



*Regional Guidelines for the
Prevention Of Gender-Based
Violence Committed with the
use of Firearms in the Americas*



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Small Arms Survey

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"Este documento ha sido elaborado con la asistencia financiera de la Unión Europea. El contenido de este documento fue aprobado por el Comité Consultivo de la Convención Interamericana contra la Fabricación y el Tráfico Ilícitos de Armas de Fuego, Municiones, Explosivos y Otros Materiales Relacionados (CIFTA), durante su vigésima cuarta reunión ordinaria, celebrada el 23 de mayo de 2024 en Washington D.C. y respaldados por la Asamblea General de la OEA en el 28 de junio de 2024. En ningún caso puede considerarse que refleja la posición de la Unión Europea."

Introducción

La violencia de género cometida con el uso de armas de fuego es una problemática urgente y creciente en las Américas. La disponibilidad de armas de fuego y su utilización en actos de violencia contra mujeres y grupos en situación de vulnerabilidad ha exacerbado esta crisis, impactando significativamente la seguridad y bienestar de las comunidades. A través de la Convención Interamericana contra la Fabricación y el Tráfico Ilícitos de Armas de Fuego, Municiones, Explosivos y otros Materiales Relacionados (CIFTA), se reconoce la necesidad de abordar este problema desde una perspectiva interseccional y de género.

En este contexto, los Estados Miembros de la OEA, a través de la resolución AG/RES. 2986 (LII-O/22)¹, han determinado el desarrollo de recomendaciones regionales para prevenir y reducir la violencia de género relacionada con el uso ilícito de armas de fuego. En este marco, el Departamento de Seguridad Pública, con la financiación de la Unión Europea al Programa de Asistencia para el Control de Armas y Destrucción de Municiones (PACAM), ha desarrollado una propuesta de Lineamientos Regionales para la Prevención de la Violencia de Género Cometida con el Uso de Armas de Fuego en las Américas. La propuesta fue revisada técnicamente por organizaciones con experiencia en el tema y por representantes de los Estados Parte de la CIFTA.

Los Lineamientos Regionales fueron aprobados por el Comité Consultivo de la CIFTA, durante su vigésima cuarta reunión ordinaria, celebrada el 23 de mayo de 2024 en Washington D.C. También fueron respaldados por la Asamblea General de la OEA en el 28 de junio de 2024². Estos lineamientos tienen como objetivo establecer directrices claras para el diseño, desarrollo e implementación de políticas e intervenciones que ayuden a reducir la violencia de género en la región. Los objetivos específicos de estos lineamientos incluyen: promover la sensibilización y educación sobre la violencia de género y el impacto del uso de armas de fuego; fortalecer la legislación y las políticas públicas para proteger a las víctimas y sancionar a los perpetradores; mejorar la recopilación y el análisis de datos para una mejor comprensión de la magnitud y las características de la violencia de género con armas de fuego; fomentar la cooperación y coordinación entre diferentes sectores y niveles de gobierno, así como con organizaciones de la sociedad civil; y apoyar a las víctimas mediante servicios integrales que incluyan asistencia legal, psicológica y social. Estos objetivos buscan no solo mitigar la violencia de género, sino también crear un entorno seguro y equitativo para todas las personas en la región.

¹ "21. Instruir a la SSM que, a través del DSP, elabore y someta a consideración de los Estados Miembros una serie de recomendaciones regionales para prevenir y reducir la violencia de género relacionada con el uso ilícito de armas de fuego, en el marco de los programas OASIS y Programa de Asistencia para el Control de Armas y Destrucción de Municiones (PACAM)." (AG/RES. 2986 - LII-O/22)

² "94. Aprobar los siguientes manuales y directrices e integrarlos como parte de los documentos complementarios de la CIFTA, para uso voluntario de los Estados Partes: a) Manual de Procedimientos Operativos para la Destrucción de Armas Pequeñas y Ligeras (APAL), CIFTA/CC-XXIV/doc.6/24 rev.2; b) Manual de Procedimientos Operativos sobre Seguridad Física y Gestión de Arsenales de Armas Pequeñas y Ligeras (APAL), CIFTA/CC-XXIV/doc.7/24 rev.2; y c) Lineamientos Regionales para la Prevención de la Violencia de Género cometida con el uso de Armas de Fuego en las Américas, CIFTA/CC-XXIV/Doc.8/24 Rev.3." (AG/RES. 3031 - LIV-O/24)

INTER-AMERICAN CONVENTION AGAINST THE
ILLCIT MANUFACTURING OF AND TRAFFICKING
IN FIREARMS, AMMUNITION, EXPLOSIVES,
AND OTHER RELATED MATERIALS (CIFTA)

Consultative Committee
Twenty-fourth regular meeting
May 23, 2024
Washington D.C. (Hybrid format)

OEA/Ser.L/XXII.2.24
CIFTA/CC-XXIV/doc.8/24 rev.2
15 May 2024

Original: Spanish

REGIONAL GUIDELINES FOR THE PREVENTION OF GENDER-BASED VIOLENCE COMMITTED WITH THE USE OF FIREARMS IN THE AMERICAS

The Member States of the Organization of American States:

BEARING IN MIND the relevant resolutions of the General Assembly of the OAS, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), and the Inter-American Convention on Transparency in Conventional Weapons Acquisitions (CITAAC), concerning measures to eradicate manufacturing, illicit trafficking in and trade in arms and ammunition and the need for all States to ensure the security of their citizens, recognizing the differentiated effects of these phenomena on vulnerable groups;

AWARE that gender-based violence with the use of firearms is an urgent and growing global problem where the availability of firearms and the number of victims of firearms increase annually¹;

