



Preventing gender-based violence through arms control - case study

## THE SPANISH ARMS TRADE AND RISK ASSESSMENTS

WOMEN'S INTERNATIONAL LEAGUE FOR  
**PEACE & FREEDOM**





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# Introduction

Spain is the seventh largest arms exporter in the world and accounts for 3.5% of international arms exports.<sup>1</sup> Between 2006–10 and 2011–15, Spain's arms exports increased by 55%. In 2013, Spain's arms exports were worth 3,908 million Euros and its arms export licences were worth 4,321 million Euros.<sup>2</sup> According to the most recent official statistics, during the first part of 2015, Spain's arms exports were worth 1,824 million Euros, and arms export licenses were worth 1,678 million Euros.<sup>3</sup> Spain is a main supplier of weapons to some of the biggest importers, including Saudi Arabia, Australia, Turkey, and Viet Nam. It also supplies 19% of Mexico's weapons.<sup>4</sup>

Civil society analysis and monitoring has uncovered arms transfers and operations that may have violated Spanish legislation, as well as regional and international agreements to which the country is a party. During the first part of 2015, these involved arms exports or exports licenses to countries such as Saudi Arabia, Bahrain, Brazil, Colombia, Egypt, Iraq, Israel, Mexico, Pakistan, Central African Republic, Tunisia, Turkey, and Ukraine.<sup>5</sup>

Spain ratified the Arms Trade Treaty (ATT) in April 2014. During the negotiation process, Spain signed onto the joint position by 75 states calling for gender-based violence (GBV) to be included in the text of the Treaty.<sup>6</sup> The Spanish delegation was a relatively early endorser of this concept, supporting in 2011 the inclusion of violence against women in the Treaty.<sup>7</sup>

# Spanish arms industry: production and trade

## History

To understand the development of Spanish arms industry, one must look back to the end of civil war and the beginning of Franco's dictatorship. During the period called "Autarchy," the regime started a process of industrial development. As part of this, in 1941 the National Institute of Industry (INI), a state-owned holding company, was created. The goal was to promote an autonomous military industry that would not depend on trade with other countries. Some scholars have suggested that "the Franco dictatorship sought to emulate the successes of Hitler's Germany which had based its economic expansion in the military industry."<sup>8</sup> It was then that three of the most significant military companies in the country were created: Empresa Nacional Bazán (now Navantia), Construcciones Aeronáuticas S.A. (later EADS-CASA, and now Airbus), and Empresa Nacional Santa Bárbara (now General Dynamics/Santa Bárbara). Today, the Spanish arms industry is considered to be an oligopoly with four main companies: Navantia, Indra, Airbus España (former EADS/CASA), and General Dynamics/Santa Bárbara. In 2011, these four companies accounted for 80.4% of military business, worth 6,434 million Euros, and 80.4% of employment in the military industry.<sup>9</sup>

Each of these companies leads one particular sector in the industry and has received favourable treatment from different Spanish governments since 1978.<sup>10</sup> The biggest one, in turnover and employment, is the aerospace sector, with Airbus España (4.1% state-owned); followed by the State-owned Navantia,<sup>11</sup> in the

naval sector; Indra<sup>12</sup> (20% state-owned), in electronics and communications; and General Dynamics/Santa Barbara in the sector of armoured vehicles, missiles, and light weapons.

According to some analysts, the military industry lobby holds a great deal of power in Spain through connections between the companies, political offices in the government, and the military. For example, the current Minister of Defence, Pedro Morenés, has a long track record in the military industry and in various political positions. Before taking his current position in the Ministry, between 1996 and 2000 he was Secretary of State of Defence; and between 2000 and 2002, Secretary of State of Security. After that, he joined different companies in the security and military sector as executive or advisor. In June 2010, he became the president of MBDA España, a company that produces missiles. Before that, between 2005 and 2007, he was counsellor of Instalaza, an explosives company that used to produce landmines before they were banned in the country. In 2007, Instalaza exported cluster bombs to Gadhafi's Libya.<sup>13</sup>

