

## Women's International League for Peace and Freedom

Ligue Internationale de Femmes pour la Paix et la Liberté

Liga Internacional de Mujeres por la Paz y la Libertad

*Consultative Status with UN ECOSOC, UNCTAD and UNESCO; Special Consultative Relations with FAO, ILO, and UNICEF*



### **The Negative impact of Arms Transfer in the Human Rights of people living in conflict-affected areas**

#### **The position of the Women's International League for Peace and Freedom**

The Women's International League for Peace and Freedom (WILPF) welcomes the initiative of a resolution on the "Negative impact of Arms Transfer in the Human Rights of people living in conflict-affected areas". We believe this is an essential issue and bringing it to the Human Rights Council its part of its obligation to address the varied aspects and factors of human rights.

The impact that the global uncontrolled and irresponsible arms trade has on human rights was highlighted in the Arms Trade Treaty (ATT), the text of which was adopted by the UN General Assembly earlier this year (April 2013). The ATT is the first ever international tool that prohibits the sale of arms if there is a risk that the weapons could be used to commit or facilitate serious violations of international humanitarian or human rights law, including acts of gender-based violence.

The ATT fills a gap and builds bridges between regulating the arms trade and enhancing human security by providing a potentially useful tool to reduce and prevent armed conflict and thus protect human beings and their rights. If implemented with the highest possible standards, the ATT has a great potential to contribute to a holistic approach that responds to today's challenges to human security.

This new tool needs to be ratified by all states and implemented consistently and transparently by states parties. The UN system also needs to take the ATT into account in all of its organs, including human rights bodies such as the Human Rights Council, in order to ensure that the Treaty effectively prevents human suffering.

#### **The gender dimension of the international arms trade**

The impact of the uncontrolled flow and widespread use of arms has a gender dimension, as acknowledged in article 7 of the ATT. Article 7(4) obligates exporting states parties, as part of the export assessment process, to take into account the risk of the conventional arms, ammunition, munitions, parts, or components under consideration being used to commit or facilitate acts of gender-based violence (GBV). This article was included in the Treaty due to the overwhelming recognition of the fact that irresponsible and unregulated transfers of weaponry, munitions, armaments, and related equipment across borders have resulted in acts of GBV perpetrated by both state and non-state actors. LGBTI are often also victims of GBV.

Conflicts do not happen in a vacuum. Due to gender hierarchies, women or other groups that are already marginalised and discriminated against such as LGBTI often find themselves

increasingly targeted during armed conflicts. These targeted groups risk even higher exposure when their social infrastructure disappears due to loss of family, housing, and/or shelter. They then also become increasingly vulnerable to physical attacks and sexual exploitation.

When insecurity is widespread, and in particular when the danger of sexual violence is rampant, weapons represent a constant threat to women on the streets and within their households. On the streets, the impact on the mobility of women prevents them from fully participating in public life, hinders their economic empowerment, and affects their political participation.

Within the household, the presence of weapons, virtually always in the hands of men, represents an additional threat gender equality within the family. Weapons in the home represent a constant threat to women and children, limiting their freedom and security. Often during conflict and militarization of societies there is also an increase in sexism and violence towards women, which consequently increases the risk of these weapons being used to violate women's rights.

Finally, when peace talks take place to end a conflict, those who are in possession of arms tend to have a main role in the negotiation. This often prevents equal participation of women in peace processes. Even when women have been armed combatants in the conflict, they are frequently overlooked in disarmament, demobilization, and reintegration (DDR) programmes. Women's experiences and roles in war tend to be different than men's but men are often better positioned to take advantage of reconstruction initiatives. Furthermore, challenges to women's participation in peace processes are exacerbated by gender-based violence against women. Such violence "is both a cause and consequence of low levels of women's participation in all decision-making and, in fact, participation in day-to-day life."<sup>i</sup>

For these reasons, WILPF firmly supports the Human Rights Council in passing a strong resolution on the Negative impact of Arms Transfer in the Human Rights of all civilians which should include all above mentioned elements:

- Acknowledgement and support for of the role of the ATT in preventing violations of international humanitarian law and human rights law, including acts of gender-based violence;
- Acknowledgement of the varied gender impact of the trade of arms in all its aspects (in the house and outside, on the prevalence of sexual violence, on the participation of women and on their economical dependency);
- Acknowledgment of the consequences of groups at risk including LGBTI;
- Acknowledgement of the important role of civil society in disarmament processes; and
- Acknowledgement of the negative impact of the import of arms on future peace processes and on the participation of women in those processes .

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<sup>i</sup> Sam Cook, "[Security Council Resolution 1820: On Militarism, Flashlights, Raincoats, and Rooms with Doors—A Political Perspective on Where it Came From and What it Adds](#)," *Emory International Law Review*, Volume 23, Issue 1, 2009, p. 281.