



Misión Permanente de la  
**República Argentina**  
Organismos Internacionales en Ginebra

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The Permanent Mission of the Argentine Republic to the International Organizations in Geneva presents its greetings to the Arms Trade Treaty Secretariat and is pleased to request the inclusion of the “Working Paper of the Argentine Delegation to be presented at the Ninth Conference of the States Parties of the ATT (Geneva, August 2023)” among the documents for the 2nd Preparatory and Working Groups Meetings.

The Permanent Mission has the further honor to inform its intention to discuss this document within the framework of the Sub-working Group on Articles 6 & 7 of the Working Group on Effective Treaty Implementation (WGETI).

Please, find attached Spanish and English versions of the “Working Paper” as well as brief informative Memorandum for the Secretariat only.

The Permanent Mission of the Argentine Republic to international organizations in Geneva takes this opportunity to renew its greetings to the Arms Trade Treaty Secretariat.

Geneva, April 20, 2023



To: The Arms Trade Treaty Secretariat (ATT)  
Geneva

**WORKING PAPER OF THE ARGENTINE DELEGATION TO BE PRESENTED AT THE  
NINTH CONFERENCE OF THE STATES PARTIES OF THE ATT  
(GENEVA, AUGUST 2023).**

- As 2023 marks the tenth anniversary of the entry into force of the Arms Trade Treaty (ATT), it is necessary to continue working towards full implementation of the Treaty. The ATT marked a milestone in history as the first global effort to regulate the trade in conventional arms.
- The object of the ATT is to contribute to international and regional peace, security and stability; reduce human suffering; promote cooperation, transparency and responsible action by States Parties in the international trade in conventional arms, thereby building confidence among States Parties (art. 1).
- The incorporation of the gender perspective as an element to be considered by the States Parties when carrying out exports, imports, transit, transshipment and brokerage of the materials mentioned in article 2, turned out to be an innovation within international law that helps to prevent gender-based violence, and allows studying the effects that these events have on children.
- The scope, effectiveness and commitments assumed within the framework of the ATT, require an improvement in the implementation processes of article 7, referring to the performance of a risk assessment by the exporting State, with the objective of preventing the elements included in Article 3 and 4, from being used to commit or facilitate serious acts of violence based on gender or serious acts of violence against women and children.
- The ATT encourages States Parties to facilitate international cooperation, in particular by exchanging information on matters of mutual interest related to the implementation and application of this Treaty (art. 15). Among the types of cooperation, mention should be made in particular of the exchange of information and consultations on matters related to the practice and application of the Treaty.

**ARGENTINE PROPOSAL - TOWARDS A GUIDE TO GOOD PRACTICES.**

- Argentina proposes the preparation of a Guide to Good Practices in arms control for the prevention of gender-based violence as an initial kick so that the States Parties have the necessary tools to carry out an effective risk assessment before each transfer of the materials detailed in article 2 (category h. "small and light weapons") article 3 (ammunitions) and in article 4 (parts and components). In this sense, this Guide will facilitate with the efforts towards an effective implementation of articles 6 and 7 of the Treaty.
- The recommendation is to frame this task within the work of the "Group on Effective Implementation", specifically in the "Subgroup on Articles 6 and 7". After completing this task, it might be possible to evaluate the need to create an *ad hoc group* to continue this duty.
- To this end, Argentina suggests the following course of action:

1. Argentina has prepared a questionnaire (Annex 1) which will be circulated throughout the Secretariat in order to gather voluntary information from the States parties regarding:

- National legislation aimed at protecting women and diversities in situations of gender-based violence;
- Criminal classification of acts of violence based on gender;
- Official statistics on acts of gender-based violence;
- Government organizational structure aimed at promoting gender and inclusion policies;
- Training Programs with a gender perspective for the National Public Administration and society in general;
- Internal disciplinary procedures for members of the Security Forces, Police and Armed Forces involved in acts of violence based on gender;
- Sentences handed down for gender-based violence, etc.

2. The information obtained through the questionnaire will be used in the framework of the aforementioned working subgroup as inputs for the preparation of the "Guide to Good Practices for arms control for the prevention of gender-based violence."

3. In addition, the information will be published on a voluntary basis and to the extent that technical capabilities allow in the ATT website (<https://thearmstradetreaty.org/>), so that States parties can access it and consult such information.

**ANNEX I - QUESTIONNAIRE FOR THE PREPARATION OF THE GUIDE TO GOOD FOR THE PREVENTION OF VIOLENCE FOR GENDER REASONS DUE TO THE USE OF WEAPONS.**

Section 1: Legislation				
1.1	Is there criminal legislation in your legal system applicable to acts of gender-based violence perpetrated?	YES		NO
1.1.1	If yes, detail which ones and under which regulations			
1.2	Are there regulations in your country (law number, regulation, penal code, etc.) that protect the rights of the LGTBIQ+ collective?	YES		NO
1.2.1	If so, please indicate which ones:			
Section 2: official records				
2.1	Are there official records in your country on acts of gender-based violence?	YES		NO
2.1.1	Mark with an X the acts of violence identified:			
A	Femicides			
B	Transvestite <sup>1</sup>			
C	Transfemicide <sup>2</sup>			
D	Threats			
E	Sexual Harassment <sup>3</sup>			

<sup>1 2</sup> Transvesticides and transfemicides are the violent deaths of transvestites and transgender people for reasons associated with their gender identity. It is considered transvestite or transgender people to those who identify themselves as such, whether or not they have made the registration change in their personal identification documents and regardless of having made modifications to their body. Transvestites and transgender people construct gender identities that challenge the binary categorization of people (female or male). The rupture represented by their identities causes their lives to be subjected to systematic exclusion, which exposes them with unusual cruelty to lethal violence.

