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# The In-Country Training Programme (ICTP) on Gender-Mainstreaming Small Arms Control in Lao PDR



## DAY 2

### SESSION 7 -*Designing gender responsive SALW control - Policy and legal framework*

1. Small arms control policies and national coordination mechanism
2. Strengthening the national legal framework
3. Gender-responsive budgets
4. Q&A session

# Guiding principles on gender-mainstreaming small arms control



Module 6 - Women, men and the gendered nature of small arms and light weapons

- Engage early with expertise on gender
- Build consensus among stakeholders
- Collect and use sex- and age-disaggregated data
- Conduct a gender analysis
- Address identified gender patterns
- Support the meaningful participation of women
- Track progress using gender-sensitive indicators

# Guiding principles on gender-mainstreaming small arms control

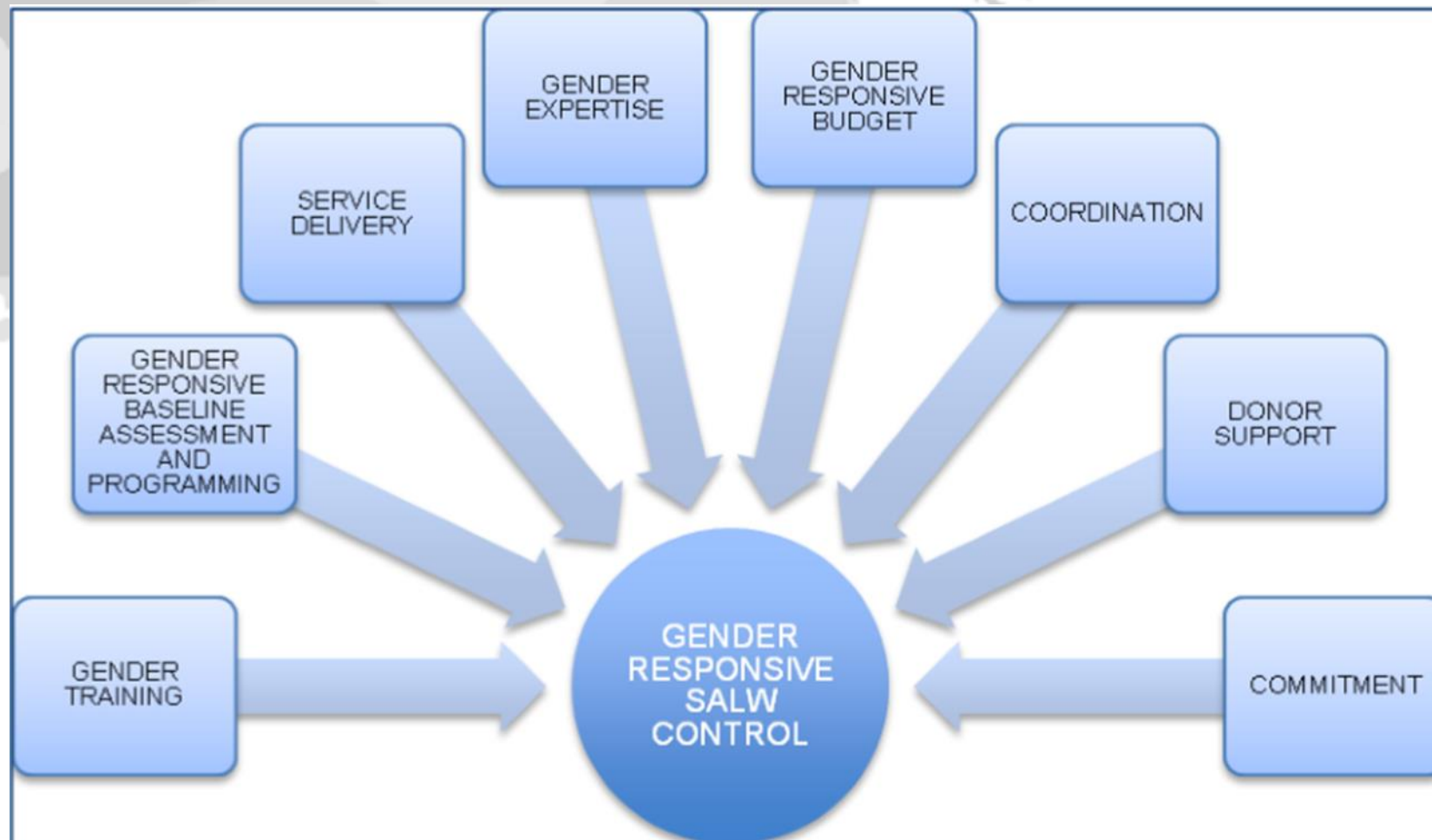
**Gender-responsive small arms and light weapons control should include the following key elements:**

- A commitment by all stakeholders to relevant global and regional small arms control agreements, including those elements specifically designed to address gender equality and the empowerment of women.
- Ensure local ownership at all levels.
- Ensure donor support.
- Establish coordination mechanisms that ensure the full participation of women and women's organizations.
- Elaborate gender-sensitive baseline assessments and programme design.
- Provide gender training for government officials, service providers, media and civil society.
- Ensure gender-responsive budgets.
- Rely on gender expertise (e.g. gender specialists, female leaders, representatives of women's groups, men working to combat gender-based violence, etc.).
- Ensure appropriate service delivery to women as well as men.



Module 6 - Women, men and the gendered nature of small arms and light weapons

# Guiding principles on gender-mainstreaming small arms control



# Gender-responsive small arms control policies

Gender-responsive small arms control policy making, and operational programming **is not possible without the buy-in and support of all relevant stakeholders**, starting from the highest political level to those implementing small arms control policies.



## High-level political will and commitment to gender-responsive small arms control:

- ☐ Implementation of relevant international and (sub-)regional instruments and treaties;
- ☐ Commitment to frame **small arms control as a broader development and/or human rights issue**, a peacebuilding effort and within the **human security framework**;
- ☐ Gender is not framed as an isolated issue that can be discarded as an “add-on”, but rather as **an integral part of broader national strategies, which also includes small arms control**;
- ☐ Government **works with civil society organizations**, including those representing women and those representing men, to advocate for **gender equality and women’s empowerment**;
- ☐ Commitment at all levels in government to gender-responsive small arms policies and their implementation, including through the **allocation of resources as part of budgeting decision**.

