DISEC

STUDY GUIDE

–

THE PROLIFERATION OF SMALL AND LIGHT ARMS & WEAPONS

ROTMUN

MMXVIII

ROTMUN2018.COM

ROTMUNKHI

Humza Nadeem Jami

Secretary General

Humza Nadeem Jami will be serving as the Secretary General for the Rotaract Model United Nations Conference 2018. Jami, as he likes to be known, is a graduate of the Lahore University of Management Sciences, where he was a senior member of the LUMUN Society's Secretariat and Travelling Model UN Team. Prior to this, he was a former Head Delegate at the Lyceum School's Debate Team, one of the powerhouses of the country.

As a member of the LUMUN Secretariat, Jami is famous for the most technologically innovative and immersive crisis experiences Pakistan has ever seen - having designed and chaired Harry Truman's National Security Council as part of the country's first ever Joint Crisis Cabinet (JCC) in 2016, and a Twitter integrated real time UN Security Council in 2017. As a part of the LUMUN Travelling Model UN Team, he reached the pinnacle of his career when he won a Diplomacy Award at the Harvard World Model UN Conference hosted in Panama City, Panama in March 2018 (as seen in the picture above).

Jami has been doing Model UN since January 2011, and cannot be more excited to welcome you to ROTMUN! He is an original graduate and a two time Best Delegate winner at the original Rotaract Model UN Conference that occurred between the years of 2010 and 2012, hosted by the Rotaract Public Speaking Forum.

His vision for the conference is simple: to bring the best and the absolute best of the country inside the halls of IBA City Campus for the most uniquely immersive delegate experience offered at any Model UN Conference in the country. He is inspired by the ROTMUNs of yore, where high levels of academic integrity and learning were the core of Model UN as an activity, which he finds an opportunity to revive this year. He will be flying in chairs from the best corners of the country to achieve this.

Jami feels Model UN has become an activity that has become very elitist, very exclusionary, and has lost its roots in intellectual political dialogue. All of that will return in due time at the 2018 edition of the Rotaract Model United Nations Conference under his leadership to foster Socratic dialogue using this activity.

Uwais Parekh

Under Secretary General

Uwais graduated from Cedar College in 2018 and is currently in the midst of figuring stuff out in his gap year. Usually found in bed with a bag of Doritos while he goes hours into the night being engrossed with Video Games

Uwais served as the Head of the Model UN wing of Cedar Union, Cedar's Public Speaking & Debating Society in his last year where he captained the Model UN Team to multiple landmarks at conferences such as LUMUN, MUNIK & HUMUN.

He has also been a long serving member of the Destiny Model United Nations Society, having served as the Vice President & the Academic Curator for their annual Conference, apart from that Uwais somehow managed to garner an Experience of more than an acceptable amount of Public Speaking & Debating Events; be they Model UNs, Parliamentary Debates or Moot Courts, at the obvious expense of his GPA

Being an Immense Believer in the change that is only plausible through discourse and engagement with Ideas. Uwais absolutely cannot wait to give it his all to ensure that aspiring policy makers have the suitable environment to participate in dialogue that helps them explore the diplomat present within themselves in the Country's best emulation of the Chambers of the United Nations

Maheen Naveed

Under Secretary General

Maheen is currently in her first year pursuing an MBBS degree at Ziauddin University but likes to spend her free time imagining all the possible, completely unrelated careers she can go into after she completes her MBBS. She is a graduate of the Lyceum School, where she was Head Delegate of the Debate Team and regards that time as one of her most cherished.

During her tenure as a member of the Lyceum's Debate Team, she has won awards at local and international conferences including LUMUN, ROTMUN, MUNIK and Harvard MUN; the former at which she was awarded a Best Delegate at UNSC and the latter at which she was awarded Honourable Mention twice.

She is looking forward to helping create a conference that is centred on the classic MUN values of energetic debate, impeccable policy making and above all, a return to the high standard of academic intellect and argumentation theory that is expected of delegates attending the hallowed halls of a ROTMUN conference.

She hopes that ROTMUN is the experience of a lifetime for it's delegates, and wishes you the best of luck in October!

Aadil Lalani

Committee Director

The Committee Director for DISEC has been very kind to write in the following:

'Hello delegates. My name is Aadil Azad Lalani and I will be chairing this year's edition of the Disarmament and International Security Committee at ROTMUN 2018.

One of the first times I participated in a Model UN conference was in the United Nations Security Council simulation at ROTMUN 2012. Packed with some of the most experienced and renowned 'MUNners' from across the country, it was an excellent learning experience, and one that drove me to keep debating at future conferences. It is quite pleasing to witness ROTMUN making a comeback as one of the top conferences in country in terms of the level of talent to be found.

I went on to participate in several national and international conferences, even managing to secure some awards along the way, and I can trace it back in some way to that first ROTMUN experience. I hope the same will be true for you.

Regarding the committee, I hope that all of you will come well prepared with research on the topic area, and I expect that the more enthusiastic amongst you will also research on countries other than your own in order to get a holistic view of the issues at hand.

If this is your first MUN conference, I encourage you to speak as often as you can and gain the experience; if you are a veteran on the circuit, I encourage you to push yourself to perform better, and help those less experienced than yourselves.

I hope to see all of you quite soon!'

Sahar Habib

Committee Director

Sahar Habib is currently in her first year at the University of London pursuing a LLB degree, through which she wants to become a corporate lawyer, and envisions opening her version of Pearson Spectre Litt one day.

