Rosary Sisters’ High School Model United Nations

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Disarmament Committee

Bridging the Gaps in Countering Illegal Arms Trafficking and Smuggling

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Introduction:

Illicit arms trafficking is an issue that is spread around the globe, yet the ones who are most affected by it are people who live in areas of conflict zones, civil wars, and violence, as the demand of arms is high. As a result of the availability of weapons, the percentage of civilians suffering in conflict zones has increased, problems concerning the denial of health and education, violence against women and girls, have also escalated. In fact, illegal arms trafficking has negative impacts on all aspects of life as it threatens the safety of citizens, human rights, security, economy and even the environment. Millions are affected yearly by this phenomenon which is considered as profitable trade to criminals and terrorists. The spread of illegal arms trafficking and smuggling causes the death of innocent civilians, increases conflicts, civil wars and the spread of crime. There is also a strong link between terrorism and illicit arms trafficking. Poor national and international regulations of arms trade and weak enforcement of laws and legislations intensify the problem and its consequences. For example, it is estimated that the illicit trade in small arms and light weapons (SA/LW) accounts for an estimated 60-90% of the deaths due to conflicts.

The aforementioned facts make combating trafficking of arms through viable measures a necessity.

Definition of Key Terms:

Arms trafficking

“Arms trafficking, also known as gunrunning is the illegal trafficking or smuggling of contraband weapons or ammunition. What constitutes legal trade in firearms varies widely, depending on local and national laws. The 1997 Report of the UN Panel of Governmental Experts on Small Arms provides a more refined and precise definition, which has become internationally accepted. This distinguishes between small arms, which are weapons designed for personal use, and light weapons, which are designed for use by several persons serving as a unit. Ammunition and explosives also form an integral part of small arms and light weapons used in conflict.”

Source: [http://www.definitions.net/definition/ARMS%20TRAFFICKING](http://www.definitions.net/definition/ARMS%20TRAFFICKING)

The Arms Trade Treaty

The Arms Trade Treaty “is the first legally binding treaty to regulate the global trade in conventional weapons. Adopted by the UN General Assembly in April 2013, the treaty aims to establish international standards to combat the illicit arms trade, mitigate the adverse consequences of irresponsible arms transfers, and advance responsible transfer controls among UN Member States. The ATT contains criteria for States to use when making arms transfer decisions, and prohibits the transfer of conventional arms under certain circumstances. To monitor implementation and shed greater light on the global flow of
wepons, the treaty requires States Parties to submit an initial report on implementation one year after the treaty enters into force for a given State, as well as provide reports on arms exports and imports annually to the treaty Secretariat. The ATT entered into force in December 2014 and currently has 92 States Parties, as well as an additional 41 Signatories.”

Source: https://www.stimson.org/sites/default/files/file-attachments/Synergies%20Between%20the%20Arms%20Treaty%20and%20UNSCR%201540_August%202017.pdf

**Background Information:**

According to most recent study on global distribution, there have been approximately 875 million firearms as of 2007. It is believed that civilians own almost three quarters, and the rest is owned by law enforcement services and the military. The availability of firearms to civilians is one of the major causes of illicit arms trafficking, which gives the opportunity to terrorist groups and drug dealers to use these weapons without anyone having control over them. Arms’ trafficking also worsens civil wars, and contribute to violent crimes.

The trade of illegal arms and weapons is carried out through two ways: the black market and the grey market. Both markets deal with illegal and unchecked proliferation of small arms and light weapons. Transfers through the black market are marked as a violation to national and international law because the transactions and the trade occur without the government’s control. Transactions through the grey market happen legally and under governmental means but individuals take advantage of these transactions on purpose avoiding national and international law.

![Figure 1 Who owns the world’s firearms?](http://www.occasionalplanet.org/wp-content/uploads/2015/10/gun-graph.jpg)

*Source: Small Arms Survey (2010, p. 121-122, 2011, p. 76)*

*Note: Where the Small Arms Survey (2010, p. 100-103) estimates that armed groups hold about 1.5 million firearms, this pie chart presents the holdings as a range of 1.25 million, ± 25 per cent, rounded.*

There are two bases for having illicit trade markets, one of which is for criminal purposes and the other for political purposes. Weapons that are used for crimes are usually small hand-held weapons and not heavy machine guns, which are easier to traffic. The difficulties that countries face are that they could have strict weapon regulations regarding trafficking and possession while neighboring countries could be the complete opposite. Weapon trafficking for conflicts usually involves heavier arms, such as military arms. This can be a weapon stolen from legal authorities.