CONSIDERING that while armed violence affects a large majority of countries, the problem is significantly greater in regions with greater inequality, such as in Latin America and the Caribbean², and that in these regions, in addition to historical inequalities, urban growth increases without adequate planning, exacerbating exclusion, marginalization, inequality and different types of violence, and that in these contexts illegal markets are gaining ground, as is the case with firearms;

ACKNOWLEDGING that, in the particular case of Latin America and the Caribbean, approximately 75% of homicides are committed with firearms³;

UNDERSTANDING how violence committed with the use of firearms specifically affects women in their diversity⁴, making it critical to establish prevention and care measures that respond to the needs of the different populations, especially those living in situations of vulnerability and poverty;

TAKING INTO ACCOUNT the relevant data to understand the problem of different types of armed gender-based violence from an intersectional perspective;

CONSIDERING the main international and regional instruments related to the use of firearms;

MINDFUL of the gender and intersectional perspective addressed in global and regional research on the prevention of gender-based violence committed with the use of firearms;

ACKNOWLEDGING good and promising practices on the prevention of gender-based violence committed with the use of firearms in the region, from an intersectional gender perspective;

ADOPT the following Regional Guidelines for the Prevention of Gender-Based Violence Committed with the Use of Firearms in the Americas:

1 Pathfinders. Gender Responsive Small Arms Control in Cities. (n.d.).

2 Ibid.

3 Deutsche Welle. UN: 75% of homicides in the Americas occur with the use of firearms. July 15, 2020.

4 Secretariat: Including lesbian, gay, bisexual, transgender, transsexual, transvestite, asexual, intersex, queer and more (LGBTI+).

1. Objective

Reduce gender-based violence committed with the use of firearms in the Americas through the establishment of guidelines for the design, development, and implementation of interventions in the Member States of the OAS.

2. Definitions and approaches

2.1 Firearm

- a. any barreled weapon which will or is designed to or may be readily converted to expel a bullet or projectile by the action of an explosive, except antique firearms manufactured before the 20th century or their replicas, or;
- b. Any other small weapon or destructive device such as any explosive, incendiary or gas bomb, grenade, rocket, rocket launcher, missile, missile system and mine⁵.

2.2 Carrying:

A carry permit allows a person to have of a loaded firearm in conditions for immediate use in a public place.

2.3 Possession:

Possession is the certificate that enables a person to keep a weapon in their possession, to transport it unloaded and separated from its ammunition and to use it for lawful purposes (hunting, sport shooting, etc.).

2.4 Violent deaths

For the purposes of these guidelines, violent deaths, shall be understood as deaths resulting from the intentional use of force, usually involving the use of weapons. This may include homicides, suicides, and deaths resulting from armed conflicts or other forms of violence⁶.

2.5 Armed Violence

Intentional use of physical and/or psychological force through weapons, including the actual display of force to inflict harm or the threat to do so, against oneself, another person, a group, a community, or a State, causing losses, injuries, death, and/or psychosocial harm to one or more persons, which may undermine the security, achievements and development prospects of a community, a country, or a region⁷.

2.6 Gender-based violence

Violence is the "intentional use of actual or threatened physical force or power against oneself, a person, group or community that results in the likelihood of psychological harm, injury, death, deprivation or maldevelopment⁸. Gender-based violence is defined, as harmful acts directed against a person or a group of people because of their gender, perceived gender,

⁵ CIFTA Convention. Definitions.

⁶ Small Arms Survey Database.

⁷ Ibid.

⁸ World Health Organization. Violence prevention.

gender expression, or gender identity. It takes place in homes, public spaces, workplaces, and online. Gender-based violence stems from inequality, abuse of power, and the existence of harmful gender norms. The term is used primarily to emphasize that structural gender-based power differences place women and girls at risk of multiple forms of violence. Misogyny, defined as aversion to women, is part of gender-based violence.

In these Regional Guidelines, this term is also used to describe violence directed against LGBTI+ populations⁹ when referring to violence related to gender norms.

2.7 Sexual violence

Sexual violence is defined as any sexual act, attempt to obtain a non-consensual sexual act, unwanted sexual comments or advances, or acts committed to exploit or otherwise take advantage of a person's sexuality using coercion, by any person, regardless of their relationship with the victim and in any context, including, but not limited to, the home the workplace and online¹⁰.

There is a link between small arms and sexual and gender-based violence, consisting of women and girls being the main victims¹¹.

The constant threat of physical violence with firearms can cause severe psychological trauma in the victim¹². The mere presence of a firearm becomes a visible threat that is often followed in different forms of sexual violence¹³.

2.8 Physical Violence with Firearms

Physical violence is the most evident form of violence related to firearms in gender-based violence situations. It involves the actual use of firearms to murder or inflict physical harm or the threat to do so¹⁴.

2.9 Psychological Gun Violence

Psychological violence involves the use of non-physical tactics to exert control and power over the victim including coercive control. In the context of firearms, the existence of the firearm in the possession of the perpetrator, as well as constant threats to using a firearm, the display of firearms to instill fear, or playing with firearms in a threatening manner, can cause harm. This type of behavior can cause significant psychological harm to the victim, such as anxiety, chronic fear, and post-traumatic stress disorder¹⁵.

2.10 Types of Psychological Violence

2.10.1

Social Isolation: Perpetrators may use firearms to isolate the victim from their family and support circles, limiting their social connections and increasing their emotional dependence on the perpetrator.

⁹ Lesbian, gay, bisexual, transgender, transsexual, transvestite, asexual, intersex and queer and others.

¹⁰ Mosaic 2022 Op Cit.

¹¹ Ibid.

¹² American Journal of Lifestyle Medicine. Firearm Violence Against Women: Responding to an Epidemic. (n.d.).

¹³ Expert interviewed.

¹⁴ American Journal of Lifestyle Medicine. Firearm Violence Against Women: Responding to an Epidemic. (n.d.).