# Gender-responsive small arms control policies

Gender-responsive small arms control policy making, and operational programming **is not possible without the buy-in and support of all relevant stakeholders**, starting from the highest political level to those implementing small arms control policies.



## Local ownership at all levels:

- ☐ Foster local ownership to address some of the challenges and to support the government's or local authorities' (changing) approach and their implementation efforts.
- ☐ Include local entities, in particular women's, youth and men's groups as well as other civil society organizations working on gender and women's empowerment.
- ☐ Civil society is a key partner, by providing insights from the ground to higher-level policy makers and ensuring that communities feel included in the development and implementation of small arms control.
- ☐ **Civil society often collect important data that can complement the national-level data collection**, hereby fostering a more in-depth understanding of the small arms contexts in different areas.

# Gender-responsive small arms control policies

Gender-responsive small arms control policy making, and operational programming **is not possible without the buy-in and support of all relevant stakeholders**, starting from the highest political level to those implementing small arms control policies.



## Donor support:

- ☐ Donors have a crucial role in supporting gender-responsive small arms control by prioritizing funding for gender-responsive projects and programmes over those that are gender-blind.



# National Coordination Mechanisms on Small Arms and Light Weapons (SALW)



- The proliferation and illicit trafficking of SALW is a **complex and multidimensional** problem that affects people and communities in **many ways**.
- Combating proliferation and illicit trafficking requires a **multisectoral approach** that provides for a **wide variety of measures and approaches** implemented by **several actors**.

## National Coordination Mechanisms on SALW



Given the array of people and activities involved at the **local, national, regional and international levels** in combating SALW proliferation, it is crucial that small arms control efforts **are coordinated by governments at the national level.**

## National Coordination Mechanisms on SALW



Module 3.40 - National coordination mechanisms on SALW control

- In setting up effective national coordinating mechanisms on small arms and light weapons control, States ensure that “**all relevant parts of government work together with national and international partners** to conceive, direct, monitor and evaluate safe, relevant, efficient and effective small arms and light weapons control measures”.
- States should also consider including representative of civil society organizations, in particular women’s organizations.
- It is further encouraged that national ministries dealing with gender equality / women’s affairs as well as national women, peace and security focal points are part of such mechanisms.

# National Coordination Mechanisms on SALW

- Should strive to achieve **gender balance**.
- Should monitor, on an ongoing basis, the impact of SALW through evidence-based research.
- **Gender-sensitive research** at this level would require assessments collecting data on SALW-related violence, such as:
  - **Homicide rates** through gender disaggregated data on perpetrators and victims;
  - Suicide records disaggregated by sex;
  - Sexual, gender-based, and intimate partner / family-related violence through gender disaggregated data on perpetrators and victims;
  - Gender and age dynamics of small arms misuse.



# National Action plans on Small Arms and Light Weapons



Module 4.10 - Designing and  
implementing a National Action Plan

- A National Action Plan (NAP) on small arms and light weapons control is “an effective tool to develop a broad, coherent and inclusive strategy to address the complex, multi-layered problems associated with violence and insecurity related to small arms and light weapons.”
- A NAP is a comprehensive plan to prevent, combat and eradicate the illicit trade, destabilizing accumulation and misuse of small arms and light weapons at the national level and to address associated social, economic and environmental impacts.
- It may operate over the short, medium or long term and may include short-, medium- and long-term objectives.

# Gender-responsive National SALW Action plans



Module 4.10 - Designing and implementing a National Action Plan

- In order to make NAPs gender-responsive, it “should be integrated into broader national development and poverty reduction strategies, peacebuilding efforts and human security frameworks, throughout which gender and age sensitivity should be mainstreamed.”
- As such, NAPs should be aligned with other national strategies and action plans such as the United Nations Development Assistance Plan (UNDAF), the 2030 Agenda national implementation strategy or/and national security strategies.
- Objectives and activities in the NAPs need to be based on evidence about small arms proliferation and the different impacts of their use and misuse on women, men, boys and girls.
- Such evidence can be gathered through resource intensive SALW surveys or by recurring to existing data produced by national authorities, academia and civil society.
- For gender-responsive NAP development, not only the outcome (the NAP) is important, but also the process: women should be equally represented in small arms commissions and other entities working on and with the NAPs; and all-important stakeholders should be identified and involved early on.

## Gender-responsive NAP- key points



- ❑ Make use of the converging agendas: NAPs on small arms and light weapons should be aligned with **NAPs on Women, Peace and Security, NAPs on Gender-Based Violence or Violence against Women, and other gender-related.**



- ❑ Formulate NAP objectives, activities and key partnerships based on evidence: need to rely on the best data possible, disaggregated by sex and age in order to develop sound proposals for action. Objectives and activities in the NAPs need to be based on evidence about small arms proliferation and the different impacts of their use and misuse on women, men, boys and girls, collected through SALW Survey or a rapid assessment methodology that combines available statistical data, document review, focus group discussions, key informant interviews, field visits, and subsequent validation workshops with key stakeholders.

## Gender-responsive NAP- key points



- ❑ Engage gender expertise early on and training relevant stakeholders: NAP development should consult specialists in different gender related areas (women, men, and gender experts).
  - Civil society groups working to eradicate gender-based violence can be very helpful in understanding the implications of small arms for GBV in a specific context and help shaping the NAP to address this problem.
- ❑ Ensure gender balance: Women should be equally represented and able to fully participate at all stages of small arms control, including the development and implementation of NAPs.

### Strengthening the national legal framework



- Strengthening national legal frameworks is crucial for ensuring that small arms control can be enforced in a gender-responsive manner.
- Legislation can address different issue areas related to gender and arms control, e.g. women's equal representation or gender-based violence facilitated by firearms.

## Strengthening the national legal framework

**The review and revision processes are inclusive when**



- Gender experts and advisors are included of the process;
- Women and men are equally represented in the assessment, drafting, implementation, monitoring and evaluation of national legislation;
- All relevant government ministries, including those for interior, defense, foreign affairs, youth, women's issues, gender equality, health, education, judiciary, development, etc. are included or consulted in the drafting process and are part of the monitoring and evaluation of the implementation of the national legislation;
- All stakeholders are aware to include gender-considerations (e.g. through training on gender and small arms);
- Ministries for gender equality as well as civil society organizations, especially women's, men's and youth groups working on gender-based violence issues, are fully included throughout.

