The Arms Trade Treaty’s Gender-Based Violence Risk Assessment:
A QUESTIONNAIRE FOR INFORMATION SOURCES

The Stimson Center and International Human Rights Clinic at Harvard Law School
Article 7(4) of the Arms Trade Treaty

The exporting State Party, in making this [export] assessment, shall take into account the risk of the conventional arms [covered under the ATT, as well as their parts and components] being used to commit or facilitate serious acts of gender-based violence or serious acts of violence against women and children.
Part I: Questionnaire for Information Sources on the GBV Risks of a Proposed Export

A. The human rights records of the exporter, end user, and their associates
B. GBV in the recipient State
C. The connection between the export and GBV risks

Part II: Explanatory Guide

• Contextualized examples on A, B, and C
• Terms and concepts

Part III: Questions for Licensing Officers
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B. GBV in the Recipient State

GBV may take a variety of forms, broadly classified under four headings: physical, sexual, psychological, and socioeconomic. The answers to these questions will assist licensing officers in understanding conditions in the recipient State relevant to GBV.

1. What is the extent and severity of GBV, prior and current, in the recipient State? Consider acts of physical, sexual, psychological, and socioeconomic GBV.

2. Given that underreporting of GBV is prevalent and, in some cases, reliable statistics or other indicators may not be available, what factors in the recipient State could contribute to underreporting or issues with GBV statistics?

3. What role does the recipient State itself play in the commission and facilitation of GBV by State and non-State actors? For example, is there a strong legal framework aimed at preventing GBV that is robustly implemented, or is there a culture of impunity for GBV?

C. Connection between this Export and GBV Risks

The answers to these questions will help licensing officers to assess the likelihood of the export itself being used to commit or facilitate GBV in the recipient State, given the general country conditions outlined in the previous section.

1. Has the type of conventional arms in the proposed export been used to commit or facilitate physical, sexual, psychological, or socioeconomic GBV in the recipient State? For example, if the exporter has applied to export battle tanks, consider how battle tanks have been implicated in GBV in the recipient State.

2. Is there information that links the end user to the prior or current commission or facilitation of any type of GBV if so, has the specific type of conventional arms in the export been linked to the commission or facilitation of GBV by the end user?

3. What relationships does the end user have with known perpetrators of GBV in the recipient State? Are there risks that the export could end up in the hands of these perpetrators?

4. Is there any other information that, in your view, increases or decreases the likelihood that the export could be used to commit or facilitate GBV in the recipient State? For example, recent military leadership changes, planned trainings, shifts in the political landscape, etc.
A. The Human Rights Records of the Exporter, End User, and their Associates

1. To your knowledge, has any government denied an export license because of the human rights record of this exporter or this end user, or any close associate of either? If so, why?

2. Is there information on the human rights record of this exporter or end user? If so, how does the available information demonstrate that the exporter or end user complies or does not comply with its obligations to uphold human rights?

3. Human rights record of any close associate of the exporter and end user
B. GBV in the Recipient State

1. What is the **extent and severity of GBV**, prior and current, in the recipient State?

2. Given that **underreporting of GBV** is prevalent and, in some cases, reliable statistics or other indicators may not be available, what **factors in the recipient State could contribute to underreporting** or issues with GBV statistics?

3. What **role does the recipient State itself play** in the commission and facilitation of GBV by State and non-State actors?
B. GBV in the Recipient State

- GBV is violence that is directed against a person on the basis of their gender or sex

- It can be:
  - Physical
  - Sexual
  - Psychological
  - Socioeconomic
B. GBV in the Recipient State

1. What is the extent and severity of GBV, prior and current, in the recipient State?

2. Given that underreporting of GBV is prevalent and, in some cases, reliable statistics or other indicators may not be available, what factors in the recipient State could contribute to underreporting or issues with GBV statistics?

3. What role does the recipient State itself play in the commission and facilitation of GBV by State and non-State actors?
C. Connection between this Export and GBV Risks

1. Has the type of conventional arms in the proposed export been used to commit or facilitate GBV in the recipient State?

2. Is there information that links the end user to the prior or current commission or facilitation of any type of GBV?

3. What relationships does the end user have with known perpetrators of GBV in the recipient State?

4. Is there any other information that in your view increases or decreases the likelihood that the export could be used to commit or facilitate GBV in the recipient State?
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