Time+of+War%e2%80%9d+(OHCHR).&u=a1aHR0cHM6Ly93d3cub2hjaHlu b3JnL2VuL2luc3RydWl1bnRzLW1lY2hhbmlzbXMvaW5zdHJ1bWVudHMvZ2VuZXZhLWNvbnZlbnRpb24temVsYXRpdmUtcHJvdGVjdGlvbiljaXZpbGlhbi1wZXJzb25zLXRpbWUtd2Fy&ntb=1). accessed 11 May 2024.

Clause 27 and 28 of the Geneva convention decrees that Acts such as rape, coerced prostitution, and any kind of indecent assault are acts of violence that cause harm to both the physical and emotional well-being of individuals or strength of individuals under security.⁴ Moreover, after Additional Protocol I was established on 10 June 1977, states that are taking part to active conflicts must ensure that women receive “special protection” and be shielded from “rape, enforced prostitution, and any other indecent attack”.⁵

Even though there are a lot of laws in place, women are still more likely to be abused, exploited, and left open to harm during times of armed conflict.⁶ This is mostly because they are civilians, which makes them more vulnerable to the effects of war⁷.

War is always a tragedy for the population especially for women and children who have historically been identified as vulnerable parties in need of special protection in times of armed conflict. However, despite developments in international human rights and humanitarian law frameworks, “persistent and pervasive sexual and gender-based violence” has been a persistent characteristic of modern wars worldwide.⁸

⁴ Ibid art 27,28.

⁵ OHCHR, “Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1)” (OHCHR). Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and> . accessed 11 May 2024.

⁶ Rhonda Copleon, “Surfacing Gender: Re-Engraving Crimes against Women in Humanitarian Law” (1994) 5 Hastings Women’s Law Journal 243. Available at <https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1040&context=hwlj>. accessed 11 May 2024.

⁷ Judith G Gardam and Michelle J Jarvis, “*Women, Armed Conflict and International Law*” (BRILL 2021) p 89-90. Available at [file:///C:/Users/hp/Downloads/Judith%20Gail%20Gardam,%20Michelle%20J.%20Jarvis%20-%20Women,%20armed%20conflict,%20and%20inMarch%2021.nal%20law-Kluwer%20Law%20International%20\(2001\).pdf](file:///C:/Users/hp/Downloads/Judith%20Gail%20Gardam,%20Michelle%20J.%20Jarvis%20-%20Women,%20armed%20conflict,%20and%20inMarch%2021.nal%20law-Kluwer%20Law%20International%20(2001).pdf) accessed 11 May 2024.

⁸ “Conflict-Related Sexual Violence - Report of the Secretary-General” (S/2023/413) [EN/AR/RU/ZH] - World (ReliefWeb, July 14, 2023) <https://reliefweb.int/report/world/conflict-related-sexual-violence-report-secretary-general-s2023413-enarruzh>. accessed 11 May 2024.

Anyone can be victims of atrocities committed during conflict, women, especially girls, remain disproportionately impacted and highly susceptible to abuse due to “entrenched discriminatory social norms and gender stereotypes”.⁹

As Judith Gardam and Michelle Jarvis note, “particular forms of violence are directed specifically against girls and women precisely of their sex”.¹⁰ Furthermore, patterns and severity of violations women face are often exacerbated by intersectional vulnerabilities relating to poverty, disability, ethnicity and displacement status.

Statement of the problem

Despite long standing legal precedents, pledges and normative frameworks to better protect conflict-affected women, we are witnessing on a disastrous scale grave and pervasive abuses of their basic rights.¹¹ This protection gap seriously questioned about the effectiveness of international law and collective political will in translating principles into practice.

The challenges are multifaceted and complex. Sexual violence continues to be used as a tactic of war, with devastating consequences for individuals, families, and communities. The UN has documented alarming levels of conflict-related sexual violence in various contexts, including Syria, South Sudan, and Myanmar¹².

Displacement due to conflict disproportionately affects women and girls, exposing them to additional risks such as trafficking, forced marriage, and exploitation. In

⁹ “Press Release: Women Are Increasingly at-Risk in Conflict and Underrepresented in Peace Processes, According to a UN Report | UN Women – Headquarters” (UN Women – Headquarters, October 25, 2023). Available at <https://www.unwomen.org/en/news-stories/press-release/2023/10/press-release-women-are-increasingly-at-risk-in-conflict-and-underrepresented-in-peace-processes-according-to-a-unreport#:~:text=Events%20of%20political%20violence%20targeting%20women%20increased%20by,that%20women%20remain%20sidelined%20from%20the%20main%20negotiations>. accessed 11 May 2024.

¹⁰Ibid (n7).

¹¹Ibid (n7).

¹² Un Secretary-General, “Conflict-Related Sexual Violence :: Report of the Secretary-General” (*United Nations Digital Library System*, June 22, 2023). Available at <https://digitallibrary.un.org/record/4014201?v=pdf> accessed 11 May 2024

refugee and internally displaced persons (IDP) camps, women often face inadequate access to essential services, including reproductive healthcare¹³.

Moreover, the exclusion of women from peace negotiations and post-conflict reconstruction efforts undermines the sustainability of peace agreements and fails to address the specific needs of women in post-conflict societies¹⁴.

The problem is further compounded by issues of impunity. Despite advancements in international criminal law, prosecution of gender-based crimes in conflict remains challenging due to factors such as underreporting, lack of evidence, and inadequate national legal frameworks¹⁵.

Purpose of the Study

This study aims to critically examine the legal frameworks and enforcement mechanisms for protecting women and girls in armed conflicts. The primary objectives are to analyze existing international legal instruments relevant to women's protection in armed conflicts; evaluate the effectiveness of current enforcement mechanisms at national and international levels; identify shortcomings in the implementation of IHL protections for women; examine case studies of the Ukraine/Russia and Palestine/Israel conflicts to illustrate real-world challenges; and propose recommendations for enhancing the protection of women and girls in armed conflicts. Through these objectives, the study seeks to contribute to the ongoing discourse on gender and armed conflict, informing policy-makers, legal practitioners, and humanitarian actors working to improve the situation of women and girls in conflict zones.

¹³ UNHCR, 'Global Trends: Forced Displacement in 2020' (18 June 2021). Available at <https://www.unhcr.org/global-trends> accessed 11 May 2024.

¹⁴ Bell C and O'Rourke C, "PEACE AGREEMENTS OR PIECES OF PAPER? THE IMPACT OF UNSC RESOLUTION 1325 ON PEACE PROCESSES AND THEIR AGREEMENTS" (2010) 59 International and Comparative Law Quarterly 941. Available at <https://doi.org/10.1017/s002058931000062x> accessed 11 May 2024.

¹⁵ Studzinsky S, "Prosecuting Conflict-Related Sexual Violence at the ICTY Serge Brammertz and Michelle Jarvis (Eds)*" (2017) 99 International Review of the Red Cross 847. Available at <https://doi.org/10.1017/s1816383118000231> accessed 11 May 2024.

Research Questions

This study will address the following key questions:

- (1) What are the primary legal frameworks protecting women and girls in armed conflicts, and how have these evolved over time?
- (2) How effective are the current enforcement mechanisms for these legal protections at both national and international levels?
- (3) What are the main challenges in implementing IHL protections for women in conflict zones, and how do these vary across different contexts?
- (4) How do recent conflicts, such as those in Ukraine/Russia and Palestine/Israel, illustrate the issues faced by women and girls, and what can be learned from these cases?
- (5) What measures can be taken to strengthen the protection of women and girls in armed conflicts, considering legal, institutional, and societal dimensions?
- (7) How can women's participation in conflict resolution and peacebuilding processes be enhanced to improve outcomes for women and girls?

Significance of the Study

This research contributes to the ongoing discourse on gender and armed conflict by providing a comprehensive analysis of current legal frameworks and their practical application. By identifying gaps in implementation and proposing targeted recommendations, this study aims to inform policy-makers, legal practitioners, and humanitarian actors working to enhance the protection of women and girls in conflict situations.

Limitations of the Study

This study, while comprehensive in its approach, faces several limitations. The rapidly evolving nature of armed conflicts and international law may outpace academic analysis, potentially affecting the currency of some findings. Access to up-to-date and reliable data from ongoing conflicts, particularly regarding sensitive issues such as sexual violence, presents a significant challenge. The complexity of assessing legal frameworks across diverse cultural, political, and socio-economic contexts limits the generalizability of some conclusions. There is also potential for bias in available

information and difficulty in verifying reports from conflict zones. Additionally, while the case studies of Ukraine/Russia and Palestine/Israel conflicts provide valuable insights, they may not be fully representative of all conflict situations globally. These limitations underscore the need for ongoing research in this field to continually update and refine our understanding of the protection of women and girls in armed conflicts.

Definition of Key Terms

Armed Conflict: As defined in the Geneva Conventions and their Additional Protocols, referring to international and non-international armed conflicts. International armed conflicts involve two or more states, while non-international armed conflicts occur between governmental forces and non-governmental armed groups, or between such groups only¹⁶.

International Humanitarian Law (IHL): The body of law that regulates the conduct of armed conflicts and seeks to limit their effects. It protects persons who are not or are no longer participating in hostilities and restricts the means and methods of warfare¹⁷.

Protection: Protection is the act of protecting or preserving someone or something from harm, danger, or risk.¹⁸

¹⁶ “ICRC 2024 Opinion Paper - How Is the Term ‘Armed Conflict’ Defined in International Humanitarian Law?” (*International Committee of the Red Cross*, April 22, 2024). Accessed at <https://www.icrc.org/en/document/icrc-opinion-paper-how-term-armed-conflict-defined-international-humanitarian-law> 11 May 2024.

¹⁷ Padin J, “Marco Sassòli, International Humanitarian Law: Rules, Controversies and Solutions to Problems Arising in Warfare” [2020] *Journal of Conflict and Security Law*. Accessed at <https://doi.org/10.1093/jcsl/kraa021> 12 May 2024.

¹⁸ International Committee of the Red Cross (ICRC) Opinion Paper, March 2008. Available at [Opinion paper FINAL.doc \(icrc.org\)](#) accessed 12 May 2024.

Enforcement Mechanisms: Legal and institutional measures designed to ensure compliance with international law, including courts, tribunals, and monitoring bodies. These can operate at national, regional, or international levels and may include both judicial and non-judicial mechanisms¹⁹.

¹⁹ Shany Y, “Assessing the Effectiveness of International Courts: A Goal-Based Approach” (2012) 106 *American Journal of International Law* 225. Available at <https://doi.org/10.5305/amerjintelaw.106.2.0225> accessed 12 May 2024.

CHAPTER II

LEGAL FRAMEWORK FOR THE PROTECTION OF WOMEN UNDER THE LAW OF ARMED CONFLICT

This section outlines key principles of IHL that establish juridical protection for women during wartime. It examines the core principles codified in the Hague Conventions of 1899 and 1907, 1949 Geneva conventions, 1977 Additional Protocols, and the UN Security Council Resolutions that dedicate special safeguards for conflict-affected women.

Hague Convention Of 1899 And 1907

The Hague Convention of 1899 (HCV), was the first multilateral convention to regulate military conduct and the treatment of non-military during war. Although the treaty doesn't directly mention women and contains no specific provisions for their protection, it establishes general principles aimed at mitigating the consequences of conflict on civilian populations.

Article 46 of the 1899 HCV²⁰ suggested that women's property, honor, and lives should be protected during military conflicts, even though it did not specifically mention gender. The convention's failure to mention women explicitly had major implications, considering the prevailing gender biases at the time and commonly accepted beliefs.²¹ Clapham, Gaeta, and Sassòli later suggested that several provisions of the Hague Conventions, especially Article 46, could be interpreted as legally prohibiting some acts of violence against women.²²

²⁰Howard S Levie, "1899 HCV (With Annexed Regulations) (29 July 1899)" (1979) 60 International Law Studies 30. Available at <http://digital-commons.usnwc.edu/ils/vol60/iss1/30/> . accessed 18 March 2024.

²¹ Ibid (n7).

²² Andrew Clapham and others, "*The 1949 Geneva Conventions : A Commentary*" (2015).Available at <http://ci.nii.ac.jp/ncid/BB26727264>. accessed 20 March 2024.

The HC V of 1907 was an extended sequel to the 1899 Convention that comprehensively reviewed and refined the reserves of previous document on protection of civils, including women.

Thus, Article 46 reaffirms the need to maintain respect for the integrity and rights of the family, personal life and private property, as well as religious convictions and practices.²³ Moreover, Article 46 claimed that women must be treated as favourably as men in all cases.²⁴ In other words, this Article plays an important role in the comprehension sexual assault committed against women during war as an exacerbating factor that leads to increased suffering and humiliation: hence more severe punishment for perpetrators

According to Gardam and Jarvis, the inclusion of this provision in the 1907 HCV resulted from the efforts of International Council of Women, which advocated the protection of vulnerable during armed conflicts.²⁵ However, the convention's provisions regarding the protection of women were limited in scope and lacked enforcement mechanisms. As pointed out by Lindsey, the language used in Article 46 was ambiguous and has not given a precise explanation of "attack on honour," leaving room for interpretation and potential misapplication.²⁶

The Hague Conventions of 1899 and 1907 marked the initial recognition of the need to protect women during armed conflicts, and laid the foundation for subsequent developments in international humanitarian law.²⁷ While these conventions had limitations, they paved the way for more comprehensive legal instruments such as the GCs and the Rome Statute, which provided stronger protection for women and established mechanisms for accountability.²⁸

²³ Ibid (n13).

²⁴ Ibid (n13).

²⁵ Ibid (n7).

²⁶ "Women Facing War – An ICRC Study" (2001) 83 International Review of the Red Cross 1174 <https://doi.org/10.1017/s1560775500183622> .accessed 21 March 2024.

²⁷ Ibid (n7).

²⁸ Ibid, 93,96.

