

```
abortion, 52, 57, 78, 132, 133, 166, 220, 241,
                                                    transitional justice, 282
                                                    UNSC, 122
       259, 330
                                                    violence against women, 77, 131
                                                      Colombia, 247
Beijing, 9, 10, 39, 40, 115, 136, 147, 158, 167, 180,
                                                    WPS, 128
       230, 306, 351, 364, 365, 380, 382
                                                  Charlesworth, Hilary, 29, 50, 140, 287
Bosnia, 79, 122, 124, 128, 179, 365
                                                  child soldiers
Cambodia, 99, 124, 130
                                                    and Convention on the Rights of the
CEDAW
                                                         Child, 207
  and civil society, 152-4
                                                    at the UNSC, 182, 185
  and girls, 180
                                                      sanctions, 210-12
                                                    Cape Town Principles, 186, 345, 357
  and ICL, 116
                                                    girls
  and IHL, 110, 321
                                                      DRC, 181
  application to armed conflict, 73
  child soldiers, 187
                                                      forced marriage, 181
  Committee activities
                                                      regime interactions, 198
                                                    norm coherence, 200-4, 323
    interpretative role, 50
    monitoring, 93
                                                    norm incoherence, 337-8
  DRC, 205
                                                    Paris Principles, 187, 357
  forced displacement, 231
                                                    participation definition, 182, 184, 197
  gender stereotypes, 133, 139, 207, 342, 343,
                                                    prevalence in DRC, 180
       346, 354
                                                    under ICL, 183
  General Recommendation Number 19, 76,
                                                      ICC jurisprudence, 195-7
                                                    under IHL, 183
                                                    under IHRL, 184
  General Recommendation Number 30,
       73–4, 75, 109, 116, 133, 154, 231, 321, 358
                                                  Children and Armed Conflict, 80, 101
  General Recommendation Number 35,
                                                    origins and development, 208-10
       77, 78
                                                    Resolution 1539, 182, 328, 332
  individual communications, 94, 153
                                                  Chinkin, Christine, 50, 163
                                                  Colombia
  Nepal, 281-2
                                                    bandas criminales, 232, 233, 252
  Optional Protocol, 94
  origins, 47, 138
                                                  conflict-related sexual violence, see sexual
  reparations, 324
                                                         violence in armed conflict
                                                 continuum
  reservations, 50
  state compliance, 161
                                                    sexual violence in armed conflict, 204
  structural weaknesses, 138, 313
                                                 Convention against Torture, 282
```



sexual violence, 204	FARC, 218, 219, 220, 222, 232, 239, 242, 250,
Colombia, 246	252, 253
Nepal, 283	FARDC, 175, 180, 190, 191, 205, 206, 207, 209
Convention for the Protection of All Persons	210, 214
from Enforced Disappearance, 268	forced disappearance, see enforced
Convention on the Rights of the Child, 346	disappearance
child soldiers, 184	forced displacement
DRC, 206–8	and sexual violence, 223-4
UNSC interactions, 327	and women's rights, 224–31
Covenant on Civil and Political Rights, 346	at UNSC, 228
derogations, 72	sanctions, 341
Nepal, 347	Colombia, 222–4
DRC, 204	Deng Principles, 228–31, 344
enforced disappearances, 282	ICC, 227
individual communications, 121	ICC-OTP, 340
Nepal, 286	Colombia, 239–40
sexual violence	impact on women, 223
Colombia, 246	military strategy, 223
Nepal, 284–7	norm coherence, 338–41
Covenant on Economic, Social and Cultural	ordered versus coerced, 226
Rights	soft law, 228–31
DRC, 205	under ICL, 225–6
General Comment Number 16, 357	under IHL, 225
limitations, 72	under IHRL, 227, 248, 326
occupation, 110	CEDAW, 248
UNSC interactions, 327	CESCR, 248
CPNM, 258, 259, 260, 261, 262, 263, 264, 273,	gendered elements, 248
	individual communications, 249
274, 275, 283, 291, 292, 302 and CEDAW, 281	
	under international law, 224–31
female participation, 260	gender critique, 226, 231 fragmentation
Monitoring and Reporting	9
Mechanism, 292	see also interactions
sexual violence, 262–3	see also regimes, international law
	'fragmentation strategies', 137, 359
enforced disappearance	and international organisations, 16–19
see also Working Group on Enforced and	forum-shopping and forum-shifting, 136
Involuntary Disappearance	fruitful diversity, 356–8
and sexual violence, 270	IHRL, 48–9
as a crime against humanity, 272	International Law Commission report, 30,
impact on women, 265	131, 141, 350
Nepal, 263–5	norm conflict, 7, 356
norm coherence, 341–4	Colombia, 249
under IHL, 267–8	norm reinforcement, 355–6
under IHRL, 268–72	structural bias, 118, 163
under international law, 265–73	
definition, 272	Gardam, Judith, 29, 43, 112, 129
women, 266–7, 270–2	gender experts, 357–8
women's participation, 270	
vis-à-vis 'the missing', 275–7	Human Rights Council, 51, 96, 288
Eritrea, 79	Human Rights Committee, see Covenant on
Ethiopia, 79	Civil and Political Rights



