

Addressing the impacts of the arms trade on gender-based violence

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In this side event attended by more than 100 participants, arranged by the Women's International League for Peace and Freedom (WILPF), the Women's Network of the International Action Network on Small Arms (IANSA), and Amnesty International in cooperation with the Permanent Mission of Finland to the United Nations, speakers addressed the important issue of how the arms trade treaty (ATT) could include, and thereby contribute to preventing, gender-based violence. The seminar was chaired by Riitta Resch, Head of the ATT delegation of Finland.

Madeleine Rees, Secretary General of WILPF, stressed that the ATT will be written within a legal framework of international law in which gender mainstreaming in the UN is already an obligation, thus an ATT that does not take gender-based violence into account is not an option. According to Ms. Rees, the ATT must have preventive elements in order to be effective, and it has to be reflective of the obligation to protect. These elements include both negative obligation not to sell arms if there is a risk that it could be used to facilitate gender-based violence, but also positive obligations to prevent, protect, and punish, as well as to provide compensation to victims. In terms of what should be included in a risk assessment, Ms. Rees argue that if states are left to interpret and decide on criteria themselves, or if the criteria are not specific enough, states will set their own standards, which will likely lead to violations of human rights through irresponsible arms transfers.

By sharing her first-hand experience on how armed violence is a huge threat to women's security, Marren Akatsa-Bukachi, Executive Director of the Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI), put emphasis on why an ATT cannot be allowed to leave gender-related violence out of its criteria. Firearms help making rape possible, she noted, and too many women suffer from this reality every day. This clearly has negative consequences for women's physical and psychological health, but also for the society as a whole. The different impact of small arms and light weapons (SALW) on men, women, boys, and girls is clear proof of why both SALW and gender based violence, including sexualized violence and rape, have to be included in the ATT. Ms. Akatsa-Bukachi called for the creation of a critical mass in the negotiation room in favour of including this topic in the ATT criteria.

Dr. Dan Kuwali of the Republic of Malawi argued that wars today have no frontiers, and that conflict-related rape is a clear example of that. He emphasized that while gender-based violence does not exclusively apply to women, it is necessary to highlight that men most often are the perpetrators and that women are most often the victims. He also argued that rape as a manifestation of dominance is so widespread due to the fact that SALW and ammunition is too easily accessible, cheap, and easy to use. In this regard, he also said that firearms are used as a license to oppress, both in the private and in the public. The legal framework on Women, Peace and Security manifested in UN Security Council resolutions 1325 and 1820 and the Beijing Platform for Action are only

a few examples of how the UN has already focused on gender-based violence, hence it has to be included as a specific criteria and in the goals and objectives of the ATT.

Clare da Silva of Amnesty International presented the main priorities of her organization, arguing that the criteria of the ATT must be comprehensive while also including details regarding risk assessment. She stressed that it is important that all relevant information about end-users, usage, and misuse are taken into account, and that states should be required to investigate if an arms transfer is likely to be used to facilitate gender-based violence. Likewise, the scope of the treaty has to do the same, and all conventional arms that do and can facilitate the identified violations have to be included. In order to ensure efficiency, effective control mechanisms with high international standards are necessary, as well as an obligation to implement these standards including risk assessment. According to Ms. da Silva, by including gender-based violence in the criteria of the ATT, both exporters and importers are obliged to ensure that violations will not take place.

Several participants raised different concerns in the Q&A session, including the importance of reaching out to states that have not already asked for gender-based violence to be included in the operational part of the treaty. Clearly, the critical mass needed for the ATT to contribute to prevent gender-based violence has started to take form, but will have to grow during the coming days. The diverse experiences of the panelists in this seminar clearly shows that in order to increase women's security, the ATT should require states to not allow an international transfer of conventional arms where there is a substantial risk that the arms under consideration are likely to be used to perpetrate or facilitate acts of gender-based violence, including rape and other forms of sexual violence. •