

# SECURITY COUNCIL

AGENDA 1: GUN LEGISLATION, REFORMS TO THE ATT.

AGENDA 2: REFORM TO THE UNITED NATIONS  
SECURITY COUNCIL: EQUITY AND EFFICIENCY

R-NPSMUN 2018, Background Guide



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## The Security Council

The United Nations Security Council is the primary body responsible for maintaining international peace and security. It handles subjects that may pose a threat to global correspondence, or otherwise could lead to violence.

The Security Council is the only body of the UN that can force resolutions upon other Member States. It usually has fifteen members, five of which are permanent. Each member has one vote; the residing members have veto powers.

The Security Council remains a vital organ as it has the authority to protect the world's conformity. It is committed to take action to protect the nations against genocide, war crimes, ethnic cleansing, and crimes against humanity.

### Agenda 1

***"To come up with suitable gun regulations for the UN member states, with reforms to the Arms Trade Treaty."***

## Background

According to the Small Arms Survey of 2008, there are approximately eight hundred and seventy five million firearms currently at use in the world today. The distribution of these arms can be split into government owned stockpiles and civilian small arms. Government owned stockpiles consists of the light weaponry used by the military, armed forces and Special Forces as well as law enforcement agencies. This accounts for around 25% of the total firearms. However, seventy five million of these weapons are deemed surplus and are stored away. National military gun to soldier ratio ranges from 1.2 to 8.9 small arms or light weaponry per soldier.

The remaining accounted stockpiles belong to civilian inventories, both purchased legally or by illegal means. The Small Arms Survey estimates that gang and street members own about two

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million to ten million small armaments, private security companies possess two to four million and other non-state groups which are not armed own around one million. The rate of civilian ownership varies from country to country with some being as low as 1 firearm for every 100 individuals to 90 firearms for every individual.

All countries along with many non-state actors procure firearms from one source or another. The Small Arms Survey of 2008 estimates that the overall small firearm industry could be worth more than USD \$8 million dollars. The accurate cost of the industry cannot be determined as many legally procured firearms are sent into the illegal markets through sale of the firearm to an illegal dealer, corruption or theft of a legally procured firearm. These activities are rarely checked thus helping in the perpetration of these crimes.

### **Current Situation**

At present, the situation of the trafficking of small arms is extremely dire. In the year 2004, the total trade of small arms and light weapons was estimated to be around eleven billion dollars. Out of this figure, the illicit arms trade is estimated to be at least ten to twenty percent, which is approximately seven billion dollars, a staggering amount. Compared to this, the reports and statistics on legal sales that were submitted to the UNO delineated only four billion dollars' worth of arms, a miniscule amount when compared to the illegal trade.

Though the illicit trafficking of weapons takes place through the world it is by far most prevalent in the areas that are affected by war and organized crime. These activities fuel the conflict further and ensure that the coffers of the cartels and other non-state actors remain full.

Black Markets usually operate on a regional or local level in many nations. Publicly available data shows that only a small percentage of the annual trade is accounted for, therefore the problem does not lie in the multi-ton cargo shipments that are brought into nations by organized smugglers, the problem lies primarily in the unauthorized dealers who operate on a much smaller scale. The most common method for these smugglers is known as the "ant trade." Here small quantities of a commodity are bought legally before being sold in the black market or being smuggled into another country. Data from the Small Arms Survey in 2013 shows that a majority of the guns used in Mexican drug cartels can be traced back to the United States of America. These weapons are usually bought at small gun shops then taken into Mexico, therefore though small quantities are bought, but the number of guns smuggled in totality is large.

### **Past Actions**

At present the most vocal actor in the prevention of small arms trafficking has been the United Nations Organization. Along with all its member nations the UNO has passed several resolutions, from different committees, all attempting to cutting down the illicit trade of arms. The main resolutions passed on these matters are elaborated below.

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## **The Arms Trade Treaty**

Most states all over agree that there is a need for a common regulatory framework for trade with conventional weapons. The unregulated arms trade contributes to crime and suffering that not only means a tragedy for individuals and entire societies but also costs huge sums of money. Many countries have highlighted the problem and said it is high time that a common regulatory framework should be drafted, and that the consequences of unregulated arms trafficking are taken seriously. However, there are many issues that may threaten the ATT from functioning.

