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IT'S TIME TO GET SERIOUS ABOUT ADDRESSING GENDER-BASED VIOLENCE

Allison Pytlak | Reaching Critical Will of WILPF

As the next round of meetings to prepare for the Fifth Conference of States Parties (CSP5) of the Arms Trade Treaty (ATT) get underway this week, gender and gender-based violence (GBV) will again be an area of focus for those attending, in keeping with the theme of the CSP. The editorial published by Reaching Critical Will at the conclusion of the preparatory meetings held earlier this year ended with a call on states to approach CSP5's thematic focus as an opportunity, and to do so with ambition and a view to "action-oriented outcomes that will have a real impact on practice."

That message continues to hold.

This coming week is an opportunity to go deeper into the questions, concerns, and details that emerged from deliberations in January. The aim of this thematic focus on both GBV—and gender perspectives in disarmament more broadly—is to highlight an aspect of the Treaty that is less well-understood in order to assist states parties to operationalise their commitments in this area. The last round of meetings identified that states have questions about what GBV is, how arms transfers can facilitate it, where to find data and information for a GBV risk assessment, and how this interacts with international humanitarian law (IHL) and international human rights law (IHRL). It also revealed that not all states see the need to assess for GBV on its own terms but prefer to do so as part of assessing for impacts on IHL or IHRL.

The international arms trade has specific gender dimensions and direct links to discrimination and gender-based violence. The arms trade affects everyone – men, women, boys and girls – in different ways. Weapons are used to facilitate repression and state violence, and sexual violence is often widely and systematically employed against civilians during armed conflict.

Even if serious violations of IHRL or IHL includes serious acts of GBV or violence

against women and children, it is important to have the GBV criterion included specifically, as this form of violence is often overlooked. Including this provision in the Treaty underlines the need for prevention of GBV explicitly and makes its exclusion from risk assessments more difficult.

While the ATT is the first legal agreement to recognise the link between GBV and the international arms trade, this link does not exist in vacuum. GBV-related commitments under the ATT align with commitments that states parties already hold through human rights instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) or as part of the UN Security Council Resolution 1325 Women, Peace and Security (WPS) agenda. It complements principles and goals set forth by the 2030 Agenda for implementing the Sustainable Development Goals. These legal instruments and normative frameworks, among others, have contributed to the establishment of common understandings amongst the global community about what GBV is—understandings that do not need to be re-invented in the context of the ATT but rather applied and integrated as part of Treaty implementation. They have also led to the development of platforms like 1325 National Action Plans, which can be vehicles for national actions including in relation to GBV. Finally, these instruments have generated expertise and knowledge within governments that should be harnessed in pursuit of thorough implementation of the ATT—or conversely, its implementation can be a way to strengthen domestic and international efforts to address GBV.

There is also a growing number of resources and guidance for states on gender, GBV, and ATT responsibilities that draws on expertise from the human rights, international law, and WPS communities. WILPF has been publishing guidance on how to implement gender-sensitive arms control and assess for the risk of GBV for many years. The International Committee of the Red Cross (ICRC)

The ATT Monitor is produced by the Reaching Critical Will programme of the Women's International League for Peace and Freedom (WILPF) daily during all ATT meetings.

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The views expressed in this publication are not necessarily those of WILPF or Reaching Critical Will.

Editorial, continued

included reflections on this in a publication released shortly after the Treaty's adoption and developed a working paper for this meeting that explores IHL and GBV in the context of the ATT. The Control Arms Coalition released a practical guide in late 2018 that offers guidance to states on data sources and key questions to ask as part of a risk assessment process.

These resources, coupled with existing expertise within government and the international community in relation to gender and gender-based violence prevention, means that lack of knowledge cannot be a justification for inaction or backsliding on existing obligations.

The agreement of a list of elements at CSP5 to support implementation of the GBV commitments in the ATT would be a positive and tangible outcome for the conference—but only if states move away from the supposed need for further clarification on basic concepts to integrating information contained in the available resources from WILPF, ICRC, and others into their export control processes. We also encourage states to conduct trainings for arms export and import control officials on GBV, and how to assess the risks as specific violations of IHL and/or IHRL. These and other steps we've highlighted will serve to better integrate arms export, import, and transit risk assessments with WPS, CEDAW, and Agenda 2030 commitments.

ATT AND GENDER-BASED VIOLENCE

Still not sure how to implement the ATT's provision on gender-based violence?



