

The links between an Arms Trade Treaty (ATT), and UN Security Council Resolutions 1325, 1820, 1888 and 1889

The guiding principles of an ATT call on States to fully recognise and implement international norms and commitments, and to prohibit violation of obligations under international law.

An ATT should identify core obligations that reflect international legal commitments of States to prevent threats to peace and regional security, cooperate in protection of human rights, and ensure respect for international humanitarian law. Therefore, these principles call for protecting women's rights and prohibiting sexual violence

The table below shows that the guiding principles of an ATT are directly connected with States' obligations to implement and strengthen the provisions of Resolutions 1325 and 1820.

Common points between sexual violence in armed conflicts and the arms trade indicate that there is a need to clearly introduce gender equality and the prohibition of violence against women, including sexual violence, among the guiding principles of an ATT.

An effective ATT should not contain ambiguous language that could lead to different interpretations by States of those obligations.

It must clearly prohibit international transfer of weapons and ammunition if there is a significant risk of causing sexual violence and other forms of gender-based violence, as well as of causing grave and serious violations of human rights and freedoms of civilians, including women.

States must also ensure women's equal and full participation in arms trade policies and monitoring, and call upon all of those involved in disarmament and peace processes to take into account the particular needs of women and girls associated with the issues of arms control and armed conflicts.

The IANSA Women's Network



ATT - GLOBAL PRINCIPLES States should not authorise an international transfer of arms or ammunition where there is a substantial risk to:	UN SCR 1325	UN SCR 1820	UN SCR 1888	UN SCR 1889
Be used in serious violation of human rights law	Obligations of States to respect commitments from the Beijing Platform for Action and Beijing +5 Outcome document, in particular those concerning women and armed conflict.	<p>Obligations of States to full implementation of 1325, Charter of UN, the 2005 World Summit Outcome document, Beijing Platform for Action and Beijing +5 Outcome document to eliminate all forms of violence against women, including sexual violence, by ensuring the protection of civilians, women and girls, during and after armed conflicts, in accordance with the obligations States have undertaken under international humanitarian law and international human rights law.</p> <p>Obligation of States to respect the CEDAW, the Optional Protocol thereto.</p> <p>Primary responsibility of States is to respect and ensure that human rights of citizens as provided by relevant international law.</p>	<p>Obligations of States to full implementation of 1325, 1820, the Charter of UN, the 2005 World Summit Outcome document, Beijing Platform for Action and Beijing +5 Outcome document to eliminate all forms of violence against women, including sexual violence, by ensuring the protection of civilians, women and girls, during and after armed conflicts, in accordance with the obligations States have undertaken under international humanitarian law and international human rights law.</p> <p>Obligation of States to respect the CEDAW, the Optional Protocol thereto.</p>	Para 3: Condemns all violation of international law committed against women and girls in situation of armed conflicts and post-conflict situation; States are responsible to put an impunity and to prosecute those responsible for all forms of violence against women in armed conflicts, including rape and other sexual violence.

GLOBAL PRINCIPLES	UN SCR 1325	UN SCR 1820	UN SCR 1888	UN SCR 1889
			Para 3: Parties to armed conflict should immediately take measures to protect women from all forms of sexual violence, including upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians; sexual violence is a serious violation of human rights law.	
Be used in serious violation of international humanitarian law	Civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, and increasingly are targeted by combatants and armed elements.	Parties to armed conflict bear the primary responsibility to take all feasible steps to protect affected civilians. Para 2: Parties to war should immediately cease all acts of sexual violence against civilians. Para 3: Parties to armed conflicts should take all measures to protect women and girls from all forms of sexual violence.	Para 3: sexual violence is a serious violation of international humanitarian law.	
Be used to commit acts of genocide and crimes against humanity	Para 11: Sexual and other violence against women and girls consist acts of genocide, crimes against humanity, and war crimes.	Para 4: Rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide.	States are responsible to end impunity and to prosecute those responsible for genocide, crimes against humanity and war crimes.	

GLOBAL PRINCIPLES	UN SCR 1325	UN SCR 1820	UN SCR 1888	UN SCR 1889
Facilitate a pattern of gender-based violence and violent crime	Para 10: States should take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.		Para 15: Leaders at the national and local level, including traditional and religious leaders, should play more active role in sensitising communities on sexual violence and to combat a culture of impunity for these crimes.	Paras 3 & 12: Violence against women includes rape and other sexual violence.
Adversely affect regional security or stability	<p>Negative impact of armed conflict to women and children has impact on durable peace and reconciliation.</p> <p>Effective institutional arrangements to guarantee women's and girls protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security.</p>	<p>Para 1: Sexual violence is a tactic of war.</p> <p>Violence against women has negative impact on durable peace, security, reconciliation and post-conflict peace building.</p> <p>Para 1: Sexual violence when commissioned as a tactic of war can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security.</p>	<p>Primary responsibility of parties to armed conflict is the maintenance of international peace and security, and, in its connection, to address the widespread impact of armed conflict on civilians, including with regard to sexual violence.</p> <p>Para 1: sexual violence, when used or commissioned as a tactic of war can significantly exacerbate situations of armed conflicts and may impede the restoration of international peace and security; effective steps to prevent to such acts of sexual violence can significantly contribute to the maintenance of international peace and security.</p>	<p>Marginalisation of women can delay or undermine the achievement of durable peace and security.</p> <p>Para 14: Advancing gender equality and women's empowerment is an integral part of post-conflict peace building.</p>