Women and Weapons Workshop
Background Note & Agenda

Geneva, 16 May 2019

Aim
This workshop is designed to take stock of current global developments in the field disarmament, reflect on the successful strategies that have been pursued and identify additional entry points to advance disarmament through international law, informed by feminist methodologies.

***Challenge*:** how might international law be more effectively harnessed to further feminist disarmament goals and further peace?

Section 1 provides an overview and observations around efforts by states to further the disarmament agenda at the international level over the last century. Annex 1 lists the measures taken by states to advance disarmament at the international level.

Section 2 identifies feminist engagements with disarmament: identifying the arguments that have been used and the strategies adopted. Some preliminary observations and current challenges are identified.

Section 3 introduces the SG's Disarmament Agenda [SGDA] which was launched in 2018. The SGDA not only provides an insight into the strategic disarmament objectives of supporting states but the initiatives identified may provide opportunities to contribute/shape emerging norms pertaining to disarmament at the international level.

The draft agenda follows section 3.

Annex 2: summarizes the latest figures in respect of the arms industry and trade.

Section 1: State initiatives to advance disarmament: overview & observations

The Hague Peace Conferences of 1899 and 1907 marked the first attempts by states to advance disarmament through an international forum. While agreement on general disarmament proved elusive, some progress, albeit limited, was made in respect of banning three methods of warfare (each of which was at the cutting edge of new weapons technologies) and considerable progress was achieved in codifying the laws of war. These conferences were also important in establishing the idea and potential of international fora as sites for advancing consensual disarmament more generally.[1]

Shifting foundations
One prism through which to assess the disarmament agenda at the international level is to view the efforts on the part of states through the two international institutional/normative frameworks, namely the League of Nations system and the UN Charter system. Disarmament was an integral aspect of the League of Nations (Art 8) founded on the belief that the arms race had created insecurity making

[1] Versailles/League of Nations disarmament: first and foremost, imposed disarmament on defeated states.

war inevitable.[2] During the inter-war years we witness multiple attempts by states to advance this agenda although successes are few and short-lived (Annex 1).

UN Charter arguably takes a different approach to disarmament founded on a different rationale: that the inter-war arms race was a manifestation (or consequence) of the insecurity between states.[3] Thus, the Charter system places at its core the prohibition on the use of force and respect for the territorial integrity and sovereignty of all states in order to maintain [peace and] security. Responsibility for advancing disarmament is accorded to the General Assembly rather than the Security Council and Article 11 simply states: "The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both."

Article 26 is also relevant and states: "In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments."[4]

Ambiguous aims

One of the most problematic aspects of the disarmament debate has been the ambiguity over the content/scope of what is captured by the term 'disarmament'. Article 8 of the Covenant of the League refers to 'reduction' and in practice the term 'disarmament' has generally referred to anything from 'regulation' to 'reduction', 'limitation' and 'arms control'.[5]

Article 47 of the Charter refers to "regulation of armaments" rather than disarmament. General Assembly resolution 1378 (1959) expressly embraces the goal of "general and complete disarmament under effective international control" (GCD). However, this objective has not been reaffirmed by states operating in other fora other than in the Final Document of SSOD I.[6]

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[2] The enormous growth of armaments in Europe, the sense of insecurity and fear caused by them—it was these that made war inevitable, UKFS Grey

[3] "Nations do not mistrust each other because they are armed; they are armed because they mistrust each other", President R Reagan. US Working Paper: "If we continue to focus on numerical reductions and immediate abolition of nuclear weapons, without addressing the real underlying security concerns that led to their production in the first place, and to their retention, we ill advance neither the cause of disarmament nor the cause of enhanced collective international security". NPT/CONF.2020/PC.II/WP.30

[4] Cold War dynamics and the early rejection of an autonomous, permanent UN military force prevented the Military Staff Committee from fulfilling its intended purpose of serving as the UN's global defence department.

[5] See Article 8 of the Covenant of the League of Nations which states "The Members of the League recognise that the maintenance of peace requires the *reduction of national armaments to the lowest point consistent with national safety* and the enforcement by common action of international obligations"; emphasis added.

[6] The Final Document designates GCD as the 'ultimate goal' of the process. It has been reaffirmed by states parties in GA resolution 1722 (1961) and was the basis for negotiations in the 1960s on a treaty on GCD (based on proposals by the Soviet Union and USA). It is also a core obligation in the nuclear Non-Proliferation Treaty (Article VI). Unfortunately, it is also frequently cited as an excuse for the failure of the nuclear-armed states to disarm—some, especially France, argue that GCD is a precondition for nuclear disarmament. Useful background on the history and contemporary efforts on GCD can be found at: https://www.un.org/disarmament/publications/occasionalpapers/no-28/

In practice, GCD has given way to partial measures with states typically referring to the two 'parallel' disarmament objectives as constituting:

- The elimination of weapons of mass destruction, including nuclear disarmament; and
- The reduction in and regulation of conventional weapons / military expenditure to "the lowest possible levels consistent with the maintenance of internal order and international peace and security".[7]

The reasoning that underpins the designation of certain weapons as 'WMD' is not entirely convincing. Moreover, the prohibitions on chemical and biological weapons[8] justified by states as being at odds with the core IHL prohibitions on causing 'unnecessary suffering' and weapons that are 'indiscriminate' by their nature[9] is difficult to square with the stance taken by states with nuclear weapons capabilities, notwithstanding the ICJ's Nuclear Weapons Advisory Opinion.[10] Explanations for this distinction include the limited military utility of chemical and biological weapons, that they are "the poor man's atomic bomb",[11] that they have little deterrence effect, and that in contrast to the nuclear weapons industry there is neither an economic interest to be protected nor the political kudos that attaches to nuclear power. The catalogue of treaties pertaining to WMD, negotiated through the Conference on Disarmament,[12] has effectively resulted in the consolidation of military and political power in the hands of an elite group of nuclear armed states (see Annex 1).

