



COLLEGE OF ENGINEERING PUNE  
MODEL UNITED NATIONS 2016



## Introduction

Good evening Delegates,

Brevity and the aim to function as realistically as possible along the lines of the United Nations demand that the instructions and introduction from the executive board remain extremely brief. This study guide endeavours to provide you with a basic understanding of the agenda '**Illicit trade in Small Arms and Light Weapons in All its Aspects**'. It is not authoritative or citatory in nature. It merely aims to consolidate a form of direction board which should be used to delve into each aspect in the most comprehensive and holistic manner by the delegates.

Some important things to keep in mind –

1. The mandate of the DISEC should be carefully studied before delving into substantive research. There is a tendency for the mandate to unknowingly overlap with other United Nations organizations which deal with security-related issues. The same should be kept in mind during the debate.
2. Please do not spend valuable research and debate time on actions and ideas which have already been debated at length by the committee in the past. Be innovative and feel inspired to go beyond the conventional. Try to look at the agenda from a diverse perspective.
3. Apart from primary substantive research on the agenda, please also look at the following supplementary areas of importance –
  - i. General Foreign Policy outlook of your country
  - ii. Foreign Policy approach towards DISEC
  - iii. Foreign Policy approach towards the Agenda
  - iv. General stand of other nations in the committee on the Agenda
4. Lastly, we aim for an equitable participation and contribution from the entire committee. Your prior experience or lack of it should not have any consideration on the functioning.

The best Model UN simulation is the one which overcomes the hurdles at the actual UN vis-à-vis the Agenda and promotes an understanding the issues we face in the world beyond the Model UN itself. We hope that at DISEC COEP MUN 2016, we are able to contribute towards this endeavour. We hope to see you all energized and rearing to go.

Warm Regards,

Ziauddin Sherkar  
Chairperson

Jayanta Mondal  
Co-Chairperson



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Asterilla Monteiro  
Committee Director

### **The First Committee of the General Assembly of the United Nations (Disarmament and International Security Committee)**

The United Nations General Assembly is consensus-building body, where issues of international peace and security are collectively discussed among all UN member states. Its regular session convenes in September of each year, and after two weeks of General Debate, it breaks up into six specialized committees. Every member state is entitled to participate in each of the committees, where they consider proposals relevant to the substantive topics covered by the committee, and recommend resolutions for adoption by the General Assembly. While these resolutions are not legally binding, they can be normative—that is, they can indicate the establishment of customs, standards, and guidelines for appropriate behaviour. Resolutions adopted by consensus also indicate substantive areas of agreement that are ripe for negotiation and can enable the creation of new treaties and the emergence of international legal norms. Furthermore, they demonstrate global governmental opinion, showing which governments support peace and security, and which choose to remain outside of or even impede the development of international cooperative security.

Among many other things, the General Assembly discusses and makes recommendations on principles of cooperation for maintaining peace and security, including disarmament. Article 11 of the UN Charter authorizes the General Assembly to consider “the principles governing disarmament and the regulation of armaments,” and empowers it to make recommendations based on these principles to member states and the Security Council. The very first resolution adopted by the General Assembly in 1946 called for “the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction.” Every year, the General Assembly adopts 40-50 resolutions on disarmament and non-proliferation by a majority vote or by consensus.

The General Assembly's work on disarmament is conducted through one of its main committees, the First Committee on Disarmament and International Security. The First Committee provides space for each state to discuss their positions on disarmament-related matters, and to work together to come up with compromises or to propose language or tools to better understand and approach the issues. It offers the opportunity for states to build consensus on the issues, to reach common understandings and principles and to agree on norms of behaviour. Thus rather than ensuring “security” through the size of their arsenals, governments can discuss how to best arrive at cooperative security arrangements that minimize spending on weapons, reduce arms production, trade, and stockpiles, and increase global security. This consensus can subsequently



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be used in other disarmament forums, such as the Conference on Disarmament, where disarmament treaties are negotiated.

While the First Committee offers many opportunities in principle, it often fails to make good use of its potential. There is a discord of perceptions between member states—the way one state perceives elements of and challenges to its security often differ widely from the way other states perceive their own situations, or the global situation. Thus discussion in the First Committee is largely static—there is limited acknowledgment of other states' perspectives, and a lack of flexibility in re-examining one's own perspective. The rigidity of this process is mostly determined by the capitals—delegates to the General Assembly are generally required to “toe the party line”, and reflect the beliefs, values, and doctrines of their governments.

Statements delivered in First Committee reveal important fault lines in the disarmament debate that impede progress in disarmament, non-proliferation, peace, and security. Some states have become entrenched in their positions, and do not listen to the arguments or suggestions of others. They reject the norms of the majority—who have arrived at a common understanding through discussion, debate, and compromise—and oppose resolutions that would otherwise demonstrate consensus on many disarmament-related issues. In turn, these time-hardened positions have given rise to a number of static annual resolutions. Rather than a political forum for debate on key issues, the First Committee has turned into a resolution-generating machine, from which repetitive, redundant resolutions are tabled and voted on year after year.