Sahar has been an active part of the debating circuit in the past 2 years, where she started her MUN journey from ROTMUN 2016, and immediately developed a love for MUNs. She was a part of the Lyceum Debate Team where she has participated at both National and International Conferences and has bagged some awards along the journey, notably, an Outstanding Diplomacy Award at LUMUN in the European Union Committee.

Sahar wants the Delegates of the Disarmament and International Security Committee to be well researched about the topic, be witty, exhibit exemplary diplomacy, and make an attempt to dress really well.

DISEC

Note: This study guide is only to be taken as a research manual which is intended to layout the grounds on which the research is to be done. Hence, delegates are advised to do further research on everything that has been mentioned in this guide.

Committee Overview:

a. About

The United Nations (UN) General Assembly (GA) has existed since the creation of the UN and is one of the six principal organs of the UN established by the Charter of the United Nations (1945). The First Committee deals with disarmament, global challenges and threats to peace that affect the international community and seeks out solutions to the challenges in the international security regime. GA resolution1378of1959 on "General and Complete Disarmament" was the first resolution co-sponsored by all Member States and considered the question of disarmament the most important question facing the world at the time. In its 6th session General Assembly established the United Nations Disarmament Commission (UNDC) in 1952 with a general mandate to discuss topics related to disarmament. Later, in its 26th session, the General Assembly declared the 1970s as a Disarmament Decade. In the same period, additional institutions were established; in 1979 the Conference on Disarmament (CD) was created as the international community's multilateral negotiation forum on disarmament, and in 1980, the United Nations Institute for Disarmament Research (UNIDIR) was created with the purpose of undertaking independent research on questions related to disarmament.

b. Structure

According to the Charter of United Nations, the General Assembly is comprised of all Member States of the UN. However, regional and international organizations and Non-Member States can participate as an Observer State. In the General Assembly, each Member State has one equal vote. Except for decisions on important matters, votes in the General Assembly require a simple majority. The First Committee works in close cooperation with the United Nations Disarmament Commission (UNDC) and the Conference on Disarmament (CD). The CD has a crucial role in addressing issues of disarmament and has been central to negotiations of international agreements such as the NPT. Unlike the CD, the UNDC is a subsidiary organ of the First Committee and is composed of all 193 Member States. By making recommendations to the General Assembly, it has been important in the formulation of principles and guidelines that have subsequently been endorsed by the committee in its own reports. Both bodies report the First Committee. Additionally, as a crucial partner with the UN system, civil society organizations have an important relationship with the General Assembly and are often invited to speak at the General Assembly.

c. Mandate, Function & Power

Chapter IV of the Charter of The United Nations defines the mandate of the General Assembly; Article 11 requires the General Assembly to address the questions of International Peace and Security, in particular Disarmament. The question of disarmament is divided into seven thematic clusters: nuclear weapons, other weapons of mass destruction, outer space (disarmament aspect), conventional weapons, regional disarmament and security, other disarmament measures and international security, and the disarmament machinery. The mandate of the General Assembly allows it to be a conduit for ideas that can become the driver of new policies and shared norms through discussion and debate. This can be regarded as one of the main differences with the Security Council. The Security Council is more concerned with concrete threats to security such as ongoing conflicts, whereas the General Assembly aims to create peace by forming habits of cooperation ("Regional Organisations and the Development of Collective Security: Beyond Chapter VIII of the UN Charter - [PDF Document]"). It is important to note, however, that the General Assembly considers matters of international security only when the issue is not under the consideration of the Security Council. The General Assembly is tasked with initiating studies and making recommendations to promote international cooperation in the political field; encouraging the development of international law; promoting the implementation of cultural, social, and human rights; and promoting fundamental freedoms free from discrimination. The body often reviews reports issued by "the other principal organs established under the Charter as well as reports issued by its own subsidiary bodies." The General Assembly Plenary receives recommendations from the six Main Committees, which can recommend the General Assembly Plenary address the functions or priorities of UN funds and programs. Once the recommendations are sent to the Plenary Committee, the plenary then votes on whether to adopt the resolutions as presented ("Sreenidhimun Ga Study Guide"). Although decisions reached by the General Assembly are non-binding, they are often adopted as customary international law and serve as a good indicator of key international policy norms.

Charter of United Nations, 1945
http://www.un.org/en/ga/first/index.shtml
UN General Assembly, Regulation, Limitation and Balanced Reduction of all Armed Forces and all Armaments
International Control of Atomic Energy
http://www.un.org/en/sections/member-states/about-permanent-observers/index.html

The Proliferation of Small and Light Arms & Weapons

I. Background

With the end of the Cold War, global attention turned to the prevalence of localized armed conflict - or "low-intensity conflict - estimated to have caused over a million deaths in the past decade, 90% of which are civilian casualties from the indiscriminate use of violence (Yixuan). SALW lies at the heart of such violence, as such weapons are easily obtainable and operable. Not only are they used by militias, insurgents and combatants in conflict zones around the world, they are often widespread amongst crime syndicates and terrorist groups as well. This has had severe impact on developing countries--government resources are diverted from crucial public services such as health and education, foreign investment and economic growth take a dive, and society is deprived of the skills and labor of small arms victims, some of whom are even recruited into gangs and militias since young ("Small Arms in Africa | Africa Renewal Online"). Small arms and light weapons (SALW) refer to any weapon that can be carried or operated by one or two individuals.