## Strengthening the national legal framework

**Legislation on small arms is aligned with legislation related to gender and women**



- Legislation does not discriminate against any gender or age group;
- Small arms legislation is harmonized with legislation on gender issues, such as intimate-partner violence or other forms of domestic violence

## Strengthening the national legal framework

**National legislation is accompanied by awareness raising and oversight**



- Mechanisms are in place which take into account information collected by civil society organizations on the implementation and impact of the legislation;
- Mechanisms are in place to inform citizens, especially marginalized groups like survivors of gender-based violence (of all genders), about their rights, access to services and the changes in the law. Civil society and media can be effective channels.
- Law enforcement officials, judiciary and other relevant service providers are trained on the new legislation and the adequate enforcement of the legislation, including where necessary tailored gender trainings.

Focus on legal screening and background checks to prevent gun licenses from being granted to people with previous convictions for Gender Based Violence (GBV) and other problematic gendered behavior.

**Civilian arms licensing legislation can help to prevent arms-related GBV.**

- One component of licensing is to deny arms licenses to those classified as high-risk for committing domestic violence / intimate-partner violence (DV/IPV), GBV, violent intimidation, and stalking.
- The effectiveness of these measures depends on **what forms of violence or intimidating behavior are taken into account**, whether reported or only convicted cases are taken into account, whether these can be successfully appealed as well as on the quality of enforcement, which may be undermined by under-reporting of GBV or lax attitudes by police.
- In countries where records are kept for a limited period of time only (e.g. 5 years), perpetrators may be able to purchase weapons legally after this period. Also, if illegal guns are easily available, perpetrators of GBV may be able to circumvent the licensing system. Nonetheless, while not a perfect solution, such measures can help and highlight the need for linking up legislation on GBV as well as arms control.
- A good practice that is in use for example in Trinidad and Tobago is that not only applicants for a civilian arms license are interviewed, but also their partners. The interview with the partner is scheduled separately and without the knowledge or presence of the applicant.

# Questions and open discussion on national legal framework and data

In Laos, firearm possession or transfer of firearms is regulated by law

## Gun Ownership and Possession

 Compare



In Laos, only licensed gun owners (for those of high social standing only)<sup>24 23</sup> may lawfully acquire, possess or transfer a firearm or ammunition

## Genuine Reason Required for Firearm Possession

 Compare



Applicants for a gun owner's licence in Laos are required to establish a genuine reason to possess a firearm, for example hunting<sup>25 26</sup>

## Gun Owner Background Checks

 Compare



An applicant for a firearm licence in Laos must pass a background check which considers criminal, mental health, medical and domestic violence<sup>27 23</sup> records

## Domestic Violence and Firearms

 Compare



Where a past history, or apprehended likelihood of family violence exists, the law in Laos stipulates<sup>27</sup> that a gun licence should be denied or revoked

## Firearm Safety Training

 Compare



In Laos, an understanding of firearm safety and the law, tested in a theoretical and/or practical training course is required<sup>27</sup> for a firearm licence

Source: <https://www.gunpolicy.org/firearms/region/laos>

# Questions and open discussion on national legal framework and data

- How does the screening process work?
- What forms of domestic violence are taken into account? Is intimidating behavior taken into account?
- How long are records kept?
- Is there data on revoked license due to past history, or apprehended likelihood of family violence?
- Is this regulation harmonized with other legislation and policies, e.g. the National Plan of Action Prioritizes Multi-Partner Coordination in Combating Violence against Women?
- Who are the actors and institutions involved in this process?

## Key points:


Include gender  
in trainings for  
government  
officials and civil  
society



- **Gender must become an integral part of all capacity-building efforts.** All people working in small arms control should know how to integrate a gender perspective into their work and see the value thereof. Trainings form part of capacity-building efforts, but they need to go along with broader transformations of the ways in which small arms control professionals think about and take into account gender dynamics.
- While they alone are not sufficient to mainstream gender into small arms control, gender trainings for small arms control professionals can be **an important element of capacity-building for gender-responsive small arms control policy making and programming.** It is important that, following trainings, **participants apply the training to their everyday working processes.**

## Key points:

Include gender  
in trainings for  
government  
officials and civil  
society



- Specific trainings to build knowledge and accompany gender-responsive small arms control both in terms of integrating a gender perspective and enhancing women's access to full and equal participation are:
  - Gender trainings for small arms experts, including government officials. Separate trainings for government service providers, media and civil society. This ensures buy-in, gender-responsive policy-making and a critical monitoring capacity from media and civil society.
  - Capacity building activities aimed at strengthening women's knowledge of small arms and light weapons control.
- Gender trainings and other capacity-building methods should be built into NAPs and developed based on the specific level of knowledge and needs of stakeholder groups, which can be known through pre-training needs assessments.

# Gender-responsive budgets



“Gender-responsive budgeting is not about creating separate budgets for women, or solely increasing spending on women’s programmes. Rather, gender-responsive budgeting seeks to **ensure that the collection and allocation of public resources is carried out in ways that are effective and contribute to advancing gender equality and women’s empowerment**”.

# Gender-responsive budgets



- Gender-responsive budgeting is not specific to small arms control but **should be applied throughout policies and programmes in all areas** to advance the objectives of **gender equality and women's full and equal participation**, including in the realm of peace and security.
- Integrating a gender budgeting methodology into the ordinary budgetary processes **allows governments to better understand how revenue and spending**, and the policies guiding the budget, **can have different impacts on women and men**.
- Since gender perspectives are normally not taken into account in budgeting, **budgets are often perceived as being gender neutral**. However, research shows **that lack of attention to gender issues actually leads to gender blind budgets and thus to suboptimal decision-making**.

# Gender-responsive budgets



- **Gender budgeting is grounded in gender analysis**, which assesses how well a budget addresses gender gaps and reviews the actual distribution of resources between women and men, and girls and boys. Such an analysis also allows for the inclusion of key issues that are frequently overlooked in budgets and policy analyses, such as the economic effect of uneven distribution of unpaid work and its net economic effect on women, as well as the uneven distribution of resources within families. Sound gender analysis leads to good planning and budgeting for gender equality and economic growth.
- **Gender budgeting is about restructuring the budget to ensure that the government is using public resources in a way that can increase gender equality** and thereby increase the **efficiency and effectiveness** of budgets and policies. This in turn **helps accelerate inclusive and sustainable growth**.