¹⁵ National Institutes of Health. The Relationship Between Guns and Violent Intimate Partner Behavior: Implications for Policy and Practice. (n.d.).

2.10.2

Suicide Threats: Perpetrators use the threat of suicide with firearms as a form of psychological control. They may threaten to take their own life if the victim/survivor does not comply with their demands, which can keep the victim/survivor trapped in an abusive and fearful relationship¹⁶.

2.10.3

Constant threats: Verbal and emotional threats can be integral to gender-based gun violence. The perpetrator may threaten to use a firearm at any time, creating an atmosphere of control, constant fear and anxiety for the victim/survivor.

2.11 Intimate Partner, Domestic, Intra-family Violence and Violence Against Women

This is a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner, including any behavior that frightens, intimidates, terrifies, manipulates, hurts, humiliates, blames, injures or injures someone. In the context of an existing or previous intimate or family relationship, this means any behavior that causes physical, psychological or sexual harm in a coercive manner to one of the members of the relationship or the household. Intimate Partner, domestic or intra-family violence includes acts of physical violence, such as slapping, hitting or kicking, including forced sexual intercourse and other forms of sexual coercion, emotional abuse (psychological), such as insults, belittling, constant humiliation, intimidation (through destruction of objects, for example), physical threats or threats to take children, controlling behaviors, including isolating a person from family and friends, monitoring their movements, and economic abuse by restricting their access to financial resources, employment, education, or health care¹⁸.

Firearms in homes can significantly increase the risk of serious or fatal injury to victims. Abusers use firearms to control and threaten their partners or ex-partners¹⁹.

2.12 Economic Violence

Economic control is another form of gender-based violence that is usually reproduced in the family sphere and is exerted aggressively by the person who holds economic dominance through manipulation to manage family expenses²⁰. Economic Abuse can also include restricting access to essential resources such as food, clothing or transportation, denying the means to improve a person's economic status (e.g. through employment, education or training) or force the victim to acquire a debt, or dispose of an asset.

2.13 Political Violence

Any action taken by a person or group against a woman candidate or elected woman, leader, human rights defender, member of a feminist organization, in order to prevent or limit her functions and opportunities.

16 Postmus et al. Economic Abuse as an Invisible Form of Domestic Violence: A Multinational Exploration. 2018.

17 <https://www.un.org/en/coronavirus/what-is-domestic-abuse>

18 Mosaic. Op Cit. 2022

19 Amnesty International. Gun violence. (n.d.); Angélica Suárez and Katherine Aguirre. The gender approach enriches the discussion on gun control in Colombia. 2020.

20 Inwomen. Glossary for Equality. Economic Violence. (n.d.).

2.14 Symbolic Violence

Production or reproduction of messages, symbols, signs or impositions in all areas that replicate and strengthen women's inequality, exclusion and subordination.

2.15 Digital Sexual Violence

It is any action that mainly involves the violation or restriction of the right to privacy, bristling against women in the digital environment, through any of the information and communication technologies, through the use of content of a personal or intimate nature.

2.16 Gender-Related Homicide

It is considered to be the most lethal consequence of gender-based violence, caused in the context of unequal power relations between men and women. It is defined as the violent killing of women and girls for gender related reasons, whether it takes place within the family, domestic unit or in any other interpersonal relationship, in the community, by any person, or is perpetrated or tolerated by the State and its agents, by acts of action or omission²¹. It is important to highlight the definition of femicide and femicide. According to the MESECVI's Declaration on Femicide, femicide is understood as the death of women without specifying the causes of these deaths, the term femicide lends itself better to covering the gender reasons and social construction behind these deaths, as well as the impunity that surrounds them²². From the total number of femicides/feminicides, in some countries with high rates of firearm-related crime, an increase in the use of firearms in femicides can be evidenced, either as a cause of death or as part of the injuries found on the bodies of the victims. In countries with the highest rates of femicide, more than half of the homicides of women and girls are committed with small arms²³. Some groups of women and girls also experience an increased risk of femicide, including Indigenous women, who are disproportionately affected by gender-related homicide²⁴.

2.17 Violence against the LGBTI+ population

LGBTI+ people can be victims of hate crimes based on their sexual orientation, gender expression, or gender identity. These crimes can involve transphobic killings, physical and psychological violence, and, in some cases, the use of firearms by the perpetrators²⁵. LGBTI+ people may also be more susceptible to police violence, especially in situations of civil rights protests or encounters with police²⁶.

2.18 Human Trafficking

Firearms are often linked to human trafficking and trafficking networks, where victims/survivors are subjected to gender-based violence, including sexual exploitation, forced marriage, and forced labor. Human traffickers and trafficking groups often use firearms to maintain control over victims and prevent them from escaping²⁷.

21 MESECVI/OAS. Definitions.

22 [declaracionfemicidio-es.pdf \(oas.org\)](#)

23 Mosaic Op Cit 2022.

24 Statistics Canada. Homicide in Canada, 2021. 2022.

25 Human Rights Campaign. Hate Crimes and Violence Against the LGBTQ+ Community. 2020.

26 Lambda Legal. LGBTQ People and Police Violence. 2023.

27 Interpol. Firearms trafficking. (n.d.).

2.19 Definitions of primary, secondary and tertiary gender-based violence

2.19.1 Primary Gender-Based Violence

It refers to direct violence exerted against a person because of their gender and may include physical assault, sexual harassment, rape, coercive control, emotional abuse, economic abuse, technology facilitated gender-based violence, and other types of violence. The use of firearms in this context can lead to serious injury or even death. The perpetrator uses the firearm to coerce the victim/survivor, harm them or threaten to kill them or threatens to harm their loved ones and pets²⁸.