The illicit trade of small arms and light weapons (SALW) has been recognized as a pressing issue for the international community since the turn of the 21st century. Inexpensive to manufacture

and easy to transfer, SALW have contributed to terrorist attacks, exacerbated armed conflicts, and empowered transnational organized crime. This cycle of violence has had devastating effects across the world, particularly within the African continent where the flow of over 100 million small arms have led to the deaths of millions in violent conflicts in Sierra Leone, the Democratic Republic of the Congo, Rwanda, and Burundi ("Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children"). The illicit trafficking of SALW has been increasingly recognized as a hindrance to development. The economic loss from insecurity driven by armed violence, both in conflict and non-conflict settings, is estimated to be at around $500 billion per year. Moreover, illicit SALW transfers have shown to undermine the rule of law, contribute to gross human rights violations, and been linked to forced displacement ("Small Arms – UNODA").

The proliferation and illicit use of small arms and light weapons (SALW) has a decisive negative impact upon human rights, economic development, and humanitarian efforts. The use of SALW causes the spread of terror among civilians, who are frequently victims of crimes using SALW.

The illicit trade of small arms and light weapons (SALW) is of significant importance in the General Assembly First Committee, as the activity undermines security provisions and rule of law, and is often responsible for forced displacement of civilians and substantial human rights violations. The widespread availability of SALW over the past decade due to national legislation, ease of acquisition, and portability, has been a major factor in the amount of armed conflict and displacement globally. SALW unequivocally assist armed forces in matters of national and regional security, and although Member States have an inherent right to self-defense, action with respect to threats and breaches of peace involving armed force must be done so with respect to Chapter VII of the *Charter of the United Nations* (1945). Nevertheless, the use of SALW and trade is not always exclusive to a nation's self-defense, as they are often sold on the black market, fueling illicit trade and violence. The *Trade Update 2016: Transfers and Transparency* estimates the worth of the international small arms trade at $5.8 billion, while the United Nations Office for Disarmament Affairs (UNODA) estimates approximately 200,000 people are killed annually due to armed conflict, with far more being left with life changing injuries. The effects of SALW and their illicit trade present a challenge to the First Committee as SALW that enter the realm of illicit trade and reach crisis prone areas create dire consequences.

II. Definitions

Small arms and light weapons are conventional weapons with a key characteristic of being "man-portable," comprising firearms that range from handheld revolvers to mortars less than 100 millimeters caliber (Rodriguez). The term "SALW" is often used to represent this broad range of firearms, although "small arms" have been loosely defined as operable by individuals, whereas "light weapons" are operable by small crews of up to three people (Rodriguez). Weapons are illicit, as defined by the *International Tracing Instrument* (ITI), if they are manufactured, assembled, or transferred without "authorization by a competent national authority," if they are not marked appropriately, or if they are transferred in violation of an arms embargo or otherwise violate national or international law. Further, the terms "arms trade," "arms transfers," and "arms traffic" are often used interchangeably to refer to the lease, sale, or shipment of weapons, either legal or illegal, since there is no universally accepted definition of which activities should be considered part of the arms trade. Generally, to be considered an "arms transfer," the goods must cross national borders and change ownership; however, "transits" and "transshipments" form a step of the transfer process during which arms are transported through a state which is

neither the exporter nor the final recipient of the goods.

Although there is no universally accepted definition of "small arms" or "light weapons," the *International Tracing Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* (2005) (ITI) states SALW are any "man-portable" lethal weapons with the capability of launching or expelling by the action of an explosive. More specifically, "small arms" are designed for individual use and include self-loading pistols, rifles, submachine guns, and light-machine guns; "light weapons" are designed for use by two or more persons working as a crew and include heavy machine guns, self-loading launchers, and antitank guns with a caliber of less than 100 millimeters. "Arms Trade," "arms transfers," and "arms traffic" refer to the leasing, sale, and shipment of weapons, whether that transfer is legal or illegal, and are often used interchangeably. SALW are considered "illicit" if they are transferred, marked, manufactured, or assembled without authorization by a competent national authority, in accordance with the proper provisions, authorization from the competent authority of state, or if they are in violation of arms embargoes set by the United Nations (UN) Security Council.

III. Importance of Illicit SALW Eradication

Armed conflict today is known to result in an at least 250,000 deaths each year, and an additional 300,000 people per year die of armed violence outside of conflict. The number of unknown deaths caused by armed violence is probably even higher, and injuries may outnumber deaths as many as 27 to 1. Small arms are central to this problem; the United Nations Office for Disarmament Affairs (UNODA) describes them as the "weapons of choice in contemporary conflicts."199 Such widespread use is evident in Sub-Saharan Africa, where almost half of the Member States have been involved in armed conflicts using SALW in the last decade, some of them, such as Somalia and Sudan, while under a UN arms embargo.