Download WILPF's resources on reachingcriticalwill.org

GENDER BASED VIOLENCE & the ARMS TRADE TREATY: A Legal Perspective

Panel

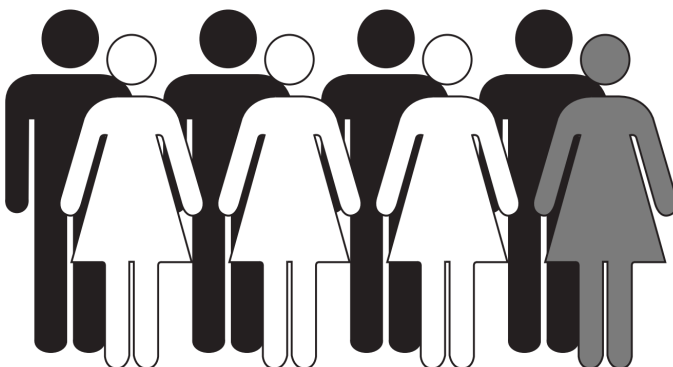
Mr. Colin Namalambo - Permanent Mission of Namibia (Chair)

- Ms. Netta Goussac - International Committee of the Red Cross
- Ms. Anna Crowe - International Human Rights Clinic, Harvard Law School
- Ms. Maria Butler - Women's International League for Peace and Freedom

This side event seeks to provide more clarity on how gender-based violence (GBV) is considered under International Humanitarian Law and International Human Rights Law, contributing to WGETI's work around the implementation of the GBV criteria in the ATT. The discussions will be guided by two papers:

- “*Q&A Answer Sheet - Serious Human Rights Violations and Gender-Based Violence and the ATT*” introduced by the International Human Rights Clinic from Harvard Law School
- ‘International Humanitarian Law and Gender-Based Violence in the context of the ATT’ prepared by the International Committee of the Red Cross.

A speaker from WILPF will explore the Women, Peace and Security Agenda as it relates to gender, and the incorporation of gender into peace and security.



When: Tuesday, 02 April
13:15 - 14:45

Where: CICG, Room 13



REPUBLIC OF NAMIBIA

control arms



WILPF



INTERNATIONAL HUMAN RIGHTS CLINIC
HUMAN RIGHTS PROGRAM AT HARVARD LAW SCHOOL

Upcoming side event 05/04/19

BRIDGING GAPS AND BUILDING UNDERSTANDING: GENDER, GBV AND THE ARMS TRADE TREATY

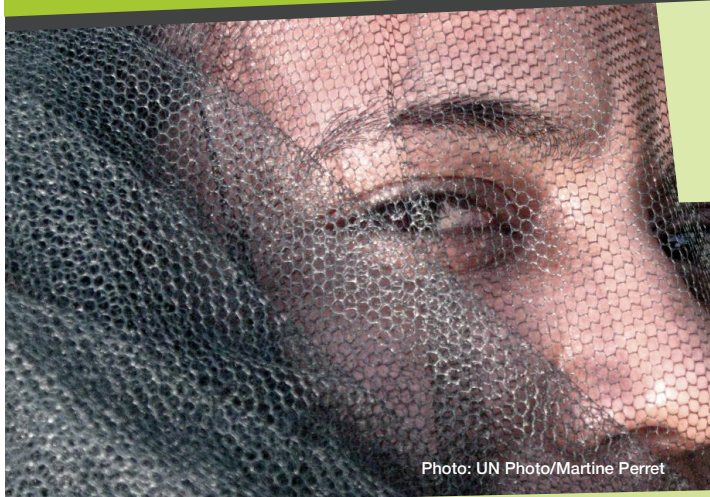


Photo: UN Photo/Martine Perret

The International Conference Centre
Geneva (CICG), Room 13
Friday 5 April 13h00-15h00
Light refreshments will be served



Photo: UN Photo/Rick Bajornas

About the Event

The thematic focus on gender and gender-based violence (GBV) as part of the CSP5 preparatory process is a welcome opportunity for states parties to take stock of existing practice in this area and identify where knowledge and implementation gaps remain. This event will bridge some of those gaps.

It will aim to maximize on the expertise and experience of those working outside of the UN arms control community by inviting speakers who can bring local, national, and thematic perspectives including on Women, Peace and Security and relevant human rights bodies to guide ATT states parties in working through some of these technicalities, toward a stronger outcome at the CSP and improved Treaty implementation.

Speakers

- **Michael Gaffey**,
H.E. Ambassador of Ireland
- **Allison Pytlak**,
Programme Manager, Reaching Critical Will
Women's International League for Peace and Freedom
- **Hiba Qasas**,
Chief, Humanitarian Action and Crisis Response Office –
Geneva, UN Women (Panelist)
- **Georgina Mendoza Solorio**,
Human Rights Officer, Women's Human Rights and
Gender Section, Office of the United Nations High
Commissioner for Human Rights (Panelist)
- **Guy Blaise Feugap**,
Communications Coordinator, WILPF Cameroon
(Panelist)

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