2.19.2 Secondary Gender-Based Violence

It involves the victimization of people who are trying to help victims/survivors of gender-based violence, such as friends, family members, or professionals. If the aggressor has a firearm, these intervening persons may be at even greater risk. Fear of armed violence can deter people from helping victims and/or reporting violence, which can further isolate the victim/survivor of abuse²⁹. For example, a case within a family where there is violence on the part of the father towards the mother, but which the children are afraid to denounce.

2.19.3 Tertiary Gender-Based Violence

It refers to the widespread victimization of communities and society as a whole due to gender-based violence. At a community level, the use of firearms in gender-based violence can contribute to an atmosphere of fear and threat, affecting everyone in a society. There may be significant psychological and emotional impact on society due to fear of armed violence in the context of gender-based violence³⁰. This situation increases its likelihood in communities where the carrying of weapons is unregulated.

2.20 Intersectionality

Intersectionality refers to the overlap of social identities and how a person experiences. In this context, gender intersects with other social markers such as age, disability, ethnicity, family situation, gender identity, location, race, religion, sexual orientation, social class, and other identity factors such as nationality and immigration status. Thus, intersectionality is a tool to study, understand, and respond to the ways in which sex and gender intersect with other markers, and how these intersections contribute to unique experiences of power and privilege, as well as vulnerability, discrimination, and exclusion³¹.

2.21 Comprehensiveness

Considers that violence against women: girls, adolescents, young people, adults and older adults is structural and multicausal and is present in all areas of life, therefore, interventions must be carried out in all spaces in which women develop.

28 Journal of Women's Health. The Impact of Firearms on Women Subjected to Intimate Partner Violence. SF

29 Violence Against Women. Firearm Use in Intimate Partner Violence: An Examination of the Sociocultural Context. SF

30 Educational Fund to Stop Gun Violence. Firearm Violence Against Women in the United States: A Comprehensive Literature Review. SF

31 United Nations. Training Manual on Gender-Mainstreaming Small Arms Control. 2022

2.22 Femininities and masculinities

Ideologies of masculinity and femininity are social constructs that reflect power dynamics, where men have power over women and those who challenge traditional norms of masculinity (also known as hegemonic masculinity norms). These notions develop in interaction with factors such as age, class, and race, creating diverse forms of masculinities and femininities. In that sense, it is critical to examine how the use of firearms affects different genders and sexual diversities³².

3. Strategic Lines of Action

3.1 Transversal Line of Action: Prevention

Prevention measures are addressed across the different proposed lines of action. By incorporating a gender perspective into normative and public policy frameworks regarding firearms, the objective is to contribute to the prevention of gender-based violence committed with the use of firearms across various spheres of public policies. As well, perspectives on arms control must be integrated into regulatory frameworks and public policies related to gender-based violence. For instance, when a protection order is issued, the police or other authorities should automatically assess whether the subject is a registered firearm user, and, if so, proceed to confiscate the license and firearm. It is important that there is legislation that allows for the confiscation of the weapon.

When issuing a protection order, the judicial body must take into account whether the aggressor possesses firearms or has access to them, for which a risk assessment should be carried out, in order to identify situations that endanger the physical or emotional integrity of the complainant and his or her dependents.

Within the prevention line of action, the following aspects are addressed:

- the root of the problem,
- the supply of firearms,
- the demand for firearms,
- different levels of preventive interventions based on victims and perpetrators in acts of primary, secondary, and tertiary violence,
- different levels of preventive interventions based on the understanding of the area of action: social, situational, and community based.
- Educational Plans and Programs that Eradicate Gender Stereotypes and Promote Equality

Additional recommended preventive actions include:

- Enforce strict requirements for obtaining proof that a person is entitled to keep a weapon in his or her possession, such as a minimum age, certification of suitability, proof of identity, lack of criminal record, aptitude tests, regular renewal of license, etc.

- Establish requirements for the person authorized to carry a weapon to carry it unloaded and separated from its ammunition and to use it for lawful purposes (hunting, sport shooting, etc.).
- Implement a system for the control of ammunition consumption for weapons for civilian use and conditional civilian use that limits purchase and possession, according to caliber.
- Provide recommendations to individual users regarding gun ownership, such as those related to responsible storage and other security measures.
- Incorporate gender issues into the mandatory exams that shooting instructors must take in order to promote equality, and provide them with tools to understand the links between the use of firearms and violence against women and the LGBTIQ+ community.
- Allow the entity in charge to issue a series of preventive measures to reported parties, such as a preventive disqualification (in the case of users) or a registration block (in the case of non-users).

3.2 Line of Action: Inclusive Statistical Data³³

- 3.2.1** Use the Statistical Framework to measure intentional homicide of women and girls based on gender reasons (also referred to as "femicide/feminicide") for the registration of femicide or feminicide cases, specifying the mechanism used to cause death, the relationship of the victim with the perpetrator, and disaggregated data on the perpetrator³⁴.
- 3.2.2** Integrate statistical data on violence involving firearms, disaggregated information about perpetrators, and types of firearms and ammunition (collecting serial numbers and information on casings where possible). ³⁵and, in particular, recording cases of abuse and sexual violence perpetrated under threat of firearm use.
- 3.2.3** Increase transparency and improve data and information on legal transfers of firearms, as well as data related to illegal transfers, seizures, confiscations, and destruction of firearms.
- 3.2.4** Create instances capable of auditing and generating data on institutions responsible for the production, import, export, seizure, storage, and destruction of firearms³⁶.
- 3.2.5** Combine qualitative and quantitative data, considering account intersectionality (age, gender, race, ethnicity, village, nationality, community, commune, level of education and place of residence, nationality and migratory status, considering the legislation and reality of each country in the region, to document victims and perpetrators.