The case of Pedro Morenés is not the only one; it is just one example of the phenomenon called "puertas giratorias"—the "revolving door" between positions in public policy and private companies. In the Spanish military industry, numerous examples include politicians from both the conservative and progressive parties.<sup>14</sup> In addition, the Royal Family, and in particular Juan Carlos I, has played a concrete role in promoting military operations, especially with countries of the Middle East. The former king of Spain





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boasts of having very good relations in particular with Saudi Arabia, which is a routine recipient of Spanish military industry exports.

## National laws, regulations, and institutions

In Spain, the Secretary of Commerce, which is part of the Ministry of Economy and Competition, is responsible for authorising arms exports, after consultation with an interministerial agency, the Junta Interministerial Reguladora del Comercio Exterior de Material de Defensa y de Doble Uso (JIMDDU).<sup>15</sup> JIMDDU meets once a month, except in August.<sup>16</sup> These meetings are preceded by a technical working group meeting, in which sensitive export applications are considered.<sup>17</sup> Seven agencies represented in JIMDDU conduct the risk assessment: the Ministry of Economy, the Ministry of Foreign Affairs, the Ministry of

Defence, the Ministry of the Interior, the Ministry of Industry, Energy, and Tourism, the Ministry of Internal Revenue and Public Administration, and the Presidency.

The Arms Trade Treaty (ATT) and the UN Programme of Action on small arms and light weapons (UNPoA) have a number of institutional requirements necessary for the effective control of the arms trade and cooperation between states. The ATT requires states to establish a national point of contact and a national coordination agency that maintains national records of export of issuance of authorisation and submits reports.<sup>18</sup> Similarly the UNPoA recommends that states designate a national point of contact as well as establish a national coordination agency providing policy guidance, conducting research, and monitoring the efforts of preventing illicit arms trade.<sup>19</sup> Spain has both for the UNPoA.<sup>20</sup>



# Export licensing and risk assessments

## Licensing

The procedure for exporting and licensing military and dual-use material is explained in detail at the Ministry of Economy website.<sup>21</sup> Exporters must be previously registered in the Registro Especial de Operadores de Comercio Exterior (Special Register for Foreign Trade Operators). Manufacturers exporting materials included in the Annex 1 of the Reglamento de Control de Comercio Exterior de Material de Defensa, de Otro Material y de Productos y Tecnologías de Doble Uso (RD 679/2014)<sup>22</sup> have to fill out a license form with different information about the operation.<sup>23</sup> License applications must be accompanied by end-use control documents, including an end use certificate issued by the competent authorities, and an end user declaration, issued by the final end user, which, depending on the circumstances may need to be stamped by the authorities of the destination country. License applications are later studied by the JIMDDU, which issues a report approving or denying the export.

In 2014, Spain denied an export license to Sudan for human rights reasons, and suspended licenses to Ukraine and Venezuela because of internal instability and risk of diversion.<sup>24</sup> In the first part of 2015, three licenses were denied: two licenses to Russia, a hunting rifle and 60 sporting guns; and one individual license to Venezuela, for engine parts for transport trucks and tools to repair armoured vehicles.<sup>25</sup>

## Risk assessment

Spain's risk assessment process does not look only at the destination country, but the end user, down to the exact unit of the army, whether it is the police or the armed forces. Spanish authorities also examine the type and quantity of the product, the risk of diversion, the intended end use, and denials by other countries. If there is a denial by another country, it is not exactly mandatory, but it is almost certain to be denied.<sup>26</sup> The risk assessment process covers arms and equipment for militaries, firearms for civil use, riot gear, and dual-use goods.

