

# **Brief to the House of Commons Standing Committee on Foreign Affairs and International Development on Canada's National Action Plan on Women, Peace and Security**

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## **INTRODUCTION**

The Women's International League for Peace and Freedom (WILPF) welcomes the opportunity to submit input to Canada's development and implementation of a new National Action Plan (NAP) on the Women, Peace and Security (WPS) agenda as set out by relevant UN Security Council resolutions.

This brief provides information and recommendations on elements for Canada's NAP on issues related to conflict prevention, disarmament, arms control, and demilitarisation, in particular:

- The use of explosive weapons in populated areas;
- The international arms trade;
- The proliferation of small arms and light weapons; and
- Human security, demilitarization and reducing military spending.

Conflict prevention is a critical but neglected pillar of the WPS agenda. Addressing conflict prevention, including through disarmament, arms control, and demilitarisation, is critical to effectively implementing this agenda. Action in this regard should build on existing good practice that recognises how militarism and arms exacerbate gender-based violence (GBV), promote arms regulation to eliminate GBV, and commit to building women's capacity to address militarism and arms.

Adopting a human rights-based, human-security framework for the NAP also requires a consultative, whole-government approach as well as domestic examination and application. NAPs should be developed and implemented inclusively with early, extensive, and genuine engagement of a broad constituency of civil society, including women-led civil society organisations, in the planning, development, implementation, and evaluation stages. An inclusive process both upholds women's equal human rights and also strengthens action plan content and local implementation through diverse stakeholder engagement and buy-in. Implementation must also be effectively financed, with a dedicated budget and clearly defined lines of accountability critical for moving from words to action.

The UN Security Council resolutions (UNSCRs) on WPS reflect the connections between armed conflict and armed violence, the proliferation and use of small arms or other conventional weapons, and GBV, including sexual violence. The 2015 Global Study on WPS called for member states to address arms proliferation and militarisation including by highlighting and mitigating militarised state budgets and their destabilising impacts on international peace and security and on women's rights. Other instruments related to women's rights also reflect the importance of disarmament and arms control, while some instruments or resolutions on weapons issues reflect women's rights.

The four areas of focus in this briefing all have implications for conflict, women's rights, and gender-based violence and thus should be included in Canada's future NAP.

## SUMMARY OF RECOMMENDATIONS

WILPF recommends Canada's National Action Plan on Women, Peace and Security:

- Endorse the 2015 Global Study on WPS's call for "an attitudinal shift [that] is needed away from a primary focus on military responses, towards investment in peaceful conflict prevention strategies" (*Global Study*, pp. 194–195).
- Support data collection on the gendered impacts of the use of explosive weapons in populated areas;
- Participate constructively in the development of an international commitment to end the use of explosive weapons in populated areas as means to prevent human suffering, including that of women and girls;
- Commit to not transfer weapons or approve arms export licences to end-users using explosive weapons in populated areas as an effective means to help prevent this practice.
- Highlight the correlation between the increased prevalence of gender-based violence and discrimination and the outbreak of conflict and highlight that Canada's efforts to eliminate gender-based violence also contribute in the long term to preventing conflict, its escalation, and the recurrence of violence in the post-conflict phase.
- Indicate support for the robust and effective regulation of the arms trade, including by ratifying and effectively implementing the Arms Trade Treaty.
- Emphasise that control of the international arms trade will help prevent the use of conventional weapons to commit or facilitate acts of gender-based violence.
- Reduce the proliferation of conventional arms, especially small arms, including diverted arms from the legal trade, can have a direct or indirect effect on women as victims of conflict-related gender-based violence, as victims of domestic violence and also as protestors or actors in resistance movements.
- Include measures and initiatives to take into consideration the specific impact of conflict and post-conflict environments on women's and girls' security, mobility, education, economic activity and opportunities and to mitigate the risk of women from becoming active players in the illicit transfer of small arms and light weapons.
- Encourage the empowerment of women to participate in efforts related to the prevention, combating, and eradication of the illicit transfer of, and the destabilizing accumulation and misuse of small arms and light weapons.
- Address measures it will take to prevent gender-based violence through the possession of domestic firearms.
- Explicitly affirm an integrated human security approach to sustainable peace, recognising the need to address the gaps and strengthen the links between peace and security, human rights, disarmament and arms control, and development as a means to address root causes of armed conflict and threats to the security of women and girls in the pursuit of international peace and security.
- Outline measures it will take to facilitate women's full and meaningful participation in all policymaking, planning, and implementation processes related to disarmament and arms control, including the use, accumulation, and proliferation of weapons.
- Outline measures it will take to help ensure that those involved in the planning for disarmament, demobilisation, and reintegration and justice and security sector reform efforts take into account the particular rights and needs of women associated with armed forces and armed groups, and to provide for their full access to these programmes inter alia, through consultation with civil society, including women's organizations.
- Explore ways of generating new public and private financial resources for implementing the WPS agenda, including through the reduction of military expenditure and investment for arms production and acquisition.
- Outline measures to investigate and prosecute members of the police, security, and armed forces who perpetrate acts of violence against women, violations of international humanitarian law, and violations of the human rights of women in situations of armed conflict.