Further Reading - <http://www.un.org/en/ga/first/>

## **History**

The Charter of the United Nations came into force in 1945, giving the international community a unique instrument to meet the world's problems and dangers. One of the first goals outlined in the Charter is the maintenance of international peace and security, which continues to be one of the top priorities within the United Nations System and for the General Assembly Disarmament and International Security Committee (General Assembly First Committee).

Because of the broad number of agenda items that are to be considered by the General Assembly (GA) during each session, the GA has, according to its competences outlined in the UN Charter, established six main committees. Each of these committees discusses the items allocated to it and seeks to harmonize the various approaches of Member States before reporting back to the GA Plenary. To make their work more efficient, the main committees were restructured in 1993. Accordingly, the GA First Committee now deals with disarmament and related international security questions, including nuclear disarmament, biological weapons, the question of outer space, and terrorism. With the creation of the GA in 1945, the Heads of State therefore not only set up an international organ where all Member States are represented equally, but also a —



conscience of the Security Council. As such, the GA is able to call attention to situations which are likely to endanger international peace and security. Thus, the GA Plenary, based on the draft resolutions of the GA First Committee, has helped —promote peaceful relations among nations by adopting declarations on peace, the peaceful settlement of disputes and international cooperation.

### **United Nations Conference on the Illicit Trade in Small Arms**

The issue of the proliferation of small arms and light weapons (SALW) was first raised in a United Nations forum in a 1995 UN General Assembly (UNGA) resolution (A/RES/50/70B). Following that, two expert groups, established by the Secretary-General, issued reports on the subject (A/52/298 (1997)) and (A/54/258 (1999)). Multilateral cooperation in this area took a significant step forward when the **United Nations Conference on the Illicit Traffic in Small Arms and Light Weapons in All Its Aspects** was held from 9-20 July 2001 at UN Headquarters in New York. The participating States agreed to adopt a Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons, in All Its Aspects. This Programme of Action (PoA) includes a number of measures at the national, regional, and global levels, in the areas of legislation, destruction of weapons that were confiscated, seized, or collected, as well as international cooperation and assistance to strengthen the ability of States in identifying and tracing illicit arms and light weapons. The UNGA, in its Resolution 56/24V, welcomed the adoption of the PoA and reiterated Member States' support for action to curb the illicit flow of small arms and light weapons.

The UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects opened in New York on 9 July 2001, after three meetings of the Preparatory Committee. During two weeks, states negotiated the content of the document. The main points of contention included language on human rights and international humanitarian law violations, civilian possession of firearms, transfers to non-state armed groups, export controls, marking and tracing, brokering, and follow-up mechanisms.

Serious compromises were required to achieve the goal of consensus that states had set themselves. Opposition by the United States meant that language on civilian possession was excluded. Opposition by China and others meant that references to human rights were similarly abandoned. Opposition by Arab states in particular meant that the threat of excessive and destabilizing accumulation of weapons was no longer mentioned, even though this was how the UN Secretary-General had originally framed the problem.

The three Reports can be summarized as follows: first, the U.N. has attributed various evils to small arms and light weapons. Second, the U.N.'s approach to dealing with the problem of small arms is to curb the illicit trade of such weapons. Third, the method of curbing the illicit trade is to control the legal trade and manufacture of small arms and light weapons." Finally, only transfers that are contrary to the laws of nations or international law are "illicit.



## **Programme of Action**

It contains national, regional and global commitments to prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects. This covers a wide range of issue areas including:

- Small arms manufacturing;
- Marking,
- Record-keeping, and tracing;
- Stockpile management and security;
- Surplus identification and disposal;
- International transfers;
- Brokering;
- Public awareness;
- Disarmament, demobilisation and reintegration (DDR) programmes;
- And international cooperation and assistance to facilitate implementation of the PoA.

Further Reading - <https://www.un.org/disarmament/convarms/salw/>

## **Impact of Small Arms and Light Weapons (SALW)**

### **Impact on Conflicts**

The growing availability of small arms has been a major factor in the increase in the number of conflicts, and in hindering smoother rebuilding and development after a conflict has ended. It is estimated, for example, that: There are around half a billion military small arms around the world; some 300,000 to half a million people around the world are killed by them each year; they are the major cause of civilian casualties in modern conflicts.