Geneva conventions of 1949 and 1977 additional protocols

Historically, armed conflicts have excessively affected women, exposing them to various forms of violence, exploitation, and discrimination. The GCs of 1949 and their additional protocols represent are significant in international humanitarian law seeking to address the specific vulnerabilities and experiences of women in hostilities. These legal instruments establish key principles and provisions that aim to protect women's rights and ensure humane treatment in conflict situations.

Principle Of Non-Discrimination And Equal Protection

One of the core rules underpinning Geneva conventions is the principle of non-discrimination, which prohibits unfavorable distinction establish on race, color, dogma, or sex.

The following article, Article 12 of the First Geneva Convention²⁹, Article 12 of the Second Geneva Convention,³⁰ Article 16 of GCIII³¹ and Article 27 of the 4th Geneva Convention³² articulate this principle. These articles underline the importance of guaranteeing equitable rights and privileges for individuals of all genders. Making sure that women receive the same treatment as men.

²⁹GCI, art12.available at

[https://www.bing.com/ck/a?!&&p=87da3aee8b2b7c37JmldHM9MTcxNTk5MDQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjE5YjY4ZjcmaW5zaWQ9NTQ1MA&pntn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=%e2%80%9cGeneva+Convention+for+the+Amelioration+of+the+Condition+of+the+Wounded+and+Sick+in+Armed+Forces+in+the+Field%e2%80%9d+\(First+Geneva+Convention\)%2c+art12&u=a1aHR0cHM6Ly9paGwtZGF0YWJhc2VzLmljcmMub3JnL2VuL2lobC10cmVhdGllcy9nY2ktMTk0OS9hcnRpY2xILTEyIzp-OnRleHQ9QW55JTlwYXR0ZW1wdHMlMjB1cG9uJTIwdGhlaXIlMjBsaXZlcyUyQyUyMG9yJTlwdm1vbGVuY2UIMjB0byxleHBvc2luZyUyMHRoZW0lMjB0byUyMGNvbnRhZ2lvbiUyMG9yJTlwaW5mZWNoaW9uJTlwYmUIMjBjcmVhdGVkLg&ntb=1](https://www.bing.com/ck/a?!&&p=87da3aee8b2b7c37JmldHM9MTcxNTk5MDQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjE5YjY4ZjcmaW5zaWQ9NTQ1MA&pntn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=%e2%80%9cGeneva+Convention+for+the+Amelioration+of+the+Condition+of+the+Wounded+and+Sick+in+Armed+Forces+in+the+Field%e2%80%9d+(First+Geneva+Convention)%2c+art12&u=a1aHR0cHM6Ly9paGwtZGF0YWJhc2VzLmljcmMub3JnL2VuL2lobC10cmVhdGllcy9nY2ktMTk0OS9hcnRpY2xILTEyIzp-OnRleHQ9QW55JTlwYXR0ZW1wdHMlMjB1cG9uJTIwdGhlaXIlMjBsaXZlcyUyQyUyMG9yJTlwdm1vbGVuY2UIMjB0byxleHBvc2luZyUyMHRoZW0lMjB0byUyMGNvbnRhZ2lvbiUyMG9yJTlwaW5mZWNoaW9uJTlwYmUIMjBjcmVhdGVkLg&ntb=1) accessed 21 March.

³⁰ GVII, art 12.available at <https://ihl-databases.icrc.org/en/ihl-treaties/gcii-1949> accessed 21 March 2024.

³¹ GCIII, art 16. available at https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.32_GC-III-EN.pdf accessed 21 March 2024.

³² GCIV, 12 August 1949, 75 UNTS 287, art 27. <https://www.ohchr.org/en/instruments-mechanisms/instruments/geneva-convention-relative-protection-civilian-persons-time-war> accessed 21 March 2024.

The principle of non-discrimination is of significant in IHL, as it recognizes inherent dignity and impartiality of all individuals, non-regarding of their gender or other personal characteristics. It's very essential particularly in the situation of armed conflict, where women may face increased vulnerability and discrimination due to prevailing societal norms, power imbalance, and the breakdown of the lawful and social structure.

More specifically, the 4th Geneva Convention focus on humane treatment and non-discrimination.³³ Moreover, article 27 focus on the protection of women.³⁴ This provision recognizes the heightened vulnerability of women to gender-based violence in times of conflicts and the need for specific measures to ensure their protection.

He is further fortified in Additional Protocol I, which prohibits adverse distinctions based on gender.³⁵ This principle is repeated in various United Nations (UN) resolutions, such as UNSC Res 1325, which aims is the protection of girls and women from GBV, and the involvement of a gender perspective in resolving conflicts.³⁶

However, interpretation and implementation of that principle have been subject to criticism by author such as Judith Gardam and Michelle Jarvis, they have argued that "IHL has traditionally been interpreted and applied from a male perspective, overlooking the unique vulnerabilities and experiences of women in those delicate situations."³⁷

They claim that notion of "equal protection" has often been interpreted in a strict way, which is a failure to consider the requirements of women in war situations.

³³Ibid.

³⁴ Ibid.

³⁵Ibid (21), art 75(1).

³⁶UNSCRes 1325 (31 October 2000). Available at https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf accessed 21 March 2024.

³⁷ Ibid (n7).

Lindsey Cameron's analysis this principle further shows the challenges in its implementation.³⁸ She contends that while this principle is sanctified in various IHL instruments, its application remains a challenge because of different interpretations and cultural norms and she also emphasizes the need for a more nuanced understanding of the ways in which manifestation of discrimination against women in armed conflicts and how IHL can better address these specific forms of discrimination.

Additionally, this principle is not effective when it's about women due to the complexity of grounds of discrimination covered by mere legislations. Women may suffer from multifaceted forms of discrimination not limited merely by gender but can also depend on various factors from race to religion, disabilities, and social status

The ICRC has acknowledged the importance for a gender-sensitive interpretation and implementation of IHL, recognizing that "women face specific problems in armed conflicts, related both to their gender and to their multiple roles in society."³⁹ The ICRC has issued guidance on the protection of women in armed conflicts, highlighting the importance of addressing gender-based violence, ensuring access to healthcare services, and promoting the participation of women in conflict resolution and peacebuilding efforts.⁴⁰

Prohibition Of Sexual Violence And Gender-Based Crimes

Throughout third world conference on women that took place in 1995 in Beijing⁴¹, governments once again declared their intention to reply to the many violences against women that occur in conflicts. Beginning in the mid-1990s, assault and many other types of GBV have gradually come to be recognized as some of the most serious crimes listed in international law.

³⁸ "The Oxford Handbook of International Law in Armed Conflict" (2014). Available at <https://doi.org/10.1093/law/9780199559695.001.0001> accessed 21 March 2024.

³⁹Ibid (n25).

⁴⁰ Rome Statute of ICC. <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf> accessed 21 March 2024.

⁴¹ UN, 'Fourth World Conference on Women'. <https://www.un.org/en/conferences/women/beijing1995> accessed 21 March 2024.

The severity of violence and such sexual assaults in general is established by a number of historical rulings by international tribunals established to prosecute people accountable for atrocities committed during wars in the former Yugoslavia and Rwanda, the adoption of the Rome Statute further support this pursuit of justice.⁴²

Rape can be used systematically and intentionally to push all human groups away and free space for their population. From then, aggression can be "sexual " The attackers killed the raped men and women. Women have a goal because their addicts wish to endanger their mental and physical integrity. They are openly attacked to show that men "of them" cannot protect them either. Because they have a human future in their own group: their creation ability will be destroyed, mutilated or deceptive because they are forced to carry children of "enemies". Rape in all population attacks may be an element of genocide. If murder, rape and other crimes are willing of the destruction the country, ethnic group or people with faith fully or in partly, whether in peace or in war, these actions are considered genocide.

When Jean-Paul Akayesu was put on trial in 1998, the ICC for Rwanda said that the crimes he is guilty were part of the genocide⁴³. Jean-Paul Akayesu was accused of ordering and encouraging the killing, the torturing, and beating of Tutsis who came to his village to escape the 1994 genocide. It has been proven that he personally ordered, helped with, or encouraged a number of murders and violent acts.

⁴²Ibid (32).

⁴³ "The Prosecutor v. Jean-Paul Akayesu" Case No. ICTR-96-4-T, judgment of 2 September 1998. Available at <https://www.bing.com/ck/a?!&&p=8cf4871a372c264bJmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYW4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJIMjEyYjY4ZjcmaW5zaWQ9NTQ3OQ&pptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=.+The+Prosecutor+v.+Jean-Paul+Akayesu%2c+Case+No.+ICTR-96-4-T%2c+judgment+of+2+September+1998.&u=a1aHR0cHM6Ly93d3cuaW50ZXJuYXRpb25hbGNyaW1lc2RhdGFhYXNlM9yZy9DYXNlLzUwL0FrYXllc3UvIzp-OnRleHQ9VGhJTlWQWNjdXNIZCUyQyUyMEplYW4tUGF1bCUyMEFrYXllc3UIMkMIMjB3YXMMIMjB0aGUIMjBtYXlvcUyMG9mLGluJTlwdGhJTlWZmlvc3QIMjBldmVyJTlwdHJpYWwIMjBIZWZvcuUIMjB0aGUIMjBUcmliW5hbC4&ntb=1> accessed 22 March 2024.

The particular interdiction of sexual violence and assault is one of the most important contributions of the GCs and Additional Protocols for the safety of women during armed situations. According to Article 27 of the 4th Geneva Convention.⁴⁴ This provision recognizes the heightened vulnerability of women to sexual abuse in this kind of situation and establishes specific obligation to protect them from such acts. But the term "honour" is pejorative because it does not intrinsically show the seriousness of the abuse of rape suffered by women in times of conflict because we all know that in patriarchal society, a woman's honour does not belong to her, but rather to her family's image.

Article 76 of additional protocol I reinforce and expands upon this protection, imposing specific obligations on participant to a conflict for the defend women against rape, forced prostitution, or any other form of indecent assault.⁴⁵ It also emphasizes the need for special consideration of pregnant women and mothers of young children, acknowledging their unique vulnerabilities and needs.

The explicit proscription of sexual abusee and indecent assault targeting women in these legal instruments represents a significant advancement in recognizing and addressing the gendered nature of violence during armed conflicts. Historically, sexual violence has been employed as a tactic of war, with devastating consequences for women's physical, psychological, and social well-being.⁴⁶

Given that we all agree on the nature of sexual abuse against women in wartime, it is important to analyze how these crimes are prosecuted by the competent courts, and on this subject, we have several authors who have graced us with their analysis of the issue

⁴⁴Ibid (n21), art 27.

⁴⁵Protocol Additional I GCI, art 76. https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf accessed 22 March 2024.

⁴⁶ "Sexual Violence against Women and Girls in War and Its Aftermath: Realities, Responses, and Required Resources"- GIWPS (GIWPS, May 7, 2018) <https://giwps.georgetown.edu/resource/sexual-violence-against-women-and-girls-in-war-and-its-aftermath-realities-responses-and-required-resources/>. accessed 22 March 2024.

concerning the prosecution of GBV, including sexual violence, in international war crimes tribunals and courts.⁴⁷

Arguments for why violence happens during war are based on two linked lines of reasoning that start with the idea that war gives people a chance to hurt each other that they haven't had before. First, the breakdown of the state that can come with a conflict destroys social norms and legal restrictions that are in place during times of peace. This makes at least the underlying desire to commit a crime easier to act on. If this is the case, the difference in the size of the state's foundation may help to explain the level of impunity seen for crimes against civilians. Because of this, the breakdown of the state could be a sign of laziness among the combatants.⁴⁸ The strategic use of sexual abuse for political purposes is also a real problem.⁴⁹

The ICC recognizes rape, sexual enslavement, forced prostitution, forced pregnancy, forced sterilization, and other forms of sexual abuse are considered crimes against humanity and war crimes.⁵⁰ The ICC's jurisprudence has been instrumental in tackling GBV, as evidenced in instance like *Prosecutor v. Bemba* and *Prosecutor v. Kunarac*. Historically sexual assault is recognized Courts in ex-Yugoslavia and Rwanda saw it as a war crime, a crime against humanity, and a killing strategy, and this decision created a precedent that was established in *Prosecutor v Kunarac* considering the way sexual assault is used in wartime, the court's judgment has put in place the severe effects as much physically as psychologically of these abuses.⁵¹

In the *Prosecutor v. Bemba* case, ICC also declared that the accused was responsible of crimes against humanity committed by his forces in the Central African Republic.

⁴⁷ Julie Mertus, 'War Crimes Against Women: Prosecution in International War Crimes Tribunals'. By Kelly Dawn Askin. American Journal of International Law 740. <https://doi.org/10.2307/2555278>. accessed 22 March 2024

⁴⁸ Dara K Cohen, 'Explaining Rape during Civil War: Cross-National Evidence (1980–2009)' the American Political Science Review. <https://doi.org/10.1017/s0003055413000221>. accessed 22 March 2024.

⁴⁹ Ibid (n37).

⁵⁰ Ibid (n32).

⁵¹ Ibid.

Notion of command responsibility for military leaders, as stressed by Prosecutor Fatou Bensouda, was a reminder that it's significant of taking required actions for avoiding their troops from committing crimes, failing which their own liability would be incurred.⁵² This case serves as a reminder of the command responsibility concept and the need of military leaders to deter and punish crimes committed by their subordinates, such as sexual assault of women.