# Questions guiding gender-responsive budgeting in small arms control:



## Questions guiding gender-responsive budgeting in small arms control:

- Are all key stakeholders (governments, donors, civil society) involved in the design and oversight of monitoring, evaluation and learning processes in small arms control policies?
- Do different Ministries set a specific number of gender equality goals with indicators in their budgets and plan funds for their implementation?
- Are sufficient financial resources allocated to *specific activities* towards more gender equality in small arms control, so that they benefit the respective disadvantaged group? (for example, specific capacity-building for women, masculinity work with male youth) That is: Are there specific budget lines for gender capacity-building activities included?

# Questions guiding gender-responsive budgeting in **small arms control**:



## **Questions guiding gender-responsive budgeting in small arms control:**

- Are budgets constructed in a way to link these specific activities with all other project activities so as to ensure that the entire project is coherent in terms of its gender-responsiveness?
- Has the need to engage gender advisors / experts in all activities been factored into the budget?
- Has the budget been revised by gender experts and based on evidence-based project design?
- Are partners engaged for policy-making and programming considering gender-relevant aspects as part of their work?

# Gender-responsive budgets



Watch the video by UN WOMEN “What is Gender Responsive Budgeting” :

<https://www.youtube.com/watch?v=mquOclPJYPs>

## DAY 2

### SESSION 8 -*Designing gender responsive SALW control – Synergies with relevant domestic framework*

1. Converging agenda: SALW control, Gender equality, Sustainable Development
2. The Seventh Biennial Meeting of States (BMS7) on the UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.
3. Presentation of the exercises of the afternoon session and the tools
4. Q&A session

## Relevant frameworks and global instruments in SALW control

Normative frameworks fall under two categories:

### 1. Legally binding:

- Under international law, a treaty is a legally binding agreement between two or more States. Sometimes also entitled a Convention, a Protocol, a Pact, or an Accord, a treaty becomes legally binding once States ratify it, making it a State Party to that treaty. Signing a treaty does not make it legally binding but indicates support for the principles and the State's intention to ratify the treaty. Provisions in treaties are referred to as obligations.
- **Resolutions adopted by the United Nations Security Council** are considered legally binding, **in accordance with Article 25 of the UN Charter** which states that all Members of the UN “agree to carry out and accept the decisions of the Security Council in accordance with the present Charter.



## Relevant frameworks and global instruments in SALW control

Normative frameworks fall under two categories:

### 2. Politically binding:

- States which do not have the force of law, but which can nonetheless establish principles and commitments which States have decided to undertake as a matter of policy. Such frameworks are understood to be recommendatory in nature.
- Generally, most resolutions adopted by **the United Nations General Assembly** establish politically binding obligations for UN Member States. **Articles 10 and 14 of the UN Charter refer to General Assembly resolutions as “recommendations”**, and the International Court of Justice has stressed the recommendatory nature of General Assembly resolutions repeatedly.



# UN Programme of Action on small arms and light weapons (SALW)

- **UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects**
- Adopted 2001 by the General Assembly as a politically binding instrument, established a normative framework for small arms and light weapons control covering a broad spectrum of issues including improved national small arms laws, import/export controls, and stockpile management
- **Objective:** Reduction of human suffering caused by illicit trade in SALW, largely by addressing the manufacture, transfer, and storage of SALW and their excessive accumulation
- Contains political commitments to tackle the illicit trade in SALW at national, regional and global levels
- Process: Meetings of States every two years; Review Conferences every 6 years; to discuss implementation
- Reporting: States have committed to submit (every 2 years) national reports on their implementation efforts
- Secretariat: United Nations Office for Disarmament Affairs
- Decisions on the Programme of Action process are taken by the General Assembly



United Nations

**Report of the United Nations  
Conference on the Illicit Trade  
in Small Arms and Light  
Weapons in All Its Aspects**

New York, 9-20 July 2001

# UN Programme of Action on small arms and light weapons (SALW)

- The implementation of the Programme of Action at the national and regional level is often anchored in National Action Plans (NAPs) and guided by a national coordination mechanism on small arms and light weapons and/or the establishment of national focal points.
- The PoA text adopted in 2001 includes one gender-related reference by expressing concerns about the negative impact of the illicit trade in small arms and light weapons on “women and the elderly” in its preamble. Concerns are expressed about the devastating consequences of illicit small arms and light weapons on children in the same paragraph also.
- Progress on the inclusion of a gendered perspective into SALW control has been made over the past decade. The participation and representation of women in small arms control processes was first emphasized in the outcome document of the fifth Biennial Meeting of States in 2014 to consider the implementation of the PoA.



United Nations

## **Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects**

New York, 9-20 July 2001

# UN Programme of Action on small arms and light weapons (SALW)

## Gender provisions



- In the 2016 and 2018 PoA meetings , States have made considerable progress on the issue of gender and have committed themselves to:
  - Increase understanding of the gender-specific impacts of the illicit trade in small arms and light weapons;
  - Promote the meaningful participation and representation of women in policymaking, planning and implementation processes related to the implementation of the PoA, including their participation in national small arms commissions.

# UN Programme of Action on small arms and light weapons (SALW)

## Gender provisions

- In the 2016 and 2018 PoA meetings , States have made considerable progress on the issue of gender and have committed themselves to:
  - Collection of disaggregated data;
  - Seriously consider increased funding for policies and programmes that take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys;
  - Need for States to mainstream gender dimensions in their implementation efforts;



# UN Programme of Action on small arms and light weapons (SALW)

## Gender provisions

- ...continued:
  - Exchange national experiences, lessons learned and best practices on the mainstreaming gender dimensions into policies and programmes;
  - Ensure coordination between relevant national authorities on the implementation of the PoA with authorities working on gender equality, women's affairs – and including as women's civil society groups.