### **Problems With the ATT**

The core normative principle that needs to be satisfied in order to establish a responsible arms trade is that arms should not be transferred if there exists a clear risk that they would be used to facilitate human suffering, or to undermine peace, security, or sustainable social and economic development. Despite its potential to increase transparency and promote a responsible arms trade, the ATT is not the perfect instrument for small arms and light weapons (SALW) control. First, SALW is only one aspect within the scope of the ATT, which is to apply broadly to conventional arms. Therefore, it may be difficult for the ATT to cover all aspects of the SALW trade, including the trade in their parts, components, and ammunition, while simultaneously being expected to cover all aspects of the trade in other conventional weapons. Moreover, the ATT does not address key conditions enabling SALW proliferation. As it continues to be a state-centric process, it does not create international standards of control over domestic civilian possession. It also does not reduce existing stocks of SALW or limit future production, although associated market restrictions reduce the economic incentives to produce arms. The easy acquisition of SALW by civilians in countries with low standards of firearms regulations, and the millions of SALW already in global circulation, will continue to fuel proliferation.

### **Protocol against the Illicit Manufacturing of and Trafficking of Firearms (Firearms Protocol)**

Also introduced by the United Nations Office on Disarmament Affairs, the firearms protocol deals with the majority of the normal weapons including Small Arms and Light Weaponry. It was introduced to supplement the United Nations Convention against transnational crime. The purpose of this protocol was to eradicate the manufacturing and trade of illicit firearms, their parts and ammunition. It directs nations to legislative and any other actions seen fit to make the manufacturing and trading of any forms of illicit firearms illegal. It tightens the noose around the

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neck of the perpetrators by suggesting that a seal or brand of the company manufacturing the firearm be inscribed on each and every product that is manufactured by the company to ensure that there are no spurious products being manufactured. The protocol also gives directions for the disposal, trade and record keeping of the firearms being produced by a country.

### **General Assembly Resolution 71/24**

This resolution was adopted on the fifth of December 2016 and deals with the illicit trade of all forms of Small Arms and Light Weapons (SALW). The resolution reaffirms the problem of the illegal brokering of Small Arms as a pressing issue and that dire action must be taken to ensure its eradication as soon as possible. It emphasizes the need of the member states to continue their support of the International tracing Instrument for small arms and light weapons. It brings into the light the new problems for marking and record keeping due to the different priorities and situations of the member states.

### **International Tracing Instrument**

The International Tracing Instrument was passed by the UNODA in 2005 to aid the tracing of the firearms produced by nations. The instrument requests the states to ensure that all the firearms produced are marked properly with an insignia of the company and records of each and every firearm produced by the companies is kept by the state. Furthermore, it gives the states, the United Nations and the Interpol the right to request any state to aid in the tracing of any firearm along with the responses that the state can give to the organization that requests for aid to trace a firearm.

### **International Small Arms Control Standards (ISACS) and the Sustainable Development Goals (SDGs)**

The Sustainable Development Goals for 2030 replaced the Millennium Development goals (2000-2015) with a set of 17 goals and 169 targets to tackle the factors hindering development and peace. The 16th goal associated positive development to peace and security and explicitly defined that reduction of illicit arms trade will lead to a decrease in violence worldwide. The International Small Arms Control Standard or ISACS is a comprehensive and practical set of rules which act as guidance for the reduction of illicit arms trade and sets standards for regulation across the world. The standards deal with Small arms and Light weapons control with respect to armed violence, security sector reforms and disarmament, demobilization and reintegration.

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## **SALW, security and development**

SALW have many uses beyond their primary function as weapons of war. As a consequence, the effects of their proliferation are widespread. The first cluster of effects is connected with conflict and insecurity, and includes both the direct costs (deaths and injuries in conflicts) and the indirect costs (post-conflict insecurity, inter-communal tensions, etc.) of SALW proliferation and use. Although the presence or proliferation of small arms and light weapons does not cause the conflicts that are evident around the world, they do contribute to their level of violence, and generally therefore make the resolution of these conflicts more difficult.

The second cluster relates to development and governance issues. Investments of time and money – by governments, the international development community, major international aid agencies and NGOs – often have little impact in conflict-affected environments because gains are undermined by violence and insecurity. Up to 1.5 billion people live in countries that are affected by conflict and fragility, and 70% of fragile states have experienced conflict since 1989. SALW misuse is one of the factors that cause insecure situations and therefore undermines development. At the same time, a lack of development and a state that does not provide security to its people are some of the factors causing people to have weapons. For this reason, international focus on SALW issues has often been cast more broadly to address the roots of conflict and strengthen security provision through processes like security sector reforms.