Over the course of its history, UNSC has repeatedly denounced the strategical used of sexual in war. It also highlighted the need to demonstrate responsibility and the implementation of effective measures to prevent and respond to such crimes.⁵³ The UNSC has, through resolutions such as 1820 (2008) and 1888 (2009), advocated for comprehensive measures to address sexual assault. These strategies include the deployment of gender advisors as well as the development of monitoring and reporting procedures.⁵⁴

Additionally, lawsuit of sexual assault and gender-based offences involves evidential obstacles, particularly in the setting of armed conflicts, when the recording and preservation of evidence may be impeded. This is especially true in situations where there is a lack of access to the evidence.⁵⁵ Stigma, fear of revenge, and a lack of support services are all factors that might prevent victims of sexual assault from reporting these crimes or engaging in judicial processes. Victims of sexual abuse may also experience stigma against themselves

⁵² Ibid.

⁵³“UNSC Res 1820; “UNSC Res 1888. <http://unscr.com/en/resolutions/doc/1820> accessed 22 March 2024.

⁵⁴ Ibid.

⁵⁵ Kelly D Askin, *War Crimes Against Women: Prosecution in International War Crimes* (Martinus Nijhoff Publishers 1997).

<https://www.cambridge.org/core/journals/american-journal-of-international-law/article/abs/war-crimes-against-women-prosecution-in-international-war-crimes-tribunals-by-kelly-dawn-askin-the-hague-london-boston-martinus-nijhoff-publishers/1997-pp-xviii-455-index-133-84/EA3D3F12E5EF0A836316C52B0E289533>. accessed 25 March 2024.

Protection Of Civilian Women And Female Combatants

During armed wars, the LAOC protects peaceful women and women who are fighting. The 4th Geneva Convention says that women should be treated with respect and that violence or threats against women are illegal.⁵⁶ In the same way, Additional Protocol I protect female fighters and says they must be treated with respect and honour.⁵⁷ The IHL says that attacks on people, including women, without a reason are illegal.

The need for participants to a war to differentiate between fighters and civilians is particularly relevant for the safety of civilian women.⁵⁸ Indiscriminate attacks against civilians, including women, are prohibited under the IHL. However, the application of this principle has been challenging in contemporary conflicts, where the lines between combatants and non-combatant are often unclear and civilian populations, including women, are frequently targeted.

Women combatants in rebel groups have an impact on rape cases in war cases because they can be raped by their male colleagues because their status doesn't changed the fact that they are considered "women" they participate in reducing rape cases among civilian women because their presence in these troops means that in some cases fighting men are deterred from committing acts of sexual violence related to the conflict that groups strictly male.

There are many unfair things that a woman may have to go through during a war that are not necessarily related to violence against women and are not necessarily violations of IHL. Killing a combatant during an armed battle is not in and of itself illegal, and it falls beyond the scope of the definition provided in the DEVAW.

The work of Christine Chinkin and Mary Kaldor's highlights the challenges posed by contemporary conflicts, which often involve non-state actors and target civilian

⁵⁶Ibid (21) art 27.available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/geneva-convention-relative-protection-civilian-persons-time-war> accessed 22 March 2024.

⁵⁷ "Protocol Additional to the GCI art 76(1). available at https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf accessed 22 March 2024.

⁵⁸ Ibid

populations, including women.⁵⁹ They argue that the traditional distinctions between combatants and civilians, as well as the notion of a defined battlefield, are becoming increasingly obsolete in these "new wars." Consequently, civilian women's protection and access to humanitarian assistance and basic services are significantly compromised.

Access To Humanitarian Assistance And Health Care

The GCs and Additional Protocols also address specific women specific needs in evacuation situations and the provision of humanitarian assistance during armed war. Article 17 of the GCIV requires that in order to provide for the wounded, sick, infirm, elderly, children and women in childbirth in besieged or encircled areas, the parties to the conflict will implement local arrangements allowing the entry of medical professionals, medical equipment, and preachers of all faiths into certain regions.⁶⁰ This provision recognizes the heightened vulnerability of certain groups, including maternity cases, and the need for safe evacuation and access to medical care.

The 4th Geneva Convention requires expectant mothers should receive specific protection, respect, and preferential treatment for relief and medical care and facilitates civilian hospitals' operation and maternity cases' safety.⁶¹ However, a report by the International Rescue Committee highlighted the alarming lack of access to comprehensive reproductive healthcare for girls and women in conflict settings, leading to preventable deaths and long-term health consequences.⁶²

Gardam and Jarvis emphasize gender-sensitive approaches integrating women's perspectives and ensuring access to services like reproductive healthcare and

⁵⁹ Christine Chinkin and Mary Kaldor, "*International Law and New Wars*" (2017). Available at [file:///C:/Users/hp/Downloads/Christine%20Chinkin,%20Mary%20Kaldor%20-%20International%20Law%20and%20New%20Wars-Cambridge%20University%20Press%20\(2017\).pdf](file:///C:/Users/hp/Downloads/Christine%20Chinkin,%20Mary%20Kaldor%20-%20International%20Law%20and%20New%20Wars-Cambridge%20University%20Press%20(2017).pdf) accessed 24 March 2024.

⁶⁰ Ibid (n21).

⁶¹ Ibid (n24).

⁶² "International Rescue Committee (IRC), Reproductive Health in Humanitarian Settings" October 10 2016. available at accessed <https://www.rescue.org/sites/default/files/2022-10/SRHR%20Brief%20Final%201.pdf> 24 March 2024.

psychosocial support.⁶³ They argued that failing to address women's special requirement in times of post conflict and conflict periods perpetuates gender inequalities and hinders their full participation in recovery and peacebuilding efforts.

The ICRC's Customary IHL Study identifies rules prohibiting sexual violence, respecting family life, and providing special considerations for women wellness and hygiene needs.⁶⁴ However, the implementation of these rules remains a challenge, particularly in armed confrontations that are not international, where non-state armed organizations may not have a legal obligation to adhere to IHL agreements, or they may lack the capacity or willingness to do so.

UNSC Resolution 1325 urges on women to engage equally in peace efforts, protection from GBV, and incorporating a gender view in peacekeeping and after war reconstruction.⁶⁵ While the resolution has raised awareness of regarding the inequitable impact that armed conflict has on women, a report by NGO working group on WPS notes that its implementation has been uneven and lacks adequate funding and accountability mechanisms.⁶⁶

The supplementary protocol I in its Article 70 establishes the obligation to furnish humanitarian help, including relief shipment, to civilian population in need.⁶⁷ This provision is particularly relevant for women, who often bear a disproportionate burden in ensuring the well-being and survival of their families during armed conflicts.

Daniel Petz and Elizabeth Ferris are two researchers who have looked into the effects of being forced to move on women and girls. They have also looked at the particular

⁶³ Ibid (n7).

⁶⁴ Henckaerts J-M and others, *Customary International Humanitarian Law*. <https://doi.org/10.1017/cbo9780511804700> accessed 24 March 2024.

⁶⁵ Ibid (n28).

⁶⁶ “NGO Working Group on Women, Peace and Security, Mapping Women's Participation in Peace Processes” (2019). <https://www.womenpeacesecurity.org/wp-content/uploads/NGOWG-Mapping-WPS-in-UNSC-2019.pdf> accessed 24 March 2024.

⁶⁷ Ibid (n21).

needs of females residing in camps that house IDPs, such as their ability to access basic services, their safety from GBV, and their chances to have a say in decisions.⁶⁸

A comprehensive plan is needed to deal with the reasons of war, promote the safety of people and medical workers, and make it easier for women in armed situations to get aid without any problems. Also, making sure that women's specific healthcare needs are met relies on how relief reaction actions are planned and carried out, taking their needs and opinions into account.

United Nations Security Council Resolutions

The UNSC played a vital role in acknowledging that girls and women are impacted by armed conflicts differently than males, and in devising strategies to safeguard and empower them. The framework WPS initiative leads to significant choices. This is intended to support women in actively participating in the process of resolving disputes and fostering peace, as well as to assist them in coping with the particular issues that arise during conflicts.

The fundamental principle of the necessary participation of women was recognized in UNSC Res 1325 in 2000⁶⁹. It expands on other efforts that show how violence against women during conflicts is becoming more widely acknowledged. Among these was the 1994 appointment of a special rapporteur on the subject of violence against women, including its effects and causes⁷⁰. The focus is on addressing systemic rape, sexual

⁶⁸ Elizabeth Ferris, "Women, War and Peace: Protecting Women in Situations of Armed Conflict" (United Nations Population Fund 2004); Daniel Petz, "The Protection of Women in Conflict and Post-Conflict Situations' in The Oxford Handbook of Gender and Conflict" (Fionnuala Ní Aoláin et al. eds, Oxford University Press 2018).available at https://assets.ctfassets.net/jzxyrkiixcim/4e1WtHsOdgGmtKDSr8ayJU/9d037368a39edce262ed38adde730889/16_Women_war.pdf accessed 24 March 2024.

⁶⁹Ibid (n28).

⁷⁰ OHCHR, "Special Rapporteur on violence against women and girls, its causes and consequences" available at <https://www.bing.com/ck/a?!&&p=440a78223b652567JmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTUyYmEtMWM0Ni0lZGJIMjEyYjY4ZjcmaW5zaWQ9NTE4Ng&pfn=3&>

slavery, and slavery-like practices in armed conflict, including internal conflict. Additionally, in 2000, the Windhoek Declaration and the Namibia Action Plan were established to address the incorporation of gender views in complicated peacekeeping operations.⁷¹

This resolution also accentuated the importance of safeguarding protect girls and women from sex-based violence, especially rape and other sexual exploitation, during armed conflict scenarios. It encouraged all sides to armed conflicts to respect international law pertaining relatively to the rights and safety of women and girls and to take extraordinary efforts to safeguard them from GBV.

Later resolutions, including Resolution 1820 (2008) and Resolution 1888 (2009), bolstered initiatives to stop sexual assault in conflict areas and fortified accountability measures. UNSC Res 1820 recognized sexual assault as a weapon of war and a matter of global peace and security, calling for the adoption of effective policies to stop and punish these horrible crimes.⁷²

[ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=OHCHR%2c+%e2%80%9cSpecial+Rapporteur+on+violence+against+women+and+girls%2c+its+causes+and+consequences&u=a1aHR0cHM6Ly93d3cuZmlsZXMuZXRoei5jaC9pc24vMTY3MDM5L0FDQ09SRC1Db25mbGljdC1UcmVuZHMtMjAxMy0yLnBkZiM6fjp0ZXh0PVPdpdGglMjB0aGUIMjBlbWVvY2Z2UyY2UIMjBvZiUyMHRoZSUyMFdpbmRob2VrJTlWbG9jYVjbGFyYXRpb24IMjBhbmQsb2YlMjB3b21lbiUyMGFuZCUyMG1lbiUyMGluJTlwdGhJTlIwG9jYVwIMjBwb3B1bGF0aW9uLg&ntb=1](https://www.bing.com/ck/a?!&p=5832400c30027deeJmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWw4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjEyY4ZjcmaW5zaWQ9NTQ1NA&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=the+Windhoek+Declaration+and+the+Namibia+Action+Plan+on+Gender+Mainstreaming+in+Multidimensional+Peacekeeping+Operations&u=a1aHR0cHM6Ly93d3cuZmlsZXMuZXRoei5jaC9pc24vMTY3MDM5L0FDQ09SRC1Db25mbGljdC1UcmVuZHMtMjAxMy0yLnBkZiM6fjp0ZXh0PVPdpdGglMjB0aGUIMjBlbWVvY2Z2UyY2UIMjBvZiUyMHRoZSUyMFdpbmRob2VrJTlWbG9jYVjbGFyYXRpb24IMjBhbmQsb2YlMjB3b21lbiUyMGFuZCUyMG1lbiUyMGluJTlwdGhJTlIwG9jYVwIMjBwb3B1bGF0aW9uLg&ntb=1) accessed 31 March 2024.

⁷¹ “The Windhoek Declaration and the Namibia Action Plan on Gender Mainstreaming in Multidimensional Peacekeeping Operations”. Available at <https://www.bing.com/ck/a?!&p=5832400c30027deeJmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWw4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjEyY4ZjcmaW5zaWQ9NTQ1NA&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=the+Windhoek+Declaration+and+the+Namibia+Action+Plan+on+Gender+Mainstreaming+in+Multidimensional+Peacekeeping+Operations&u=a1aHR0cHM6Ly93d3cuZmlsZXMuZXRoei5jaC9pc24vMTY3MDM5L0FDQ09SRC1Db25mbGljdC1UcmVuZHMtMjAxMy0yLnBkZiM6fjp0ZXh0PVPdpdGglMjB0aGUIMjBlbWVvY2Z2UyY2UIMjBvZiUyMHRoZSUyMFdpbmRob2VrJTlWbG9jYVjbGFyYXRpb24IMjBhbmQsb2YlMjB3b21lbiUyMGFuZCUyMG1lbiUyMGluJTlwdGhJTlIwG9jYVwIMjBwb3B1bGF0aW9uLg&ntb=1> accessed 31 March 2024.

⁷² “United Nation Security Council Resolution 1820” (19 June 2008) UN Doc S/RES/1820, paras 1-3. Available at <http://unscr.com/files/2008/01820.pdf> accessed March 31 2024.

This shows how capital it is to set up trustworthy monitoring and reporting mechanisms as well as gathering systematic data on prevalence and patterns of sexual abuse in armed situations. UNSC Res 1888 set up institutions like the OSRSG-SVC Conflict is supposed to use to send expert teams into areas of armed conflict to fight sexual violence-related instability and support the prerogative of law.⁷³

The WPS Program's and this resolution help, people have learned more about what girls and women need and face while living in dangerous situations. The ideas behind these topics have also helped create rules and norms that protect women's and girls' rights during wars and let women take an active role in supporting peace. That being said, it will be hard to put these ideas into action and make sure they are followed.

⁷³ “United Nation Security Council Resolution 1888” (30 September 2009) UN Doc S/RES/1888, paras 4-7. available at <http://unscr.com/files/2009/01888.pdf> accessed March 31 2024.