## Sources of information

JIMDDU uses NGO reports from organisations such as Amnesty International, reports of the Escola Cultura de Pau (School for a Culture of Peace) of the Autonomous University of Barcelona, which includes information on gender-based violence, as well as reports by Small Arms Survey, the Stockholm International Peace Research Institute (SIPRI), and Conflict Armament Research.<sup>27</sup> There is an exchange of information within various forums in Brussels, with European countries and Waasenar arrangement countries.<sup>28</sup>

## Duration

"The duration of the risk assessment depends on the sensitivity of the export and the information available," explains Ramón Muro Martínez, who is responsible for arms exports at the Ministry of Commerce and secretary of JIMDDU. "The majority of exports are not

sensitive because they are destined for allied countries, EU members, or for non-sensitive products.”<sup>29</sup> For sensitive exports, where the end user is not clear or not all the information needed is available, it can take one to three months. Sometimes there are circumstances in which Spain decides not to approve a license and to wait for a given time for the situation to change. This has happened for Venezuela and Colombia. There is an administrative limit of six months, after which the license is presumed to be denied.<sup>30</sup> “Usually, it happens when a company omits key documents from its application,” notes Ramón Muro Martínez. “Applications must contain end use documents, sealed and signed original copies. We do not ask companies to conduct a risk assessment, but we sometimes ask additional information about the market, and the end user, in addition to the control document.”

## **Gender-based violence (GBV)**

Spain does assess the risk of GBV, though there has never been a denial based on the risk of GBV.<sup>31</sup> Export officials require a clear link between GBV and the arms export under consideration, “rather than general reports of gender-based violence that have nothing to do with the use of military products.”<sup>32</sup> Nevertheless, in some cases, Spain has taken into account general levels of violence. For example, there have been denials of small arms exports to Central American countries where there was a lack of guarantees about the end user and for having high levels of violence.

Ramón Muro Martínez explains that export officials mostly use the annual reports of the Escola de Pau of the University of Barcelona “because they are the only source that we know of that links gender-based violence to the proliferation of arms. Other reports would be

very useful. We do not use reports by the CEDAW committee because they are not linked to armed violence.”<sup>33</sup> Ramon Muro Martinez recognizes that “studies and guides regarding gender-based violence would be very useful in the risk assessment, especially for more sensitive countries.”

In reality, CEDAW reports can be very useful, because the CEDAW committee frequently makes observations on armed violence, gender, and women’s rights.<sup>34</sup>

Civil society organisations have requested to participate in the risk assessment process, but so far this request has been denied, “because JIMDDU meetings are secret and there is no guarantee that civil society will keep the secret and maintain confidentiality, and will not share reports, therefore we have decided to only invite technical specialists,” argues Ramón Muro Martínez.<sup>35</sup>

## **Post-export monitoring**

Spain does try to monitor exports after they have been approved in the most sensitive cases. Spain does not have embassies in all countries, but in some, where arms exports are the most sensitive, there is a follow up conducted by intelligence services.



# Spanish arms transfers and gender-based violence

This section highlights some of Spain's arms transfers that raise a variety of concerns, including the risk of facilitating GBV.

## Cameroon

### **GBV resulting from diversion to the Central African Republic**

In 2014, Spain approved 5 licenses worth 2.6 million euros to export hunting and sporting guns and ammunition to Cameroon.<sup>36</sup> Since the start of 2014, Spanish shotgun ammunition has been recovered from anti-Balaka fighters and armed civilians in Central African Republic (CAR).<sup>37</sup>

On 27 April 2014, CAR customs seized a box of ammunition manufactured in Spain by MAXAM Outdoors, S.A. It was being smuggled into the CAR at its main land crossing point with Cameroon, Garoua Boulai-Beloko. The box of cartridges was hidden inside a bag of onions carried by a woman and a child. CAR customs also seized another 64 boxes of hunting cartridges in February 2014 and alleged anti-Balaka members threatened customs agents to release the boxes. The ammunition had been sold to a Cameroonian broker, SAMT (Armes Transports et Munitions SARL) in Yaoundé, Cameroon, and shipped from Spain on 9 January 2014, with the end user certifying that the ammunition would not be sold or re-exported to any other country.<sup>38</sup>