33 Examples of good practices are drawn from studies conducted by civil organizations or research centers. For instance, the case of the Sou da Paz Institute in Brazil, which published in 2021 the study "The Role of Firearms in Violence against Women: Analysis of Armed Violence in Brazil from 2012 to 2019 Based on Health Data," and the case in Mexico where civil organizations Intersecta, Data Cívica, Equis Justicia, and Centro de Estudios Ecueménicos presented a study in 2021 titled Violencia de género con armas de fuego en México [Gender-based Violence with Firearms in Mexico]. These research efforts are highlighted for their detailed disaggregated level of analysis concerning imports and exports of weapons, homicides with firearms targeting the LGBTIQ+ population, disarmament policies, militarization, among other relevant topics for the prevention of such violence.

34 United Nations Office on Drugs and Crime. Statistical Framework for Measuring Gender-Based Homicide of Women and Girls (also referred to as "femicide/feminicide"). 2022

35 Interviewed expert's recommendation.

36 Pathfinders, Op. Cit.

- 3.2.6** Consider conducting research to analyze the violence associated with sex work³⁷ industry due to its criminalization in some countries, the lack of regulation and protection for sex workers, may the use of firearms to further gender-based violence]. Additionally, it would be relevant to study the links between trafficking in firearms, trafficking in persons and drug trafficking.
- 3.2.7** Investigate the growing militarization of public security strategies to deepen the analysis of female homicides with firearms, considering the generation of specific data including:
1. Evaluation of the consequences of the State's tendency to militarize public security for women in their diversity, considering direct and indirect impacts;
 2. Analysis of transformations in the characteristics of violence against women in their diversity, especially regarding its location and modalities;
 3. Study public policies, strategies, plans, programs, or other planning instruments designed to prevent and address violence against women in its diversity, ensuring that the analysis covers violence scenarios beyond those traditionally considered, identifying possible deficiencies in existing responses.
- 3.2.8** Develop protocols for information exchange, actions, procedures, action flows, and effective communication channels between competent authorities, including the judicial branch, police, arms control authorities, victim care and protection agencies, among others^{38 39}.
- 3.2.9** Establish mechanisms for sharing data and information among institutions responsible for preventing gender-based violence in a comprehensive manner (security, health, justice, education, civil society, and more).
- 3.2.10** Develop protocols for recording information received by emergency services in cases of gender-based violence committed by firearms, particularly intimate partner violence, intra-family violence, sexual violence and femicide. This with the objective of identifying patterns and trends of violent incidents, such as specific days and hours, location of the emergency (georeferencing), use the results to detect possible escalation of violence, decision-making in case of emergency and risk to the victim's life, and for the development of public policies.
- 3.2.11** Include protocols in victim support and complaint agencies to record the presence of firearms in the home and whether they are being used to harm the reporting individuals⁴⁰.
- 3.2.12** Incorporate relevant information into reports records related to the number and type of firearms in the home, presence and quantity of ammunition and firearm components, as well as whether the firearm corresponds to a service firearm (police, military, private security guards)⁴¹.

38 UNLIREC. Normative Study: Making the link between norms on violence against women and small arms control and regulation norms. 2020.

39 UNLIREC. Policy Study: The Necessary Linkage Between Norms on Violence against Women and Norms for the Regulation and Control of Small Arms. 2020.

40 UNLIREC. Preventing Violence Against Women through Gun Control in Latin America and the Caribbean. Recommendations during the COVID-19 crisis. 2020

41 Ibid.

3.3 Line of Action: Line of Action: Normative Frameworks and Public Policies with a Gender Perspective

3. Strategic Lines of Action

3.3.1 Consider a gender perspective in the design, implementation, monitoring and evaluation of public policies and other related strategic planning instruments associated to the prevention of and attention to armed violence, considering the inequalities faced by certain groups in terms of access to resources, opportunities, and rights⁴².

3.3.2 Include the following considerations for gender perspective in the normative frameworks policies and other instruments related to firearms:

1. Intersectionality – considering other identity indicators in addition to gender, such as cultural identity, age, social class, sexual orientation, place of residence, and disabilities, understanding that these factors impact the needs and vulnerabilities of individuals differently;
2. Integral - not only considering women and girls but also diverse gender identities;
3. Relational - recognizing that gender identity relationships are collectively constructed in society;
4. Contextual - considering the variations and specificities of each environment⁴³.

3.3.3 Integrate into normative frameworks and policies related to firearms the gender-related causes affecting different groups, such as the links between firearms and masculinities.

3.3.4 Include the issue of transformative masculinities in public policies legislation and other planning instruments that regulates State authorizations for civilians, private security agents, and national security personnel to carry firearms.

For this, it is recommended to:

1. Analyze the participation of different population groups in the firearms issue. For example, document the role played by different groups in the life cycle of small arms (manufacturing; acquisition, possession, and use; transfers and illicit trafficking; storage and disposal)⁴⁴;
2. Consider the participation of individuals experiencing the problem in different stages of firearms-related programs (design, implementation, evaluation), especially those historically excluded such as women and the LGBTI+ population⁴⁵;
3. Carry out monitoring and evaluation exercises with disaggregated information⁴⁶.

⁴² Small Arms Survey. The gender perspective in the control of small arms. How-to guide. 2019.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ United Nations Institute for Disarmament Research. Perspectives for Increasing Women's Participation in Weapons and Ammunition Management. 2021.

⁴⁶ Ibid.

3.3.5 Integrate the issue of firearms into Protocols for the attention of victims of gender-based violence, ensuring that, in primary attention to victims, authorities conduct a risk assessment considering whether the aggressor used or has access to firearms⁴⁷.