CHAPTER III

ANALYSING ENFORCEMENT MECHANISM OF LAW OF ARMED CONFLICT FOR THE PROTECTION OF WOMEN

Laws that protect women specifically during times of military war have changed a lot over the years, yet we are witnessing derisory protection of women independently of these legal instruments in view of the gaps in the mechanisms for their implementation. In this section, we will list enforcement mechanisms and examine some of the significant gaps in the application of IHL safeguards for women, focusing on the absence of investigation and prosecution of GBV, women aren't involved enough in making decisions, and their needs aren't given enough attention during recovery from conflict.

Research Methodology

This study employs a qualitative research methodology to examine the legal frameworks and enforcement mechanisms for protecting women and girls in armed conflicts. The approach combines doctrinal legal research, comparative analysis, and case studies. Primary legal sources, including international treaties, conventions, and UN Security Council resolutions, are critically analyzed to establish the current state of international law on the subject. This is complemented by a thorough review of secondary sources, including academic literature, policy papers, and reports from international organizations. The study incorporates two in-depth case studies focusing on the Ukraine/Russia and Palestine/Israel conflicts, utilizing document analysis of reports from UN bodies, NGOs, and government sources, as well as relevant judicial decisions and media reports. To gain insights into practical challenges and on-the-ground realities, semi-structured interviews are conducted with a select group of legal experts, humanitarian workers, and women's rights advocates. This qualitative approach allows for a nuanced understanding of the complex interplay between legal norms, enforcement mechanisms, and the lived experiences of women and girls in conflict situations.

Enforcement Mechanisms At National Level

Enforcing these provisions of IHL is a complicated and multifaceted matter that encompasses both domestic and international processes. Nationally, governments bear the main duty to guarantee adherence to IHL and to examine and address breaches. This principle is referred to as individual criminal responsibility, as outlined in Article 86 of Protocol I.⁷⁴

Certain states have converged in using legal immunity for their conduct overseas which have become contentious if the criminals are part the nobles or the ruling class. A situation when crime against women is going unanswered or it will create atmosphere where women will be treated as less valuable than males.⁷⁵ There can be instances where other countries do not have the financial resources, specialists, or determination to extensively carry out the investigations and bring culprits to justice. Because of this, the fact that no one has been held responsible for these crimes is likely to come up top. Countries should implement legal measures to criminalize severe breaches of the GCs and Additional Protocols. This process requires enacting national laws and establishing appropriate judicial systems to prosecute individuals responsible for such violations. Taking these crucial steps ensures that women who endured atrocities during armed conflicts have the opportunity to seek justice and hold perpetrators accountable for their actions. Women who suffered immense trauma and unimaginable horrors amidst the chaos of war deserve access to legal recourse.

Enforcement Mechanisms At International Level

IHL does not only cease at the stage of developing state-level policy but also this law comes with many international mechanisms that are all important in protection of women rights. The charge of affairs related to individuals solely are narrowed to the establishment of the ICC which operates in compliance with the 2002 Rome Statute for the purpose of investigating and prosecuting genocide, crimes against humanity, and

⁷⁴Ibid (n37).

⁷⁵ Diane Orentlicher, "Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime" (1991) 100(8) Yale Law Journal 2537, 2540-2541. https://openyls.law.yale.edu/bitstream/handle/20.500.13051/8638/94_100YaleLJ2537_June1991_.pdf?sequence=2&isAllowed=y accessed April 8 2024

war crimes.⁷⁶ The court system is a great contributor by providing the solution for sex and GBV against women.

ICC has demonstrated excellent functionality in the previous cases such as prosecuting scattered GBV during armed conflicts. The case of Bosco Ntaganda convicted for wartime rape and offence against humanity by ICC in 2019 signifies the unstoppable drive by the court for the provision of justice and protection for the victims of sexual crimes based on gender.⁷⁷ Such initiative is not just crucial for the survivors' struggle but also has significance with any other women who may have undergone the skirmishes of the wartime.

Other important measures of the international law enforcement techniques include signing up with the involved Protecting Powers and ICRC. As per the Geneva Conventions, noncombatant states nominated as Protective Power is a main responsibility of theirs during war time to handle combatants accountability to IHL and act as an insurer of women, in case of humanitarian crises.⁷⁸ ICRC has a major duty as the protector of the GCs in advocating adherence to IHL rules, delivering humanitarian aid, and examining reported breaches.

The unique skills that the ICRC brings forward for women facing increased dangers during armed conflicts is one such example of efforts they undertake. The ICRC has been able to tailor-make its own initiatives and contents to include women as participants of peace processes by addressing their individual medical, mental and social needs as well as giving those women troubled with the trauma the necessary support and facilities needed for their rehabilitation and recovery. This all-encompassing model for protecting aid shows clearly the undelaying zeal of the ICRC in their endeavour to keep IHL precepts intact.

⁷⁶Ibid (n32).

⁷⁷ ICC, "Situation in the Democratic Republic of the Congo, The Prosecutor v. Bosco Ntaganda" (2019) ICC-01/04-02/06.available at <https://www.icc-cpi.int/sites/default/files/CaseInformationSheets/NtagandaEng.pdf> accessed April 8 2024.

⁷⁸ Ibid (n21) art 9,10,11.

Shortcomings In The Enforcement Of IHL's Protections For Women

Lack Of Investigation And Prosecution Of Gender Based Crimes

There is a significant deficiency in the implementation of international humanitarian law regarding the thorough investigation and prosecution of gendered offenses occurring during armed conflicts, particularly in protecting women's rights. Despite the explicit prohibition under IHL of actions such as rape, sexual slavery, forced pregnancy, and various forms of sexual assault,⁷⁹ these appalling crimes have continued to be prevalent and often go without appropriate consequences.

This lack of success is largely attributed to the absence of investigative and prosecutorial systems that take into account gender considerations within the structures for enforcing international humanitarian law. According to Prosecutor Fatou Bensouda of the ICC, "The investigation and prosecution of sexual and gender-based crimes necessitate distinctive approaches and skills that may not consistently be accessible."⁸⁰ Investigators and prosecutors often lack the essential skills, support, and resources required to gather evidence and construct cases related to these kinds of offenses. This can be especially difficult due to the sensitive, stigmatized, and unreported aspects of many gender-based crimes.

The case of the International Criminal Tribunal for the former Yugoslavia serves as an example. Even though it had a specific mandate to address sexual violence crimes, only a small number of its legal actions actually included charges related to such offenses.⁸¹ According to one scholar, this was mainly because "the Tribunal failed to give priority and allocate resources for investigating and prosecuting sexual violence crimes."⁸²

⁷⁹Ibid (n24).

⁸⁰"Accountability for sexual and gender-based crimes at the ICC: An analysis of Prosecutor Bensouda's legacy" (2021, June 18). available at <https://www.fidh.org/IMG/pdf/cpiproc772ang-1.pdf> accessed April 9 2024.

⁸¹ *Prosecutor v Tadić* (Judgment) IT-94-1-A (15 July 1999) para 69. available at <https://www.eccc.gov.kh/en/document/court/jurisprudence/15344> accessed April 9 2024.

⁸²Catharine A MacKinnon, "Rape, Genocide, and Women's Human Rights" (1994) 17(5) *Harvard Women's Law Journal* 5, 10. available at

Unfortunately, similar patterns have been noted in other international criminal tribunals and courts responsible for upholding IHL, such as the International Criminal Tribunal for Rwanda and various special courts established after conflicts in Sierra Leone, Cambodia, Colombia, Nepal, Lebanon, Afghanistan among others.⁸³

This great enforcement deficit has made a huge damage for women. Gender related crimes in the armed conflict are an unavoidable source of emotional trauma on the side of victims, and peace building in general is more difficult in the post conflict era.⁸⁴ However, IHL existence is incomplete without addressing these forgotten crimes, and they should be incorporated into its enforcement mechanisms to uphold women's dignity and justice.

The Under Representation Of Women In International Humanitarian Law Decision Making.

One of the major gaps impeding compliance with the provisions of IHL that are concerned with the safeguarding of women is the continuous disparities in the distribution of women into leadership positions and amongst other centers that deal with IHL implementation. However, these national forces involved in IHL compliance as well as domestic and foreign authorities responsible for investigating and prosecuting IHL violations and conducting international tribunals all experience underrepresentation.⁸⁵

[file:///C:/Users/hp/Downloads/\(The%20International%20Library%20of%20Essays%20on%20Rights%20Mark%20Lattimer%20\(editor\)%20-%20Genocide%20and%20Human%20Rights-Routledge%20\(2017\).pdf](file:///C:/Users/hp/Downloads/(The%20International%20Library%20of%20Essays%20on%20Rights%20Mark%20Lattimer%20(editor)%20-%20Genocide%20and%20Human%20Rights-Routledge%20(2017).pdf) accessed April 11 2024.

⁸³ Kelly D Askin, "Prosecuting Wartime Rape and Other Gender- Related Crimes under International Law: Extraordinary Advances, Enduring Obstacles" (2003) 21 Berkley Journal of International Law. <http://scholarship.law.berkeley.edu/bjil/vol21/iss2/4/> accessed April 11 2024.

⁸⁴ UN Conflict-related sexual violence: Report of the Secretary-General. <https://reliefweb.int/report/world/conflict-related-sexual-violence-report-secretary-general-s2022272-enarruzh> accessed April 11 2024.

⁸⁵ Hilary Charlesworth, "Feminist Methods in International Law" (1999) 93(2) American Journal of International Law 379, 380-81. available at [file:///C:/Users/hp/Downloads/Hilary%20Charlesworth%20\(1999\).%20Feminist%20Methods%20in%2](file:///C:/Users/hp/Downloads/Hilary%20Charlesworth%20(1999).%20Feminist%20Methods%20in%2)

The weighty gender inequality regarding that of women being significant marginalized in that area historically has had a damaging effect on the endeavours to safeguard the rights of women when there is armed conflict. In the first place, due to setting women apart from the top positions in critical decisions making, their exclusive female viewpoints, their specific experiences in life, and their knowledge about IHL implementation are often induced from the process. Hilary Charlesworth, scholar, who had stated, "Women's absence from the structures and processes through which the international law is promulgated and enforced means that the gendered impact of international law is not correctly considered."⁸⁶ This can lead to inadequate IHL enforcement as it will possibly fail to fully address the specific predicament as well as the demands of women during armed conflicts while in the absence of overall development.

The inadequate representation of women in peacekeeping operations around the globe further the constrained stereotypes and power disparities, which are against the principles of gender equality entrenched in international human rights law. The involvement of women alongside men and the emphasis given to women's full participation by the UN Security Council on the issues related to peace and security has been identified as crucial goals for sustaining and advancing global peace.⁸⁷

Notably, this inequality features a worrying message that women perspectives and opinions are ignored and undervalued within this critical area of international law. Among the efforts made has been the embrace of Security Council Resolution 1325 on Women, Peace and Security which seeks to address this imbalance.⁸⁸ Subsequently, thorough measures should be put in place to warrant equal female participation across the key structures involved in enforcing IHL. These changes will further narrow the gap between best-practice approaches in IHL enforcement and how women are treated in wartime.

[0International%20Law.%20The%20American%20Journal%20of%20International%20Law.pdf](#)

accessed April 11 2024.

⁸⁶ Ibid

⁸⁷ Ibid (n28).

⁸⁸ Ibid.

The Failure To Prioritize Women's Need In Post Conflict Recovery

One significant issue, in enforcing the protection of women under International Humanitarian Law (IHL) is the lack of focus on addressing women's needs and vulnerabilities during post conflict recovery and peacebuilding endeavours, but how can we prioritize the need of women when they are not part of the process. Women are still not part of the mainstream. Although women are involved in 80% of peace processes led or mediated by the United Nations, their actual participation is only about 16% of all negotiators, and has fallen for two years in a row. Women are almost completely excluded from many peace processes and other political discussions on the Security Council agenda, including in Ethiopia, Kosovo (under UNSCR 1244), Sudan, Myanmar and Libya.⁸⁹

While IHL includes measures to safeguard women rights in times of conflict such as ensuring protections for pregnant women and mothers with young children these provisions are often overlooked or not fully implemented in the chaotic aftermath of war.⁹⁰ This oversight poses a challenge, to reconstruction and reconciliation processes intensifying rifts within communities already strained by conflict.

Efforts to rebuild and recover after wars usually focus on fixing buildings creating environments and setting up laws. Often the unique struggles faced by women in the aftermath of conflicts are not given attention.⁹¹ Issues, like violence based on gender disruptions to women jobs and access to services, breakdowns in family and community support networks and the lack of involvement of women, in economic decisions are frequently overlooked in post war scenarios.

The lack of attention, to this issue is especially troubling considering the impact women typically have in supporting communities and leading recovery initiatives following conflicts. As acknowledged by the UN "The involvement of women is essential for

⁸⁹ Ibid (n77).

⁹⁰ Ibid (n24).

⁹¹ Ibid (n7)

ensuring effective and inclusive peace negotiations and reconciliation."⁹² By neglecting to give importance to the requirements and involvement of women in rebuilding, after conflicts the implementation of International Humanitarian Law ultimately fails to protect the rights and respect the dignity of women while reducing the enduring harm caused by conflicts.

The aftermath of the genocide, in 1994 highlighted an issue regarding the neglect of women's needs. Despite the violence and gender related crimes that occurred during the chaos the post genocide rebuilding and reconciliation efforts largely failed to address the specific challenges faced by female survivors. Researchers noted that this oversight exacerbated the economic and political marginalization of women neglecting their needs in the aftermath.⁹³ The consequences of this disregard have had a lasting impact, on Rwanda's recovery process continue to affect society long after the events unfolded.

To truly protect women in times of war using International Humanitarian Law it's essential to take a gender aware approach. This method should focus on addressing women's needs and empowering their voices not during conflicts but, in the crucial period after, when rebuilding and promoting peace. Anything less than this strategy indicates a gap in international laws dedication, to preserving human dignity.