IV. Current Situation in Global Arms Trade

In his 2011 report to the Security Council, UN Secretary-General Ban Ki-moon describes the small arms trade as ("Regional Organizations and the Development of Collective Security: Beyond Chapter VIII of the UN Charter - [PDF Document]") "the least transparent of all weapons systems." Although it is impossible to determine the exact number of SALW in circulation globally,

the UNODA estimates that the number is around 900 million. The international legal trade in SALW and their ammunition is estimated to be worth $7 billion a year. Additionally, international arms transfers continue to rise. Between 2007 and 2011 there was a 24% increase in the number of transfers over the previous four-year period. The increase in legal arms transfers is pertinent because most illicit arms originate in the legal market and are subsequently diverted for illicit use. Diversion of legally-produced arms can occur in several ways such as: the direct supply of areas under arms embargo, accidental loss or theft from insecure weapons stockpiles, government arsenals, and government or military personnel, sale of weapons by unscrupulous soldiers, theft from civilians, or when domestic purchasing laws are not sufficient to prevent black market trade. Weapons proliferation, combined with a lack of international standards of assurance to regulate conventional arms transfers, has enabled countless firearms to be traded illegally and supply groups that gain or maintain power through armed conflict and human rights violations. Whether they are obtained legally or illegally, more weapons can lead to less security, as sometimes the mere "presence of arms can be a powerful catalyst in volatile scenarios." Because many weapons can remain operational for decades and due to small arms' portability and long lifespan, small arms are (Rodriguez) "effortlessly recycled from one conflict or violent community to the next." These second hand or leftover firearms, sometimes in the form of stockpiles, can enable simmering disputes to reignite as well as facilitate violent crimes, both of which can further spread to surrounding areas. Women are made particularly vulnerable by SALW proliferation, as sexual violence is a common tool of suppression used in conflict areas. Even in areas of peace, women are subject to high rates of domestic violence, which is five times more likely to be fatal when firearms are readily available. Because women serve a unique role in both families and communities, violence against women contributes to instability within society as a whole; however, this role also enables women to be agents of change and drive disarmament initiatives. As the International Action Network on Small Arms explains, "Widows and dependents form a high proportion of the civilian population in conflict environments. This demographic change places a heavy economic burden on women." In order to meet this economic challenge to support themselves, and their dependents amidst armed conflict or violence, many women are forced by necessity to participate in the illicit arms trade. Empowering women in disarmament initiatives could therefore generate dual effects of combating illicit SALW trade while also supporting post-conflict development efforts.

V. An Info-graphic Understanding

SMALL ARMS MASS DESTRUCTION

FAST FACTS

Small arms kill an estimated half a million people every year. That's nearly **one person every minute.**

In some parts of Africa, a **bag of grain or a chicken** can be traded for a rifle.

In the African nation of Mozambique, the **AK-47 is so prevalent** and symbolic it's depicted on the flag.

There are approximately **875 million small arms worldwide**—one for every 10 people on earth

THE ADVANTAGES

Compared to generalized armaments, small arms and light weapons are easier to...

- [X] OBTAIN
- [X] TRANSPORT
- [X] CONCEAL
- [X] OPERATE

These features make them the primary tools of violence for civil wars, terrorism, organized crime and gang warfare.

PREVALENT WEAPONS

The **Kalashnikov AK-47** assault rifle originated in Russia but has been produced all over the communist and post-communist world. Osama Bin Laden spread his message of terror with an AK-47 by his side.

The **M60 machine gun**, produced in the U.S., has been used in many of the world's conflicts. The crew-served weapon has a sustained rate of fire of 100 rounds per minute.

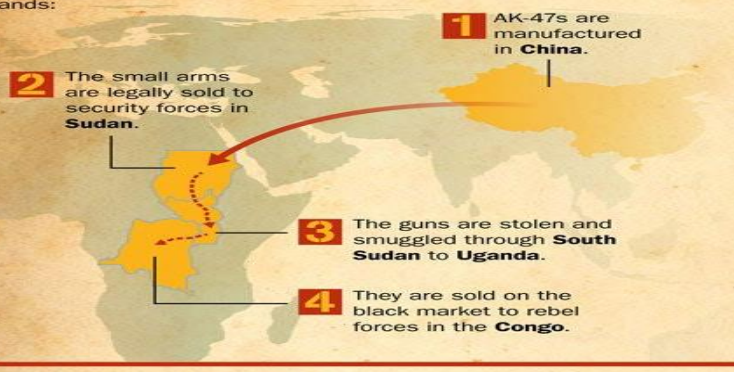
The **IMI 9mm Uzi** is a compact sub-machine gun designed in Israel. It is used by at least 50 countries and was a preferred weapon of the infamous Colombian Cartels.

The **RPG-7** is a Soviet-designed handheld anti-tank rocket-propelled grenade launcher. It's simple, effective and can be equipped with a variety of warheads. A street in Northern Ireland was renamed RPG Avenue because it was chosen many times by the IRA to launch rocket attacks.

The **SA-7 Grail**, originating from the Soviet Union, is a shoulder-fired surface-to-air missile weapon. The SA-7 has been used in insurgent attacks in Iraq and Afghanistan. The infrared homing system makes it particularly threatening to low-flying aircraft.

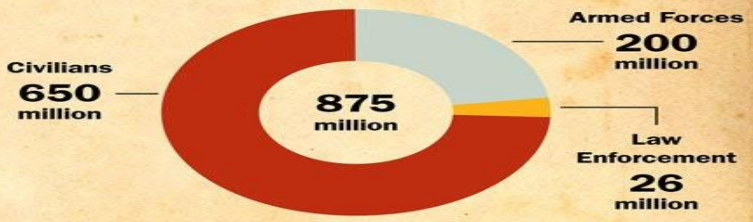
THE FLOW OF ILLICIT FIREARMS

Nearly **1 million** of the 7 to 8 million firearms produced every year are lost or stolen. Here's an example of how guns end up in the wrong hands:



WHO OWNS THE MAJORITY OF SMALL ARMS

Most of the world's 875 million small arms are in the hands of civilians.