Earlier wars in the 19th and 20th centuries already involved the use of rifles, carbines, machine guns and similar weapons, but the range and frequency at which such weapons have been used in more recent conflict suggests that modern SALW are both increasing in numbers and becoming more prevalent in armed conflicts. For example, armed conflicts in Sierra Leone, the Democratic Republic of the Congo and Uganda all witnessed child combatants using small arms with ease. And since these weapons are easy to move around – and given the history of so many armed conflicts in Africa already – SALW are already present to a large degree in many societies.

SALW are used both by government forces (military and police) and by non-state actors (guerrillas, ethnic militias, self-defence units, violent criminals etc) engaged in conflicts against



each other or against the state, or in violent criminal activities. Of the 49 armed conflicts since 1990, all but three relied on SALW as the only instrument of war, and only one, the 1991 Persian Gulf War, was dominated by heavy weapons.<sup>3</sup> Modern small arms – especially assault rifles like the Soviet/Russian AK-47 and the US-made M-16 – have played an especially conspicuous role in recent conflicts, accounting for anywhere between 35 and 60 percent of all of the deaths and injuries in warfare since 1990.

### **Impact on Security**

The widespread availability of SALW is a threat to human security because their presence encourages violent rather than peaceful ways of resolving problems, and negate confidence- and security-building measures. The unregulated circulation of SALW to a wide range of unaccountable and untrained actors also contributes to violations of human rights and international humanitarian law.

Even after a conflict has officially ended, SALW often remain in the conflict zone in the hands of ex-combatants, civilians and criminals, making it easy for fighting to restart. Even when further combat is avoided, small arms become tools of other forms of violence, such as criminal activity, ethnic and political rivalries, and interference with efforts to deliver food, medicine, and supplies to people in dire need of relief. Refugees are often afraid to return to their homes because of the large number of weapons that remain in the hands of ex-combatants who have not been demobilised or have become affiliated with local gangs, warlords, or militias. While some people may feel that they and/or their families are made more secure by owning a weapon, particularly in situations where governments cannot protect their citizens, this arming of civilians can create a feeling of insecurity among other members of the community. More deaths, injuries and accidental wounding are likely during quarrels and disagreements if a weapon is available in households. Psychological consequences such as trauma may also result. Meanwhile, the proliferation of criminal, domestic and anti-state violence can lead governments to commit resources to security rather than development.

After a conflict, SALW may become instruments for other forms of violence, such as crime and banditry and disruption of economic activities. In countries that receive development assistance or where emergency relief is required for people affected by violence or other disasters, SALW use can make it too unsafe for such help to be provided.

### **Impact on Development**

Socio-economic underdevelopment presents both a breeding ground for and a consequence of the proliferation and misuse of SALW. The long-term impacts and costs of SALW in terms of human and economic development affect societies as a whole, and the adverse effects of armed violence on poverty, social spending and economic development perpetuate human suffering. SALW can have a negative and destructive impact on human development, including health and



mortality, knowledge and education, income and standard of living, and community participation. SALW also play a key role in criminal activities and damage to property and can become an integral part of day-to-day business and commerce, which have a negative impact on employment, investment and growth of post-conflict countries. Widespread use of small arms in business and commerce frequently has a detrimental effect on business activity and employment which in turn fuels poverty. As a result, there may be less opportunity to work and earn an income as investment declines – not only large-scale Foreign Direct Investment (FDI), but also by local or regional entrepreneurs who may not want to take the risk.

The presence of SALW also has direct costs to governments. In some countries, as much as 25 percent of annual gross domestic product is spent on treating victims of armed violence and on increased policing, with firearms being involved in over 80 percent of all violent deaths.<sup>18</sup> Greater personal insecurity means that increasingly, disposable income is directed to the purchase of arms and ammunition. Economic factors such as high rates of unemployment and low wages may also cause people to use weapons as a means of survival. There is two-way relationship between economic and social stability in that victims of negative economic conditions may join forces to resist the prevailing social order, precipitating social instability.

### **Impact on Gender**

SALW impacts harmfully on young and old, women and men and children – but often in somewhat different ways.

The uncontrolled proliferation of SALW increases the threat of intimidation and abuse of women and heightens the lethality of violence against women, both inside and outside the home. Sexual and gender-based violence is also often committed against men and boys, but this issue has been severely under-reported and under-researched to date. During armed conflict, women may also choose or be forced to perform certain roles for combatants – act as ‘wives’ (often forced), porters, cooks, spies, or messengers. In this context women often endure sexual violence as well. Nevertheless, women also can play roles that are conducive to SALW proliferation. Sometimes they encourage their men to arm, or play a key role in encouraging small arms violence, including by supporting and promoting cycles of revenge. Sometimes they play a role in weapons smuggling; sometimes they arm themselves; and sometimes they also serve as combatants in civil conflict.