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## Questions a Resolution Must Answer

- 1. What is the fitting definition of a small arm and a light weapon? What are the requirements for a weapon to be considered an SALW?*
  - 2. What are the actions to be taken against the different types of perpetrators (i.e. ant smugglers, multinational cartels, etc.) who black market weapons?*
  - 3. What are the actions that must be taken against various Non-state actors receiving illicit weapons from other States and Smugglers?*
  - 4. What are the duties of a state in ensuring that shops in that nation do not sell illicit weapons?*
  - 5. Has the Arms trade treaty been implemented properly? Are the clauses transparent enough to ensure efficient implementation of the treaty?*
  - 6. What are the measures that must be taken against the smuggling of arms, ammunition and weapon parts across nations?*
  - 7. What must be done to ensure that traders do not give away their products to black marketers?*
  - 8. What are the measures that must be taken to eradicate the threat of spurious weapons?*
  - 9. How must the state ensure that there are no products being pilfered from private companies?*
  - 10. What can be done to ensure that weapons are not being transported into the hands of non-state actors?*
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## Agenda 2

### ***"Reform of the United Nations Security Council: equity and efficiency."***

#### Background

The right of veto did not always exist. It was brought in following a request made by the Soviet Union at the Yalta Conference. The right of veto has turned out to be extremely useful both politically and functionally. It would have been very difficult and dangerous to meet the requirements of the Security Council, which are to maintain peace and international security, if one of the members of the executive of great powers – which now all have nuclear arms – were not all in agreement. The right of veto has paralyzed the Security Council at times but without it, it is likely that there would have been open conflict between the great powers.

#### **Changes in global power structure**

In spite of the UNSC enlargement in 1965, its permanent members still represent the global power structure that existed after World War II when the institution was created. Since the UNSC's creation, however, new centers of power have risen.

**Representation of UN Member States** The number of UN Member States has increased significantly since the UN's creation in 1945, from 51 to 118 until 1965. In this year, the number of UNSC seats was increased. Originally, there were 11 seats consisting of five permanent and six non-permanent seats. Since the 1965 enlargement, the UNSC seats total 15, with four added

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non-permanent seats but no changes were made with regards to the permanent seats. Today, the number of UN members is 192, much higher than when the enlargement took place, and this is considered to be the main reason why the UNSC should be enlarged once again. The distribution of the 10 non-permanent seats in the UNSC is based on geographical representation as well as on contributions made to maintaining peace and security. Regional groups make recommendations for non-permanent seats and the General Assembly elects them. There are five non-permanent seats allocated for Africa and Asia, and two each for the Latin American and the Caribbean group as well as for the Western European and Others group. One seat is assigned to Eastern Europe. Also, one of the non-permanent members traditionally is an Arab country, either from Africa or from the Asian bloc. Non-permanent members are elected for two-year terms, and membership is not immediately renewable. Representation in the UNSC, as far as the permanent members (China, France, Russian Federation, UK and USA) are concerned, is not proportional, neither geographically nor in terms of population or number of UN members per region. No country from Latin America or Africa has a permanent seat. Africa's population is the world's second largest, and with 53 UN members it has the largest number of UN members per continent. Asia accounts approximately for more than half of the world population, but only China has a permanent seat.

### **Disadvantages of the current structure**

The UNSC's lack of ability to respond quickly to an emerging crisis is seen as one of the most acute problems. It is often mentioned that the problem stems from a combination of the veto's paralyzing effect on the one hand and insufficient representation from the 192 Member States on the other. This may lead to difficulties concerning the need for peacekeepers. The countries providing troops, and those that supply funds or material, understandably want to have a bigger part in the decision making process.

### **Actors and reform proposals**

Former Secretary-General Annan, on the basis of the recommendations of the High-level Panel on Threats, Challenges and Change, suggested that those UN members that contribute most financially, militarily and diplomatically should be increasingly involved in the decision-making process. But he also pointed out that the reforms should not impair the effectiveness of the UNSC. The High-level Panel proposed two possible models, Model A and Model B, and recommended that the UNSC's membership be revised in 2020. Both models do not use the present groupings, but divide the world by different categories: Africa, Asia Pacific, Europe, and the Americas.

