

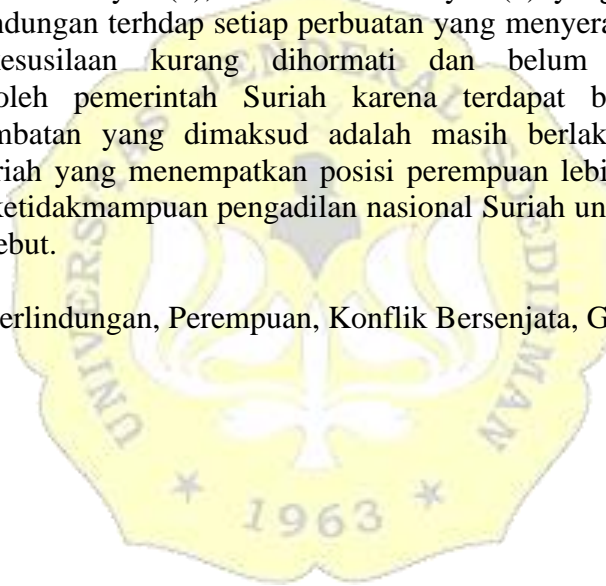
ABSTRAK

Konflik bersenjata di Suriah yang terjadi sejak Maret 2011 hingga saat ini (2020) telah menimbulkan kekerasan berbasis gender. Penelitian ini bertujuan untuk mengetahui perlindungan hukum humaniter terhadap perempuan dan anak perempuan dari kekerasan berbasis gender dalam konflik bersenjata di Suriah.

Penelitian ini menggunakan metode penelitian dengan pendekatan yuridis normatif melalui pendekatan undang-undang dan pendekatan kasus, spesifikasi penelitian deskriptif, data sekunder, metode pengumpulan data yang diperoleh dengan studi pustaka, metode penyajian data teks naratif, dan metode analisis normatif kualitatif.

Berdasarkan hasil penelitian ditemukan bahwa Konvensi Jenewa IV 1949 khususnya Pasal 27 Ayat (2) dan Protokol Tambahan I 1977 terutama Pasal 75 Ayat (2), Pasal 76 Ayat (1), dan Pasal 77 Ayat (1) yang mengatur tentang jaminan perlindungan terhadap setiap perbuatan yang menyerang kehormatan dan melanggar kesusilaan kurang dihormati dan belum diimplementasikan sepenuhnya oleh pemerintah Suriah karena terdapat beberapa hambatan. Beberapa hambatan yang dimaksud adalah masih berlakunya norma-norma budaya di Suriah yang menempatkan posisi perempuan lebih rendah dibanding laki-laki dan ketidakmampuan pengadilan nasional Suriah untuk menindaklanjuti kejahatan tersebut.

Kata kunci : Perlindungan, Perempuan, Konflik Bersenjata, Gender



ABSTRACT

The armed conflict in Syria that has occurred from March 2011 to the present time (2020) has resulted in gender-based violence. This study aims to determine the protection of humanitarian law for women and girls from gender-based violence that happened during armed conflict in Syria.

This study used a research method with a normative juridical approach through a statute approach and a case approach, descriptive research specifications, secondary data, data collection methods obtained by the study of literature, narrative text data presentation methods, and qualitative normative analysis methods.

Based on the results of the research that has been carried out, a conclusion has been drawn that the Geneva Convention IV 1949 particularly Article 27 Paragraph (2) and Additional Protocol I 1977, especially Article 75 Paragraph (2), Article 76 Paragraph (1), and Article 77 Paragraph (1) which regulates the guarantee of protection against every act that attacks honor and violates morality are not respected much and have not been fully implemented yet by the Syrian government due to several obstacles. Some of the obstacles referred to are the persistence of cultural norms in Syria that place women on a lower position than men and the inability of the Syrian national court to prosecute these crimes.

Keyword : Protection, Woman, Armed Conflict, Gender