

CEDAW COMMITTEE ENQUIRIES GERMANY ABOUT ITS ARMS EXPORTS

Germany is the world's third arms exporter. As such, it must prevent arms exports by companies within its jurisdiction that may facilitate or aggravate generalised violence against women and femicide in importing states.

Arms exports can have serious consequences on the rights and human security of women in importing states, particularly in the case of exports of small arms and light weapons.

THE CASE OF ARMS EXPORT TO MEXICO

WILPF is particularly concerned by the case of exports of firearms produced by the company Heckler and Koch to Mexico.

Divers mechanisms of protection of human rights both of the UN system and the regional system have warned that Mexico is in a **serious human rights crisis** and that there is a situation of generalised violence, probably fuelled by the "war on drugs" initiated in 2006.

Different forms of violence have been spread in the country including enforced disappearances, torture, murders, kid-napping, extrajudicial executions of men, women, children, migrants, human rights defenders and journalists.

The [Inter-American Commission on Human Rights](#) pointed out that this problem is linked to complex phenomena such as: the high militarisation of the country and the presence of criminal structures. The proliferation and easy access to firearms constitute for the Commission one of the main factors for the aggravation of violence in Mexico. ^[1] The crimes with firearms increased by 55% between 2013 and September 2014.^[2]

REALITY OF FEMICIDE VIOLENCE WITH FIREARMS IN MEXICO

Mexico ranks the 23rd in cases of femicide in the world. In cases of femicide perpetrated with firearms they are in 10th position.^[3] In the last six years, the highest rates of femicide have been registered in the States of Chihuahua, Guerrero, Baja California and State of Mexico.

A study by UN Women and the National Institute of Women about femicide in Mexico points out that one of the main concerns is the increase of the use of

firearms to commit homicide against women in the country, doubled between the years 2004 and 2010.

The study concludes that women are at higher risk if their families and communities are armed.^[4]

The control system and the regulation of weapons in Mexico are not effective to assure that these cannot facilitate or be used to commit serious acts of violence against women. For example, in Mexico the factor of gender-based violence is not part of the procedures to expedite licences to carry firearms. Additionally, it is important to point out that in Mexico there is an important black market of firearms outside of the control of the State.

PREVIOUS SCANDALS WITH GERMAN ARMS EXPORTS

In 2006, 2,025 G36 assault rifles were exported by Heckler and Koch to the National Defence Secretariat of Mexico. At the time, a condition was established for the export: that the assault rifles were not used or distributed to 4 States in Mexico: Chihuahua, Guerrero, Baja California and Chiapas, States with high levels of violence.

However, it has been determined that some of these German rifles were used by the State police in the State of Guerrero the night that the disappearance of the 43 students in Ayotzinapa. This evidences that German weapons can be used in the current context of human rights crisis in Mexico and more concretely in cases of femicide.

The case is currently under prosecution in Germany and the Attorney's office in Stuttgart claims that the limitation regarding the distribution within Mexican territory was breached with the knowledge and connivance of the German company Heckler and Koch.

ARMS EXPORTS CASE BROUGHT TO CEDAW COMMITTEE

WILPF has recently made a [statement](#) explaining to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) Committee the situation of arms exports from Germany, and lack of appropriate previous assessment during a pre-session of a review of Germany by this Committee.

After the pre-session, the Committee has told Germany: "According to information before the Committee, there are several areas where operation of German companies abroad has a negative impact on the human rights of women. Please

provide information on the regulatory framework, which ensures that operation of German industries and companies, do not negatively affect human rights or endanger environmental, labour and other standards, especially those relating to women's rights. Please also indicate the steps taken: a) to integrate a gender dimension in strategic dialogues with the countries purchasing German arms; b) to conduct gender sensitive risk assessments, in accordance with the Arms Trade Treaty (2013), in order to mitigate the potentially negative impact on women's rights of arms transfers to countries marked by armed conflict or risks of such conflict; c) to protect the rights of all women and girls, in particular in rural areas, in international food value chain production, as well as in the context of its development cooperation policies and programmes."

WHAT NEXT?

WILPF will now work closely with [WILPF Germany](#) and partners to establish a full report on German arms exports to Mexico and other countries where there are high rates of femicide and the Committee will finally review the full human rights situation of women in relation to Germany in February.

If you are interested on this matter, don't forget to [sign our news and alerts!](#)

We will keep you posted on it!

Tell us your opinion: what other arms transfers do you know that should not have been allowed? Have there been prosecutions for undue arms transfers in your country?

REFERENCES

[1] Comisión Interamericana de Derechos Humanos, Informe de país: México, situación de derechos humanos, 2015

[2] Arriaga Carrasco Paulina y otras Mujeres víctimas de violencia armada y presencia de armas de fuego en México. Resultado a nivel nacional y estatal 2011-2014. Observatorio Nacional de Violencia armada y género. México D.F, 2015.

[3] Global Burden of Armed Violence : Every Body Counts, 2015

<http://wilpf.org/cedaw-committee-enquiries-germany-about-its-arms-exports/>

[4] Femicidio en México, aproximaciones, tendencias y cambios, ONU Mujeres México, Instituto Nacionales de las Mujeres, 2014.