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### **Model A**

Model A suggests expanding the number of UNSC members to 24, including three non-permanent seats and six new permanent seats without veto power, which would include one seat for Europe, one for the Americas, two for Africa and two for Asia Pacific. Establishing these new permanent seats now might be difficult to change in 2020.

### **Model B**

Model B also expands the number of UNSC seats to 24, but it does not establish new permanent seats. It instead creates eight seats with four-year renewable terms. In this model, Africa, Asia and the Pacific each, receive two seats, as do Europe and the Americas. In addition, one extra non-permanent seat is created.

#### **PROBLEMS:**

Because of the huge population disparity, the continental groupings could raise doubts whether the UN's democratic principles are properly employed. The Americas, Europe and Africa have roughly similar population numbers, ranging between 727 million and 857 million. However, the Asia Pacific group accounts for a population of approximately 3 billion 836 million people. Also, for Model B, the question remains as to whom the 4-year renewable seats would be allocated to.

### **Group of Four The Group of Four (G4)**

consists of four countries aspiring to permanent seats without veto power in a UNSC expanded to 25 members. The Group of Four includes Japan, Germany, India and Brazil. These countries are seen as the candidates most likely to gain a permanent seat if more are created. Japan contributes the second largest sum to the UN's regular budget, and Germany is the third largest contributor. India has the world's second largest population and is the world's largest democracy. Also, it is one of the world's largest economies and is the third largest contributor of troops to UN peace-keeping missions. In Latin America, Brazil is the largest country in terms of territory, and it also has the largest population and economy. The G4's aspirations are supported by three out of the five permanent UNSC members, namely the UK, France and Russia.

#### **PROBLEMS:**

Different states oppose the G4's proposal, some rejecting only one of the four G4 states. One example is Pakistan's concern with India become a permanent member. Others claim that adding the G4 to the permanent members would not contribute to the UN's ideal of equality, but instead create new centres of power. The G4 proposal did not succeed in 2005 because it did not achieve the required two-thirds majority in the General Assembly. Since then, each of them, especially Japan, have continued their efforts independently.

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### **Uniting for Consensus**

Uniting for Consensus consists of a group of middle-ranking countries, namely Italy, Canada, Colombia and Pakistan. They call for the equality of all UN Member States and oppose the permanent membership of the Group of Four and any other new permanent memberships, claiming that this addition of permanent seats would violate the principle of sovereign equality and create new centres of power. They brought the Green Model and the Blue Model into the discussion on how to reform the UNSC. Both models use the regional groupings currently used for the UNSC.

**Green Model:**

The Green Model increases the number of non-permanent seats to 20 and would make all non-permanent seats renewable. Doing so, avoids creating a new category of members.

**Blue Model:**

The Blue Model is closer to Model B, and also creates a third category of membership with three or four-year terms and also creates more two-year non-permanent seats. It does not define whether these new seats should be renewable and leaves some space for negotiation here. This, in combination with the different groupings, is the main difference between this model and Model B.

**PROBLEMS:**

These models, by using existing groupings result in a more Euro-centric composition, as three permanent members are already from Europe and these models assign more seats to smaller European countries.

### **The veto dilemma**

To avoid a two-level hierarchy within permanent members, all of them would have to have the same amount of power within the UNSC. But, none of the common reform models suggest reducing the permanent members' veto power or giving veto power to other UNSC members that do not already have it. One reason for not increasing the number of permanent members with veto power is the fact that the veto hinders quick actions in the UNSC as each of the members with veto power can block the proceedings by voting against the respective resolution. This would get even worse if more UNSC members were able to do so. Expanding the number of members with veto power would therefore also contradict Annan's recommendation that the UNSC's effectiveness should not be impaired by the reform. A possible solution might be to limit the use of the veto, for example by not allowing a veto in cases of genocide or restricting it to vital national security issues. Any reform of the UNSC will require a change in the UN Charter, and this is only possible with all five permanent members of the UNSC agreeing and a two-thirds majority of the GA. It is generally seen as impossible to change the veto as the

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permanent members are unlikely to give up part of their power by either expanding the number of permanent members with veto power or by abolishing the veto.