There are many factors which intensify this illegal trade which include:

- Weak preventive measures,
- Lack of security measures at borders,
- Shortage of skilled specialized personnel,
- Insufficient cooperation among all stakeholders,
- Weak enforcement of laws and legislations in addition to corruption, insufficient information about black markets,
- Corrupt governments play a huge role in illegal arms trafficking,
- Insufficient management of weapons stockpiles means that many legal weapons, once they are outdated, leak into the black market,
- Weapons are also lost from military stocks; according to statistics, each year approximately 1 million light weapons are stolen or lost from military arsenals,
- Little experience on handling an investigation involving weapons.

Picture source: https://www.pinterest.com/zeldalover4/amnesty-international/
Major Organizations Involved:

United Nations Office for Disarmament Affairs (UNODA)

UNODA aims to achieve disarmament and non-proliferation of weapons of all types including nuclear and conventional in addition to addressing all issues pertaining to disarmament.

United Nations Office on Drugs and Crime (UNODC)

It tackles issues related to crime including illicit trafficking and smuggling of arms. UNODC Global Firearms Program aims at assisting in countering the threats of trafficking of arms.

Europol

Europol’s European Counter-Terrorism Centre provides support to countries in issues related to illicit trafficking of arms. They adopted a plan (EMPACT) which consists of nine areas including illicit firearms trafficking.

Organization of American states (OAS)

This organization brings together 35 independent states of the Americas with a mission to promote democracy, human rights, security, and development. The OAS has adopted their own treaty called the Inter-American convention against illicit manufacturing of and trafficking in firearms, ammunition, explosives and related materials.

Relevant UN Treaties and Resolutions and Events:

- Arms trade treaty (2013): The Arms Trade Treaty (ATT) is considered as a major contribution in combating illicit trade by applying arms control on export and import of arms, tracing, and monitoring this trade; hence addressing key factors that intensify illicit trafficking as with a strong application of this treaty, criminals and terrorists would find it more difficult to get access to arms.

- Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (2001). Program of action was created based upon the request of the UN General Assembly. Member states decided to adopt the (PoA) to stop and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Aspects. By the signing of this program, Nations agreed to limit the yearly arms trade and send annual reports.

- Firearms Protocol

- Basic Principles for the Use of Force and Firearms by Law Enforcement Officials

- General Assembly resolutions 70/29 of 2015 and A/RES/71/52 of 2016
- International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (2005).
- The Wassenaar Arrangement (1995)
- Plan of Action on Small Arms and Light Weapons. OSCE Document FSC. DEC/2/10
- Protocol on the Control of Firearms, Ammunition and Other Related Materials in The Southern African Development Community (SADC) (2001)
- The Nairobi Protocol for the Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (2004)
- Economic Community of West African States (ECOWAS) Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials (2006)
- The Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components that can be used for their Manufacture, Repair and Assembly (Kinshasa Convention) (2010)
- African Union Strategy on the Control of Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons (2011)
- Action Plan For The Implementation Of The African Union Strategy On The Control Of Illicit Proliferation, Circulation And Trafficking Of Small Arms And Light Weapons
- SDGs Target Goal 16.4
Possible Solution:

For the trafficking of arms and weapons to be stopped several measures have to be taken by member states around the globe, and they need to start from where and when the weapons and arms are made. A database for all weapons should be created to track their path and their cycle so as not to end up in the wrong hands. Supervision of their destruction should be implemented and the monitoring of where they are stockpiled so as to prevent any thefts. Additionally, regulating trade should also be taken into consideration in addition to increasing security on borders, especially in areas of conflict. Furthermore, ratifying disarmament treaties including Arms Trade Treaty, enforcing laws and legislations, exchanging information and expertise, providing capacity building and assistance to developing countries, ensuring proper record keeping, registration, and securing ammunitions and arms are all significant in addressing this issue.
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