Meanwhile, little headway has been made to reduce conventional weapons (see Appendix 2 for latest figures). The 1932 Conference for the Reduction and Limitations of Armaments convened by the League of Nations petered out in 1935 against the backdrop of increasing tensions in Europe. In 1951 and 1971 the Soviet Union proposed that the General Assembly call upon states to consider a world conference on disarmament, including nuclear weapons, but the suggestion was opposed by both China and the US. The alternative idea of convening a special session of the General Assembly on disarmament was originally contained in the Belgrade Declaration issued in 1961 at the First Conference of Heads of State or Government of Non-Aligned Countries; the Declaration called for either a special session on disarmament (SSOD) or world disarmament conference. The proposal was raised repeatedly (1964, 1975, 1976) by Non-Aligned Countries and the decision to convene such a session was eventually adopted by the General Assembly in resolution 31/189B in 1976.[13] SSOD I (23 May – 30 June 1978) resulted in the establishment of a number of institutional mechanisms including the UN Disarmament Commission, the Conference on Disarmament, the UN Institute for Disarmament

[7] The original UN Disarmament Commission (established in 1952) was intended to produce a single comprehensive treaty to secure both aims.

[8] First addressed in 1899 with the adoption of Hague Declaration 2 (IV) on asphyxiating gases, the prohibition on asphyxiating poisonous gases was reaffirmed in both the Treaty of Versailles and 1922 Washington Treaty leading to the adoption of the 1925 Geneva Protocol which also prohibited the use of bacteriological methods. The gaps in the text, ambiguity of the language and the widespread use of reservations [no first use] were addressed with the adoption of the 1972 BWC and CWC in 1993.

[9] Article 35 API,

[10] This was part of the rationale for negotiating the Treaty on the Prohibition of Nuclear Weapons, which takes up exactly this question and reflects it in the preamble and obligations of the Treaty.

[11] Speaker of the Iranian parliament, Hashemi Rafsanjani, 1988.

[12] The CD was set up as a negotiating body of the UN for facilitating the conclusion of treaties relating to conventional and nuclear weapons disarmament. Its predecessor body – the Conference of the Committee on Disarmament (CCD) was constituted during the First Special Session on Disarmament (SSOD-1) in 1978. The precursor of the CCD was the Eighteen Nation Disarmament Committee (ENDC) which was created in 1962. In 1969, when the membership increased from 18 to 30, it became the CCD. The CD has a special relationship with the UN and although it is not an organ of the UN it is required to consider any recommendations made by the General Assembly.

[13] Rydell, Bringing Democracy to Disarmament, UNODA Occasional Papers 29, October 2016, 12

Research, the Secretary-General's Advisory Board on Disarmament. Agreement was reached to limit the agenda of the GA's First Committee exclusively to disarmament and international security and significantly to embrace GCD as the 'ultimate objective' of the process. Notwithstanding these measures, the agenda set out in the Final Document remains largely unfulfilled.[14]

Shifting locus of power: the 'human security' /humanitarian disarmament conceptual framework
The very fact that disarmament is situated in the GA and that there are multiple disarmament fora through which states and civil society are able to pursue their respective disarmament agendas, raises the possibility for a more democratic process to evolve. That said, there have been increasing calls to reform the multilateral disarmament institutions which have been in a state of 'stagnation' since the turn of the 21st century.[15] While some commentators suggest that any progress in this field is contingent on buy-in by major military powers, recent trends indicate otherwise (TPNW, MBT, CCM, ATT). The potential to advance disarmament negotiations has certainly been facilitated by the human security conceptual framework and broader humanitarian approaches that have been embraced by states in recent years.[16]

Spearheaded by civil society, "humanitarian disarmament" is an approach that aims to prevent and remediate human suffering and environmental degradation.[17] To some extent this has been distanced from the pursuit of GCD, focusing on limiting, prohibiting, or restricting certain types of weapons or warfare rather than seeking a holistic settlement of all arms issues. Although this particular approach has been successful in addressing specific weapons systems (landmines, cluster munitions) and may prove successful in halting the weaponization of some new technologies (AI/robotics), to date it has not been as effective in arresting the weaponization of other technologies (cyber, UAVs).

Arms trade
Attempts to regulate the arms trade during the pre-WWII period failed materialise despite the pressure from civil society.[18] While weapons producing states were content to advance this issue, weapons purchasing states resisted this development arguing that such measures would constitute a violation of sovereignty. Breakthrough came in 2006 when the UNGA endorsed the negotiation of an arms trade treaty which was eventually adopted in 2013 by a majority vote of the GA.[19] By leaving the vetting process in the hands of states, whether the ATT will live up to expectations remains to be seen.[20]