At **8.9 firearms for every 10 residents**, the United States has the biggest ratio of firearms.

Yemen is second to the U.S. with **5.5 firearms per 10 residents**.

THE GLOBAL EPIDEMIC

More than 1,000 lives are lost each day to small arms violence. Many of the victims are civilians.

U.S. The nation produces most of the world's small arms with at least $700 million in annual exports. Despite the country's stable government and economic strength, the U.S. has the highest rate of firearm deaths among 25 high-income nations.

COLOMBIA The country's constant conflicts between drug cartels, guerillas and security forces make it a prime destination and source of demand for weapons.There are as many as three illegal weapons for every legally registered weapon in Colombia.

SUDAN Two rounds of civil war cost the lives of 1.5 million people, and a continuing conflict in the Darfur region has driven two million people from their homes and killed more than 200,000. Sudan has served as a major passageway and source of small arms and light weapons to Somalia, Uganda and other countries in the region.

AFGHANISTAN Civilians suffer the most from the ongoing conflict in this country. Insurgents were responsible for 75% of civilian deaths in 2010 — up from 28% in 2009.

PHILIPPINES With extensive maritime boundaries, the multi-island nation is susceptible to small arms smuggling. Around 93% of gun-related crimes from 1993 to 2006 involve unlicensed guns.

MEXICO The illegal drug trade is fueling increasing brutality. The violent death rate in Ciudad Juarez, near the Texas border, is 170.4 per 100,000 people — more than 20 times the global rate.

GUATEMALA The percent of homicides caused by firearms in 2005 was 82%. Of the country's one million firearms, it's estimated that 800,000 are illegal.

LIBERIA Within a 14-year period, Liberia endured two consecutive civil wars that left approximately 250,000 people dead. The conflict left the country in economic ruin and overrun with weapons. Despite the ongoing disarmament program, arms and ammunition are finding ways into criminal hands.

SOMALIA For two decades, the conflict in Somalia has increased the spread of small arms and bloodshed. Approximately 74% of households in the country own small arms. Of the small arms in private ownership, 73% are AK-47 assault rifles.

SOURCES: Small Arms Survey; United Nations; Oxfam; IANSA; Religions for Peace; Geneva Declaration on Armed Violence and Development; Stimson Center; GunPolicy.org

Graphic by Troy Oxford for PBS/Women, War & Peace©

This info-graphic raises two salient points. First, most SALW are concentrated in Latin America and sub-Saharan Africa, where there is rampant gang violence and civil conflict (Yixuan). Second, a large proportion of arms in these regions are illicit, meaning that they were first legitimately sold to security forces, but were then stolen or smuggled, eventually circulating through the black market and landing into the hands of gangs, insurgents, terrorist groups and civilians (Yixuan). Thus, there is an important distinction between the legal and illegal arms trade when we talk about SALW proliferation.

VI. Existing International & Regional Frameworks

Three prominent international agreements pertaining specifically to small arms and light weapons exist, although only one of them is legally binding. The first major commitment made by the international community relating to SALW was in 2001, through the *UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* (PoA). The PoA calls upon Member States to implement national, regional, and global control measures related to a variety of small arms issues. As a follow-up, Biennial Meetings of States (BMS), established to occur every two years, provide an opportunity for Member States to gather and share best practices in meeting the goals of the PoA. In addition, a review conference replaces the BMS every six years to assess the status of PoA implementation and determine areas for future improvement, with the Second Review Conference recently completed on September 2012. At this meeting, Member States reaffirmed commitments to combating illicit SALW, pledged to undertake the suggested policies and infrastructure building that have not yet been enacted, and emphasized the importance of multilateral cooperation, especially with financial and technological assistance, in achieving these goals. The second international agreement on SALW emerged as a result of the PoA, which described marking and tracing weapons as an issue the international community should address. In response, the *International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons* (ITI) was adopted in 2005. This instrument reinforces the provisions of the PoA regarding marking, record-keeping, and tracing with politically-binding commitments. Finally, the third agreement, which entered into force in 2005, is the *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*, otherwise known as the Firearms Protocol, which supplements the *United Nations Convention Against Transnational Organized Crime*. This document remains the only legally binding instrument concerning small arms and their illicit trade at the global level. While the PoA specifically foresees a monitoring mechanism, there can be problems with assessing Member State implementation of these instruments because many do not report their progress, and of those who do, not all have enacted the highest possible standards of compliance. However, these global agreements are not the only tools for combating the illicit trade in SALW. In addition, several regional instruments exist that are more tailored to the specific needs of the participating Member States. These instruments include, among others, the *Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials*, which entered into force in 1998; 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*, which entered into force in 2006; and the *European Union (EU) Council Common Position 2008/944/CFSP*, which was adopted in 2008.