This case shows not only that the smuggling of arms and ammunition is the result of porous borders but that there is a need for effective

information-sharing on illicit arms and ammunition transfers among the states of the Central African subregion, in pursuance of the November 2010 Central African Convention for the Control of Small Arms and Light Weapons, Their Ammunition and All Parts and Components That Can Be Used for Their Manufacture, Repair and Assembly.<sup>39</sup>

Widespread gender-based violence committed by all armed actors, including the anti-Balaka, has been documented by a number of sources. The UN Secretary General's 2015 report on conflict-related sexual violence states that during 2014, 2,527 cases of conflict-related sexual violence were documented in the CAR, including rape perpetrated to terrorize civilians. Alleged perpetrators are associated with members of armed groups, including the anti-Balaka.<sup>40</sup> The First Progress Report of the Commission of the African Union on the situation in the CAR and the activities of the AU-led International Support Mission to the CAR (MISCA) documented many cases of rape, particularly gang rape, forced marriages, sexual slavery, and physical abuse committed by both ex-Seleka and anti-Balaka elements. In Bangui, in January 2014, MISCA documented 251 cases of rape.<sup>41</sup>

Ramón Muro Martínez of the JIMDDU stated,

We had import guarantees, import licenses and guarantees from the end user, who was an arms dealer. Consumers can always divert weapons and it is up to the Cameroonian authorities to control their borders so as to avoid diversion to a country under UN and EU

embargoes. We had guarantees from the end user dealer and an import license, as well as legislation that exists in Cameroon for the export of weapons and ammunition for hunting. In recent years we have always requested this legislation from Spanish exporters, but in that case, the control should have been made by Cameroonian authorities to avoid unauthorized reexport. There is a lesson learned however: analyze much more carefully export applications for hunting ammunition to Cameroon.

## **GBV committed by the intended end user**

In 2014, Spain also approved two licenses to Cameroon's armed forces worth 1.4 million, including small arms and light weapons equal to or superior to 20 mm caliber.<sup>41</sup> In March 2013, Human Rights Watch published a report documenting torture and ill-treatment against Cameroon's LGBT population at the hands of gendarmes, who report to the Ministry of Defense. "The majority of torture or ill-treatment of alleged gays and lesbians that we documented was at the hands of gendarmes,"<sup>43</sup> explained the report. One man was beaten by gendarmes with the butts of their sub-machine guns.<sup>44</sup> According to Human Rights Watch, Cameroon prosecutes people for consensual same-sex conduct more aggressively than almost any country in the world, under article 347 bis of the penal code, which penalises "homosexuality".<sup>45</sup> A quick look at Human Rights Watch's website would have revealed this issue.

## **Brazil**

In 2014, Spain approved 30 licenses worth 290 million Euros in defence equipment to Brazilian armed forces and private companies, including small arms and light weapons.<sup>46</sup> It also approved

four licenses worth 6,774 Euros for hunting and sporting shotguns for private companies. Brazil, as a country that is not in conflict, does not feature in Escola de Cultura de Pau's reports. Recently, Brazil enacted a law to respond to its high femicide rate, with an average of 15 women killed every day for being women.<sup>47</sup> A report by the Brazilian Centre for Latin American Studies and the Latin American Faculty of Social Sciences ranked Brazil at seventh place internationally for the murder of women.<sup>48</sup> Half of homicides of women are committed with guns.<sup>49</sup>

## **Colombia**

In 2014, Spain approved six licenses to export defence equipment to Colombian Armed Forces worth 13.8 million euros, including ammunition, parts, and components of aircrafts and mortars.<sup>50</sup> Spain also approved six licenses worth almost 400,000 Euros in hunting and sporting guns for private companies and individuals.<sup>51</sup>