As much as people want to fix the problems caused by conflicts over human rights, especially the ones that affect women, they can only do so in a global and long-lasting way if women are directly involved in the processes and systems that are set up. Even

⁹² United Nations, "Women's Participation in Peacebuilding" (7 September 2010)? <https://www.unwomen.org/en/docs/2010/9/women-in-peacebuilding-report-2010> accessed April 12 2024.

⁹³ Doris E Buss, "Rethinking Rape as a Weapon of War" (2009) 17(2) Feminist Legal Studies 145, 158. Available at <https://deliverypdf.ssrn.com/delivery.php?ID=053002104002072112007003031091093125051050049050065025125085064031073105010005081110057117049061018023008101019084004008013102016012037013093006118101071101102080123051041095088070111110126126100024114115113000117116096074118010006101001079096126029111&EXT=pdf&INDEX=TR> accessed April 2024.

though it's clear that international organizations are trying to make sure that their work takes gender issues into account, women's specific needs have been ignored too often in demilitarization, reintegration, repatriation, peace processes, efforts to keep the peace, strategies to end impunity and prevent conflicts, and reconstruction programs. Still, women must be involved in planning and carrying out these processes in order for everyone's human rights to be respected, including women's.

In addition, the link between women's participation in conflict resolution activities and their wider participation in society should be recognised. “If women are not involved in decision-making in society, they are unlikely to be invited to participate in conflict decisions or a subsequent peace process”. Amnesty International believes that the international community, the United Nations and all states must ensure the full participation of women in peace processes and negotiations for the restoration of their country and their future cause their voices matter too.

CHAPTER IV

CASE STUDIES -VIOLATIONS AGAINST WOMEN IN ARMED CONFLICT SITUATION OF UKRAINE/RUSSIA AND PALESTINE/ISRAEL WAR

The protection of women's rights during armed conflicts has been a longstanding concern in international law and policy. Two prominent cases that have garnered significant attention in recent years are the ongoing conflicts in Ukraine/Russia and Palestine/Israel. This report will provide a comprehensive examination of the threats facing women in these two conflict zones, as well as an assessment of the implementation of United Nations Security Council Resolution 1325 on Women, Peace and Security.

Threats Pertaining to Women in the Ukraine Conflict

One year after the Russian invasion of Ukraine, the United Nations Population Fund (UNFPA) continues to warn of the devastating effects that war continues to have on women and girls. Nearly a third of the Ukrainian population, around 14 million people, have been forced to flee their homes, the majority of them women and children. The war and population movements have made women more vulnerable to violence, particularly during the occupation of certain regions by the Russian army.

The Extent and Severity of Sexual Violence Inflicted by Russian Troops

The armed conflict in Ukraine, which began with the Russian invasion in February 2022, has been marked by widespread and systematic reports of sexual violence against women. According to the United Nations Office of the High Commissioner for Human Rights, as of June 2023, there have been over 1,500 documented cases of sexual violence committed by Russian forces in Ukraine.⁹⁴ The actual number of incidents is likely much higher given that many cases go unreported due to the stigma and trauma experienced by survivors. Additionally, underreporting may be influenced by fear or

⁹⁴ “United Nations OHCHR, Report on the Human Rights Situation in Ukraine: 16 February 2022” - 15 June 2023’ (2023).available at <https://www.ohchr.org/en/documents/country-reports/report-human-rights-situation-ukraine-1-august-2022-31-january-2023> accessed 28 April 2024.

lack of trust in authorities leading to a significant gap between documented and actual occurrences.

The examination of occupation policies concerning different military conflicts, such as the Second World War, reveals specific stages in this policy. The initial stage is marked by the acknowledgment of sexual violence against civilian populations by the occupation administration, while the second stage involves the authorization and utilization of these acts as weapons.⁹⁵

Despite legal measures like the Geneva Convention on protecting civilian rights during wartime and subsequent Protocols, which aim to safeguard women from violence and prohibit sexual acts and prostitution, Ukrainian civilians in temporarily occupied territories are not shielded from various forms of violence inflicted by Russian troops. In April 2022 alone, there were a significant number of reports to the Ukrainian Parliament's Commission on Human Rights regarding incidents of violence experienced by individuals at the hands of representatives from army unit 79th including cases involving sexual violence This research seeks to document these crimes for a thorough investigation and collection of empirical data.⁹⁶

Attending the "United for justice " conference in March 2023, O. Zelenska, the president of the Ukrainian police, declared that since the start of the Russian-Ukrainian conflict, the police had opened 64145 criminal cases by the end of February of the same year. The Bureau of Procureur General of Ukraine declared that it has information on 171 cases of sexual assault against women, men, and children in Ukraine (the victims included 39 men and 13 women). These statistics from the Bureau of the Procureur General's investigations show that sexual assaults against women are mostly related to gender inequality (Zelenska, 2023).

⁹⁵ Viktoriia Omelchenko, "Gender-Based Sexual Violence during Wars: The Ukrainian Experience" (2023) Reasearch Gate.

<https://doi.org/10.23939/sosrsw2023.077> accessed 28 March 2024

⁹⁶ Ibid.

The forms of sexual violence documented include rape, gang rape, sexual slavery, forced nudity and other forms.⁹⁷ In many instances, the attacks have been particularly brutal and horrifyingly violent with reports of women being tortured, mutilated, and even killed after being sexually assaulted.⁹⁸ The perpetrators have included not only Russian soldiers but also mercenaries and other armed groups associated with the Russian military as well as individuals not directly affiliated with any formal military entity.⁹⁹

Rape culture always blames women, this behaviour is leading to excessive stigmatization and support for rape. This stigmatization is accentuated by existing practices that blame victims and justify perpetrators. The recent history of Ukraine, particularly the Russo-Ukrainian War, provides valuable empirical data for studying gender-based sexual violence during war. Only after Ukrainian territory is liberated, we will be able to determine the scale of sexual crimes committed by Russian forces, their objectives, manifestations, impact on victims' health, and the consequences of social violence.¹⁰⁰

The impact of these atrocities on the affected women and their communities has been devastating. The survivors face a lot of physical and psychological trauma, as well as social judgment and exclusion. Access to essential support services, such as medical care and psychosocial counselling, has been limited in areas under Russian occupation. Additionally, economic opportunities for women have decreased significantly due to the conflict's disruption of livelihoods.¹⁰¹

⁹⁷ Amnesty International, "Rapport: Crimes Against Humanity in Ukraine" (2023). <https://www.amnesty.org/en/location/europe-and-central-asia/eastern-europe-and-central-asia/ukraine/> accessed 28 April 2024.

⁹⁸ World Report 2023: "Ukraine ,Human Rights Watch". Available at <https://www.hrw.org/world-report/2023/country-chapters/ukraine> accessed 28 April 2024.

⁹⁹ Ibid.

¹⁰⁰ Ibid. (n70).

¹⁰¹ Ibid.

Limited Mobility and Access to Services for Pregnant Women

During wartime, women who have been forced to leave their homes are at a very high risk of dying during childbirth. It is harder for people to get to health care during a crisis. This makes it more likely that a baby will die at birth from a sickness or from smothering.¹⁰²

Because of the war in Ukraine, it's hard for pregnant women to get the medical care they need and stay healthy. Lots of people having to be moved, damage to hospitals, and breaks in supply lines have all made things harder for this weak group.

Women who are pregnant also have even more problems because they don't have enough money and can't get enough good food.¹⁰³

As a result of circumstances such as war or environmental catastrophes, numerous pregnant women have been forced to leave their homes. Consequently, they often embark on perilous journeys in search of safer areas or migrate across international borders as refugees. In some cases, women have had no choice but to give birth in makeshift shelters or on the side of the road because there were no trained medical professionals around.¹⁰⁴

In fact, it is important to admit that the worsening situation is partly due to Russian forces targeting more and more healthcare facilities.¹⁰⁵ There have been reports of maternity wards and hospitals being damaged or destroyed, which has prevented many

¹⁰² Rodríguez-Llanes, José, et al. "Maternal and Child Health of Internally Displaced Persons in Ukraine: A Qualitative Analysis". Universidad De Oviedo, 26 Aug. 2016, available at accessed 5 May 2024. hdl.handle.net/10651/39105.

¹⁰³ United Nations Population Fund (UNFPA), "PROTECTING THE HEALTH, RIGHTS, AND DIGNITY OF GIRLS AND WOMEN IN UKRAINE" (2022). Available at <https://unfoundation.org/blog/post/protecting-the-health-rights-and-dignity-of-girls-women-in-ukraine/> accessed 30 April 2024.

¹⁰⁴ Ibid.

¹⁰⁵ Médecins Sans Frontières (MSF), "Occupation and destruction of medical structures severely impede access to healthcare" (2023).available at <https://www.msf.org/ukraine-destruction-medical-structures-massive-scale-severe-impediments-healthcare-under-occupation> accessed 01 May 2024.

pregnant women from getting emergency obstetric care and other important services.¹⁰⁶ Because of the conflict, safe and reliable transportation has been hard to come by, making things even worse for these women.

In addition to the physical effects, these disruptions have had big effects on people's minds as well. Women who are pregnant say they are feeling more stressed, anxious, and unsure about their own health and the health of their unborn children. Studies show that these factors can have deleterious consequences on fetal health and development, potentially leading to higher rates of preterm births, low birth weights, and other complications.

Psychological Trauma and Economic Insecurity

War and military conflicts have a considerable detrimental influence on public life, particularly on the mental health of afflicted people. Stress, despair, and anxiety that accompany these traumatic occurrences can have serious consequences for society's physical health, internal connections, and daily existence. War has a profound impact on the development and spread of mental health problems, including post-traumatic stress disorder, depression, and anxiety. The majority of research focuses on the psychosocial and mental health of afflicted populations throughout the postwar period. Despite the ubiquity of current military conflicts across the world, we still don't fully grasp their consequences on mental health, particularly anxiety and stress. Few studies have looked explicitly at the link between active military conflicts and anxiety and stress levels.¹⁰⁷

The armed conflict in Ukraine has had a profound impact on the psychological well-being and economic security of women. The constant threat of violence, the loss of loved ones, and the upheaval of daily life have taken a heavy toll on the mental health of many Ukrainian women.

¹⁰⁶ Ibid

¹⁰⁷ Kurapov, A., Danyliuk, I., Loboda, A., Kalaitzaki, A., Kowatsch, T., Klimash, T., & Predko, V. (2023). "Six months into the war: a first-wave study of stress, anxiety, and depression among in Ukraine". *Frontiers in Psychiatry*, 14. <https://doi.org/10.3389/fpsy.2023.1190465>.

Numerous studies have documented the high prevalence of post-traumatic stress disorder (PTSD), depression, and anxiety among women affected by the conflict. The trauma is exacerbated by the limited availability of mental health support services, particularly in areas under Russian occupation or in regions with large numbers of internally displaced persons (IDPs). Many women have struggled to cope with the emotional and psychological consequences of the conflict, further hindering their ability to rebuild their lives and communities.¹⁰⁸

Even if the mothers who have moved do not realize that the war and relocation have had a significant impact on their physical health and that of their children, we do know that their mental health has significantly improved and their stress level has decreased. He appears to acknowledge that he suffers from issues such as depression, anxiety, and persistent fear. The mothers who have been relocated have been well informed of the evacuation procedures, and there has been no negative influence on their ability to evacuate due to the war or the reinstallation.¹⁰⁹

In addition to the psychological impact, the conflict has also led to a significant deterioration of the economic circumstances of many Ukrainian women. “Tamara*, a woman living in the conflict zone in the Donetsk region, told Amnesty International that the invasion affects her both as a mother and as a daughter since she looks after her parents. « Everything got worse. The men (of the family) are in the war, leaving the women alone, often with young children to care for and little income. There is no help neither physical nor financial.”¹¹⁰

The destruction of homes, businesses, and infrastructure has resulted in widespread job losses and financial insecurity, particularly for female-headed households. This, in turn, has increased the risk of exploitation, such as human trafficking and forced labor, as women and their families struggle to meet their basic needs.

¹⁰⁸ Ibid. (n95)

¹⁰⁹ Ibid.

¹¹⁰ Ibid (n90).

The combination of psychological trauma and economic instability has created a vicious cycle, further exacerbating the vulnerabilities of women in the Ukraine conflict. Addressing these multifaceted challenges will be crucial for promoting the long-term well-being and resilience of the affected population.

Women's Rights Violations Linked to the Israel-Palestine Conflict

Israeli occupation-related violence, oppression, and discrimination against Palestinian women persist within their own communities. Both males and Israelis may dodge inspection and punishment, making it difficult for the Palestinian women's movement. In occupied territories, laws typically discriminate against women and do not give enough protection. Traditional patriarchy and the Palestinian Authority's limited authority hinder reform initiatives. Human rights violations and brutality perpetrated by Israeli soldiers and settlements also impact Palestinian women. For the women's movement and the Palestinian state to make significant development, the occupation must end.

Movement Restrictions and Reduced Access to Healthcare in Palestine

Getting medical care is a basic right that everyone in the world should have access to. Currently, the Palestinian Authority is facing some problems that make it hard for their healthcare system to stay stable. The Separation Wall around Jerusalem, the blockade of the Gaza Strip, and Israeli towns in controlled areas all make it harder for people to get medical care. Palestinians need Israeli officials' approval for permits, which is procedural and also long, it can take from 7 to 10 days, based on the situation and the hospital's appointment schedule. Getting around in an ambulance and helping patients move around can be even more difficult. These rules create a more difficult situation and anxiety-provoking and lead to mental health problems.¹¹¹

Palestinian women have been seriously affected by what is going on between Israel and their country. Their rights and well-being have been affected more than men's. One of

¹¹¹ Hannah, Salwa Duaibis, and Soraida Hussein. "Palestinian Women: Caught in the Cross Fire Between Occupation and Patriarchy". *Feminist Formations* 22, no. 3 (2010): 124-145. Available at <https://doi.org/10.1353/ff.2010.0018>.

the main worries is that the Israeli government puts strict limits on people's freedom to move around. These limits have made it much harder for people to get to important services like healthcare.¹¹²

Between the checkpoints, roadblocks, and separation barrier that Israel has built, it is getting harder and harder for Palestinian women to get to hospitals, clinics, and other medical facilities. This is very true in the Gaza Strip and the West Bank.¹¹³ It's a big problem for pregnant women because they might have trouble getting licenses to get prenatal care or get to the hospital to give birth. The ongoing limits on movement have a huge effect on the mental health of Palestinian women, making them feel afraid and unsure all the time.

