

# Abstract – Sexual Violence against Women in Armed Conflicts – the Role of the International Criminal Tribunals

The purpose of my thesis is to describe and analyse a development of a regulation in the international humanitarian law and international criminal law and the contribution of decision making of international criminal tribunals in former Yugoslavia and Rwanda with a special focus on sexual violence against women during armed conflict. The reason for my research is the fact that during armed conflict women worldwide are permanently exposed to danger of sexual violence and it is necessary to stress this issue continuously.

The thesis is composed of seven chapters. Chapter One is introductory and describes the current state of sexual violence in armed conflict. Further it explains what fields of international law the sexual violence is subject to and it provides a structure of the thesis.

Chapter Two examines the international humanitarian law. The chapter is subdivided into four parts. Part One deals with the international humanitarian law in general. Part Two characterises the specificity of sexual violence. Part Three analyses the development of norms protecting women under international humanitarian law until the adoption of the Geneva conventions in 1949. Part Four analyses the regulation in the fourth Geneva Convention and the Additional protocol I and their inadequacy.

Chapter Three is about the international criminal law. It investigates in particular crimes under international law in the view of sexual violence against women.

Chapter Four is concerned with the establishment of the international criminal tribunals *ad hoc* and their competence.

Chapter Five reviews four sexual violence cases of the *ad hoc* tribunals and their contribution to the development of the perception of sexual violence under international law.

Chapter Six focuses on the International Criminal Court especially on its establishment, competence, rules governing victims' reparations and special rules of evidence for prosecuting sexual crimes.

Conclusions are drawn in Chapter Seven. It shows the milestones in the development of norms protecting women during armed conflict. I suggest that in spite of the great decision making contribution of the international criminal courts there is a continuous need for the prevention, criminal prosecution, and victim protection including reparations of sexual violence.