Gender-based homicides against LGBTI+ are the most extreme materialization of violence against this group. Defined as crimes and homicides by prejudice, they are violent acts motivated by contempt and hatred for ethnic, religious, gender identity, expression or sexual orientation, among other conditions, that have a symbolic impact and send a message of widespread terror to that community. Prejudice violence is often directed against LGBTI+, who are particularly at risk of physical, psychological and sexual violence.

F	Injuries <sup>4</sup>				
G	People smuggling <sup>5</sup>				
H	Sexual violence <sup>6</sup>				
I	I Other [If other, please explain]				
2.2	Does your country have a public body in charge of such registries?	YES		NO	
2.2.1	Contact details:				
A	Agency or organ:				
B	Name of the responsible authority:				
C	Address:				
D	Phone:				
E	Email:				
F	Website:				
2.2.2	Does your country compile data disaggregated by type of weapon used in the events?	YES		NO	
2.2.3	What is the periodicity of such records?				
2.2.4	Does your country compile official disaggregated data on sanctions/convictions for	YES		NO	

<sup>3</sup> As defined by UNHCR, sexual harassment is understood as a conduct of a sexual nature that is considered offensive or humiliating, that may interfere with a person's tasks, that is used as a condition to hire someone or that creates an intimidating, hostile or offensive environment. Sexual harassment or harassment can occur in or in connection with the workplace. Although it sometimes involves patterns of behavior, sexual harassment or harassment can also occur as an isolated incident. To determine whether certain conduct is offensive, it is necessary to consider the victim's perspective. Sexual harassment can take many forms: from looks and words to physical contact of a sexual nature.

<sup>4</sup>Injuries include wounds, abrasions, contusions, fractures, dislocations, burns and any alteration in health and any other damage that leaves a material mark on the human body, if these effects are produced by an external cause.

<sup>5</sup> Smuggling of migrants, as defined in Article 3 (a) of the smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime, involves facilitating the illegal entry of a person into a State Party of which that person is not a national or permanent resident for the purpose of obtaining, directly or indirectly, a financial or other material benefit.

<sup>6</sup> As defined by UNHCR by the World Health Organization, it defines sexual violence as "any sexual act, attempt to consummate a sexual act, unwanted sexual comments or advances, or actions to commercialize or otherwise use a person's sexuality through coercion by another person.

	gender-based violence?				
<b>Section 3: Application of justice</b>					
3.1	Are there prosecutors and/or courts specialized in the investigation and prosecution of acts of gender-based violence in your country?	YES		NO	
3.1.1	If so, please indicate which				
3.2	Are there organizations with a gender perspective for taking complaints in your country?	YES		NO	
3.2.1	Indicate with an X the specialized organizations with a gender perspective for taking complaints				
A	Police Stations:				
B	Hotlines:				
C	Complaint via online:				
D	Other [If other, please explain]				
3.3	Is there a reparation policy in your country for the daughters and sons of people who have been victims of femicide or homicide in the context of intra-family violence and/or gender-based violence?	YES		NO	
3.3.1	If so, what does it consist of?				
<b>Section 4: Government Organizational Structure</b>					
4.1	Does your country have a public body that carries out the implementation of gender policies? [If no, go to 5.1.]	YES		NO	
4.2	If so, use this space to detail your main functions, actions, implemented public policies on gender and other information you consider relevant				

4.3	Contact details of the public body:				
A	Name of the organization or body:				
B	Name of the responsible authority:				
C	Address:				
D	Phone:				
E	E Email:				
<b>Section 5: Education and Training</b>					
5.1.	Does your country implement education and training courses on gender-based violence for State actors at all levels?	YES		NO	
5.2	Does your country implement education and training courses on gender-based violence for civil society?	YES		NO	
5.3	Does your country implement education and training courses on diversity for state actors at all levels?	YES		NO	
5.4.	Does your country implement education and training courses on diversity for civil society	YES		NO	
<b>Section 6: Security and Police Forces and Armed Forces</b>					
6.1.	Are there procedures/provisions for members of the Security Forces and/or Armed Forces who are involved in acts of gender-based violence?	YES		NO	
6.1.1	If so, specify which ones.				
6.2	Does your country have a National Plan for the implementation of Resolution 1325/2000 of the UN Security Council on Women, Peace and Security?	YES		NO	
6.2.1	If so, detail the objectives contemplated in relation to Art. 7 of the ATT.				

6.3	Are there offices in your country in charge of mainstreaming gender policies within the ministries of security and defense, as well as each force?	YES		NO	
6.3.1	If so, specify its powers.				
6.4	Are there offices in your country to report and assist victims of gender-based violence for personnel and members of the forces within the ministries of security and defense?	YES		NO	
6.4.1	If so, specify its mechanism of action				
<b>Section 7: Access to gun ownership</b>					
7.1.	In your country, do citizens have access to carry weapons?	YES		NO	
7.1.1.	If so, what are the requirements that your regulations demand for access to carry firearms by citizens?				
7.2	In your country, do citizens have access to the possession of weapons?	YES		NO	
7.2.1	If so, what are the requirements that your regulations demand for access to possession of firearms by citizens?				