

# 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

رابطة النساء الدولية للسلام والحرية

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*Clustered interactive dialogue with: Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity and Special Rapporteur on extrajudicial, summary or arbitrary executions*

The Women's International League for Peace and Freedom (WILPF) welcomes the reports of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity and the Special Rapporteur on extrajudicial, summary or arbitrary executions.<sup>1</sup>

Mr. Muntarbhorn, the presentation of your first report to the Human Rights Council is an historic moment in the United Nations' commitment towards protecting and promoting the universality of human rights. We urge all states to take the opportunity offered by your mandate and your approach of open and constructive dialogue to identify effective ways to prevent violence and discrimination based on sexual orientation and gender identity, both in the public and private sphere. We support your intersectional approach to discrimination and encourage, in particular, efforts to address the historical information deficit regarding the impact of patriarchy on lesbians and women who have sex with women.<sup>2</sup>

Ms. Callamard, WILPF has been drawing attention to the impact of arms transfers on women and girls, but also its gendered impact more broadly, including violence against individuals based on their sex, sexuality, or gender identity. The impact of arms in communities is both direct, and indirect, in that they are correlated with an increase in gendered inequality and a generalized culture of violence, against women in particular, as well as against LGBTQI individuals. In this regard, your recommendation that states develop mechanisms for a gender sensitive risk assessment of any arms transfer and granting of arms production licenses<sup>3</sup> is to be particularly welcomed. We urge states to rigorously implement existing mechanisms to do so in line with their obligations under the Arms Trade Treaty (ATT).

There is evidence to suggest that sex of individuals is being used as a signifier to assume militancy in drone strikes target decisions and post-strike analysis of casualties.<sup>4</sup> We welcome that you have drawn attention to this and to the fact that "patterns of harm from the use of explosive weapons in populated areas are shaped by issues of gender and age".<sup>5</sup> We urge states to implement your recommendation that they facilitate or undertake increased research on the gendered effects of the use of explosive weapons in populated areas, and support international efforts to develop a political commitment to end such use.<sup>6</sup> We encourage the continued scrutiny of the human rights impact of arms proliferation in the discharge of your mandate.

<sup>1</sup> UN indexes: A/HRC/35/36 and A/HRC/35/23.

<sup>2</sup> "The discrimination is also intersectional. There might be tints of patriarchy impacting on women, which also impact negatively on lesbians and women who have sex with women. There might be traces of racism, which also impact negatively on refugees and migrants who are lesbian, gay, bisexual or transgender. There might be hints of extremism that impact negatively on those who wish to have their sexual orientation and gender identity respected culturally. Even where there are laws to protect people from discrimination, there might be weak implementation. This is further tested by issues such as access to justice and mechanisms and/or personnel that could provide some assistance and remedies, and the call for transparency and accountability. There is thus a need for effective anti-discrimination measures of a comprehensive kind — not only formal but also substantive, not only de jure but also de facto — in addition to the building of a community that is open to understanding and that respects sexual and gender diversity." UN index: A/HRC/35/36, paragraph 56.

<sup>3</sup> "States should develop mechanisms to analyse whether any arms being assessed for approval for transfer, as well as the granting of licenses on production, will facilitate or contribute to gender-based violence or violence against women by the recipient, in accordance with the obligation on risk assessment processes of the Arms Trade Treaty." UN index: A/HRC/35/23, paragraph 113.

<sup>4</sup> For more, see Sex and drone strikes: gender and identity in targeting and casualty analysis, by Reaching Critical Will and Article 36, at <http://www.reachingcriticalwill.org/resources/publications-and-research/publications/9367-sex-and-drone-strikes-gender-and-identity-in-targeting-and-casualty-analysis>.

<sup>5</sup> UN index: A/HRC/35/23, paragraph 48.

<sup>6</sup> "States should facilitate or undertake increased research on the gendered effects of the use of explosive weapons in populated areas and support international efforts to develop a political commitment to end such use in order to preventing humanitarian suffering." UN index: A/HRC/35/23, paragraph 117.