Due to the large number of people moving and the inconsistent phone and internet connections, the United Nations and other humanitarian organizations have faced challenges in getting reliable information about gender-based violence (GBV).¹¹⁴ On the other hand, it is widely acknowledged that during times of war, incidents of sexual assault and gender violence tend to increase, and Gaza will unfortunately not be an exception to this. People who have gone through sexual assault require medical care and medicine to prevent sexually transmitted infections such as HIV and to reduce the risk transmission, it is important that people have access to necessary medical supplies such as contraceptives and emergency therapies. In addition to sexual and reproductive health care, it is very important to give a wider range of services. It is also important to help with their mental health. Meeting these requests might be hard for Gaza right now because they are busy helping a lot of people who have been hurt.¹¹⁵

¹¹² World report 2018, "Israel and Palestine Human Rights Watch". Available at <https://www.hrw.org/world-report/2018/country-chapters/israel-and-palestine> accessed 8 May 2024.

¹¹³ Ibid.

¹¹⁴ UNRWA , "Rapid gender analysis: gendered impacts of the October 2023 escalation in Gaza" available at https://www.unrwa.org/sites/default/files/content/resources/rapid_gender_analysis_23_october_2023_updated.pdf accessed 8 April 2024.

¹¹⁵ Ibid.

Unfortunately, there aren't enough hospital supplies, tools, or staff in the Gaza Strip because of the continued lockdown.¹¹⁶ Many Palestinian women in Gaza have had to refuse or put off medical care they needed because of this, which puts their health and lives at risk.¹¹⁷

Lack of access to specialized medical services, like improved maternity care or cancer treatment, has made it very hard for people with long-term or high-risk health problems. The lack of access to specialized medical services, such as cancer treatment or advanced maternity care, has had a severe impact on those with chronic or high-risk medical problems. Palestinian women's mental well-being has been profoundly impacted by their subjugation and the perpetual spectre of violence, in addition to the physical challenges they encounter. In addition to the psychological impact of the conflict, the limited accessibility of mental health treatment has contributed to an increased prevalence of depression, anxiety, and other mental disorders among this population especially women.¹¹⁸

Reports of Abuse of Palestinian Women in Israeli Detention

Palestinian women detained by Israel have been denied the right to travel and access health care, but they have also been abused and mistreated. Human rights groups have uncovered documented cases of Israeli security forces abusing Palestinian women, including minors, sexually, psychologically and physically.¹¹⁹

¹¹⁶ Oxfam, “The devastating brunt of conflict on Gaza’s women and girls” (2023), available at <https://www.oxfam.ca/story/the-devastating-brunt-of-conflict-on-gaza-women-and-girls> accessed 8 May 2024.

¹¹⁷ Ibid.

¹¹⁸ “Gender Alert: The Gendered Impact of the Crisis in Gaza” (UN Women – Headquarters, April 16, 2024). Available at <https://www.unwomen.org/en/digital-library/publications/2024/01/gender-alert-the-gendered-impact-of-the-crisis-in-gaza#:~:text=Since%207%20October%202023%2C%20more%20than%2024%2C620%20Palestinians,to%20be%20nearly%201%20million%20women%20and%20girls> accessed 9 May 2024.

¹¹⁹ “117 Palestinian Women and Child Detainees Released so Far in Prisoner Exchange as Addameer Reiterates the Call for the Protection and Release of Palestinian Prisoners” (Addameer). Available at <https://www.addameer.org/news/5234> accessed 9 May 2024.

The Israeli occupation government has committed several abuses against Palestinian women, including arrests, prison sentences and arbitrary detentions. In addition, Palestinian women have suffered forced marriages and sexual assault in addition to these other forms of abuse. To undermine Palestinian resistance and dismantle the social networks that held people together, Israel jailed women.

In a gesture of goodwill, Israeli officials released 117 Palestinian women and children between November 24 and 26, 2023, as part of a prisoner exchange. A 58-year-old woman, has been held without being charged or put on trial, making her the oldest detainee. 259 Palestinian political prisoners are set to be released. Out of the total number, 33 are women, because they use to face arbitrary detention.¹²⁰

The abuse has reportedly occurred during arrest, interrogation, and detention, with women being subjected to practices such as beatings, verbal and emotional humiliation, strip searches, and invasive body searches. In some cases, Palestinian women have also reported being denied access to essential medical care and basic necessities while in detention.¹²¹ When they are not in jail, just going to visit a member of their family who is in jail can expose them to gender based violence on this type of behaviour, such as unwanted touching, being forced to stay naked, and unnecessary body blows. This treatment violates international laws and standards governing the treatment of prisoners and detainees.

These abuses have a serious impact on the physical and mental health of affected women, resulting in long-term trauma and in some cases, The lack of accountability and normalization of these practices within the Israeli justice system has increased the vulnerability of Palestinian women and contributed to the perpetuation of a culture of impunity.¹²² Many women have been reluctant to report these incidents due to fear of reprisal and lack of trust in the system.

¹²⁰ Ibid (n95).

¹²¹ Ibid (n95).

¹²² Ibid.

Impact of the Gaza Blockade on Women and Girls

Since Israel in complicity with Egypt implemented the blockade of the Gaza Strip the living conditions of Palestinians are unbearable, especially women and girls. This weak group has been hit harder than others by the blockade's severe economic problems and restrictions on the movement of people and goods. One of the main worries is how it will affect people's ability to get the medical care they need, especially women and girls.¹²³

Because of the blockade, there aren't enough medical experts, supplies, and tools. This makes it harder for women to get treatment for long-term illnesses, use reproductive health services, and get the right pregnancy care. Because of this, the death and illness rates for mothers in Gaza have gone up.¹²⁴ People with high-risk births or other serious health problems have been hurt the most by the lack of expert care, such as improved maternity services or cancer treatment.

As a result of the blockade's terrible effects on the economy, many women have had to take on extra tasks, like looking for work outside the home, in order to support their families.¹²⁵ Because of this, women now have to carry more and are more likely to be abused and exploited because of their gender at work and in their neighbourhoods.¹²⁶ Because there aren't enough child care and other social services, things are even harder for working women.

The ban has also had a big effect on people's mental health. Women and girls are more stressed, worried, and sad than usual because of the ongoing anxiety and limited access to needs.¹²⁷ Gaza doesn't have many mental health tools, so many women don't have

¹²³Sabet, Cameron, Dang Khoa Nguyen, S.I. Nada, Samer Abuzerr, and Amira Mohamed Taha. "Women and Girls in Gaza Face Increasingly Dire Physical and Mental Health Challenges". BMJ, March 12, 2024. <https://doi.org/10.1136/bmj.q625>.

¹²⁴ Ibid.

¹²⁵ Ibid (n 111).

¹²⁶ Ibid.

¹²⁷ Médecins Sans Frontières (MSF), "Mental health: Gaza's medics are enduring the unthinkable". Available at

the help they need to deal with the problems they face in life. This makes the problem worse. As a result of the siege, Palestinian women and their families have been hurt and stressed mentally, which has had a wide range of effects on their overall health and strength.

Analysis of Parties' Efforts on Women's Inclusion in Peace Processes

United Nations Security Council Resolution 1325 on Women, Peace and Security, adopted in 2000, is a landmark instrument that calls for the inclusion of women in all aspects of peace and security efforts, including conflict prevention, conflict resolution, and post-conflict reconstruction.¹²⁸ Although the resolution's implementation has been a fundamental driver for the international community to mitigate the gendered implications of involved in these Resolution 1325, the compliance with the Resolution when it comes to the Ukraine-Russia and Israel-Palestine conflicts was rather dual. In the case of Ukraine, the Ukrainian government did take some steps in integrating females into the negotiation decision-making and recognizing the particular needs of women and girls.¹²⁹

However, the efforts were not sufficient, and women's voices are, in a way, passive and treated indifferently during the negotiations¹³⁰ and the "lack of real women's participation in the process of peace raises well-founded concerns about the weakness" As a consequence, the process of formal and informal recognition of women's need has

<https://www.bing.com/ck/a?!&&p=80430e918174ef9dJmldtHM9MTcxNTIxMjgwMCZpZ3VpZD0yYW4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJIMjEyYjY4ZjcmaW5zaWQ9NTE5Ng&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=M%3%a9decins+Sans+Fronti%3%a8res%2c+%27Mental+Health+in+the+Gaza+Strip%3a+A+Ticking+Time+Bomb%27&u=a1aHR0cHM6Ly93d3cubXNmLm9yZy9wYWxl3RpbmU&ntb=1> accessed 9 May 2024.

¹²⁸“United Nations Security Council, Resolution 1325 (2000) on Women, Peace and Security” (31 October 2000) S/RES/1325 (2000). Available at <https://www.unwomen.org/en/docs/2000/10/un-security-council-resolution-1325> access 9 May 2024.

¹²⁹ UN Women, “Women Peace and Security”. Available at <https://ukraine.unwomen.org/en/shcho-my-robymo/zhinky-myr-ta-bezpeka> accessed 9 May 2024.

¹³⁰ Ibid.

not yet sufficiently moved the path of updating Ukraine's commitments and fulfilling legislative guarantees and international obligations to women during the conflict.¹³¹

¹³¹ UN Women, "Gender alert: The gendered impact of the crisis in Gaza". Available at <https://www.unwomen.org/sites/default/files/2024-01/Gender%20Alert%20The%20Gendered%20Impact%20of%20the%20Crisis%20in%20Gaza.pdf> accessed 9 May 2024.

CHAPTER V

FINDING, CONCLUSION AND RECOMMENDATIONS

Findings

The research findings reveal a complex picture of progress and persistent challenges in protecting women and girls in armed conflicts:

1. Legal Framework Advancements:

Significant developments in international law have expanded protections for women and girls, particularly through UN Security Council resolutions and the Rome Statute of the International Criminal Court.

However, implementation of these legal frameworks remains inconsistent across different conflict contexts.

2. Enforcement Mechanisms:

International criminal tribunals have made landmark rulings on sexual violence in conflict, setting important precedents.

National-level enforcement varies widely, with many countries lacking adequate legal frameworks or judicial capacity to prosecute conflict-related gender crimes.

3. Persistent Challenges:

Sexual violence remains widespread in many conflict zones, with impunity for perpetrators still a major issue.

Displacement disproportionately affects women and girls, exposing them to additional risks and hardships.

Women's participation in formal peace processes remains limited, despite evidence of its positive impact on peace sustainability.

4. Case Study Insights:

The Ukraine/Russia conflict has highlighted the vulnerability of women to sexual violence and the challenges of providing services in active conflict zones.

The Palestine/Israel situation underscores the long-term impacts of protracted conflict on women's rights and access to essential services.

5. Institutional Barriers:

Underrepresentation of women in decision-making roles within international humanitarian law institutions hinders gender-sensitive approaches.

Lack of gender-disaggregated data in many conflict situations impedes effective policy-making and resource allocation.

6. Positive Developments:

Increasing recognition of women's roles in conflict prevention and peacebuilding at the policy level.

Growing body of best practices in gender-sensitive humanitarian assistance and post-conflict reconstruction.

Conclusion

Unfortunately, despite the existing legal framework women and girls remain unequally impacted by gender-based violence in conflict due to well established discrimination by gender norm and they are more vulnerable by intersecting factor such as religion poverty, displacement, disability...

International humanitarian law does a great job of protecting women. They are protected in the same ways that other victims of armed violence are. Almost 40 of the 560 articles in the Additional Protocols (1977) and the 1949 Geneva Conventions also talk directly to women. Real-life women aren't always protected the way they should be, and it's not because the law doesn't cover them. But this protection is nice on paper cause the theory don't match the reality face by women in times of armed conflict.

The international community won't be able to solve this problem by just making more rules. Making sure that the rules are followed should be its first concern. We all need to follow all the rules of international humanitarian law, including the ones that give women extra safety. The states that signed the Geneva Conventions in 1949 and the Additional Protocols in 1977 are the ones who are first and foremost responsible for following these rules.

The law of armed can't protect women and girls properly cause the rules that regulate these tools are not strict enough to force the combatant to follow them and this create a gap between all this legal framework and their enforcement mechanism.

A few instances from Ukraine and the area where Israel and Palestine are fighting demonstrate how difficult the situation is for women. For example, some combatants abuse a lot of women, making it difficult for them to move around and get assistance, especially for pregnant women. Ceasefire is required since in Palestine but no strong rules can make it happen Yes, these systems are cruel and unfair, and it is very bad for families where women are the primary breadwinners when people close or block their homes.

Furthermore, despite the United Nations Security Council's declaration in resolution 1325 over two decades ago that more women should participate in peace negotiations, women's needs and opinions are still disregarded in efforts to end wars.

The government needs to acknowledge the critical role that women play in bringing an end to conflicts in order to close the gaps in the protection of women's rights during wartime.

In conclusion we can say that independently of international humanitarian law legal framework for the protection of women there is a significant gap between these provisions and their enforcement. The condition of women in Palestine and Russia highlights this disparity. To overcome this the enforcement mechanisms these legal tools should be stronger and women should be included in the peace process.