## THE USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS

Explosive weapons use blast and fragmentation to kill and injure people in the area where they detonate, as well as to damage objects, buildings and infrastructure. One of the Global Study's key messages was the need for demilitarisation and the development of effective strategies for prevention of conflict and non-violent protection of civilians. When used in populated areas they tend to cause high levels of harm to individuals and communities. Destruction of infrastructure vital to the civilian population, including water and sanitation, housing, schools and hospitals, will likely prevent enjoyment of right to health, education and adequate housing. Victims and survivors of explosive weapons can face long-term challenges of disability, psychological harm, and social and economic exclusion.

The use of explosive weapons in populated areas may have specific implications for women due to destruction of civilian infrastructure including houses, schools, and markets; exacerbated social and political inequalities and pressures from the increase in female-headed households; inequalities in access to survivor assistance; and increased risk of sexual violence and exploitation of displaced people and refugees fleeing the bombing and shelling of their town or city.<sup>1</sup> The UN High Commissioner for Refugees has expressed concern with sexual violence and abuse of refugee women fleeing to Europe from armed conflicts in the Middle East, especially due to bombing and shelling in populated areas.<sup>2</sup>

We are at a ground breaking moment in confronting this problem, as a group of governments, UN agencies, and civil society organisations affiliated with the International Network on Explosive Weapons (INEW) have indicated support for developing a political commitment on preventing harm from the use of explosive weapons in populated areas.<sup>3</sup> This process extends from concern expressed by over 40 governments in UN Security Council debates on the protection of civilians in armed conflict and on children and armed conflict, at which the UN Secretary-General has also urged international action on this issue.<sup>4</sup>

This topic has also been taken on by the UN Secretary-General Ban Ki-moon and International Committee of the Red Cross (ICRC) President Peter in their six-point call including a demand for states to stop the use of "heavy explosive weapons in populated areas."<sup>5</sup> The World Humanitarian Summit has included as one of its Core Commitments the promotion and enhancement of "the protection of civilians and civilian objects, especially in the conduct of hostilities, for instance by working to prevent civilian harm resulting from the use of wide-area explosive weapons in populated areas, and by sparing civilian infrastructure from military use in the conduct of military operations."<sup>6</sup> The Human Rights Council Commission of Inquiry on Gaza also included analysis of the human rights violated by explosive weapon use in populated areas.<sup>7</sup> A number of UN agencies and INEW partner organisations have issued advocacy and policy briefs on this issue over the last several years<sup>8</sup> and have reported on a variety of meetings.<sup>9</sup>

**We urge Canada in its NAP to support data collection on the gendered impacts of the use of explosive weapons in populated areas; support the development of an international commitment to end the use of explosive weapons in populated areas as means to prevent human suffering, including that of women and girls; and commit to not transfer weapons or approve arms export licences to end-users using explosive weapons in populated areas as an effective means to help prevent this practice.**

## THE INTERNATIONAL ARMS TRADE

All conventional weapons can be used to facilitate GBV. All users of conventional weapons, including the military, the police, state security services, private contractors, peacekeepers, or non-state actors, can commit GBV.

At the national level, the Arms Trade Treaty (ATT)—which Canada's current government has expressed its intention of ratifying—mandates that arms export officials conduct a risk assessment on GBV for every single arms export license application. To do so adequately, officials must assess the risk that the weapons could be used to facilitate sexual violence or domestic violence; impact girls' education or women's reproductive health, or that sex and gender are being used as a signifier in targeting attacks or conducting post-strike analyses.