2. Women's activism/feminist interventions

[14] https://www.un.org/disarmament/sg-agenda/en/ Action 32
[15] SG Disarmament Report 2018, p 61
[16] John Borrie, "Rethinking Multilateral Negotiations: Disarmament as Humanitarian Action" in *Alternative Approaches in Multilateral Decision Making: Disarmament as Humanitarian Action*, J. Borrie & V. Martin Randin (eds), United Nations Institute for Disarmament Research (UNIDIR), 2005. Examples of this new approach that emphasises human security include, among others, the regulation of small arms and light weapons (https://www.un.org/disarmament/convarms/salw/), cluster munitions and the ATT.
[17] https://humanitariandisarmament.org/
[18] See for example, *1925 International Conference on the Control of the International Trade in Arms.* Public sentiment continued to put pressure on governments exemplified by the establishment of Nye Commission in 1934 in the US and the establishment of the Royal Commission of Inquiry in the UK in 1935. https://api.parliament.uk/historic-hansard/lords/1935/mar/27/arms-inquiry.
[19] Article 1 lists "reducing human suffering" as a purpose of the treaty and in doing so integrates the concept of human security.
[20] https://www.caat.org.uk/campaigns/stop-arming-saudi/judicial-review

Women's activism in campaigning for disarmament is well established. Historical records indicate that women's groups have often been at the intellectual forefront of thinking and strategic activism around disarmament for at least the last century.[21] Notwithstanding the changing contexts, the rationale upon which women's groups have engaged with the issue of disarmament and the strategies adopted, including invoking international law, have remained relatively constant.

Objectives

At the international level WILPF has not only led the disarmament debate but, to maximize impact, has regularly collaborated with other women's groups and pacifist organisations.[22] Over the last decade, WILPF has also founded, coordinated, and/or participated in major disarmament coalitions with other NGOs and activist groups.[23] Disarmament has been a core component of WILPF's mission since its first Congress in 1915, when it adopted a resolution on disarmament calling for

> "universal disarmament and realizing that it can only be secured by international agreement, urges, as a step to this end, that all countries should, by such an international agreement, take over manufacture of arms and munitions of war and should control all international traffic in the same. It sees in the private profits accruing from the great armament factories a powerful hindrance to the abolition of war."[24]

WILPF's position on disarmament was further developed at the 1919 Congress in which it called for the immediate reduction of armaments on the same terms [as the defeated states] for all member-states of the League of Nations, to commit to "total disarmament (land, sea, air)" and to "the abolition of private manufacture of and traffic in munitions of war… as steps towards total international disarmament".[25] WILPF was not the only women's organisation which called for disarmament during this period. In 1921 a resolution on disarmament was also adopted by the International Federation of Working Women which represented "working women of eleven countries and voicing the expressed views of the working women of forty-eight nations affiliated with this Congress, pronounce for a policy of total disarmament and urge that the Powers to convene at Washington on November 11th shall take steps toward the immediate disarmament of the Nations".[26]

The inter-war years saw the emergence of three parallel campaign objectives:

a) universal and total disarmament (UTD);
b) dismantle/regulate/restrict the private arms trade;[27]
c) prohibition of specific weapons systems.

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[21] 1919 Zurich Congress was first international body to issue a considered criticism of the Covenant of the LofN. Among either items WILPF statement called for an "immediate reduction of armaments on the same terms for all member States and abolition of conscription. Total disarmament by land, sea and air. An International Commission on war profits." 1924 Washington (4th)

[22] See, for example, Disarmament Committee of the Women's International Organizations 1931-

[23] For example, the International Campaign to Abolish Nuclear Weapons, the Campaign to Stop Killer Robots, the International Network on Explosive Weapons, and the International Action Network on Small Arms.

[24] *Report of the International Congress of Women, The Hague, April 28th to May 1st 1915* https://archive.org/details/internatcongrewom00interich/page/14 For detailed account of the proceedings see https://archive.org/details/berichtrapportre45wome/page/n1

[25] More specifically, the Congress called for the "League of Nations to appoint an International Commission, to sit in public, with power to take evidence on oath and to command the attendance of any witness it may desire to call, to enquire into the fact regarding profit-making due to war and preparation for war." *Report of the International Congress of Women, Zurich*, 1919.

[26] Second Congress, Geneva, October 1921.

[27] Objective "limitation of armaments and the nationalization of their manufacture" Yearbook of the Women's Peace Party, US, 1916.

Over time, there has been a shift in objectives to include:

- UTD/ "general and complete disarmament under effective international control" (GCD)
- Humanitarian disarmament through prohibitions and restrictions: WMD; conventional weapons; arms trade and use/practice of certain weapons; weaponization of new technologies
- Countering militarism and military spending
- Countering violent masculinities

Observations

While universal and total disarmament (UTD) has remained the overriding objective for many feminist activists,[28] partial measures have always been supported as a step towards the ultimate objective.[29] The reality is that feminists interventions to further UTD have generally been limited to the few opportunities that have risen in history (1932 Disarmament Conference, 1978 SSOD) and have arguably been made even more challenging by the sheer size, complexity and secrecy that surrounds weapons development and procurement.[30]

Feminist groups have long recognised that effective interventions to advance UTD are contingent on developing analyses that can withstand critical scrutiny.[31] In addition to lobbying political elites and building coalitions, feminist activism has appealed directly to the public/civil society.[32] The failure of the 1932 Conference led WILPF to pilot another strategy in 1935 by appealing to the private sector to press governments to embrace UTD.[33] Other strategies have sought to expose the human, resource and environmental costs of military expenditure, including by linking disarmament and

[28] 1934 Zurich Congress (8th): "the primary object of the WILPF remain: total and universal disarmament, the abolition of violent means of coercion for the settlement of all conflicts, the substitution in every case of some form of peaceful settlement, and the development of a world organization for the political, social and economic cooperation of peoples."