# UN Programme of Action on small arms and light weapons (SALW)

## Gender provisions

- In 2016, States **linked efforts under the PoA** for the first time to **General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control**, and subsequent resolutions, as well as to **Security Council resolution 1325 (2000) and follow-up Women, Peace and Security resolutions**.
- In 2018, States recognized for the first time “that **eradicating the illicit trade in small arms and light weapons is a key part of combating gender-based violence**”.
- For years, **civil society had pushed for progress on gender-related issues in the PoA framework**, including through the civil society briefing paper ‘**Small Arms, Big Harms. A Call to Action by Civil Society on Gender and Small Arms Control**’, which was published in 2018 ahead of the third Review Conference by the International Action Network on Small Arms (IANSA).



# International Tracing Instrument

- **International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons** (International Tracing Instrument, or ITI)
- Adopted in 2005
- Politically binding instrument promoting the development of international marking, record-keeping, tracing measures
- **Objective:** Enable states to identify and trace, in a timely and reliable manner, illicit SALW and promote and facilitate international cooperation and assistance in marking and tracing
- **Reporting:** States have committed to submit (every 2 years) national reports on their implementation efforts
- **Process:** ITI standing agenda item at meetings of the Programme of Action
- **Secretariat:** United Nations Office for Disarmament Affairs

[[www.un.org/disarmament/salw/programme-of-action](http://www.un.org/disarmament/salw/programme-of-action)]



# Arms Trade Treaty

- Adopted in 2013; entry into force: 24 Dec 2014
- Currently over 100 States Parties (as of May 2020)
- Multilateral treaty establishing legally-binding commitments to regulate the international trade of conventional arms
- **Objective:** Address the irresponsible and illicit international transfer of conventional arms, including small arms and light weapons
- **Reporting:** ATT requires State Parties to submit an initial report on measures to implement the ATT followed by annual reports concerning authorized or actual exports and imports of conventional arms covered under the Treaty.
- **Process:** Conference of States Parties (CSP) to ATT reviews treaty implementation and other relevant matters
- **Secretariat:** ATT Secretariat established in Geneva, Switzerland



[More information: [www.un.org/disarmament/att](http://www.un.org/disarmament/att)]

## ATT and GBV

The ATT is the **first legally binding treaty that recognizes the link between the arms trade and gender-based violence (GBV)**

### Article 7 (4) of the ATT

“The exporting State Party, in making this assessment, shall take into account the risk of the conventional arms covered under Article 2 (1) or of the items covered under Article 3 or Article 4 being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children.”

The Fifth Conference of State Parties to the ATT in 2019 prioritized the issue of gender and gender-based violence in the context of the ATT and adopted a series of recommendations and decisions on the issue based on the President’s Non-Paper on Gender and GBV.



## ATT – FOCUS ON RELEVANT ARTICLES

### Article 6 (3)

“A State Party **shall not authorize any transfer of conventional arms** ... if it has knowledge at the time of authorization that the arms or items would be used **in the commission of genocide, crimes against humanity, grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such**, or other war crimes as defined by international agreements to which it is a Party”.

### Article 7 (1)

“... each exporting State Party, **prior to authorization of the export of conventional arms** ... shall, in an objective and non-discriminatory manner, **taking into account relevant factors**, including information provided by the importing State ..., assess the potential that the conventional arms or items:

- (a) would contribute to or **undermine peace and security**;
- (b) could be used to:
  - (i) **commit or facilitate a serious violation of international humanitarian law**;
  - (ii) **commit or facilitate a serious violation of international human rights law**;

## ATT – KEY POINTS ON RELEVANT ARTICLES

### Article 6 (3)

Refers to the non-authorization of arms and /or their material if commission of genocide and crime against humanity

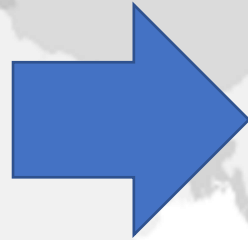


Several **relevant cases to consider in terms of violence against women and children under article 6.3 include genocide** (e.g. imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group) **and crimes against humanity** (e.g. rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; persecution against any identifiable group or collectivity on gender grounds).

## ATT – KEY POINTS ON RELEVANT ARTICLES

### Article 7.1

Refers to export assessment and prior to each export operation not subject to prohibition according to a set of criteria set out in the Treaty itself



Cases which related to gender or violence against women and children that fall under this paragraph include:

- ✓ Serious violations of international humanitarian law such as rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, etc.
- ✓ Serious violations of international human rights law against women (torture, slavery, enforced disappearance, and arbitrary deprivation of life), recruiting or enlisting children under the age of 15 in the national armed forces or using them to actively participate in hostilities.
- ✓ Trafficking in women in the context of transnational organized crime.

*In these cases, the exporting State shall consider mitigation measures. After considering mitigating measures, if the State concludes that there is an overriding risk of any of the negative consequences in Article 7, paragraph 1, it shall reject the authorization.*

## Status of ATT participation in Asia-Pacific

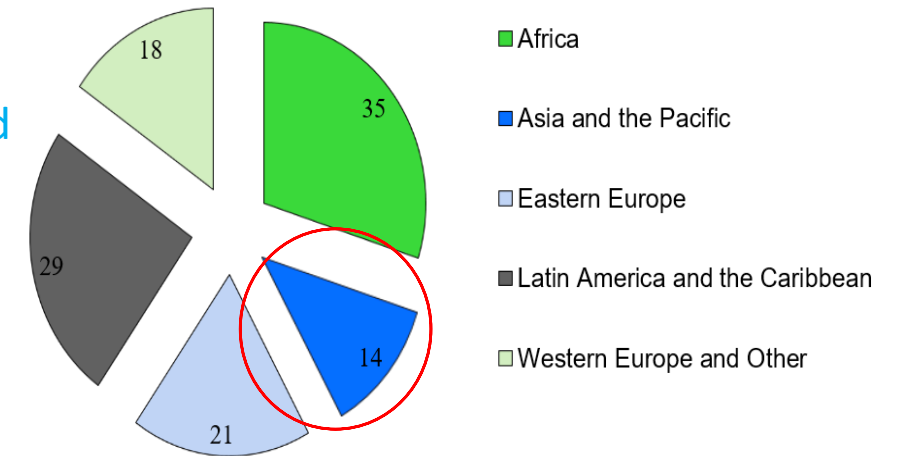
10 States Parties	11 Signatories that are not yet States Parties	27 States that have not yet joined the treaty		
Afghanistan	Bahrain	Armenia	Lao PDR	Turkmenistan
China	Bangladesh	Azerbaijan	Myanmar	Uzbekistan
Cyprus	Cambodia	Bhutan	Nepal	Viet Nam
Georgia	Israel	Brunei Darussalam	Oman	Yemen
Japan	Malaysia	Democratic People's Republic of Korea	Pakistan	
Kazakhstan	Mongolia	India	Qatar	
Lebanon	Philippines	Indonesia	Saudi Arabia	
Maldives	Singapore	Iran	Sri Lanka	
Republic of Korea	Thailand	Jordan	Syrian Arab Republic	
State of Palestine	Turkey	Kuwait	Tajikistan	
	United Arab Emirates	Kyrgyzstan	Timor-Leste	