Different weapon systems can be used in different ways to inflict GBV, including small arms and light weapons, battle tanks, explosive weapons, or armed drones.<sup>10</sup>

In addition to the ATT, two of the UN Security Council resolutions on WPS reference the international arms trade.

**UNSCR 2106** (2013) notes the Arms Trade Treaty (ATT)'s provision related to preventing gender-based violence (GBV). **UNSCR 2122** (2013) acknowledges the adoption of the ATT, notes its provision on GBV, and looks forward to the "important contribution that implementation of the Arms Trade Treaty can make to reducing violence perpetrated against women and girls in armed conflict and post-conflict situations."

The **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** recognises that GBV in armed conflict is part of a larger systematic discrimination against women, girls, and others who do not conform to hegemonic masculinities. In November 2013, the CEDAW Committee adopted a general recommendation (30) on women in conflict prevention, conflict, and post-conflict situations. In this document, the Committee outlines the concrete measures states parties can take to ensure that women's human rights are protected before, during and after a conflict. It notes that CEDAW requires states to focus on conflict prevention, which includes "robust and effective regulation of the arms trade, in addition to appropriate control over the circulation of existing and often illicit conventional arms, including small arms, to prevent their use to commit or facilitate serious acts of gender-based violence."

It goes on to note, "There is a correlation between the increased prevalence of gender-based violence and discrimination and the outbreak of conflict. For example, rapid increases in the prevalence of sexual violence can serve as an early warning of conflict. Accordingly, efforts to eliminate gender-based violations also contribute in the long term to preventing conflict, its escalation and the recurrence of violence in the post-conflict phase." The Committee also notes that "proliferation of conventional arms, especially small arms, including diverted arms from the legal trade, can have a direct or indirect effect on women as victims of conflict-related gender-based violence, as victims of domestic violence and also as protestors or actors in resistance movements." Thus it recommends 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 (2013)."

The Beijing Platform for Action and Agenda 21 also affirmed the need to reduce excessive military expenditures and redirect resources to gender equitable sustainable development (Beijing Area E, Agenda 21, 22.16). Goal 16 of the Sustainable Development Goals (SDGs) now also includes an indicator on reducing illicit arms (16.4).

**We urge Canada in its NAP to highlight correlation between the increased prevalence of gender-based violence and discrimination and armed conflict; highlight that Canada's efforts to eliminate gender-based violence also contribute in the long term to preventing conflict, its escalation, and the recurrence of violence in the post-conflict phase; indicate support for the robust and effective regulation of the arms trade, including by ratifying and effectively implementing the Arms Trade Treaty; and emphasise that control of the international arms trade will help prevent the use of conventional weapons to commit or facilitate acts of gender-based violence.**

## **PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS**

One of the UN Security Council resolutions on WPS concretely addresses the illicit trade in and proliferation of small arms and light weapons (SALW). **UNSCR 2242** (2015) encourages the empowerment of women to participate in efforts related to the "prevention, combating, and eradication of the illicit transfer, and the destabilizing accumulation and misuse of small arms and light weapons," and calls on all relevant entities "to take into consideration the specific impact of conflict and post-conflict environments on women's and girls' security, mobility, education, economic activity and opportunities, to mitigate the risk of women from becoming active players in the illicit transfer of small arms and light weapons."

The **UN Security Council resolutions on small arms and light weapons** also address the relationship between WPS and SALW. **UNSCR 2117** (2013) recalls "with grave concern" that

the illicit transfer, destabilising accumulation, and misuse of SALW “fuel armed conflicts and have a wide range of negative human rights, humanitarian, development and socioeconomic consequences, in particular on the security of civilians in armed conflict, including the disproportionate impact on violence perpetrated against women and girls, and exacerbating sexual and gender-based violence and the recruitment and use of children by parties to armed conflict in violation of applicable international law.”

It emphasises the importance of approaches to disarmament, demobilization, and reintegration (DDR) that, among other things, “provides for the special needs of children and women, and women’s full and effective participation in all efforts for the maintenance and promotion of peace and security, in line with UNSCR 1325.”

It urges all relevant actors to “take further measures to facilitate women’s full and meaningful participation in all policymaking, planning and implementation processes to combat and eradicate the illicit transfer, destabilizing accumulation, and misuse of small arms and light weapons in all its aspects.” It also calls on all those involved in planning for DDR and justice and security sector reform efforts “to take into account the particular needs of women and children, and to provide for their full access to these programmes inter alia, through consultation with civil society, including women’s organizations, as appropriate.”

