

ABSTRACT

In the context of the rights of women against sexual violence in non international armed conflict situations, it is true that they are civilians and hence should enjoy the protection granted for civilians by the relevant provisions of humanitarian law as well as the rights inherent to all human beings under human rights law. To consider the military functions with numerous tactics, parties to the conflict take women as soft targets and a method of winning war. According to the recent armed conflict situations, women suffer from bitterness of sexual violence including sexual slavery, rape, sexual assault, forced pregnancy, forced prostitution and other forms of violence mostly committed by non-state armed groups. With regard to existing legal framework, some lapses and loop holes pave the way for non-state actors to commit such kinds of mass violations. The study examines the research problem of "Despite the protection provided by humanitarian law and human rights law with regard to the rights of women against sexual violence, why have violations committed by non-state armed groups such as ISIS dramatically increased in the Iraq armed conflict situation?" Objectives of this research are to examine the rights and protective measures against sexual violence against women in conflict situations stipulated mainly in human rights law and in other instruments in non-international armed conflict situations, to analyze whether women's human rights to protect against sexual violence are being violated by non-state armed groups such as ISIS in the Iraq armed conflict, to recommend the kind of implementation measures which can be adopted for the protection of women against sexual violence as well as to provide certain insights for the research community. Main recommendations of this research study include the need to strengthen and implement relevant provisions in humanitarian law to take collective measures universally, regionally and country level actions to avoid sexual violence against women; to create community-based efforts to strengthening legal protection for women victims; and to create regional centers to providing comprehensive care to women victims etc.