# Firearms Protocol

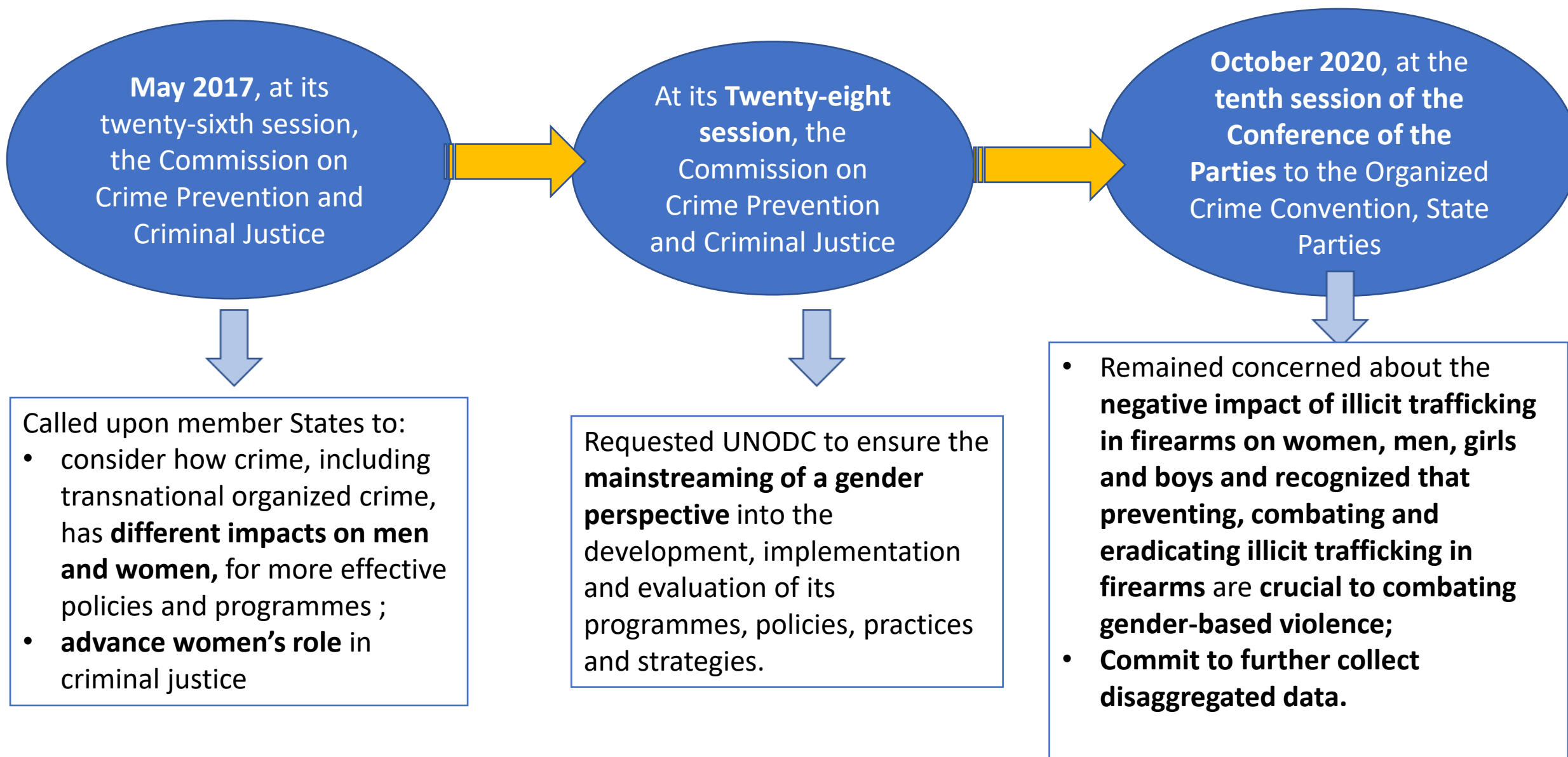
Signed and ratified by  
Lao PDR

- **UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition (Firearms Protocol)**
- Adopted in 2001
- First **legally-binding** global instrument on SALW / currently 117 State Parties
- This Protocol applies to firearms/small arms and *not* light weapons
- One of three protocols to the UN Convention against Transnational Organized Crime (UNTOC) → context crime prevention and law enforcement
- **Objective:** Promote, facilitate and strengthen cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition
- Process: Annual conference established that promotes and reviews implementation; open-ended intergovernmental working group on firearms
- Secretariat: United Nations Office on Drugs and Crime (UNODC)

117 STATE PARTIES



## Firearms Protocol - Progressive language on gender-related considerations



# The Convention on the Elimination of All Forms of Violence Against Women (CEDAW)



- Adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women.
- Consisting of a preamble and 30 articles, it **defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.**
- Currently, over 90% of the members of the United Nations are party to the Convention; **Lao PDR ratified in 1981.**

## CEDAW

States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

- To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- To establish tribunals and other public institutions to ensure the effective protection of women against discrimination;
- To ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.