This “grave concern” about sexual and gender-based violence expressed in UNSCR 2117 is reiterated in **UNSCR 2200** (2015). The resolution adds new language emphasising that illicit trafficking of SALW “could harm civilians, including women and children”. It includes a truncated version of the paragraph stressing the importance “of women’s full and effective participation in all efforts related to countering the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, in line with its resolution 1325 (2000).”

Paragraph 16 encourages member states “to better understand the impact of the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons on women and children, through, inter alia, strengthening the collection of data disaggregated by sex and age and developing appropriate and effective national risk assessment criteria.”

In paragraph 17 the resolution calls upon all relevant actors “to take into consideration the specific impact of conflict and post-conflict environments on women’s security, mobility, economic activity and opportunities, to mitigate the risk of women from becoming active players in the illicit transfer of small arms and light weapons.”

Paragraph 18 urges all relevant actors “to take further measures to facilitate women’s full and meaningful participation in all policymaking, planning and implementation processes to combat and eradicate the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons in all its aspects, and in that regard, encourages empowering women, including through capacity building efforts, as appropriate, to participate in the design and implementation of efforts related to the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, and calls upon all those involved in the planning for disarmament, demobilization and reintegration and justice and security sector reform efforts to take into account the particular needs of women and children associated with armed forces and armed groups, with the participation of women, and to provide for their full access to these programmes inter alia, through consultation with civil society, including women’s organizations, as appropriate.”

Paragraph 26 requests the UN Secretary-General to include in his reports and briefings on country-specific situations information on the impact of the illicit trade in SALW on protection of civilians in armed conflict, including impacts on “refugees, internally displaced persons, women, children, and other vulnerable groups.”

The **UN Human Rights Council** addressed for the first time in a clear and direct manner the topic of weapons and human rights in September 2013. Since then, three resolutions have touched on arms transfers and firearms and the consequences on human rights. All these three resolutions contain references to women.

**UNHRCR 24/35** (2013), “Impact of arms transfers on human rights in armed conflicts,” references the particular impact of arms transfers on women. It recalls that widespread availability of arms may increase the risk of sexual and gender-based violence. **UNHRC**

26/16 (2014), “Human Rights and the regulation of civilian acquisition, possession and use of firearms,” acknowledges that domestic regulations on the possession of firearms have an impact on human rights. It mentions the impact of widespread possession of firearms on rates of inter-partner violence. **UNHRC 29/10** (2015) requests a report from the UN High Commissioner for Human Rights on the good practices in regulating possession of firearms.

**We urge Canada in its NAP to reduce the proliferation of conventional arms, especially small arms, including diverted arms from the legal trade, can have a direct or indirect effect on women as victims of conflict-related gender-based violence, as victims of domestic violence and also as protestors or actors in resistance movements; include measures and initiatives to take into consideration the specific impact of conflict and post-conflict environments on women’s and girls’ security, mobility, education, economic activity and opportunities and to mitigate the risk of women from becoming active players in the illicit transfer of small arms and light weapons; encourage the empowerment of women to participate in efforts related to the prevention, combating, and eradication of the illicit transfer of, and the destabilizing accumulation and misuse of small arms and light weapons; and address measures it will take to prevent gender-based violence through the possession of domestic firearms.**

## **HUMAN SECURITY, DEMILITARISATION, AND REDUCING MILITARY SPENDING**

According to *The Military Balance 2016*, Canada’s military expenditure in 2015 was US\$14 billion.<sup>11</sup> In order to better finance its activities related to WPS, Canada should commit to shift military expenditure towards developing new approaches to nonviolent conflict resolution and the prevention of war. Measures requiring financing in this area include integrating gender impact assessments and gender and human rights analysis and budgeting into national budgets in order to promote systemic learning that improves results on state obligations to respect, protect, and fulfil women’s equal human rights progressively and using maximum available resources.