[29] For example, during 4th Congress in May 1924 (Washington) WILPF reiterated its commitment to general disarmament but at the same time welcomed President Coolidge's suggestion to call an International Conference to deal with limiting armaments and the codification of international law. See also: "WILPF must develop a realistic approach to the problem of disarmament without losing its faith in, and commitment to the ultimate aim of complete disarmament" 18th Congress, New Delhi, 28 December 1970-2 January 1971, p 19

[30] See for example, Edith Ballantyne, 'League's Aims' on how to effectively operate in an increasingly complex global environment. 19th International Congress, Birmingham, UK, July 17-20 1974, 18-23

[31] Inter-linkages: imperialism, militarism, accountability, inequality, arms industry and arms trade, minority rights, sovereign equality (compulsory arbitration). Discussions in 1924 around 'A New International Order': complex PE analysis; 1926 Dublin Congress (5th) Statement of Aims: "uniting women in all countries who are opposed to every kind of war, exploitation and oppression, and who work for universal disarmament and for the solution of conflicts by the recognition of human solidarity, by conciliation and arbitration, by world cooperation, and by the establishment of social, political, and economic justice for all , without distinction of sex, race, class, or creed." 9th Congress, Czechoslovakia 1937 "Total and Universal Disarmament".

[32] In 1931 the Disarmament Committee of the Women's International Organizations formed comprising women's groups dedicated to pacifism (14 women's organisations, 56 states). Proposal: Polyglot Petition: every country to collect signatures and press disarmament upon its government in preparation for 1932 Disarmament Conference; Collaborative campaigning with peace groups. Petitions with 12 million signatures (6m secured by WILPF), demonstrations, deputations, books, speeches, newspaper articles; WILPF 7th Congress: Grenoble 1932 "World Disarmament or World Disaster". Tree planting (1926). 1971 "Studies and resolutions are not enough. WILPF must act by lobbying, boycott, civil disobedience and any other relevant non-violent methods", 18th Congress, New Delhi, 28 December 1970-2 January 1971, p 19.

[33] Peace & Disarmament Committee of the Women's International Organizations. New agenda for peace: enlist private sector = Peace Roll of Industry (GM, US Steel, Standard Oil). Convince industrial leaders that peace served their best interests. While this strategy met with some initial success, the prospect of war in Europe

development.[34] A century of analyses, campaigns, activism has delivered little tangible success, though the development of new law on certain weapon systems reflect shifts in approach by certain governments and success of some of this analysis over time.

As with UTD, feminist interventions against the arms trade has resulted in limited success, with the exception of the ATT.[35] However, even the ATT is beset by accountability and implementation issues, and most governments have not yet taken seriously the commitments made to human rights and international humanitarian law under the Treaty, including the prevention of gender-based violence.

Feminist activism has been more successful in contributing towards the prohibition of specific weapons systems.[36] Three strategies have emerged with each resulting in varying degrees of success.

i. *enlisting support from experts/technicians[37] and raising public awareness (material effects of*) In 1924 WILPF urged sections "to investigate the development of chemical warfare and its special dangers and to organize opposition, both to end it and as a means of educating the masses as to the real character of war in general" and invited Gertrud Woker, Naima Sahlbom and Ester Akesson-Beskow to form the International Committee Against Scientific Warfare specifically to work on combatting chemical and biological warfare.[38] In addition to launching public education campaigns, WILPF appealed directly to leading scientists of the day. Following the adoption of the 1925 Geneva Protocol: "this proves the power of public opinion and we think that the propaganda of our Sections has helped to create a popular opinion opposed to chemical warfare."[39] WILPF's task "to enlighten public opinion by propaganda and education"

   Post WWII, WILPF and other women's groups such as the Women's Strike for Peace raised awareness of the nuclear arms race and the health effects of radiation. WILPF worked with peace groups in the 1960s to campaign against nuclear weapon testing and with the Nuclear Freeze movement and anti-missile movements in the 1980s. WILPF also helped lead efforts with the International Campaign to Abolish Nuclear Weapons (ICAN) to redirect attention into the humanitarian impacts of nuclear weapons in 2010–2017 as part of efforts to ban nuclear weapons through an international treaty.[40]

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[34] 20th Congress 1977: 'Disarmament and Development, Women's Priority: Building a World without Weapons or Want"

[35] 1934 WILPF's US section campaigned to secure a government investigation of munitions industries resulting in creation of Nye Commission

[36] It is difficult to assess the extent to which feminist interventions have resulted in the reduction of specific weapons systems. Eg 1929 London Conference on Naval Disarmament: WILPF delegation presented petition 180,000 signatures collected by Japanese women.

[37] Having established a Committee on Chemical Warfare in 1924, a decision was taken by the committee "to appeal to scientists of the world, urging them to consider their responsibility in the application of their inventions and discoveries for the purposes of war." Campaigns were run in German colleges and universities in Czechoslovakia. Some in sympathy but few replied directly. P 153 report 1926. BUT note:

[38] https://archive.org/details/reportoffourthco24wome/page/n21; https://archive.org/details/reportoffourthco24wome/page/110 Both Woker and Sahlbom attended the Conference of the American Chemical Society in April 1924 during which time they visited the Edgewood Arsenal where they witnessed various military exercises involving weapons systems using "different uses of poison gases combined with white phosphorous". http://womhist.alexanderstreet.com/chemwar/doc11.htm

[39] 1926 report 154

[40] WILPF coordinated and edited a major study of experts, *Unspeakable suffering: the humanitarian impacts of nuclear weapons*, which WILPF published ahead of the first international conference on the Humanitarian Impacts of Nuclear Weapons hosted by Norway in 2013. WILPF also helped lead the strategy, analysis, and advocacy for the TPNW.

