

Tinjauan hukum humaniter internasional terhadap kekerasan seksual dalam konflik bersenjata = Analysis of sexual violence in armed conflict according to international humanitarian law

Vidya Natasya, author

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Abstrak

This study focuses on the prohibition of sexual violence in armed conflict based on the provision of various international treaties and the sanctions that imposed on perpetrators of sexual violence according to the Rome Statute of International Criminal Court. The analysis on the provision of the Rome Statute of International Criminal Statute and its application in some cases of sexual violence in the Democratic Republic of the Congo. This study is based on the results of literature study with normative juridical method. Based on the result of this study, the provisions of the prohibition of sexual violence has not been properly applied in some cases that occur in armed conflict in the Democratic Republic of the Congo. Therefore, in addition to the provision of regulation, it is also necessary to establish the system of evidence that could facilitate the implementation of the sanctions to the perpetrators of sexual violence in armed conflicts.

<hr>Skripsi ini membahas mengenai larangan dilakukannya kekerasan seksual dalam konflik bersenjata berdasarkan perumusan dalam berbagai perjanjian internasional dan sanksi yang diberikan kepada pelaku kekerasan seksual berdasarkan statuta peradilan internasional. Analisa mengenai perumusan kekerasan seksual didasari pada ketentuan dalam Rome Statute of International Criminal Court dan penerapannya dalam kasus kekerasan seksual yang terjadi di Democratic Republic of the Congo. Penelitian ini disusun berdasarkan studi kepustakaan dengan metode yuridis normatif. Berdasarkan hasil penelitian, perumusan mengenai larangan kekerasan seksual belum dapat diterapkan secara baik dalam beberapa kasus yang terjadi pada konflik bersenjata di Democratic Republic of the Congo. Oleh karena itu, selain rumusan pengaturan, diperlukan pula sistem pembuktian yang dapat mempermudah dilakukannya penerapan saksi bagi pelaku kekerasan seksual dalam konflik bersenjata.