**To this end, we urge Canada in its NAP to explicitly affirm a human security integrated approach to sustainable peace, recognising the need to address the gaps and strengthen the links between peace and security, human rights, disarmament and arms control, and development as a means to address root causes of armed conflict and threats to the security of women and girls in the pursuit of international peace and security.**

Canada should also outline measures it will take to: facilitate women’s full and meaningful participation in all policymaking, planning, and implementation processes related to disarmament and arms control, including the use, accumulation, and proliferation of weapons; help ensure that those involved in the planning for disarmament, demobilisation, and reintegration and justice and security sector reform efforts take into account the particular needs of women associated with armed forces and armed groups, and to provide for their full access to these programmes inter alia, through consultation with civil society, including women’s organisations; generate new public and private financial resources for implementing the WPS agenda, including through the reduction of military expenditure and investment for arms production and acquisition; and investigate and prosecute members of the police, security, and armed forces who perpetrate acts of violence against women, violations of international humanitarian law, and violations of the human rights of women in situations of armed conflict.

## **ABOUT THE WOMEN’S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM (WILPF)**

The Women’s International League for Peace and Freedom (WILPF) is an international non-governmental organisation with National Sections covering every continent, an International Secretariat based in Geneva, and a New York office focused on the work of the United Nations. We have consultative status (category B) with the United Nations.

Since our establishment in 1915, we have brought together women from around the world who are united in working for peace by nonviolent means and promoting political, economic, and social justice for all. We use existing international legal and political frameworks to achieve fundamental change in the way states conceptualise and address issues of gender, militarism, peace, and security.

WILPF established the Reaching Critical Will programme in 1999 to lead the organisation's analysis and advocacy for disarmament, the reduction of global military spending and militarism, and the investigation of gendered aspects of the impact of weapons and of disarmament processes. We seek to achieve disarmament, challenge militarism, and confront violent masculinities and gender discrimination through research, policy analysis, advocacy, monitoring, and reporting on international forums such as the United Nations and other meetings of governments and organisations, and through international civil society networks and campaigns.

For more information please see [www.wilpf.org](http://www.wilpf.org) and [www.reachingcriticalwill.org](http://www.reachingcriticalwill.org).

<sup>1</sup> *Women and explosive weapons*, Reaching Critical Will of the Women's International League for Peace and Freedom, February 2014, <http://www.reachingcriticalwill.org/images/documents/Publications/WEW.pdf>.

<sup>2</sup> "UNHRC concerned at reports of sexual violence against refugee women and children," UN High Commissioner for Refugees, 23 October 2015, <http://www.unhcr.org/562a3bb16.html>.

<sup>3</sup> "States move to stop bombing and bombardment in towns and cities," 24 September 2015, Reaching Critical Will, <http://www.reachingcriticalwill.org/news/latest-news/10182-states-move-to-stop-bombing-and-bombardment-in-towns-and-cities>.

<sup>4</sup> Ray Acheson, Political action to end the use of explosive weapons in populated areas," *Peace in Progress* No. 26, February 2016, [http://www.icip-perlapau.cat/numero26/articles\\_centrales/article\\_central\\_1/](http://www.icip-perlapau.cat/numero26/articles_centrales/article_central_1/); also see references at <http://www.inew.org/acknowledgements>.

<sup>5</sup> "Ban Ki-moon, ICRC call for curb on explosive weapons use, states move towards commitment," 31 October 2015, <http://www.article36.org/explosive-weapons/1st-com-2015>.

<sup>6</sup> "Uphold the Norms that Safeguard Humanity: Core Responsibility Two of the Agenda for Humanity," World Humanitarian Summit, Istanbul, 23–24 May 2016.

<sup>7</sup> "Report of the detailed findings of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1," Human Rights Council, A/HRC/29/CRP.4, 22 June 2015, [http://www.inew.org/site/wp-content/uploads/2015/06/A\\_HRC\\_CRP\\_41.pdf](http://www.inew.org/site/wp-content/uploads/2015/06/A_HRC_CRP_41.pdf).

<sup>8</sup> Please see <http://www.inew.org/learn-more-about-inew>.

<sup>9</sup> Please see <http://www.inew.org/news>.

<sup>10</sup> For guidelines on how to implement the GBV provision of the ATT, please see *Preventing gender-based violence through arms control: tools and guidelines to implement the Arms Trade Treaty and UN Programme of Action*, Reaching Critical Will of the Women's International League for Peace and Freedom, April 2016, <http://www.reachingcriticalwill.org/images/documents/Publications/preventing-gbv.pdf>.

<sup>11</sup> *The Military Balance 2016: The annual assessment of global military capabilities and defence economics*, The International Institute for Strategic Studies, February 2016.