WILPF is also co-founder of the Campaign to Stop Killer Robots, seeing a preventative prohibition on the development of fully autonomous weapon systems, and is a member of the International Network on Explosive Weapons, seeking normative and legal restrictions on the use of explosive weapons in populated areas (bombing in towns and cities). WILPF is also engaged in efforts to address problems of armed drones, cyber warfare, small arms, the arms trade, military spending, and military bases. For all of these efforts, WILPF seeks to bring an integrated feminist approach to campaigning against technologies of violence and human suffering caused by weapons and war and are also working with the tech sector in the context of trying to prevent emerging technologies of violence.

ii. raising public awareness coupled with direct action
Greenham Common
Women's March to Ban the Bomb (2017)
International Queers Against Nukes (2017–current)

iii. advocacy / building coalition of like-minded states outside of the formal UN/disarmament discourse[41]
MBT, CCM, ATT, TPNW, now on autonomous weapons and on the use of explosive weapons in populated areas

Contemporary Strategies[42]

- Reduction in global military spending
- Gendered aspects of impact of weapons, gender diversity in disarmament processes, and feminist approaches to security, weapons, and war (This three-part approach has been a unique WILPF contribution to disarmament discourse, taken up to varying extents by other NGOs and some states, but we're still really the only ones pushing the feminist approach aspect)
- Human and environmental impact

3. UNSG's 2018 Disarmament Agenda

It would appear that the UNSG has made disarmament a core priority.[43] The Agenda is founded on four thematic strands:

1. *"Disarmament to Save Humanity":* eliminating NW & ensuring respect for norms against chemical/biological weapons*;*
2. *"Disarmament that Saves Lives":* mitigating the impact of conventional weapons, addressing 'arms race', cracking down on illicit trade in conventional weapons:
3. *"Disarmament for Future Generations":* regulating new technologies:
4. *"Partnerships for Disarmament*": strengthening partnerships for disarmament:

The implementation plan lists 116 steps and activities that have been/are being designed to further the agenda: https://www.un.org/disarmament/sg-agenda/en/

Note the following extracts from the report:

[41] Sometimes like with ATT and TPNW this is taking place within the UN as an institution but yes often involves building coalition in external spaces…
[42] Monitoring, reporting, analysis (including legal), advocacy
[43] https://www.un.org/sg/en/content/sg/speeches/2018-05-24/launch-disarmament-agenda-remarks See UNODA "Securing Our Common Future: An Agenda for Disarmament".

- ⇒ "General and complete disarmament", a term coined nearly a century ago, remains the ultimate objective of the United Nations in the field of disarmament."
- ⇒ How to reconceptualize this fundamental goal so that disarmament … contribute[s] to human, national and collective security in the 21st Century.
- ⇒ Excessive spending on weapons drains resources for sustainable development. It is incompatible with creating stable, inclusive societies, strong institutions, effective governance and democracy, and a culture of respect for human rights.
- ⇒ My initiative will have a strong basis also in the 2030 Agenda for Sustainable Development, the world's blueprint for peace and prosperity on a healthy planet.

Observations on the SGDA

'Gender' is referred to several times in the report although only in relation to the impact of the illicit trade in small arms on women[44] and to the equal participation in decision making related to disarmament. WILPF is specifically mentioned in the agenda.

The agenda reinforces silos between conventional and WMD and future tech. This division works against a holistic, integrated approach. Although some of the approaches taken are consistent with the agenda of the humanitarian disarmament community broadly speaking (autonomous weapons, explosive weapons), for the most part, the SGDA adopts a traditional framing to disarmament.

There is nothing of any significance on the arms industry except in connection with the trade in weapons.

General observations

This cursory overview indicates that, at present, no holistic integrated approach to disarmament exists. Meanwhile, the global arms race continues to escalate, new weapons systems are being developed and piloted, and existing treaty regimes are coming under pressure. These facts raise multiple intersecting questions, some of which are raised in the agenda below.

As stated in the opening paragraph, this workshop aims to give participants the opportunity to discuss and reflect on different aspects of disarmament informed by feminist methodologies, past and present. Integral to this workshop is the question: how might international law be more effectively harnessed to further feminist disarmament goals and further peace?

[44] "And there is also a strong gender dimension to this work. Almost universally, guns are infused with masculine characteristics. Men make up the overwhelming majority of the owners and users of firearms. Women are several times more likely to be victims of gun violence than perpetrators.
The presence of excessive and unregulated firearms exacerbates gender-based violence and shores up traditional gender roles and power relations. We must prevent a culture of violence and bloodshed, and a cycle that is difficult to break."

Draft Agenda

Session 1
What are the questions that we should be asking/addressing?

(10 am – 11am)

The aim of this session is not to answer specific questions but rather to reflect on whether feminist scholars/activists are asking the 'right' questions/ addressing the 'right' issues/ developing the 'right' strategies.

Peace-security-disarmament

Do we need to pay more attention to the relationship between peace, security, disarmament?

Are there any ways to more effectively reveal/articulate/amplify the incoherent /irrational logic that 'possession of weapons sustains national security'?[45]

Would developing the 'continuum of violence' reasoning assist in strengthening the 'disarmament reduces the prospect of war' rationale?

WILPF has consistently maintained that disarmament is a precondition to security & peace.[46]
Do feminist methods provide an alternative entry point? If so, how?