In situation of violence and conflict, children and youth are pushed, pulled and forced into various actions by people, events and decisions over which they have little or no control. It is estimated that since 1990, more than 2 million children have been killed in wars, 6 million have been seriously injured and more than 22 million have been driven from their homes. The vast majority of the casualties are directly attributable to SALW. In societies destabilised by the use of SALW, children are denied many of their human rights, including their rights to freedom from violence and exploitation, survival and development, health care, education and care within a



family environment. As a result, progress that had previously been made, for instance on extending education to children or on providing them with health care can be undermined or even reversed. In many countries around the world there is a relationship between youth unemployment and violence that requires further consideration in relation to the impact of SALW.

Another consequence of the availability of SALW and their use in conflicts is the use of child soldiers. Experience in countries like Liberia, Sierra Leone and Northern Uganda has shown that children can easily be frightened and exploited, and then trained to handle SALW. An estimated 300,000 children worldwide are currently fighting in adult wars.

### **The Arms Trade Treaty**

The ground-breaking Arms Trade Treaty (ATT) adopted in April 2013, is the first global treaty to regulate the conventional arms trade. The Treaty creates a new global norm against which states' practice will be measured, by other states and by international civil society.

At the heart of the ATT is the obligation on countries that have joined it to make an assessment of how the weapons they want to transfer will be used. They must determine if the arms would commit or facilitate genocide, crimes against humanity, war crimes and serious human rights violations. Each state must assess if there is an overriding risk that a proposed arms export to another country will be used for or contribute to serious human rights abuses. If so, those arms must not be sent. This is the key element of the Treaty, found in Articles 6 and 7.

Other parts of the Treaty set out guidelines for states that are importing weapons, and requires importers and exporters to cooperate in sharing information necessary to make the above assessment. It also includes obligations for countries that have weapons transiting through their borders and for brokering activities.

The ATT is the first time that human rights and humanitarian concerns have been so deeply integrated into a global arms control agreement. It introduces a notion of responsibility into the global arms trade that was absent before. While certain regional and national export laws did include these considerations others did not. These gaps are what enabled weapons to fall into the wrong hands or be diverted onto black markets. The ATT has helped to level the playing field and close the loopholes used by arms dealers and unscrupulous governments.

The Treaty covers conventional weapons (meaning not nuclear, chemical or biological). The arms specifically mentioned in the Treaty are battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles and missile launchers and small arms and light weapons. Ammunition, as well as the parts and components that make up weapons systems, also fall under its regulation.





Bringing the licit trade under control is the first necessary step toward addressing a reduction in the illicit trade. This has always been one of the motivating factors behind the ATT.

The ATT is the outcome of over a decade of advocacy and diplomacy. After years of preparation, a UN diplomatic conference was formally convened in July 2012, but fell short of reaching consensus on a final text and another two week-long diplomatic conference was convened in March 2013 to complete work on the treaty. However, Iran, North Korea, and Syria blocked consensus on the final treaty text, leading treaty supporters to move it to the UN General Assembly on for approval. On April 2, 2013, the UN General Assembly endorsed the ATT by a vote of 156-3, with 22 abstentions. The treaty opened for signature on June 3, 2013. The ATT requires 50 ratifications before it can enter into force.

There are currently 82 States Parties and a further 51 are signatories.

The Conference of States Parties (CSP) is the annual meeting for states that have joined the Treaty. It is an important place to report on progress made in implementing the Treaty as well as address challenges or concerns. The first CSP took place in Cancun, Mexico from 24-27 August 2015.

### **Critical Issues to be Analyzed**

The following critical issues have an important bearing on the discussion of illicit trade in SALW in all its forms:

- Economic, Social and Political Issues
- SALW and the Global Culture of Violence
- The Accessibility to SALW
- Illicit Markets and Their Functioning
- National Safeguards and Accountability
- Improved Injury Control
- Community Development and Awareness
- Monitoring and Evaluation
- Marking and Tracing
- Regulation of Civilian Possession
- Prohibit Civilian Possession of Military Assault Weapons
- Enforcement
- Technical Support and Cooperation
- Research and Information Exchange
- Follow-up Mechanisms



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The important interplay between the PoA and the ATT in light of the DISEC's mandate needs to be carefully analyzed. Formative solutions which can take the form of a binding mechanism under the aegis of the UNSC remains an important goal to be achieved.

### **Important Documents**

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/29](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/29)

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/70/49](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/49)

<https://www.un.org/disarmament/convarms/salw/>

### **Additional Resources**

<http://www.cfr.org/arms-industries-and-trade/un-programme-action-prevent-combat-eradicate-illicit-trade-small-arms-light-weapons/p20643>

<http://www.reachingcriticalwill.org/disarmament-fora/salw>

[www.saferworld.org.uk/downloads/pubdocs/SALW-module-1.pdf](http://www.saferworld.org.uk/downloads/pubdocs/SALW-module-1.pdf)

<http://www.smallarmssurvey.org/weapons-and-markets/definitions.html>