

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



WILPF

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General Debate under items 2 and 3

WILPF has been consistently drawing attention to human rights violations connected to arms transfers. We therefore welcome the increasing attention that the Council has been giving to this issue. Action by human rights bodies adds an extra layer of accountability beyond the Arms Trade Treaty and reinforces that human rights concerns must come ahead of profit in the arms trade. We particularly welcome the High Commissioner's report on the "Impact of arms transfers on the enjoyment of human rights",¹ which reviews relevant international and regional legal frameworks, including guidance that exists on this subject from different human rights mechanisms.

In this report, the UN High Commissioner highlights the many ways in which arms, and the arms trade, contribute to gender-based violence. It is very clear in outlining the role that the Committee on the Elimination of Discrimination against Women has played and can continue to play, in raising reminding states parties of their human rights obligations relating to arms transfers.² The Committee has recommended, among other things, that States parties address the gendered impact of international transfers of arms, especially small and illicit arms, including through the ratification and implementation of the Arms Trade Treaty.

The Arms Trade Treaty (ATT) requires states parties to undertake a mandatory assessment of the risk of arms being used to commit or facilitate gender-based violence before authorizing any arms transfers. It is important to underscore that the risk assessments assess just that – the *risk* that arms in question the *risk* that the arms in question will be used in any of the ways prohibited by the Treaty. It is not necessary to establish the direct presence of a transferred item as having been used in a specific act in order to prevent future transfers of the same item. If the risk alone is high enough, the transfer must be denied. The UN High Commissioner's report puts forward a range of suggested elements for states and other stakeholders to use when assessing the relationship between arms transfers and human rights – which is an obligation under international law.

We urge the Council to fulfill its mandate to prevent human rights violations and act on the recommendations in this report. The Council should support a preventative approach aimed at stopping arms transfers where there is a risk that those arms will be used for serious violations or abuses of human rights, including gender-based violence. In particular, it should recommend that states conduct rigorous and transparent gender risk assessments prior to any authorization of arms sales or transfers and deny such authorization when there is a risk that they would be used to commit or facilitate acts of gender based violence.

¹ UN Index A/HRC/35/8, 3 May 2017. Report requested by the Human Rights Council with Resolution 32/12, 1 July 2016.

² See, for example, paragraph 12 and 32 of the OHCHR report referring to CEDAW General Recommendation 30, paragraphs 32 and 29, respectively. And paragraph 33 of the report providing a summary of recommendations made in concluding observations on Switzerland (CEDAW/C/CHE/CO/4-5), Netherlands (CEDAW/C/NLD/CO/6), Germany (CEDAW/C/DEU/CO/7-8), France (CEDAW/C/FRA/CO/7-8), Sweden (CEDAW/C/SWE/CO/7).