## CEDAW

The **Committee on the Elimination of Discrimination against Women** is the body of independent experts on women's right (23) that monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women. It formulates general recommendations. Most relevant to arms control and disarmament are:

- **No. 12 (1989)** recommends legislation to protect women against the incidence of all kinds of violence in everyday life;
- **No. 19 (1992)** includes the obligation to prevent, investigate and punish violence against women;
- **No. 30 (2013)** specifies the need to protect women through the elimination of discrimination against women in conflict prevention, conflict and post-conflict situations. It includes a monitoring body—**the CEDAW Commission**- reporting on implementation gaps and allows civil society organizations to provide shadow reports to governments.
- **No. 35 (2017)** provides further guidance aimed at accelerating the elimination of gender-based violence against women, specifically recommends to address “factors that heighten the risk to women of exposure to serious forms of gender-based violence, **such as the ready accessibility and availability of firearms, including their export.**”

25th Anniversary of the Beijing Declaration  
and Platform for Action



#twfhk #Beijing25

1. Converging agenda: SALW control, Gender equality, Sustainable Development

# Beijing Declaration and Platform for Action (PfA)

- The Beijing Declaration and its Platform for Action is a landmark document that was adopted by the UN at the Fourth World Conference on Women in 1995 following a major push by civil society, providing a blueprint for action on equality, development and peace.
- The Declaration embodies the commitment of the international community to the advancement of women and to the implementation of the Platform for Action, ensuring that a gender perspective is reflected in all policies and programs at the national, regional and international levels.
- Among the critical areas of concern included in the PfA are women in power and decision-making, violence against women, human rights of women and women and armed conflict.
- It also emphasizes the participation of women in conflict resolution and commits States to reducing excessive military expenditures and control the availability of arms.

# The Women, Peace and Security Agenda

## UNSCR 1325 (2000)

- Addresses for the first time the disproportionate and unique impact of armed conflict on women.
- Recognizes women's contributions to conflict prevention, peacekeeping, conflict resolution and peacebuilding.
- Stresses the importance of women's equal and full participation as active agents in peace and security.



## Few notes on the other resolutions composing the WPS Agenda

UNSCR 1820 (2009)	<ul style="list-style-type: none"><li>• Recognizes sexual violence as a weapon and tactic of war;</li><li>• Notes that rape and other forms of sexual violence can constitute a war crime, crime against humanity, or a constitutive act with respect to genocide;</li><li>• Calls for training of troops on preventing and responding to sexual violence;</li><li>• Calls for more deployment of women in peace operations.</li></ul>
UNSCR 1888 (2009)	<ul style="list-style-type: none"><li>• Reiterates that sexual violence exacerbates armed conflict and impedes international peace and security;</li><li>• Calls for leadership to address conflict-related sexual violence;</li><li>• Calls for deployment of Team of Experts where cases of sexual violence occurs.</li></ul>
UNSCR 1889 (2009)	<ul style="list-style-type: none"><li>• Focuses on post-conflict peacebuilding and on women's participation in all stages of peace processes;</li><li>• Calls for the development of indicators to measure the implementation of UNSCR1325 (2000).</li></ul>

## Few notes on the other resolutions composing the WPS Agenda

UNSCR 1960 (2011)	<ul style="list-style-type: none"><li>• Reiterates the call for an end to sexual violence in armed conflict;</li><li>• Sets up “naming and shaming” listing mechanism, sending a direct political message that there are consequences for sexual violence including: listing in Secretary-General’s annual reports, referrals to UN Sanctions Committees and to the ICC, international condemnation, and reparations.</li></ul>
UNSCR 2106 (2013)	<ul style="list-style-type: none"><li>• Focuses on operationalizing current obligations rather than on creating new structures/initiatives;</li><li>• Includes language on women’s participation in combating sexual violence;</li><li>• Supports recourse to avenues of justice.</li></ul>
UNSCR 2122 (2013)	<ul style="list-style-type: none"><li>• Explicitly affirms an “integrated approach” to sustainable peace;</li><li>• Sets out concrete methods for combating women's participation deficit;</li><li>• Recognizes the need to address root causes of armed conflict and security risks faced by women;</li><li>• Calls for the provision of multisectoral services to women affected by conflict;</li><li>• Links disarmament and gender equality by mentioning Arms Tread Treaty (ATT) twice.</li></ul>

## Few notes on the other resolutions composing the WPS Agenda

UNSCR 2493 (2019)

- Encourages regional organizations to consider convening meetings in the lead up to the 20<sup>th</sup> commemoration of resolution 1325 with the participation of governments, relevant stakeholders and civil society to review the implementation of the Women, Peace and Security agenda in their respective regions;
- Strongly encourages Member States to create safe and enabling environments for civil society, including formal and informal community women leaders, women peacebuilders, political actors, and those who protect and promote human rights, to carry out their work independently and without undue interference, including in situations of armed conflict, and to address threats, harassment, violence and hate speech against them.

## 1. Converging agenda: SALW control, Gender equality, Sustainable Development

The 2015 Global Study on the implementation of UNSCR contained a resounding call to accelerate disarmament and drew a strong parallel between the global arms trade and the insecurity of women and girls.

- Disarmament, arms control and the WPS converge in particular on the issues of participation and prevention.
- Securing guns and reducing their circulation removes one of the most frequent choice of weapons for domestic and gender-based violence and femicide.
- Empowering women and breaking down gender stereotypes surrounding weapons will address the root causes of gender-based violence which include patriarchal systems, gender inequitable attitudes and violent aspects of traditional masculinity.



## 1. Converging agenda: SALW control, Gender equality, Sustainable Development



Converging agendas: Disarmament, Women, Peace and Security and Sustainable Development

A **human-centric view of security**: improve human security and reduce suffering, by emphasizing equality and promoting human development.



## The Secretary-General's Agenda for Disarmament “Securing Our Common Future”

- Prioritizes the equal, full and effective participation of women in all decision-making processes related to disarmament.
- Calls for achieving gender parity on all panels, boards, expert groups and other bodies established under his auspices in the field of disarmament.
- Calls for Member States to incorporate gender perspectives in the development of national legislation and policies on disarmament and arms control.

# The 2030 Agenda for Sustainable Development



The preamble of the 2030 Agenda states:

- “[...] seek to realize the human rights of all and to achieve gender equality and the empowerment of all women and girls.”
- “There can be no sustainable development without peace and no peace without sustainable development.”

## At a Glance: Disarmament and Arms Regulation in the 2030 Agenda for Sustainable Development

### 3 GOOD HEALTH AND WELL-BEING



Armed violence is among the leading causes of premature death, and it victimizes even more people by spreading injuries, disability, psychological distress and disease. Disarmament and arms control reduce the impact of conflict on human health.

### 4 QUALITY EDUCATION



Limiting the proliferation and uncontrolled circulation of weapons in communities contributes to safe and non-violent learning environments for all.