VII. Arms Trade Treaty

One of the most important steps to combat illicit arms trafficking is to create internationally agreed-upon standards of oversight, as the national systems in place today exhibit varying degrees of control, leaving gaps that can be used to facilitate illicit trade. Forming consistent international standards on arms transfers could potentially reduce these adverse effects, since areas that lack law enforcement and governmental or border controls permit organized crime and terrorism to flourish. The United Nations has attempted to accomplish this through the negotiation of an Arms Trade Treaty (ATT), which would be a legally-binding document to establish minimum standards of regulation for each participating Member State's arms trade activities. The ATT development process has been ongoing since 2006, when Member States were first invited to submit their opinions to the General Assembly. The much anticipated month-long ATT negotiation conference in July 2012 failed to produce consensus on the final draft treaty. While there are concerns that momentum to create the ATT may be subdued, further negotiation might also prove to be beneficial, as the draft treaty still contained many loopholes and did not provide the humanitarian focus for which many Member States advocate. During the general and thematic debate of the 67th session of the UN General Assembly First Committee, Member States began to call for the convening of a final UN Conference on the Arms Trade Treaty ("United Nations Office of Disarmament Affairs"). As of mid-October 2012, a draft resolution (A/C.1/67/11) had been submitted with details regarding such a conference, stating that it would follow the same rules of procedure as the July 2012 conference, the draft text that was left un-adopted (A/CONF.217/CRP.1) would be the foundation of the 2013 conference.

VIII. The Many Sides of International Arms Trade

a. Licensing

An integral component to arms control is "licensing," which is the approval or denial of a specified transaction by an authoritative body. As Oxfam International notes, licensing "provides a framework for authorization of the transfer of conventional weapons." Licensing can apply to many types of activities — such as imports, exports, re-exports, and transits or transshipments — and these can sometimes circumvent close inspection (Rodriguez). To minimize the potential for diversion of arms to illicit trade, it is important that standards be set for all parties to an arms transfer. An important aspect of licensing, which is often uncontrolled, is end-user assurance with an international import certificate (IIC) or an end-user certificate (EUC). Such certificates explain who will ultimately possess the contents of a transfer and for what legal purpose the items will be used. Though many Member States report having requirements for EUCs, few of them confirm that these EUCs are authenticated as advised by the PoA. Verifying end-use is a vital component of ensuring the safety of arms transfers because illicit arms trafficking is often made possible by false documentation. Thorough analysis, which is advocated by many non-governmental organizations (NGOs), would help to license authorities determine if the requested transaction risks perpetuating armed violence.

b. Criminalization

With enhanced authorization systems also comes a need for enhanced enforcement and disciplinary action should arm trade regulations be broken. Such enforcement is especially needed for the use of invalid or forged transfer documentation, an important tactic to discourage and prevent illicit brokering (Rodriguez). Over the first decade since the PoA was created, 74 Member States have reported legislating criminal or administrative penalties for illicit arms possession, but many have yet to criminalize illicit weapons manufacturing, trading, or trafficking. Additionally, very few of these reporting Member States observe detailed procedures for identifying and penalizing parties engaged in illicit SALW trade, and information on domestic regulations of non-reporting Member States remains unknown.

c. Brokering

One of the primary concerns with the globalization of the arms trade is that private intermediaries known as "brokers" have assumed roles previously dominated by government officials. This complicates oversight by making boundaries between legitimate and illicit actions difficult to identify as well as inhibiting efforts to improve transparency. Arms brokers are intermediaries between arms manufacturers and purchasing parties who, while long involved in the legal arms trade, have become increasingly sought after for illicit trafficking since the end of the Cold War. In comparison to the criminalization figure mentioned above, only 21 Member States have enacted criminal or administrative penalties for illicit arms brokering. A complicated aspect of controlling brokering activities is the question of jurisdiction over brokers who operate in or through a country other than their own in order to take advantage of less stringent trade controls (Rodriguez). Many Member States claim that it would be too difficult to monitor extraterritorial citizens and have even raised concerns that doing so would infringe upon the laws of the base country. The Groupe de recherche et d'information sur la paix et la sécurité (GRIP) has suggested that Member States issue licenses for "third-country" brokering to their nationals. Even in the presence of such licenses, the party responsible for verifying their authenticity would need to be clarified at the international level to prevent brokers from manipulating the legal system.