IC	CC	assistance mandate
	and civil society, 150, 308	sexual violence, 235
	article 21(3), 198–200	Central Tracing Agency, 303
	complementarity, 90-2, 308, 309	child soldiers
	women's rights, 92	DRC, 190
	IHRL interactions	confidential representations
	Lubanga, 198	gender critique, 306
	institutional autonomy, 46	Doctrine 15, 86
	OTP, 90	forced displacement
	Colombia, 239	gender-sensitivity, 238
	propio motu preliminary	vis-à-vis development, 237–8
	examinations, 245	vis-à-vis internal displacement, 236–7
	OTP Policy Paper on Sexual and Gender-	gender mandate, 43
	based Crimes, 67, 116, 243, 348, 354	girl soldiers
	positive complementarity	DRC, 192
	Colombia, 240–4	humanitarian assistance mandate, 85
	sexual violence, 240–4	ICC interactions, 192
	Regulation 55, 196 Rome Statute	ICL interactions, 322
		IHL promotion mandate, 88
	article 124, 323	sexual violence, 235 IHRL interactions
	article 21(3), 114, 198, 323	
	gender, 68	DRC, 194
	women's participation, 149	impartiality, 304
	sexual violence	gender critique, 305
	inefficacy, 308	in DRC, 189–94
	UNSC interactions, 244–5	Nepal
	UNSC referral	'the missing', 275–7
Nepal, 293–4		enforced disappearance and gender, 277
IC	CL	sexual violence, 278
	see also ICC	postconflict activities, 303
	see also interactions	Nepal, 273–8
	application, 65	pragmatism, 87, 216, 302
	conflict-nexus, 70	protection mandate, 86
	crimes against humanity, 65	DRC, 190
	domestic prosecution of international	sexual violence, 235
	crimes, 279	sexual violence
	duty to prosecute, 46	DRC, 190
	feminist engagement, 45	multisectoral response, 302
	gender critique, 66	study of, 27–8
	ICTR, xxv, xxvii, 44, 45, 65, 67, 69, 70, 100,	UNSC interactions, 322
	130, 272, 378	MONUSCO, 191
	ICTY, xxvi, xxvii, 3, 44, 45, 57, 65, 67, 70, 88,	women's participation, 148
	100, 113, 129, 130, 131, 227, 362, 378	IHL
	origins, 44	see also ICRC
	state avoidance strategies, 310	see also interactions
	universal jurisdiction, 279	'communities of harm', 353
IC	CRC	Additional Protocol II, xxi, xxii, 39, 59, 61, 62,
	'strategic silence', 234	63, 64, 65, 70, 182, 189, 225, 226, 232, 233,
	and internal disturbances, 88	240, 340
	and internally displaced persons, 230	and amnesties, 233
	and norm diffusion, 148	application, 57–9



Colombia, 232–5	UNSC-IHL, 124
DRC, 189	UNSC-IHRL, 119–22, 124–8
Nepal, 273	international organisations
state resistance, 305	gendered division of labour, 345-7
UN peacekeeping, 305	selective compliance with own
Common Article 3, 65, 234	norms, 348
customary international law, 39, 65	under International Relations, 162–5
feminist disengagement, 37, 39, 43, 306-7, 353	control of expertise, 164
feminist engagement, 41	institutional autonomy, 163–4
functional specialisation, 299-307	teachers of norms, 164-5
gender critique, 59–61	Israel, 94, 95, 109, 110, 378, 379
occupation, 109	
origins, 37	Kosovo, 79, 99
prevention focus, 301-2	
Special Agreements, 234	MARA, 82, 101, 347
treaty-basis, 38	Colombia, 251–2
IHRL	Nepal, 293
see also interactions	Monitoring and Reporting Mechanism, 182
see also CEDAW	Colombia, 252–3
and civil society, 152-4	DRC, 208
application, 71–3	Nepal, 292
Charter-based, 50, 93	1 / /
enforced disappearance, 269–72	norms, international law
monitoring and enforcement, 97	'compliance paradox', 140
Nepal, 287–91	'global gender equality regime', 156
gender critique, 74–5	norm alignment, 253, 315, 316, 354
individual communications, 284–7, 312, 314	norm coherence, 329
periodic examinations, 347	selective compliance, 347–8
reparations, 320	soft law, 357
sexual violence	women's movements, 356
continuum, 311	norms, International Relations, 156
state accountability, 310–11	'boomerang pattern', 161
structural weaknesses, 280–1, 312–15	norm adjacency, 159
treaty-based, 47	norm characteristics, 159
monitoring and enforcement, 93–5	norm compliance, 161–2
_	norm diffusion, 148
violence against women, 7, 75 interactions	
ICL	origins, 157–8 transnational advocacy networks, 157, 159
	•
DRC, 197–200	Northern Ireland, 134–5
ICL-IHRL, 114–17, 323–4, 326	Delection
DRC, 198	Palestine, 109
sexual violence, 249	material telephone (top 11)
ICL-UNSC, 327	regimes, international law
IHL-ICL, 88, 112–14	comparative advantage, 30
IHL-IHRL, 107–12	functional specialisation, 29
limitations, 321	regime complementarity, 354
IHRL-UNSC, 329	reparations, 111
productive interactions, 30–1	Basic Principles, 356
UNSC-ICC-OTP, 316	Nairobi Declaration, 345, 356
UNSC-ICL, 128–30	Rwanda, xxv, xxvii, 9, 44, 46, 66, 80, 84, 94, 113
Nepal, 293–4	116, 174, 211, 364, 378, 379