How to effectively reveal and hold state actors accountable for the incongruity between words and deeds and the inconsistency between positions, including stated objectives?

Does the UNSG's observation "the objectives and language of disarmament need to evolve together with our conceptions of security" provide a useful point of departure?

Re-positioning

Are there alternative entry points through which we might develop arguments around the unjustifiable human, environmental and material cost of weapons?

How might feminist scholarship on New Materialism/ Posthumanism assist?

Can we build on the observation made nearly a century ago that disarmament must be seen within the broader context of seeking "a fundamental change of political and economic affairs … necessary in order to secure a new world order"[47]

If the framing of the question determines the answer, should the question be: why are new technologies being weaponised?

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[45] For example, to amplify earlier notions that "The attainment of the objective of security, which is an inseparable element of peace, has always been one of the most profound aspirations of humanity. States have for long time sought to maintain their security through the possession of arms. …the accumulation of weapons, particularly nuclear weapons, today constitutes much more a threat than a protection for the future of mankind." (1978 GA Resolution)

[46] See "Facing up to WILPF's priorities: security through disarmament" Rigmor Risbjerg Thomsen, 21st International Congress, Connecticut, US, August 19-23 1980 10-12.

[47] Report of the Fourth Congress of the Women's International League for Peace and Freedom, Washington May 1-7, 1924, p 41; https://archive.org/details/reportoffourthco24wome/page/40

Do we need to think about the gendered attributes of weapon systems? If, as some scholarship suggests, chemical/biological weapons are regarded as "feminised" modes of killing and therefore encountered less resistance from states to prohibit, what lessons might we draw from this in respect of other weapons systems?[48]

How might we more effectively counter the growing culture of militarism?[49]

Should we be concerned with the colonisation of space – virtual and actual?

Session 2
Universal and total disarmament

(11am – 12:30 pm)

What precisely is meant by "general and complete disarmament under effective international control" or for that matter, "universal and total disarmament"?

Should we integrate or reconcile the GCD and HD approaches? If so, how?

Are these frameworks useful for a feminist approach to disarmament and security?

Feminist political economy

If GCD or UTD is indeed the objective, there is a need to understand (and expose) the structural and systemic military interests that are deeply embedded in every country that operate to resist disarmament.

There is already a considerable body of scholarship that demonstrates how existing structures of patriarchal power & the political economy sustain the arms industry and the valorisation and production of weapons. Such research demonstrates how the arms industry can only be sustained by the discourses that legitimise the need for arms [and the armed forces] and the security doctrines developed by governments that legitimise decisions pertaining to military (and trade) budgets including R&D and the financing of the arms trade. Weapons producing/exporting countries often use jobs and economic well-being of the state to justify defence expenditures; yet studies have consistently shown that the equivalent amount spent on job creation in other sectors of the economy (healthcare, clean energy, education) produce a significantly higher return.[50]

This begs the question: what are we missing?

Feminist histories

Notwithstanding existing research, it is almost impossible to critique the global arms/defence industry given the lack of relevant and reliable data.[51] While most research focuses on the arms

[48] Weiler 1998; Encke 2015

[49] https://www.theguardian.com/politics/2019/feb/11/brexit-uk-military-defence-gavin-williamson

[50] Pollin & Garrett-Peltier, "US Employment Effects of Military and Domestic Spending Priorities" Political Economy Research Institute, 2011. See also https://news.brown.edu/articles/2017/05/jobscow

[51] (entities engaged in the production of military equipment and services, both private and public. Financial data is difficult to find. SIPRI arms transfer database most accurate but doesn't tell us much

trade,[52] most of the arms business occurs within countries; for example in 2016, the US DOD entered into $295 bn of contracts while during that same period US arms exports were estimated to reach $30bn.

Should the focus of attention be on global elites?

What lessons can we learn from feminist activism? Did we drop the ball?[53]

While history may offer us important insights, how can critical feminists scholarship enrich our understanding/offer alternative tools of analysis?

Humanitarian disarmament

To what extent can the humanitarian disarmament approach incorporate the spirit of GCD or a more comprehensive approach to security, weapons, and war?

How can existing efforts by all of the major campaigns (nuclear, small arms, arms trade, cluster munitions, landmines, autonomous weapons, drones, explosive weapons) to work together under the banner of humanitarian disarmament be further developed?

To what extent can feminist analysis help the humanitarian disarmament (HD) framework/approach, and to what extent can the HD approach help us address broader structural issues of militarism and violent masculinities

Lunch
(12:30pm – 1:30pm)

Session 3
Feminist International Law: Reimagining State Responsibility

(1:30pm – 2:30pm)

Feminist scholars have long recognised the limitations of international humanitarian law. However, with the concurrent applicability of IHRL to armed conflict, what opportunities arise?

How might a feminist reading of IHRL advance disarmament more generally?

To what extent can an argument be developed to extend IHRL obligations to the Article 36 review process?[54]

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[52] https://www.theguardian.com/global-development/2018/dec/21/one-third-of-uk-arms-sales-go-to-states-on-human-rights-watchlist-say-analysts

[53] In 1932, WILPF issued the following statement on the Private Manufacture and Traffic in Armaments "We emphasise the vital importance of national and international control of the traffic in armaments and urge that measures providing for this should be agreed to during the Conference for the Reduction and Limitation of Armaments. We view with horror the abuses connected with the private profits derived from the manufacture of arms and ammunition. We believe that these should be made impossible, and we ask for international and national supervision of the private and state manufacture of arms and ammunition; such manufacture to be subjected to a system of licensing and publicity."