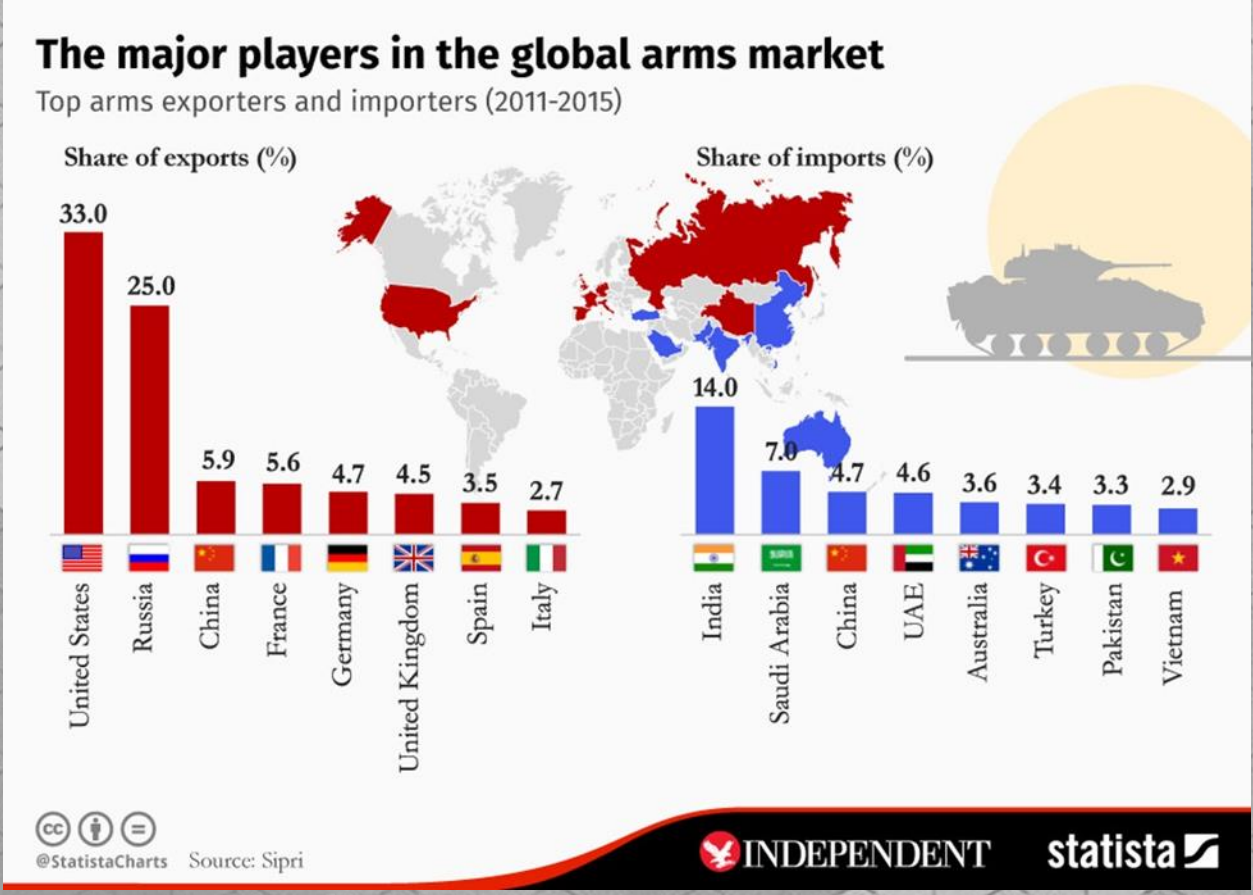
d. Marking and Tracing

The ITI defines "tracing" as "the systematic tracking of illicit small arms and light weapons found or seized on the territory of a State from the point of manufacture or the point of importation through the lines of supply to the point at which they became illicit." Consequently, "marking," which can vary in style between Member States, provides a means of differentiating individual firearms to enable tracing. The ITI calls for Member States to enforce firearm marking at points of manufacture, import, and transfer from government to civilian ownership; additionally, these marks must adhere to specific visibility and durability criteria. While the provisions of the ITI are only politically-binding, these marking criteria are legally required for Member States parties to the Firearms Protocol.

IX. Consequences of SALW Proliferation on Security and Development

In recent years, the international community has become increasingly aware of how globalization of the arms trade negatively affects peace and security worldwide. In addition to the transparency challenges that globalization presents, the proliferation of SALW plays a role in many aspects of human security, both at the national and international levels, as other illicit activities, such as human trafficking, crime, and the trade in narcotics are made possible primarily through easy access to small arms. The *Geneva Declaration on Armed Violence and Development*, which was adopted on June 7, 2006, highlights the developmental consequences of conflict by stating: "Living free from the threat of armed violence is a basic human need." In addition to creating a climate of instability and fear, excessive military expenditures undermine development initiatives by decreasing the amount of funds available for infrastructure and social needs such as education and healthcare. Oxfam International has reported that in countries affected by violence, military expenditures are growing at almost twice the rate of development assistance. Furthermore, the World Bank's 2011 *World Development Report* discusses the reciprocal relationship between arms proliferation and developmental stagnation, noting that none of the developing countries engaged in conflict have achieved any of the twelve Millennium Development Goals.

X. Relevant Case Studies



a. Small Arms in Somalia

Somalia has experienced two decades of continuous civil conflict and is considered emblematic of a failed state, where the government has lost its authority over society. In 1991, civil war broke out across Somalia after rebels ousted President Mohammed Siad Barre. As part of the Cold War proxy theatre, the USSR, and US had been sponsored NATO-calibre arms (weapons with cartridges that were designed as a common standard amongst NATO countries) in Somalia ever since 1960. When the Barre regime collapsed, militias and insurgents looted the state's ammunitions stockpiles, leading to a large proportion of such weapons falling into the hands of non-state actors (Yixuan). The Red Cross estimated in 1999 that in Mogadishu alone, its 1.3 million residents owned more than a million guns. In addition, arms were trafficked to Somalia through neighboring countries such as Sudan, Saudi Arabia and Yemen. When the Cold War ended, a large surplus of small arms stockpiles flooded the international market, often reaching developing countries like Somalia where demand was exceedingly high (Yixuan).

The conflict persisted till 2006, when the Transitional National Government splintered after denying the Islamic Courts Union its electoral victory. More radical offshoots of the ICU, such as Al-Shabaab, began waging jihad and igniting a new round of civil war. As a result, neighboring Ethiopia has become one of the largest weapon suppliers in sub-Saharan Africa,

supplying SALW to opponents of Al-Shabaab.