Recommendations

1. It is the responsibility of each country to ensure that its laws and policies comply with international humanitarian law
2. Provide specific training to military, police and peacekeeping personnel to raise awareness of gender-based violence and its impact on victims

3. Establish strict and indiscriminate procedures with adequate funding at national and international level to investigate war crime charges such as gender-based violence so that perpetrators are held accountable for their actions.
4. To encourage and support the participation of women as much as possible in the prevention of violence against them and also in the readaptation process after the war, the creation of a new government that will ensure the security of the country
5. A support of women that takes into account sexism and therefore the inequality of the society in which they live knowing that all this is draining psychologically offer them help in this sense there is more than necessary to help them to overcome the atrocities that they have experienced.
6. The improvement of monitoring and reporting in accordance with a system of scrupulous monitoring of commitments under international humanitarian law and the requirement of transparent data collection and reporting by the various parties involved in the conflict
7. It is essential that governments and international organizations work with local civil society women's groups to promote collaboration, inform on policies, monitor violations and develop remedies tailored to unique contexts.
8. It is essential that post-conflict reconstruction plans and transitional justice measures emphasize accountability for perpetrators of gender-based crimes, ensuring that survivors receive appropriate restitution and implementing programs that promote gender equality.
9. Ceasing to provide military, financial, or logistical support to governments or armed groups, if it is reasonable to assume that such support would lead to violence against women.

REFERENCES

Primary sources

Cases

Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic (Trial Judgment), IT-96-23-T & IT-96-23/1-T, International Criminal Tribunal for the former Yugoslavia (ICTY), 22 February 2001. Available at <https://www.icty.org/x/cases/kunarac/acjug/en/kun-aj020612e.pdf> accessed 22 March 2023.

Prosecutor v. Tadić (Judgment) IT-94-1-A (15 July 1999) para 69. available at <https://www.eccc.gov.kh/en/document/court/jurisprudence/15344> accessed April 9 2024.

ICC, “Situation in the Democratic Republic of the Congo, The Prosecutor v. Bosco Ntaganda” (2019) ICC-01/04-02/06. available at <https://www.icc-cpi.int/sites/default/files/CaseInformationSheets/NtagandaEng.pdf> *Prosecutor v Tadić* (Judgment) IT-94-1-A (15 July 1999) para 69. available at <https://www.eccc.gov.kh/en/document/court/jurisprudence/15344> accessed April 9 2024. accessed April 8 2024

“The Prosecutor v. Jean-Paul Akayesu,” Case No. ICTR-96-4-T, judgment of 2 September 1998. Available at <https://www.bing.com/ck/a?!&p=8cf4871a372c264bJmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjE5YjY4ZjcmaW5zaWQ9NTQ3OQ&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=.+The+Prosecutor+v.+Jean-Paul+Akayesu%2c+Case+No.+ICTR-96-4-T%2c+judgment+of+2+September+1998.&u=a1aHR0cHM6Ly93d3cuaW50ZXJuYXRpb25hbGNyaW1lc2RhZGFyYXNlMm9yZy9DYXNlLzUwL0FrYXllc3UvIzplOnRleHQ9VGhlJTlWQWNjdXNlZCUyQyUyMEplYW4tUGF1bCUyMEFrYXllc3UIMkMlMjB3YXMlMjB0aGUIMjBtYXlvcUyMG9mLGluJTlwdGhlJTlWZml3c3Ql>

[MjBldmVyJTIwdHJpYWwIMjBiZWZvcmlidW5hbC4&ntb=1](https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf)
accessed 22 March 2024.

Statutes and statutory instruments

Rome Statute of the International Criminal Court (adopted 17 July 1998, entry into force 1 July 2002) 2187 UNTS 3, arts 7(1)(g), 8(2)(b)(xxii), 8(2)(e)(vi).available at <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf> accessed 22 March 2024.

Legislations

Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field” (First Geneva Convention)

Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea” (Second Geneva Convention)

Geneva Convention Relative to the Treatment of Prisoners of War (Third Geneva Convention)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts” (Protocol I)

UN Security Council Resolution 1325 (31 October 2000)

UN Security Council Resolution 1888 (30 September 2009)

Rome Statute of the International Criminal Court (adopted 17 July 1998, entry into force 1 July 2002).

OHCHR, “Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)”

(OHCHR). Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and> . accessed 11 May 2024.

“Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field” (First Geneva Convention), art12. Available at https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.31_GC-II-EN.pdf accessed 21 March.

“Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea” (Second Geneva Convention), art 12. Available at <https://ihl-databases.icrc.org/en/ihl-treaties/gcii-1949> accessed 21 March 2024.

“Geneva Convention Relative to the Treatment of Prisoners of War (Third Geneva Convention), art 16. Available at https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.32_GC-III-EN.pdf accessed 21 March 2024.

“Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts” (Protocol I), art 75(1). Available at https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf accessed 21 March 2024.

“UN Security Council Resolution 1325” (31 October 2000). Available at https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf accessed 21 March 2024.

“Rome Statute of the International Criminal Court” (adopted 17 July 1998, entry into force 1 July 2002). Available at <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf> accessed 21 March 2024.

UN Security Council Resolution 1820 (19 June 2008) UN Doc S/RES/1820; UN Security Council Resolution 1888 (30 September 2009) UN Doc S/RES/1888. available at <http://unscr.com/en/resolutions/doc/1820> accessed 22 March 2024.

UNSC Res 1325 (31 October 2000). available at https://www.un.org/womenwatch/ianwge/taskforces/wps/nap/Switzerland_NAP_1325_Brosch_def_e2007.pdf#:~:text=UN%20Security%20Council%20Resolution%201325%20%28UNSC%201325%29%20on,the%20importance%20of%20women%E2%80%99s%20participation%20in%20peace%20processes. accessed 24 March 2024.

“Press Release: Women Are Increasingly at-Risk in Conflict and Underrepresented in Peace Processes, According to a UN Report | UN Women – Headquarters” (UN Women – Headquarters, October 25, 2023). Available at <https://www.unwomen.org/en/news-stories/press-release/2023/10/press-release-women-are-increasingly-at-risk-in-conflict-and-underrepresented-in-peace-processes-according-to-a-unreport#:~:text=Events%20of%20political%20violence%20targeting%20women%20increased%20by,that%20women%20remain%20sidelined%20from%20the%20main%20negotiations.> accessed 11 May 2024.

“UN Security Council Resolution 1820” (19 June 2008) UN Doc S/RES/1820; “UN Security Council Resolution 1888” (30 September 2009) UN Doc S/RES/1888. available at <http://unscr.com/en/resolutions/doc/1820> accessed 22 March 2024.

Secondary sources

Books

Judith G Gardam and Michelle J Jarvis, Women, “Armed Conflict and International Law” (BRILL 2021) p 89-90. accessed 11 May 2024. Available at [file:///C:/Users/hp/Downloads/Judith%20Gail%20Gardam,%20Michelle%20J.%20Jarvis%20-%20Women,%20armed%20conflict,%20and%20inMarch%2021,nal%20law-Kluwer%20Law%20International%20\(2001\).pdf](file:///C:/Users/hp/Downloads/Judith%20Gail%20Gardam,%20Michelle%20J.%20Jarvis%20-%20Women,%20armed%20conflict,%20and%20inMarch%2021,nal%20law-Kluwer%20Law%20International%20(2001).pdf) accessed 21 March 2024.

Andrew Clapham and others, “The 1949 Geneva Conventions : A Commentary” (2015). Available at <http://ci.nii.ac.jp/ncid/BB26727264>, accessed 20 March 2024.

The Oxford Handbook of International Law in Armed Conflict (2014). Available at <https://doi.org/10.1093/law/9780199559695.001.0001> accessed 21 March 2024.

Kelly D Askin, “War Crimes Against Women: Prosecution in International War Crimes Tribunals” (Martinus Nijhoff Publishers 1997). available at <https://www.cambridge.org/core/journals/american-journal-of-international-law/article/abs/war-crimes-against-women-prosecution-in-international-war-crimes-tribunals-by-kelly-dawn-askin-the-hague-london-boston-martinus-nijhoff-publishers-1997-pp-xviii-455-index-133-84/EA3D3F12E5EF0A836316C52B0E289533>. accessed 25 March 2024.

Jean-Marie Henckaerts and Louise Doswald-Beck With contributions by Carolin Alvermann, Knut Dormann and Baptiste Rolfe, “Customary International Humanitarian Law Volume 1” Rules (Cambridge University Press 2005). Available at <https://www.icrc.org/en/doc/assets/files/other/customary-international-humanitarian-law-i-icrc-eng.pdf> accessed 24 March 2024.

Andrew Clapham, Paola Gaeta, and Marco Sassòli (eds), The 1949 Geneva Conventions: A Commentary (Oxford University Press 2015) 304. available at https://www.researchgate.net/publication/283726737_The_1949_Geneva_Conventions_A_Commentary_Edited_by_A_Clapham_P_Gaeta_M_Sassoli_Oxford_OUP_2015 accessed 20 March 2024.

A. Weitzel, La participation de la femme à la défense générale, Département militaire fédéral, Berne, 1979, p. 148.

Ibid, pp. 67 and 129.

Christine Chinkin and Mary Kaldor, “International Law and New Wars” (2017). Available at

[file:///C:/Users/hp/Downloads/Christine%20Chinkin,%20Mary%20Kaldor%20-%20International%20Law%20and%20New%20Wars-Cambridge%20University%20Press%20\(2017\).pdf](file:///C:/Users/hp/Downloads/Christine%20Chinkin,%20Mary%20Kaldor%20-%20International%20Law%20and%20New%20Wars-Cambridge%20University%20Press%20(2017).pdf) accessed 24 March 2024.

Contributions to edited books

Lindsey Cameron, “The Principle of Non-Discrimination in International Humanitarian Law” in Andrew Clapham and Paola Gaeta (eds), “The Oxford Handbook of International Law in Armed Conflict” (Oxford University Press 2014). Available at <file:///C:/Users/hp/Downloads/lindsay%20cameron.pdf> accessed 21 March 2024

Journal articles

Rhonda Copleon, “Surfacing Gender: Re-Engraving Crimes against Women in Humanitarian Law” (1994) 5 Hastings Women’s Law Journal 243. Available at <https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1040&context=hwlj> accessed 11 May 2024.

Sherrie L Russell-Brown, “Rape as an Act of Genocide” (2003) 21 Berkeley Journal of International Law 350. Available at <https://lawcat.berkeley.edu/record/1118668/files/fulltext.pdf> accessed 11 May 2024.

Howard S Levie, “1899 HAGUE CONVENTION II WITH RESPECT TO THE LAWS AND CUSTOMS OF WAR ON LAND (With Annexed Regulations) (29 July 1899)” (1979) 60 International Law Studies 30. Available at <http://digital-commons.usnwc.edu/ils/vol60/iss1/30/> . accessed 18 March 2024.

“Women Facing War – An ICRC Study” (2001) 83 International Review of the Red Cross 1174. Available at <https://doi.org/10.1017/s1560775500183622> .accessed 21 March 2024.

Julie Mertus, “War Crimes Against Women: Prosecution in International War Crimes Tribunals. By Kelly Dawn Askin. The Hague, London, Boston: Martinus Nijhoff Publishers, 1997. Pp. Xviii, 455. Index. \$133; £84.” (1999) 93 American Journal of

International Law 740. Available at <https://doi.org/10.2307/2555278> accessed 22 March 2024.

Dara Kay Cohen, “Explaining Rape during Civil War: Cross-National Evidence (1980–2009)” (2013) 107 the American Political Science Review 461. available at <https://doi.org/10.1017/s0003055413000221>. accessed 22 March 2024.

Sabet, Cameron, Dang Khoa Nguyen, S.I. Nada, Samer Abuzerr, and Amira Mohamed Taha. “Women and Girls in Gaza Face Increasingly Dire Physical and Mental Health Challenges”. BMJ. Available at <https://doi.org/10.1136/bmj.q625> accessed March 12, 2024.

Viktoriia Omelchenko, “Gender-Based Sexual Violence during Wars: The Ukrainian Experience” (2023) Research Gate. Available at <https://doi.org/10.23939/sosrsw2023.077> accessed March 2024

Kurapov, A., Danyliuk, I., Loboda, A., Kalaitzaki, A., Kowatsch, T., Klimash, T., & Predko, V. (2023). “Six months into the war: a first-wave study of stress, anxiety, and depression among in Ukraine”. Frontiers in Psychiatry, 14. <https://doi.org/10.3389/fpsyt.2023.1190465>.

Rodríguez-Llanes, José, et al. “Maternal and Child Health of Internally Displaced Persons in Ukraine: a Qualitative Analysis.” Universidad De Oviedo, 26 Aug. 2016. Available at accessed 5 May 2024. <hdl.handle.net/10651/39105> .

Hannah, Salwa Duaibis, and Soraida Hussein. “Palestinian Women: Caught in the Cross Fire Between Occupation and Patriarchy”. Feminist Formations 22, no. 3 (2010): 124-145. Available at <https://doi.org/10.1353/ff.2010.0018> accessed March 2024

Catharine A MacKinnon, “Rape, Genocide, and Women's Human Rights” (1994) 17(5) Harvard Women's Law Journal 5, 10. available at [file:///C:/Users/hp/Downloads/\(The%20International%20Library%20of%20Essays%20](file:///C:/Users/hp/Downloads/(The%20International%20Library%20of%20Essays%20)

[0on%20Rights\)%20Mark%20Lattimer%20\(editor\)%20-%20Genocide%20and%20Hu
man%20Rights-Routledge%20\(2017\).pdf](#) accessed April 11 2024.

Hilary Charlesworth, “Feminist Methods in International Law” (1999) 93(2) American Journal of International Law 379, 380-81. available at [file:///C:/Users/hp/Downloads/Hilary%20Charlesworth%20\(1999\).%20Feminist%20Methods%20in%20International%20Law.%20The%20American%20Journal%20of%20International%20Law.pdf](#) accessed April 11 2024.