A number of sources, including those that Spain already consults, as well as UN and NGO sources, document the widespread perpetration of gender-based violence by all armed actors in Colombia. Both the Alert! 2014 report and the Alert! 2013 report of the Escola de la Pau, citing the report of the UN Secretary-General on sexual violence in conflict, emphasize the prevalence of sexual violence perpetrated against men and women by members of the Colombian armed forces.<sup>52</sup> The Alert! 2013 report notes, "The Constitutional Court of Colombia recognises that sexual violence is a habitual, widespread, systematic and invisible practice in the conflict."<sup>53</sup> The Alert! 2014 notes sexual violence perpetrated by illegal groups that appeared after paramilitary forces were demobilized.<sup>54</sup> The Alert! 2013 also notes the use of sexual violence as a weapon of war in Colombia.<sup>55</sup>



Credit: Flickr/Gideon Tsang

A study conducted over a nine-year period (2001–2009) found that on average 54,410 women per year, 149 per day, or six women per hour, suffered from sexual violence in Colombia.<sup>56</sup> These figures support the findings of the Constitutional Court.<sup>57</sup> The Office of the UN High Commissioner for Human Rights in Colombia registered complaints alleging that soldiers from the High Mountain Battalion, which had periodically occupied a local school in Valle de Cauca, had sex with two 14-year-old girls who became pregnant as a result.<sup>58</sup>

The UN Committee on Economic, Social and Cultural Rights (CESCR) raised concerns in its 2010 review of Colombia. The Committee stated that it was “deeply concerned at the large number of women and girls that continue to be raped and killed in the State party, and that violence against women and girls, in particular sexual violence, is perpetrated by illegal armed groups and army forces, despite the legislative

and policy measures taken by the State party to combat violence against women.” The Committee continued by stating that it was particularly concerned that the violence remains unpunished.<sup>59</sup> Likewise, the Committee on the Rights of the Child in 2010 raised its deep concerns “over reports indicating increasing numbers of children, especially girls, who are victims of sexual violence by illegal armed groups as well as by the armed forces” and urged Colombia “to undertake prompt and impartial investigations of such crimes.”<sup>60</sup> In its most recent review of Colombia in 2013, the Committee on the Elimination of Discrimination against Women (CEDAW Committee) raised in its concluding comments concern at the “prevalence of sexual violence against women and girls, including rape, by all actors in the armed conflict.”<sup>61</sup>

In its 2015 report on Colombia, the Committee on the Rights of the Child expressed concern

that the measures taken by the Colombian government against sexual violence were largely insufficient.<sup>62</sup> It expressed deep concern about the high prevalence of sexual violence against children, especially girls, in the context of armed conflict, and the under-registration of such cases, and the prevalence of impunity for the alleged perpetrators.<sup>63</sup> It also expressed concern about sexual violence committed by the police and armed forces.<sup>64</sup>

The UN Secretary General's 2012 report on conflict-related sexual violence cited Colombia's Human Rights Ombudsman stating that "even if cases of sexual violence against women perpetrated by the Security Forces do not correspond to a war strategy ... they constitute a generalised practice that takes advantage of the conditions of subordination of women, their precarious economic conditions resulting from lack of protection by the State, and the acceptance of existing ideas in the local culture, such as a woman's body is an object that belongs to men."<sup>65</sup>

In 2011, in one of the rare cases of sexual violence that resulted in prosecution of Sub-Lieutenant Raul Munoz Linares, the judge in charge of the case, Gloria Constanza Goana, ordered an investigation into the delay tactics used by the military defense lawyers. She was murdered in March 2011. In August 2012, Linares was sentenced to 60 years in prison for the rape and murder of two girls in October 2010.<sup>66</sup>

Gender-based violence in Colombia also highlights the need for strong implementation of the UN Programme of Action on the illicit trafficking of small arms and light weapons. The 2015 report of the UN Secretary General on conflict-related sexual violence notes that sexual exploitation in areas under the influence of non

state armed groups or groups that have emerged from the process of demobilization is of continuing concern. "According to official data from the Office of the Ombudsman, post demobilization groups and other local armed elements have been identified as the main source of threat."<sup>67</sup> GBV is therefore closely related to flawed disarmament, demobilisation, and reintegration (DDR) processes.