Disarmament education contributes to education on peace and non-violence, conflict resolution, sustainable development, gender equality, economic justice, human rights and tolerance of cultural diversity.

### 5 GENDER EQUALITY



Men and women are affected differently by the proliferation and use of weapons. Young men are overwhelmingly responsible for the misuse of small arms. While men make up most direct casualties, women are more frequently victims of gender-based violence that small arms facilitate. Regulating arms and ammunition can reduce violence against women and girls in both public and private spheres.

Empowering women and ensuring their equal and meaningful participation in disarmament and arms control decision-making processes can lead to more inclusive, effective and sustainable policy outcomes.

### 8 DECENT WORK AND ECONOMIC GROWTH



Excessive military spending harms economic growth and can produce undesirable social and political consequences. Reducing military budgets can reduce the negative effects of this spending on economic and social development.

Stemming the proliferation and easy availability of arms can counter the recruitment and use of child soldiers. Opportunities to build decent livelihoods can attract young men away from armed groups or gangs.

Adequate arms regulation helps prevent illicit transfers of weapons in support of human trafficking, modern slavery or forced labour.

### 16 PEACE, JUSTICE AND STRONG INSTITUTIONS



DISARMAMENT, NON-PROLIFERATION AND ARMS CONTROL PLAY A VITAL ROLE IN PREVENTING CONFLICT, AND IN FORGING AND SUSTAINING PEACE.

**16.1** Disarmament and arms regulation contribute to reducing deaths from armed violence by prohibiting and restricting the use of certain types of weapons and by establishing effective controls of arms and ammunition.

**16.4** Effective disarmament and arms regulation reduce illicit arms flows, which can otherwise instigate, fuel and prolong armed conflict, terrorism and crime.

**16.6** Participation in military transparency and confidence-building measures, such as reporting on military spending and on arms imports and exports, promote accountability of national institutions and can foster cross-border dialogue and trust-building.

**16.8** The active engagement of all States, especially developing countries, in multilateral disarmament discussions leads to more effective and sustainable policy outcomes.

**16.a** Strengthening the institutional capacities of States to better control arms and ammunition and to engage in military confidence-building measures help prevent conflict, violence, terrorism and crime.

Measures for disarmament can reduce military expenditures and redirect public resources/spending towards social and economic initiatives that can contribute to greater equality.

Effective ammunition management mitigates the risk of storage depots accidentally exploding in populated areas. These explosions, when they occur, are humanitarian disasters that lead to death, injury, economic loss, displacement and destruction of infrastructure and private property.

Arms control measures increase urban safety and security by curbing the uncontrolled proliferation and misuse of small arms, particularly for gang-related violence.

### 14 LIFE BELOW WATER



Contamination from remnants of war and the testing and use of nuclear, chemical and biological weapons have disastrous environmental consequences. Disarmament and arms regulation reduce the impact of weapons on the environment.

Mobilizing sufficient resources in support of disarmament and arms regulation is critical to achieving the 2030 Agenda for Sustainable Development.

Increased availability of high-quality, timely, disaggregated and reliable arms-related data can inform discussions about the relationship between disarmament, development, peace and security, leading to better decisions and policies.

### 10 REDUCED INEQUALITIES



### 11 SUSTAINABLE CITIES AND COMMUNITIES



### 15 LIFE ON LAND



### 17 PARTNERSHIPS FOR THE GOALS



### SDG Target 16.1

Significantly **reduce all forms of violence** and related death rates everywhere.

### SDG Target 16.7

Ensure **responsive, inclusive, participatory** and **representative** decision-making at all levels.

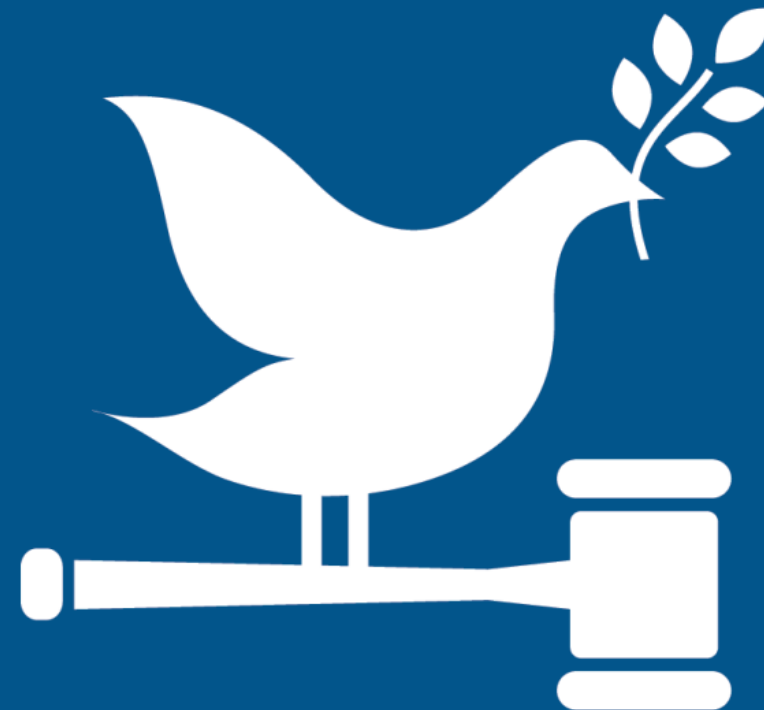
### SDG Target 16.6 A

Strengthen relevant national institutions, including through international cooperation, for **building capacity at all levels**, in particular in developing countries, to prevent violence and combat terrorism and crime.

### SDG Target 16.4

By 2030, significantly **reduce illicit financial and arms flows**, strengthen the recovery and return of stolen assets and combat all forms of organized crime.

# 16 PEACE, JUSTICE AND STRONG INSTITUTIONS



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### SDG Target 5.1

End **all forms of discrimination** against all women and girls everywhere.

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### SDG Target 5.c

Adopt and strengthen **sound policies and enforceable legislation** for the promotion of gender equality and the empowerment of all women and girls at all levels.

### SDG Target 5.2

**Eliminate all forms of violence against all women and girls** in the public and private spheres, including trafficking and sexual and other types of exploitation.

### SDG Target 5.5

Ensure women's **full and effective participation** and **equal opportunities** for leadership at all levels of **decision-making in political, economic and public life**.

# 5

# GENDER EQUALITY