### Questions a Resolution Must Answer

- 1. Do the P5 nations still hold the same relevance in the world community as they had after the second world war?*
  - 2. Is the model the bloc proposes sustainable for future Security Council sessions?*
  - 3. Should a system like the veto power be prevalent in the future of the SC?*
  - 4. If the delegate proposes a model with reforms to the veto, will it be acceptable by other UN member nations?*
  - 5. Does the new model take into consideration the financial sphere of the council?*
  - 6. Is the new model proposed biased towards the delegate's foreign policy?*
  - 7. Does the new model take into account the possibility of future instability?*
  - 8. Would other UN member nations vote responsibly with respect to the new model?*
  - 9. Does the new model undermine the rights or interests of other member nations in the council?*
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## Endnote

We hope this guide proved helpful to you, and has provided solid ground to build your research on; however, we would like you to remember this is just a background, and it would be inadvisable to use this as your only source while in session. All the best for your preparations; we are eager to see you in committee!

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## Bibliography

Evidence or proof is acceptable from the following sources:

### 1. News Sources:

- REUTERS – Any Reuters article which clearly makes mention of the fact or is in contradiction of the fact being stated by a delegate in council. (<http://www.reuters.com/>)
- State operated News Agencies – These reports can be used in the support of or against the State that owns the News Agency. These reports, if credible or substantial enough, can be used in support of or against any Country as such but in that situation, they can be denied by any other country in the council. Some examples are,

RIA Novosti (Russia) <http://en.rian.ru/>

IRNA (Iran) <http://www.irna.ir/ENIndex.htm>

BBC (United Kingdom) <http://www.bbc.co.uk/>

Xinhua News Agency and CCTV (P.R. China) <http://cctvnews.cntv.cn/>

**2. Government Reports:** These reports can be used in a similar way as the State Operated News Agencies reports and can, in all circumstances, be denied by another country. However, a nuance is that a report that is being denied by a certain country can still be accepted by the Executive Board as credible information. Examples are

➤ Government websites like the State Department of the United States of America (<http://www.state.gov/index.htm> )

➤ the Ministry of Defense of the Russian Federation (<http://www.eng.mil.ru/en/index.htm>)

➤ Ministry of Foreign Affairs of various nations like India (<http://www.mea.gov.in/>), People's Republic of China (<http://www.fmprc.gov.cn/eng/> ), Russian Federation ([http://www.mid.ru/brp\\_4.nsf/main\\_eng](http://www.mid.ru/brp_4.nsf/main_eng) )

➤ Permanent Representatives to the United Nations Reports (<http://www.un.org/en/members/>) (Click on any country to get the website of the Office of its Permanent Representative)

➤ Multilateral Organizations like the ASEAN(<http://www.aseansec.org/>), OPEC ([http://www.opec.org/opec\\_web/en/](http://www.opec.org/opec_web/en/)), etc.

**3. UN Reports:** All UN and affiliated Reports are considered are credible information or evidence for the Executive Board. Reports from UN bodies like the SC, GA, HRC, IAEA, WB, IMF, ICRC, ICC, etc are considered authentic sources of information.

4. Under no circumstance will sources like Wikipedia, Amnesty International, Human Rights Watch, The Guardian, Times of India and other private newspapers be accepted as credible proof, though they might be used for getting an understanding of the agenda and general information.

**Important Documents:** Following is the list of documents that need to be perused by all delegates before they come to the council. Please understand that you need to know the following aspects regarding each of the mentioned documents:

- 1) The reason why this document exists (for e.g. the Geneva Conventions were enacted to lay down the rules of war and for the treatment of all parties concerned in the wars.)
- 2) The nature of the document and the force it carries, i.e. whether it is a treaty, a convention, a doctrine, or a universally accepted custom or norm.
- 3) The areas where the document can be applied or has jurisdiction on (for e.g. international humanitarian law applies only to situations of armed conflict, whereas the human rights laws applies at all times of war and peace alike.)
- 4) The contents of the document at hand. You need not memorise any articles or rules of any convention or treaty, but should know what the document has to say in various situations that may arise in the council.

The delegates must have an understanding of the following:

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**1. The UN Charter**

<http://www.un.org/en/documents/charter/>

<http://research.un.org/en/docs/charter>

**2. Geneva Conventions**

<https://www.icrc.org/en/war-and-law/treaties-customary-law/geneva-conventions>

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