3.3.6 Integrate considerations into policies regulating the carrying and possession of firearms to prevent gender-based violence, such as:

1. Restriction of firearm carrying, ownership, and possession for individuals with a history of violence, including threats and criminality analyzed from a gender perspective. This restriction should also be applied to personnel from law enforcement, defense, and security forces with an understanding that restrictions preventing employment may be counterproductive, but should restrict the carrying of firearms to their place of residence;

2. Imposition of precautionary measures to remove firearms from individuals that have been reported as perpetrators of gender-based violence, and all violence as a potential indicator of unsuitability for firearms ownership;

3. The limitation of the carrying of firearms to members of the forces of law and order (security/law enforcement) so that they only carry weapons during their working hours, likewise, the regulation of the suspension of the carrying of firearms to members of the forces involved in incidents of gender violence, with measures to protect the complainant, such as restriction of approach;

4. Regulation of firearm possession in homes, but also considering the need for firearms for sustenance hunting purposes⁴⁸;

5. A broader analysis to determine the suitability of profiles of firearm applicants and whether a profile may pose a risk. Consider not only criminal records or protection or restraining orders, but also any history of violent behavior outside the criminal sphere. For this analysis, it is recommended to:

- a. Include the consideration of whether there have been police calls by partners or ex-partners of the individual applying for a firearms license related to violent or threatening behavior or if current partners/previous partners would recommend an individual not possess firearms;

- b. Integrate in the grounds for denial of the license for the possession and carrying of firearms, in addition to criminal records or for gender-based violence, an assessment of the candidate that allows the competent authority to profile the risk of violent behavior. It is important to avoid discriminatory profiling based on stereotypes. This should be done both for the issuance of licences for the first time and for renewal cases;

47 UNILREC. Violence against women and gun control during COVID 19. 2018.

48 Pathfinders. Gun Control in Cities: Gender-Responsive Responses. 2022.

c. Contemplate cases of suspension and revocation of licenses linked to reasons of gender, or family violence;

d. Establish precautionary measures and seizing any firearm from an aggressor, as well as any firearm that may be in their home or within easy access, lawful or unlawful, upon the suspension of a possession license or upon the issuance of a protection order. These measures must be able to be taken not only in the event of an aggression or violent act, but also in the face of the threat or risk of it occurring⁴⁹.

3.3.7 Implementing effective regulation to document and control the use and access of civilians to small arms that consider a needs analysis among the requirements to obtain a license for carrying or possession⁵⁰. The needs analysis should identify the legal activities available for such firearms, including hunting, sport shooting, target shooting, and assess the types of firearms that should reasonably be owned by civilians and that conform to the legal uses of those types of firearms.

3.3.8 Establishing links between legal frameworks on firearm possession with those relating to the prevention and eradication of gender-based violence, violence against women⁵¹, and the LGBTI+ population. Formalizing clear coordination and communication between authorities with responsibilities in both matters⁵².

3.3.9 Establishing femicide/feminicide as a specific crime and establish efficient processes to investigate firearm-related homicides from a gender perspective with clear and documented investigation processes.

3.3.10 Establishing clear and inclusive criteria for defining what constitutes femicide/-feminicide/or gender-related homicide and standardize how femicide crimes are documented and statistics are generated across various countries in the region to ensure comprehensive recording and comparability between countries. This requires establishing technical criteria, defining variables, and coding observations to be included⁵³. It is suggested to differentiate between establishing criteria for the definition of the crime of femicide from establishing criteria for the definition of femicide for statistical purposes.

3.3.11 Implement a universal technological system where psychiatric evaluations for the carrying and possession of weapons are required, reducing the biases for evidence manipulation.

3.4 Line of Action: Protection, accompaniment and Reparation for Victims of Gender-Based Violence Committed with Firearms

3.4.1 Integrating into existing safe spaces and protocols for victim/survivor care specific considerations related to the possession and/or use of firearms on part of the aggressor. Establishing safe spaces for victims of gender-based violence committed with firearms to seek refuge and obtain necessary protection through:

49 UNLIREC. Normative study. The necessary linkage between the norms on violence against women and the norms regulating the control of small arms. Analysis of Central America, Colombia, Mexico and the Dominican Republic. 2020.

50 IANSA. Proliferation of small arms and light weapons and violence: an estimate of their magnitude and forms. 2022.

51 UNLIREC. Normative Study: Making the link between norms on violence against women and small arms control and regulation norms. 2020.

52 UNLIREC. Preventing Violence Against Women through Gun Control in Latin America and the Caribbean. 2020.

53 Inter-American Development Bank. Femicide in Latin America and the Caribbean: A Path to Data Standardization. 2023

1. The establishment of shelters and specialized care centers for victims of gender-based violence managed and/or funded by the State. Shelters and care centers should offer a safe place, counselling, emotional support, and resources to assist victims of gender-based violence committed with firearms;

2. Provision of legal resources and advice for victims of gender-based violence through free legal counselling, funded by State institutions, to understand their rights and legal options;

3. Establishment of legal tools that prohibit aggressors from approaching victims;

4. Support from State security entities to victims of armed gender-based violence that provide the option to communicate securely with relevant authorities in case of threats or violent incidents. These entities must be trained to provide immediate assistance and take measures to protect victims with a gender and inclusive perspective.

3.4.2 Providing integral reparation to victims of gender-based violence. This reparation must be adequate, effective, timely, and proportional to the damage suffered, and have a transformative nature⁵⁴, so that it has both a restorative and corrective effect towards promoting structural changes that dismantle gender stereotypes and practices that perpetuate discrimination and gender-based violence⁵⁵. This implies a model focused on providing access to justice, reparation, and attention to victims and their families⁵⁶.