[54] https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=F095453E41336B76C12563CD00432AA1

While Action 25 of the SG's Agenda sets out a narrow programme, "the Office for Disarmament Affairs will organize, in cooperation with the United Nations Institute for Disarmament Research, an informal process with a view to facilitating the exchange of information and experiences between States on the reviews of new weapons they are required to perform in accordance with international humanitarian law", might this nevertheless provide an opportunity to frame the discourse?

Would a feminist deconstruction of the prohibition on 'unnecessary suffering' assist?

Should we be exploring ways in which to advance the right to peace?

Can existing IHRL be creatively interpreted to counter the logic of militarism and weapons spending?

What is the intersection between disarmament and the WPS Agenda? Does the WPS Agenda provide an entry point? Does CEDAW?

Session 4
International responsibility of non-state actors through a feminist lens (C/L)

(2:30 pm – 3:30 pm)

What, if any, are the legal obligations of private actors involved in the arms industry and arms trade? Does the emerging business/HR framework provide a useful entry point?

What, if any, is the scope of legal responsibility of private actors involved in the development/ implementation of new weapons technologies?

What, if any, are the legal obligations of IOs? Of IFIs?

Tea break
(3:30pm – 4pm)

Session 5
Feminist Strategies

(4pm - 5pm)

This final session aims to open up the discussion and to explore a range of questions and intersecting issues informed by feminist methods and scholarship.

Would disarmament further peace?

How might feminist scholarship on New Materialism/ Posthumanism assist in advancing alternative strategies?

Should we explore other avenues including, for example, the intersection with race, colonialism, nature?

Although the SG's Disarmament Agenda draws a number of links to the SDGs, do we need to explore further linkages (SDGs, WPS) and build on this founded on the international legal obligations?

Should feminists engage with the SG's Agenda?

If so, how might feminist interventions advance the SG's suggestions outlined in actions 39 (societal engagement to advance the shared norms of humanity) and 40 (integrate experts, industry, and civil society in disarmament bodies)?

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ANNEX 1: Efforts by States to advance disarmament agenda

1899 International Peace [Disarmament/Hague] Conference

First multi-lateral attempt to further disarmament.[55] The conference sat for 10 weeks reached no agreement except to agree on a resolution that read "the restriction of military charges, which are at present a heavy burden on the world, is extremely desirable for the increase of the material and moral welfare of mankind".[56] Three Declarations adopted: to prohibit the launching of projectiles and explosives from balloons, the use of projectiles "the sole object of which is the diffusion of asphyxiating or deleterious gasses"; and the use of expanding bullets.[57]

1919 Article 8, League of Nations Covenant

The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.[58] The reduction in arms among the 'victor' states in the immediate post-war period came about as a consequence of financial necessity.

1921 Conference on the Limitation of Armaments (12 November 1921- 6 February 1922)

US initiated conference involving UK, France, Italy and Japan: "to bring about an all around reduction in naval and if possible other armaments"[59]

1925 International Conference on the Control of the International Trade in Arms, Munitions and Implements of War[60]

18 states signed but few ratified; did not enter into force. Note: chemical/biological weapons were not on the agenda. The US delegation raised the matter causing discontent among non-producing states. German delegation called for prohibition which was accepted by all participating states (dictates of humanity).

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[55] "the maintenance of general peace and a possible reduction of the excessive armaments which weigh upon all nations" Nicolas II **May 18-July 29**

[56] http://www.loc.gov/rr/frd/Military_Law/pdf/Hague-Peace-Conference_1899.pdf More successful in securing two additional objectives: to establish an arbitration mechanism and to advance law of armed conflict rules, including Declarations to prohibit expanding bullets, asphyxiating gases and using projectiles from balloons.

[57] See also 1907 Hague Regs. NB 1899 prohibition on discharging "projectiles and explosives from balloons by other new methods of a similar nature". But 1907: France & Germany did not renew commitment: 1911 Michelin urged government investment in aircraft. 1886 St Petersburg Dec: phosphorous based incendiary munitions contrary to dictates of humanity… but effective against observation balloons: IHL/use of

[58] Article 8 continues: The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments. Such plans shall be subject to reconsideration and revision at least every ten years.
After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.
The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.
The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to war-like purposes.
Articles 22 and 23: commitment to regulate the global arms trade.

[59] https://archive.org/details/conferenceonlimi00cana/page/6. US agenda included limitation of naval armaments; rules for control of new agencies of warfare; and limitation of land armament. Submarines: modern technology: treaty banning submarine warfare?

[60] Convened by the League of Nations 4 May – 17 June 1925.

1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.[61]

Numerous problematic reservations: only binding in respect of other signatories; reciprocity.

1927 Geneva Naval Conference

US initiated (Coolidge: April 1924) to extend to other weapons systems against backdrop of increasing arms race. Described as "a study in failure".

1932 Disarmament Conference

No tangible progress toward securing the goal of 'reduc[ing] national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations" as set forth in Covenant.

1946 UN General Assembly Resolution 1 and 41

Pursuant to Article 11[62] UN Charter, the GA established the Atomic Energy Commission (AEC) to make proposals 'for the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction.' No progress/disbanded in 1949. Pursuant to Article 26 UN Charter,[63] the GA recommends the Security Council 'give prompt consideration to formulating the practical measures . . . which are essential to provide for the general regulation and reduction of armaments and armed forces.'