According to Human Rights Watch, the Colombian government failed to verify whether those who demobilised were really paramilitaries, and whether all paramilitaries in fact demobilised. As a result, in some cases paramilitary groups were able to engage in fraud, recruiting civilians to pose as paramilitaries to demobilise, while keeping a core segment of their groups active. But perhaps a more serious problem was the fact that the government failed to take advantage of the process to thoroughly question demobilising paramilitaries about their knowledge of the groups' assets, contacts, and criminal operations; to investigate the groups' criminal networks and sources of support; and to take them apart.<sup>68</sup> With some exceptions, prosecutors failed to thoroughly investigate the AUC's complex criminal operations, financing sources,<sup>69</sup> and networks of support. Thus, successor groups have been able to easily fill the United Self-Defence Forces of Colombia (AUC)'s shoes, using the massive resources they already had or could readily obtain through crime to recruit new members and continue controlling and abusing the civilian population.<sup>70</sup> Members of the police and the Office of the Attorney General also raised the concern of corruption and toleration of successor groups by some state officials, which make it difficult to track down, confront, and hold accountable the groups.



## Saudi Arabia

From 2011–15, Spain was the third largest exporter of weapons to Saudi Arabia after the United States and United Kingdom, accounting for 5.9% of the kingdom's imports.<sup>71</sup> In its recent report on ATT states parties' arms transfers to Saudi Arabia,<sup>72</sup> Control Arms found that from January to June 2015, Spain authorised eight licences for export of aircraft, fire control systems, bombs, torpedoes, rockets, and missiles to Saudi Arabia worth 27 million Euros.<sup>73</sup> Spanish media have reported the prospective agreement of a 3 billion Euro deal for Spanish defence contractor Navantia to build five Avante 2200 frigates for the Saudi navy.<sup>74</sup> In this same period, Spain exported 447 million Euros worth of weapons to Saudi Arabia, including two air-to-air refuelling aircraft, spare parts for fighter jets, technical assistance, and ammunition and small arms, including automatic weapons of 12.7mm calibre.<sup>75</sup>

Saudi Arabia led a coalition intervention in Yemen starting in 2015 to influence Yemen's civil war. Nine other state are involved in the intervention,<sup>76</sup> which began carrying out airstrikes on 26 March 2015. A United Nations panel investigating the Saudi-led bombing campaign in Yemen has uncovered "widespread and systematic" attacks on civilian targets in violation of international humanitarian law,<sup>77</sup> mostly due to the use of explosive weapons in populated areas.

Explosive weapons use blast and fragmentation to kill and injure people in the area where they detonate, as well as to damage objects, buildings and infrastructure. When used in populated areas they tend to cause high levels of harm to individuals and communities. Destruction of infrastructure vital to the civilian population, including water and sanitation, housing, schools and hospitals, will likely

prevent enjoyment of right to health, education and adequate housing. Victims and survivors of explosive weapons can face long-term challenges of disability, psychological harm, and social and economic exclusion.<sup>78</sup>

When explosive weapons were used in populated areas in Yemen, civilians made up 95% of reported deaths and injuries.<sup>79</sup> In 2015, Action on Armed Violence (AOAV) recorded more civilian deaths and injuries reported from explosive weapons in Yemen than in any other country around the world.<sup>80</sup> All parties to the conflict in Yemen have made widespread use of explosive weapons that have a wide area impact in populated areas, including aircraft bombs, rockets, and mortars, as well as improvised explosive devices (IEDs). A report produced by AOAV and the UN Office for the Coordination of Humanitarian Affairs analysing violence in Yemen between 1 January and 31 July 2015 showed that explosive weapons killed and injured 4,493 civilians in that period.<sup>81</sup>