3.4.3 Providing enhanced reparation measures for gender-based violence victims due to the use of firearms through:

1. Making counseling and psychological support accessible for victims of armed gender-based violence, offering these services with a gender and inclusive perspective;

2. Supporting victim-oriented groups so they can share their experiences, find support from other survivors, and get advice on how to recover;

3. Making government and non-governmental resources available to help victims of gender-based violence, including information, helplines, and financial assistance programs.

⁵⁴ The Inter-American Court of Human Rights developed the notion of transformative gender reparations for the first time in a decision against Mexico. The court acknowledged that acts of violence against women are part of a broader system of gender hierarchy that can only be fully understood within a wider structural context. Reparations, when it comes to gender-based violence, should not be limited to individual forms of redress but should aim to change gender inequalities in the workplace to prevent such violence from occurring in the future. Among other forms of reparation, guarantees of non-repetition offer the greatest potential for transforming gender relations, as they allow victims to seek redress for human rights violations and prevent harm in the future. However, only by understanding the root causes of gender-based violence such as sexual harassment and harassment is it possible to provide guarantees of non-repetition by preventing such behavior. See more: Inter-American Court of Human Rights. *Case González and Others ("Cotton Fields") Vs. Mexico*. Preliminary Exception, Merits, Reparations, and Costs. Judgment of 16 of 2009.

⁵⁵ IACHR. *The Impact of Organized Crime on Women, Girls, and Adolescents in the Countries of Northern Central America*. OEA/Ser.L/V/II. 2023

⁵⁶ *Ibid.*

- 3.4.4** Communicate information authorities in a timely manner to the relevant authorities to 1) suspend or revoke firearms licenses, 2) refuse the application for permits to carry and possess firearms, or 3) seize or confiscate firearms and their ammunition, for perpetrators of any type of gender-based violence.

3.5 Line of Action: Awareness and Training

- 3.5.1** Promote awareness among the general public on the risks of having firearms accessible in the home as part of gender-based violence prevention initiatives.
- 3.5.2** Integrating campaigns for the prevention of armed violence that show the social, community, and economic impacts resulting from this violence.
- 3.5.3** Including in citizen campaigns collective messages of conflict resolution and mediation, as well as the importance of complying with the obligations established in the regulatory framework of possession and carrying of firearms.
- 3.5.4** Include in citizen campaigns collective messages of conflict resolution and mediation, as well as the importance of complying with the obligations set forth in the regulations that regulate the possession and carrying of firearms.
- 3.5.5** Sensitizing personnel with responsibilities in firearms control about measures to prevent and reduce violence in gender equity issues and in the prevention and attention to violence with a gender perspective, deepening the knowledge and understanding of gender dimensions in firearms control.
- 3.5.6** Training government personnel in matters of public safety and security institutions, specialized prosecutors, legislators, and government agencies working in coordination with authorities dealing with firearm control policies to understand the relationship between the different uses and impacts of firearms on different population groups (men, women, and LGBTQI+) population and traditional gender roles⁵⁷.
- 3.5.7** Ensuring that the personnel of these institutions are sufficient to give coverage to all communities in both urban and rural areas, and establish public security services around its demand, the occurrence of violent incidents, and the geographical distribution of the population⁵⁸.
- 3.5.8** Using materials generated by organizations, such as the United Nations Office for Disarmament Affairs, for firearms training, thus integrating a gender perspective⁵⁹. Consulting the guidelines included in the Modular Small-arms Control Implementation Compendium (MOSAIC), among other materials, produced by this office.
- 3.5.9** Periodically hold courses, workshops, refresher seminars and training for the personnel in charge of implementing this type of public policies in each state agency and not only for high-level officials.

⁵⁷ United Nations Office for Disarmament Affairs. Training Manual on Gender-Mainstreaming Small Arms Control. 2022

⁵⁸ OAS/CIM/MESECVI. Legal advisory services for the attention of gender-based violence against women in Mexico and Central America. 2022.

⁵⁹ United Nations Office for Disarmament Affairs. Op. Cit.

- 3.5.10** Increase awareness amongst the general population -including people in vulnerable conditions and at-risk groups - through training so that they can participate at different levels of action related to the prevention of armed violence with a gender perspective⁶⁰. Placing victims/survivors of violence at the center of these trainings and gradually deconstructing the punitive approach to respond to armed gender-based violence⁶¹.
- 3.5.11** Establishing continuous training courses on transformative masculinities, gender, diversity and inclusion, roles, stereotypes, aimed at different professionals in the public sector. Introducing classes on masculinity paradigms, alongside the education sector, with the aim of reducing factors of armed gender-based violence since committed by firearms since childhood. Also, create reporting channels that are easily accessible to citizens, such as, for example, through websites, applications or specific lines for reporting different types of violence involving the use of firearms.
- 3.5.12** Promoting through education and training systems a change to understand gender-based violence as a human rights violation and placing it as a responsibility of the State to prevent it, guarantee the access to justice, and privilege a transitional justice model.
- 3.5.13** Encourage companies that manufacture firearms to develop and implement preventive awareness plans for those who obtain a license to carry and possess firearms, as part of their social responsibility strategies. These recurrent sensitizations should be part of the requirements to receive the license to carry and possess a weapon, for the first time and at each renewal.

3.6 Line of Action: Research, Prosecution and Sanction

- 3.6.1** Creating a National Focal Point on Firearms to gather, analyze, and improve the flow of information regarding the criminal use and trafficking of firearms within the Member State and towards the region, at a strategic and operational level by coordinating the collection of information and its sharing at a regional scale⁶².
- 3.6.2** Improving investigation, prosecution, and sanction systems for gender-based violence committed with firearms.
- 3.6.3** Create reporting channels that are easily accessible to citizens, such as through a website managed by the responsible entities. This channel must be able to receive complaints related to situations of gender and domestic violence with the use of firearms, illegal possession and/or carrying, suspicious marketing or stockpiling, irregular deposits of large quantities of pyrotechnics or explosives, unauthorized blasting, crimes related to non-compliance with legislation on the subject, etc.
- 3.6.4** Ensuring that criminal investigations include detailed information on the type of firearms used, ballistics, and ammunition, whether they are licit or illicit, and, whenever possible, trace the origin of the weapon to be able to track each case once the firearm is seized or recovered. As part of the detailed information collected on weapons, it is important to also include detailed information on the perpetrator, the victim, the link and the context in which the attack occurs.