1960 Ten-Nation Committee/ 1962 Eighteen-Nation Cttee /1978 Conference on Disarmament

1963 Limited/Partial Test Ban Treaty (banning nuclear weapons tests in the atmosphere, in outer space and under water); 1970 NPT (halting the spread of nuclear weapons to countries that do not already possess them and preventing the diversion of nuclear material from peaceful purposes);[64] 1972 Seabed Arms Control Treaty (prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the seabed); 1972 Biological and Toxin Weapons Convention (banning the development, production and stockpiling of bacteriological and toxic weapons);[65] 1978 Environmental Modification Convention (banning all significant hostile use of environmental modification techniques); 1992 Chemical Weapons Convention (banning the acquisition, use, stockpiling and transfer of chemical weapons);[66] and the 1996 Comprehensive Test Ban Treaty (prohibiting further nuclear tests).[67] The CD has made no progress since 1996.

1978 General Assembly special session on disarmament[68]

Goal of "general and complete disarmament under effective international control" adopted Final Document of the Tenth Special Session of the General Assembly, A/S-10/2

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[61] Reservations/reciprocity

[62] Article 11, UN Charter noted that 'the General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments.'

[63] 1945 UN Charter Article 26 made the Security Council 'responsible for formulating . . . plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments' in order "to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources".

[64] https://www.un.org/disarmament/wmd/nuclear/npt/

[65] https://www.ucl.ac.uk/sts/historical-context-origins-biological-weapons-convention-bwc

[66] Ban development, production, acquisition, stockpiling use, transfer or retention for states parties to CWC.

[67] Not in force as the 44 ratifications needed have not been met.

[68] The General Assembly has held three Special Sessions devoted to Disarmament (SSOD): 1978, 1982 and 1988. The GA's mandate to meet in special sessions is set out in Article 20, UN Charter. This is interpreted in accordance with Articles 10, 11 and 13. https://www.un.org/disarmament/topics/ssod/

Disarmament Commission created to 'consider and make recommendations on various problems in the field of disarmament.[69] No progress over last decade.

1996: International Strategy Conference[70]

Hosted by Canada to secure an international ban on landmines, Ottawa Convention adopted in 1997. Civil society/ICRC initiated.

2007: Oslo Process[71]

Five international conferences held to ban cluster munitions; 2008 Cluster Munitions Convention adopted.

2009 GAR 64/48

GA calls for a UN Conference on the ATT following adoption of GGE pursuant to GAR 61/89 (2006). 2013 Arms Trade Treaty adopted. Civil society-initiated process.

2017 UN conference to prohibit nuclear weapons

Convened pursuant to GAR 71/258 (2016) on the report of the GA First Committee (A/71/450) 2017 Treaty on the prohibition of nuclear weapons adopted

[69] Disarmament Commission was originally created in 1949 pursuant to UNGAR 502 to prepare a draft treaty "for the regulation, limitation and balanced reduction of all armed forces and all armaments [and], for the elimination of all major weapons adaptable to destruction."

[70] Outside UN framework

[71] Outside UN framework

ANNEX 2: Arms Race and Arms Industry

Arms Race

During 2017 global military spending increased by 1.1% to US$1.7 trillion.[72] Military spending represented 2.2 % of global GDP ($230 per person)

- Asia & Oceania
  - China's military expenditure rose by 5.6% to $228 bn, continuing an upward trend that has lasted for over two decades.
  - India spent $63.9 bn, an increase of 5.5% compared with 2016
  - South Korea spent $39.2 bn, an increase of 1.7%
- Europe
  - Russia's military spending was $66.3 bn, a 20% fall on 2016, the first annual decrease since 1998.
  - Military spending increased in Central and Western Europe by 12% and 1.7% respectively.
  - Total military spending by NATO was $900 bn.
- Middle East
  - Military spending rose by 6.2% in the ME representing 5.2% of GDP.[73]
  - Saudi Arabia spent $69.4 bn (an increase of 9.2%) and ranks the third highest in the world
  - Iran (19%) and Iraq (22%) increased military spending significantly.
- Africa
  - Spending decreased by 0.5%, the third consecutive annual decrease.
- Americas
  - US spending remains the highest in the world at $610 bn. This represents more than the next 7 highest spending countries combined. Worryingly, this represents a reversal of the decrease in expenditure that started in 2010. 2018 figures are likely to record a significant increase.
  - Military expenditure in South America rose by 4.1% (Argentina: +15%; Brazil: +6.3%)

Arms industry

Sales of arms and military services by the world's largest arms-producing and military services companies totalled $398.2 billion in 2017.[74] This represents an annual increase of 2.5% in 2017 or 44% since 2002.

- US companies dominate top 100 arms companies in the world which grew to US$226.7 bn in 2017. Lockheed Martin remained the world's largest arms producer (sales $44.9 bn) followed by Boeing ($26.9 bn)
- Combined arms sales of Russian companies accounted for 9.5% making it the second largest arms producer in the world, overtaking the UK. Russian arms sales reached $37.7 bn in 2017.
- UK arms sales reached $35.7 bn, an increase of 2.3% on 2016. BAE Systems, the UK's biggest arms producer, increased sales by 3.3% to $22.9 (4th globally)
- 2017: arms sales of Turkish companies rose by 24% in 2017.

[72] May 2018, Stockholm International Peace Research Institute. Between 1999 and 2011 global spending increased; it remained relatively unchanged from 2012 to 2016.

[73] No other region in the world allocated more than 1.8% of GDP into military spending

[74] SIPRI, December 2018