sexual violence in armed conflict	UN Office of the High Commissioner on
against members of own	Human Rights, 110
forces, 200–4	Nepal, 290–1
amnesties, 336	UN Women, 154, 155, 358
Beijing Conference, 9–10	UNSC
Colombia, 220–1	see also Children and Armed Conflict
continuum, 352	see also interactions
defining conflict, 331–3	see also MARA
defining conflict nexus, 334	see also Monitoring and Reporting
definition, 56–7	Mechanism
DRC, 176–9	see also WPS
forced displacement, 223–4	and human rights, 80
impunity, 221, 334	counter-terror, 250
Nepal, 260–3	geopolitics, 325
norm conflict	Intervention Brigade, 23, 173, 174, 175, 189,
Colombia, 249	192, 214, 305, 316, 328, 374
rape	law-making, 53, 54
definition under ICL, 69	concerns, 55
sexual exploitation and abuse, 215	MONUSCO, 181, 189, 191, 192, 193, 206, 213,
under ICL, 66–71	214, 215, 293, 322, 374, 381
origins, 8–9	pacific measures for the settlement of
under IHL, 62–4	disputes, 98
under IHRL, 76–8	peace enforcement, 212-15
UNSC, 81–3	peacekeeping, 99
UNSC sanctions, 102, 337	DRC, 212–15
DRC, 210–12	Nepal as troop contributor, 293
Sierra Leone, xxvi, 44, 53, 67, 94, 98, 112, 113,	powers, 52, 97–9
116, 129, 130, 179, 202, 251, 371, 374,	sanctions, 102, 182
378, 379	sovereignty bias, 204, 215, 216, 245, 253, 310,
sources, international law	316, 317
diversity, 32–3, 131–2, 344	thematic agendas, 54, 80, 315–16, 332
gendered hierarchies, 344–5	listing, 208–10, 317
ICJ Statute, 51, 140, 357	sanctions, 210–12, 317
ICL, 47	threat to international peace and security, 79
IHL, 36–43	UNMIN, 291–2
IHRL, 52	
jus cogens, 141	women's participation
gender critique, 74, 142	as an emergent norm of international
soft law, 132, 345	law, 271
UNSC, 55	at UNSC, 154–5
Special Rapporteur on Violence against	dilemmas, 165–8
Women, 8, 77, 97, 358	norm slippage, 166
Special Representative of the	resources, 167
Secretary-General on Sexual	slippage in ownership, 167
Violence in Conflict, 155, 347, 358	norm entrepreneurs, 165
Syria, 14, 294	under ICL, 152
	under IHL, 147–9
torture	under IHRL, 152–4
rape and sexual slavery of girl soldiers, 325	Working Group on Enforced and Involuntary
sexual violence in armed conflict, 78	Disappearance, 264, 346
transitional justice, 335	Nepal, 288–90



## Index 391

WPS
as international norm, 158
norm alignment, 354
origins, 53
participation, 10, 80, 154
Resolution 1325, 135
Resolution 1820, 53, 81, 82, 83, 101, 124, 211,
213, 336
Resolution 1888, 53, 56, 81, 82, 83, 101, 102,
124, 164, 213, 336, 383

Resolution 1960, xxii, 12, 14, 53, 72, 81, 82, 83, 101, 102, 124, 212, 213, 223, 331, 332, 366, 375
Resolution 2106, 53, 82, 99, 100, 102, 124, 213, 215, 332, 336
Resolution 2242, 14, 53, 100, 102, 155, 167, 228, 251, 341
thematic narrowing, 81, 83
Yugoslavia, former, xxvii, 8, 9, 44, 53, 66, 80, 84,

113, 116, 129, 141, 364, 378