Diane Orentlicher, “Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime” (1991) 100(8) Yale Law Journal 2537, 2540-2541. Available at [https://openyls.law.yale.edu/bitstream/handle/20.500.13051/8638/94_100YaleLJ2537_June1991_.pdf?sequence=2&isAllowed=y](#) accessed April 8 2024

Command papers

“Sexual Violence against Women and Girls in War and Its Aftermath: Realities, Responses, and Required Resources - GIWPS” (GIWPS, May 7, 2018) [https://giwps.georgetown.edu/resource/sexual-violence-against-women-and-girls-in-war-and-its-aftermath-realities-responses-and-required-resources/](#). accessed 22 March 2024.

International Committee of the Red Cross (ICRC), “How Is the Term ‘Armed Conflict’ Defined in International Humanitarian Law?” (2008). Available at [https://www.bing.com/ck/a?!&&p=0af83dd664634ae9JmltdHM9MTcxNTM4NTYwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJIMjEyYjY4ZjcmaW5zaWQ9NTQ2OQ&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=armed+conflict+definition&u=a1aHR0cHM6Ly93d3cuaWNyYy5vcmcvZW4vZG9jL2Fzc2V0cy9maWxlc9vdGhle9vcGluaW9uLXBhcGVyLWFWYyZWVkbWVbmZsaWN0LnBkZg&ntb=1](#). accessed 11 May 2024.

“Women, Human Rights and International Humanitarian Law - ICRC”. Available at <https://www.icrc.org/en/doc/resources/documents/article/other/57jpg4.htm>. accessed 11 May 2024.

“Conflict-Related Sexual Violence - Report of the Secretary-General (S/2023/413) [EN/AR/RU/ZH] - World” (ReliefWeb, July 14, 2023). Available at <https://reliefweb.int/report/world/conflict-related-sexual-violence-report-secretary-general-s2023413-enarruzh>. accessed 11 May 2024.

“Sexual Violence against Women and Girls in War and Its Aftermath: Realities, Responses, and Required Resources - GIWPS” (GIWPS, May 7, 2018). Available at <https://giwps.georgetown.edu/resource/sexual-violence-against-women-and-girls-in-war-and-its-aftermath-realities-responses-and-required-resources/> accessed 22 March 2024.

Patricia Viseur Sellers, 'The Prosecution of Sexual Violence in Conflict: The Importance of Human Rights as Means of Interpretation' (United Nations Office of the High Commissioner for Human Rights 2008). Available at <https://www.jstMarch25.table/3810388?seq=1> accessed 25 March 2024.

"The Prosecution of Sexual Violence in Conflict: The Importance of Human Rights as Means of Interpretation' by Patricia Viseur Sellers, published by the United Nations Office of the High Commissioner for Human Rights in 2008. Available at https://www2.ohchr.org/english/issues/women/docs/Paper_Prosecution_of_Sexual_Violence.pdf accessed 25 March 2024.

International Rescue Committee, Reproductive Health in Humanitarian Settings, October 10, 2016. Available at <https://www.rescue.org/sites/default/files/2022-10/SRHR%20Brief%20Final%201.pdf> 24 March 2024.

Reports

“United Nations Office of the High Commissioner for Human Rights, Report on the Human Rights Situation in Ukraine: 16 February 2022” - 15 June 2023' (2023).available at <https://www.ohchr.org/en/documents/country-reports/report-human-rights-situation-ukraine-1-august-2022-31-january-2023> accessed 28 April 2024.

NGO Working Group on Women, Peace and Security, 'Mapping Women's Participation in Peace Processes'(2019). available at <https://www.womenpeacesecurity.org/wp-content/uploads/NGOWG-Mapping-WPS-in-UNSC-2019.pdf> accessed 24 March 2024.

UNRWA, ‘Rapid gender analysis: gendered impacts of the October 2023 escalation in Gaza’. Available at https://www.unrwa.org/sites/default/files/content/resources/rapid_gender_analysis_23_october_2023_updated.pdf accessed 8 April 2024.

World report 2018, ‘Israel and Palestine’ Human Rights Watch. Available at <https://www.hrw.org/world-report/2018/country-chapters/israel-and-palestine> accessed 8 May 2024.

Amnesty International, “Rapport: Crimes Against Humanity in Ukraine” (2023). Available at <https://www.amnesty.org/en/location/europe-and-central-asia/eastern-europe-and-central-asia/ukraine/> accessed 28 April 2024.

World Report 2023: “Ukraine, Human Rights Watch”. Available at <https://www.hrw.org/world-report/2023/country-chapters/ukraine> accessed 28 April 2024.

International Rescue Committee (IRC), Reproductive Health in Humanitarian Settings October 10 2016. Available at <https://www.rescue.org/sites/default/files/2022-10/SRHR%20Brief%20Final%201.pdf> 24 March 2024.

Webpages

UN Women, “Women Peace and Security”. Available at <https://ukraine.unwomen.org/en/shcho-my-robymo/zhinky-myr-ta-bezpeka> accessed 9 May 2024.

UN Women, “Gender alert: The gendered impact of the crisis in Gaza”. Available at [UN Women ,”Gender alert: The gendered impact of the crisis in Gaza”. Available at \[https://www.bing.com/ck/a?!&&p=8580af30936edcd7JmltdHM9MTcxNTEyNjQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTE4Ng&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=UN+Women%2c+%27The+Gendered+Impact+of+the+Occupati on+on+Palestinian+Women%27+\\(2022\\)+https%3a%2f%2fpalestine.unwomen.org%2 fen%2fdigital-library%2fpublications%2f2022%2f03%2fthe-gendered-impact-of-the- occupation-on-palestinian- women+accessed+1+August+2023.&u=a1aHR0cHM6Ly93d3cudW53b21lbi5vemcv ZW4vZGlnaXRhbC1saWJyYXJ5L3B1YmxpY2F0aW9ucy8yMDI0LzAxL2dlbmRlci 1hbGVydC10aGUtZ2VuZGVyZWQtaW1wYWN0LW9mLXR0ZS1jcmlzaXMtaW4t Z2F6YQ&ntb=1\]\(https://www.bing.com/ck/a?!&&p=8580af30936edcd7JmltdHM9MTcxNTEyNjQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTE4Ng&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=UN+Women%2c+%27The+Gendered+Impact+of+the+Occupati on+on+Palestinian+Women%27+\(2022\)+https%3a%2f%2fpalestine.unwomen.org%2 fen%2fdigital-library%2fpublications%2f2022%2f03%2fthe-gendered-impact-of-the- occupation-on-palestinian- women+accessed+1+August+2023.&u=a1aHR0cHM6Ly93d3cudW53b21lbi5vemcv ZW4vZGlnaXRhbC1saWJyYXJ5L3B1YmxpY2F0aW9ucy8yMDI0LzAxL2dlbmRlci 1hbGVydC10aGUtZ2VuZGVyZWQtaW1wYWN0LW9mLXR0ZS1jcmlzaXMtaW4t Z2F6YQ&ntb=1\) accessed 9 May 2024.](https://www.bing.com/ck/a?!&&p=8580af30936edcd7JmltdHM9MTcxNTEyNjQwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTE4Ng&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=UN+Women%2c+%27The+Gendered+Impact+of+the+Occupati on+on+Palestinian+Women%27+(2022)+https%3a%2f%2fpalestine.unwomen.org%2 fen%2fdigital-library%2fpublications%2f2022%2f03%2fthe-gendered-impact-of-the- occupation-on-palestinian- women+accessed+1+August+2023.&u=a1aHR0cHM6Ly93d3cudW53b21lbi5vemcv ZW4vZGlnaXRhbC1saWJyYXJ5L3B1YmxpY2F0aW9ucy8yMDI0LzAxL2dlbmRlci 1hbGVydC10aGUtZ2VuZGVyZWQtaW1wYWN0LW9mLXR0ZS1jcmlzaXMtaW4t Z2F6YQ&ntb=1)

Médecins Sans Frontières (MSF), “Mental health: Gaza’s medics are enduring the unthinkable”. Available at <https://www.bing.com/ck/a?!&&p=80430e918174ef9dJmltdHM9MTcxNTIxMjgwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTY5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTE5Ng&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=M%2c%27a9decins+Sans+Fronti%2c%27a8res%2c+%27Mental+He alth+in+the+Gaza+Strip%3a+A+Ticking+Time+Bomb%27&u=a1aHR0cHM6Ly93d 3cubXNmLm9yZy9wYWxlc3RpbmU&ntb=1> accessed 9 May 2024.

“117 Palestinian Women and Child Detainees Released so Far in Prisoner Exchange as Addameer Reiterates the Call for the Protection and Release of Palestinian Prisoners” (Addameer). Available at <https://www.addameer.org/news/5234> accessed 9 May 2024.

United Nations Population Fund (UNFPA), “PROTECTING THE HEALTH, RIGHTS, AND DIGNITY OF GIRLS AND WOMEN IN UKRAINE” (2022). Available at <https://unfoundation.org/blog/post/protecting-the-health-rights-and-dignity-of-girls-women-in-ukraine/> accessed 30 April 2024.

Médecins Sans Frontières (MSF), “Occupation and destruction of medical structures severely impede access to healthcare” (2023). Available at <https://www.msf.org/ukraine-destruction-medical-structures-massive-scale-severe-impediments-healthcare-under-occupation> accessed 01 May 2024.

UNRWA, “Rapid gender analysis: gendered impacts of the October 2023 escalation in Gaza” available at https://www.unrwa.org/sites/default/files/content/resources/rapid_gender_analysis_23_october_2023_updated.pdf accessed 8 April 2024.

Oxfam, “THE DEVASTATING BRUNT OF CONFLICT ON GAZA’S WOMEN AND GIRLS” (2023). Available at <https://www.oxfam.ca/story/the-devastating-brunt-of-conflict-on-gaza-women-and-girls> accessed 8 May 2024.

“Gender Alert: The Gendered Impact of the Crisis in Gaza” (UN Women – Headquarters, April 16, 2024). Available at <https://www.unwomen.org/en/digital-library/publications/2024/01/gender-alert-the-gendered-impact-of-the-crisis-in-gaza#:~:text=Since%207%20October%202023%2C%20more%20than%2024%2C620%20Palestinians,to%20be%20nearly%201%20million%20women%20and%20girls> accessed 9 May 2024.

ICC, “Situation in the Democratic Republic of the Congo, The Prosecutor v. Bosco Ntaganda” (2019) ICC-01/04-02/06.available at <https://www.icc-cpi.int/sites/default/files/CaseInformationSheets/NtagandaEng.pdf> accessed April 8 2024.

OHCHR, “Special Rapporteur on violence against women and girls, its causes and consequences” available at

<https://www.bing.com/ck/a?!&&p=84c6bc01e4b405a9JmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTE5Nw&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=the+nomination+in+1994+of+a+special+rapporteur+on+violence+against+women&u=a1aHR0cHM6Ly93d3cub2hjaHIub3JnL2VuL3NwZWNPYWwtcHJvY2VkdXJlcy9zei12aW9sZW5jZS1hZ2FpbnN0LXdvbWVu&ntb=1> accessed 31 March 2024.

United Nations, “Fourth World Conference on Women | United Nations” (United Nations). Available at <https://www.bing.com/ck/a?!&&p=69c7ee057cd21714JmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTc3MA&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=the+fourth+world+conference+on+women&u=a1aHR0cHM6Ly93d3cudW4ub3JnL2VuL2NvbmlmZlcmVuY2VzL3dvdWVuL2JlaWppbmcyOTk1&ntb=1> accessed 31 March 2024.

The Windhoek Declaration and the Namibia Action Plan on Gender Mainstreaming in Multidimensional Peacekeeping Operations. Available at <https://www.bing.com/ck/a?!&&p=5832400c30027deeJmltdHM9MTcxNjA3NjgwMCZpZ3VpZD0yYWM4NGUyMC0yMGE2LTU5YmEtMWM0Ni01ZGJlMjEyYjY4ZjcmaW5zaWQ9NTQ1NA&ptn=3&ver=2&hsh=3&fclid=2ac84e20-20a6-69ba-1c46-5dbe212b68f7&psq=the+Windhoek+Declaration+and+the+Namibia+Action+Plan+on+Gender+Mainstreaming+in+Multidimensional+Peacekeeping+Operations&u=a1aHR0cHM6Ly93d3cuZmlsZXMuZXRoZi5jaC9pc24vMTY3MDM5L0FDQ09SRC1Db25mbGljdC1UcmVuZHMtMjAxMy0yLnBkZiM6fjp0ZXh0PVdpdGglMjB0aGUlMjBlbWVvY2VvY2UIMjBvZiUyMHRoZSUyMFdpbmRob2VrJTlwRGVjbGFyYXRpb24lMjBhbmQsb2YIMjB3b21lbiUyMGFuZCUyMG1lbiUyMGluJTlwdGhlJTlwbG9jYWwIMjBwb3B1bGF0aW9uLg&ntb=1> accessed 31 March 2024.

Appendix

Similarity Report

ASTA MAEVA YASMINE DOSSO THESIS

ORIGINALITY REPORT

8%

SIMILARITY INDEX

7%

INTERNET SOURCES

6%

PUBLICATIONS

%

STUDENT PAPERS

PRIMARY SOURCES

1

docs.neu.edu.tr

Internet Source

1%

2

www.amnesty.org

Internet Source

<1%

3

ejihl.org

Internet Source

<1%

4

researchspace.ukzn.ac.za

Internet Source

<1%

5

www.diva-portal.org

Internet Source

<1%

6

Bharat H. Desai, Moumita Mandal. "Sexual and Gender-Based Violence in International Law", Springer Science and Business Media LLC, 2022

Publication

<1%

7

Maja Kirilova Eriksson. "Reproductive Freedom", Brill, 1999

Publication

<1%

8

dspace.ashoka.edu.in

Internet Source

<1%