Somalia is an example of the vicious cycle between the arms trade and civil conflict. In many other parts of Africa, however, small arms impose huge costs even in post-conflict situations. While heavy weapons are "difficult to obtain and operate and easier to decommission or monitor", the circulation of small arms does not end with the cessation of war (Yixuan). According to a 2002 study titled Development Held Hostage: Assessing the Effects of Small Arms on Human Development, "the durability of small arms ensures that once they are present in a country they present a continuous risk - especially in societies where there are large accumulations of weapons. They frequently outlast peace agreements and are taken up again in the post-conflict period by criminal gangs, vigilantes, dissidents and individuals concerned about personal security". This creates a "culture of violence" where gun ownership is not just a symbol of power and status, but becomes a requisite for survival and the intuitive response to settling political and personal disputes ("Collection of Small Arms and Light Weapons"). In South Africa, for instance, state sponsorship of arms during the apartheid led to a massive arms build-up that spun out of government control post-apartheid.

b. Flow of Arms to South Sudan

South Sudan has one of the highest rates of population armament in the entire world. This is closely-related to its history of violent conflict. Civilian ownership of arms proliferated as early as the 1950s, where the South Sudan Secessionist movement gained traction during the First Sudanese Civil War (Yixuan). This was further aggravated by the Cold War theatre, where foreign governments provided both incumbent and rebel forces with weapons as a tool for proxy warfare. Moreover, Sudan's immediate neighbours were instrumental in its armament. As state law enforcement weakened and borders turned porous, foreign armed groups began to move into South Sudan, bringing weapons, conflict and instability (Yixuan). For instance, the Ugandan Lord's Resistance Army set up operational bases in South Sudan and left many weapons in the hands of non-state actors. Foreign governments also had a vested interest to sponsor particular sides of the civil conflict - Eritrea, supported the rebel Eastern Front in South Sudan; Chad and Libyan governments likewise armed rebel groups in Darfur. This shows how the proliferation of SALW are often a direct result of larger geopolitical tensions.

Even then, not all blame can be attributed to historical events. As much as foreign governments can provide arms, it remains a fact that Western countries, Russia and China are the largest current producers of such arms as seen in the interactive graphic above. The US exported around $550 million worth of civilian arms alone to South Sudan in 2010 (Yixuan). Likewise, China and Russia are two of the largest buyers of Sudanese oil - reportedly consuming over 80 percent of its oil exports - giving them an interest in sponsoring Sudanese movements. According to a UN report, China has sold over $20 million in military equipment to South Sudan. As part of the arms embargo, China has stopped selling arms to South Sudan in 2014. Even then, large numbers of them remain in circulation, many in the hands of non-state actors through redistribution, re-capturing or the black market.

Thus, we can see that stemming the flow of SALWs is not just a question of conflict governments, but also one of addressing developed/more powerful states with a clear vested interest in the region.

c. Mexico – Gun Smuggling & Cartel Violence

Local law enforcement is weak in the face of such rampant violence. The government struggles to provide its police officers with enough resources, funds and protection from the dangerous drug cartels. Moreover, police corruption is a serious problem - an estimated 63 percent of Mexicans do not trust their municipal police force, while 66 percent view them as corrupt. In the face of tempting bribes and more importantly, threats to themselves and their family, police officers often find it easier to collaborate with cartels instead. This makes it even more difficult to monitor the sales and circulation of SALW (Yixuan).

Mexico's case is not unique. The corruption of domestic security forces often exacerbate violence. In Cambodia for instance, police officers often "rent out" their police arms to boost incomes. Likewise, Human Rights Watch reported that the Indonesian military was the largest source of weapons for rebel forces, as members of the security forces actually sold weapons during the Aceh insurgency.

XI. Bloc Positions

Although North Korea, Iran and Syria explicitly voted in opposition to the ATT, most governments generally agree in principle that trade in SALW must be regulated. However, the degree and form of regulation is a matter of controversy. Russia and China - two leading weapon exporters - and 23 other states abstained from voting, believing that a UN treaty on such matters may be a breach on national sovereignty (Yixuan). Much pushback also arises in civil society. In the US, for instance, there is overwhelming opposition to treaties like the ATT from the right--organizations such as the National Rifle Association (NRA), and the American Heritage Foundation have explicitly spoken out against the treaty. These groups are cautious about any regulation on gun trade - even if it technically concerns only international trade -, fearing it would infringe on rights to individual gun ownership as well (Yixuan).

XII. Questions A Resolution Must Answer (QARMA)

a. How does one separate legal and illegal trade in SALW? What are the different mechanisms to deal with each?

b. What are the socioeconomic and geopolitical factors behind SALW trade? What are some immediate, medium-term and long-term measures to manage these?

c. What are the vested interests involved? What are the different levels of engagement needed to resolve these?

d. How can local law enforcement be strengthened? What gets in the way?

e. How can we stop legal trade from going to illegal hands?

f. Why do countries disagree on SALW treaties?

g. Is existing legal framework at the national, regional, or international level capable of preventing illicit diversion of SALW? Why or why not?

h. How can current instruments be strengthened, or what new policies should be given the highest priority within the international community?

i. How can Member States achieve greater transparency in armaments on their own and through multilateral framework?

j. How much emphasis should be placed on human rights when discussing the global arms trade?

k. Should arms exporters assume any amount of responsibility for human rights abuses caused by governments, rebel forces, or other parties to whom they sell?

l. How can the United Nations diminish the disproportional consequences of SALW on women and children in conflict areas?

m. How can Member States best drive development initiatives amidst or post-conflict?

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