⁶⁰ Ibid.

⁶¹ Intersecta 2021, Op. Cit.

⁶² UNODC. Best Practice Guidance for the Creation of National Firearms Focal Points. (n.d.)

- 3.6.5** Guaranteeing chronological and careful documentation of evidence related to crime scenes or offenses related to gender-based violence committed with the use of firearms⁶³.
- 3.6.6** Identifying the firearm, through a marking, registration, and control process, as essential steps in investigations into firearms trafficking⁶⁴.
- 3.6.7** Tracing firearms as a necessary tool in the investigation of related crimes⁶⁵.
- 3.6.8** Strengthen the capacities of crime scene investigators using a gender-based analysis to avoid errors based on gender stereotypes, including about behaviors and harmful myths that contribute to the levels of impunity for crimes in which women and LGBTI+ people are victims.
- 3.6.9** Promoting, among those responsible for investigations, mandatory specialized courses that use an intersectional and gender-based analysis that ranges from analyzing the relationship that may exist between firearms and gender-based violence to technical issues for criminal investigation with a gender perspective⁶⁶. This to avoid the lack of evidence that has been studied as the reason for many femicides/feminicides are not being clarified or ending up classified as simple homicides, invisibilizing gender-based violence.
- 3.6.10** Adjusting the punitive approach taken in cases of armed gender-based violence and consider reparation measures based on the needs of the victims/survivors to limit preventive incarceration. It is also suggested to include firearm seizure as part of legislation and policy and/or strategies designed to address armed gender-based violence⁶⁷.
- 3.6.11** Providing ongoing training for national officials responsible for firearms regulation and law enforcement, including training in new technologies for the early identification of threats related to trafficking firearms trafficking so as to intervene and dismantle criminal networks. Encourage the creation of spaces/forums for the exchange of good practices and experiences for officials specialized in the subject that will allow them to nourish their national procedures.
- 3.6.12** – bis Provide reconstructive therapy sessions to persons deprived of liberty who have committed acts of violence with firearms, as part of the conditions for the recovery of their freedom. Therapies should be extended to the offender's immediate families.

⁶³ UNODC. Firearms as evidence. 2020

⁶⁴ Ibid

⁶⁵ UNODC. The Firearms Protocol. (n.d.)

⁶⁶ UNLIREC. Specialized Course on the Gender Perspective in the Investigation of Firearms Crimes.

⁶⁷ Intersecta et al. Unexpected effects. (n.d.)

3.7 Line of Action: International cooperation

- 3.7.1** Strengthen international cooperation against the manufacture and trafficking of firearms, their parts and components and ammunition.
- 3.7.2** Encouraging States that have not yet done so to consider becoming parties to the Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts and Components and Ammunition, which complements the United Nations Convention against Transnational Organized Crime, the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA); and the Arms Trade Treaty, and encourage countries to promote its effective implementation, including model legislation and voluntary documents linked to treaties.
- 3.7.3** Encourage countries to implement the programs of action developed by the United Nations Office for Disarmament Affairs in the Training Manual on Gender-Mainstreaming Small Arms Control⁶⁸.
- 3.7.4** Implementing the Latin American and Caribbean Crime Victimization Survey Initiative (LACSI) in each country⁶⁹, a proposal for a standardized methodology proposal to measure victimization, security perception, and performance of authorities⁷⁰ in a comparable manner⁷¹ in line with UN international standards, for the design of evidence-based public security policies⁷².
- 3.7.5** Strengthening border control mechanisms and strategies to prevent and combat theft, loss, or diversion, as well as the illicit manufacture and trafficking of firearms and their parts and components and ammunition, reinforcing capacities for early detection of these incidents, and providing continuous training to customs and law enforcement authorities.
- 3.7.6** Promote continued dialogue and synergies between international and regional conventions and treaties relating to arms and ammunition control, and other international policy and exchange spaces, including, but not limited to, those fostered by the OAS, MERCOSUR, UNODC, and UNUA.

⁶⁸ United Nations Office for Disarmament Affairs. Training Manual on Gender-Mainstreaming Small Arms Control. 2022

⁶⁹ Developed by the Centre of Excellence (CoE), a joint project between the United Nations Office for Disarmament Affairs (UNODC) and the National Institute of Statistics and Geography (INEGI) of Mexico.

⁷⁰ United Nations Office for Disarmament Affairs. Training Manual on Gender-Mainstreaming Small Arms Control. 2022 This questionnaire stands out for including a gender perspective and incorporating variables such as sexual orientation, gender identity, etc. The LACSI questionnaire includes a section "Section E. Arms Possession". This section consists of ten questions that gather diverse information related to the topic of arms, including possession of firearms in the home, level of acceptance of behaviors linked to the use of firearms, to determine if the presence of arms has been witnessed in their community, among others.

⁷¹ Santa Lucía implemented Section E of the questionnaire, publishing interesting results in 2020. These included findings such as 12% of the population had seen individuals with weapons in their communities, 57% perceived increased security with the presence of a firearm at home, and 11% of households in the country had at least one firearm. This is an example of how coordinating efforts in the region can lead to a better understanding of the presence of firearms in countries and, consequently, identify ways to reduce their availability.

⁷² UNODC-INEGI Center of Excellence. LACSI Initiative: Towards a common methodology.



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