Aerial bombing by the Saudi-led coalition was responsible for 60% of civilian deaths and injuries from explosive weapons in Yemen, according to that report. The report identified a total of 835 civilian deaths and 1,847 civilian injuries between the launch of the Saudi-led coalition's military intervention in March and the end of July 2015.<sup>82</sup> According to the UN High Commissioner for Human Rights (HCHR), "the coalition is responsible for twice as many civilian casualties as all other others forces put together, virtually all as a result of airstrikes".<sup>83</sup>

More than half of all the reported Saudi-led coalition air strikes in Yemen were recorded in populated areas. The report documents a widespread pattern of strikes hitting civilian residential areas, schools, mosques and markets, including within the capital Sana'a. The large destructive radius of many aircraft bombs



Credit: Flickr/DFID/Simon Davis

means that even if a military target was struck within a populated area, civilians were still frequently among the casualties.<sup>84</sup>

As well as causing the deaths and injuries of more than 2000 civilians, the conflict in Yemen has exacerbated an already severe humanitarian crisis and 80% of the population is in urgent need of humanitarian assistance.<sup>85</sup> In such a context, women and girls often disproportionately suffer notably due to forced displacement, sexual violence, trafficking, lack of access to health care (including sexual and reproductive health) and lack of access to victim and survivor assistance.<sup>86</sup> The UN Refugee Agency has expressed concern with sexual violence and abuse of refugee women fleeing to Europe from conflicts in the Middle East, including that in Yemen.<sup>87</sup>

The use of explosive weapons in populated areas may have specific implications for women due to destruction of civilian infrastructure including houses, schools, and markets; exacerbated social and political inequalities and pressures from the increase in female-headed households; inequalities in access to survivor assistance; and increased risk of sexual violence and exploitation of displaced people and refugees fleeing the bombing and shelling of their town or city.<sup>88</sup>

# Recommendations

Spain's laws and its stated commitment to international obligations under the Arms Trade Treaty and EU regulations should provide a good framework for preventing arms exports that contribute to gender-based violence and other human rights abuses. Yet in some circumstances it appears that industry interests, based on financial, defence, or larger security concerns, have an inordinate influence over export decisions.

In order to ensure consistency between law and policy on the one hand and arms export decisions on the other, the Spanish government and the JIMDDU should:

- **Make better use of external resources during risk assessments**, such as the UN Special Rapporteur on Violence against Women, the MFA's reports on human rights, Human Rights Watch country reports, reports from the CEDAW Committee, and UN Secretary-General reports on sexual violence in armed conflict.
- **Develop and implement provisions to prevent rather than just redress diversion**. To this end, risk assessment officers should review past instances of diversion within the region, taking into account ongoing political and socioeconomic factors, including armed conflicts in the area. Officials should also review past behaviour of recipient country as well as its relevant rules, regulations, and laws.
- **Increase and ensure public transparency about risk assessment processes for arms transfers, including specific agreements**. The minutes of JIMDDU's meetings should be made public, as should decisions with grounds for denial or authorisations by the JIMDDU. Information that is published should be more detailed. Increased transparency in decision-making on export control would also most likely contribute to a more substantial debate on security interests, gender analysis, political priorities, etc.
- **Cease arms transfers to countries using explosive weapons in populated areas** and support the development of an international commitment to end the use of explosive weapons in populated areas.<sup>89</sup>

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9. Information in this epigraph is based on Pere Ortega, El lobby de la industria militar española, Barcelona, 2012.
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Reaching Critical Will is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest women's peace organization in the world.

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## Reaching Critical Will

WILPF Geneva  
1, rue de Varembe,  
Case Postale 28  
1211 Geneva 20  
Switzerland

T: +41 (0)22 919 70 80  
E: [disarm@wilpf.ch](mailto:disarm@wilpf.ch)

WILPF New York  
777 UN Plaza,  
New York  
NY 10017  
USA

T: +1 212 682 1265  
E: [info@reachingcriticalwill.org](mailto:info@reachingcriticalwill.org)