

# LITMUN 2019

## DISEC BACKGROUND GUIDE

Prevention of Illicit Arms Trade.

## Message from the Executive Board

Dear Delegates,

We are honored to invite you to the simulation of the United Nations DISEC at the LITMUN 2019

I am looking forward to two days of healthy discussion, dynamic deliberation and important decisions.

The agenda for the committee stands as the "Prevention of Illicit Arms Trade." Please go through the below guide and use it to form the base of your research.

Do not limit your research to the topics included in the Guide only.

Furthermore, please use the questions to extend your research. Looking forward to see you in August and may the odds be ever in your favour.

Prajakt Dhawale (Chairperson)

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## Introduction to the Committee

After the first session of the United Nations in 1946, it became apparent that there was a need for multiple committees to deal with a multitude of issues at once. As such, the First Committee, otherwise known as the Disarmament and International Security Committee (DISEC) was the first of six main committees of the General Assembly. Today, the First Committee is considered to be one of the most powerful committees as it can introduce resolutions that can call for the United Nations to intervene. These non-binding resolutions often go to the Security Council which can then act for the United Nations as a whole.

DISEC emerged out of a need to discuss peace and security issues among member states, especially considering the destruction that had emerged out of the First and Second World Wars. The UN Charter sets out the mandate of DISEC in Article 11 by stating that “The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments and may make recommendations with regard to such principles to the Members or to the Security Council or to both”.

The First Committee has a close relationship with other subsidiary committees in order to achieve its goals. In particular, the United Nations Disarmament Commission and the Conference on Disarmament. These cooperative efforts with many smaller committees serve to focus on the debate of the larger assembly in order to discuss a larger variety of issues.

Even though it is a large committee, one of the main advantages of DISEC is that all member states can have their voices heard equally. Seeing that each member state has an equal vote, each representative has a say in the focus and flow of the debate, unlike in other UN Committees such as the Security Council where the P5 (United Kingdom, dominate the discussion. Thus it could be said that the First Committee is, in principle, one of the most democratic committees.

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# Agenda: Prevention of Illicit Arms Trade

## Introduction

The nonproliferation of small arms and light weapons (SALW) has been an ongoing and wholly relevant issue for the United Nations, however, no specific internationally recognized definition of SALW exists. Small arms are ‘weapons designed for personal use, including: light machine guns, sub-machine guns, including machine pistols, fully automatic rifles and assault rifles, and semi-automatic rifles’<sup>1</sup>. Furthermore, light weapons ‘include the following portable weapons designed for use by several persons serving as a crew [such as]: heavy machine guns, automatic cannons, howitzers, mortars of less than 100mm caliber, grenade launchers, anti-tank weapons and launchers, recoilless guns, shoulder-fired rockets, anti-aircraft weapons and launchers, and air defense weapons’<sup>2</sup>. Estimates report that there are around half a billion military SALW around the world and around 300,000 to 500,000 are killed as a result each year, 80% of which are civilian casualties in modern conflicts<sup>3</sup>.

As the most common example of weaponry in violent conflicts, out of 49 major conflicts that have emerged since 1990, 46 have been dominated by the use of SALW. It is definitely clear that the increased availability of SALW contributes to the likelihood, duration, and hostile intensity of armed conflict. Analysis of contemporary warfare seems to suggest a correlation that such conflicts overwhelmingly occur in the world’s poorest countries and this gives an explanation as to why the victims of conflicts fought with SALW are so dependent on assistance from the international community. It is often the case that these conflicts possess deep and complex roots and seeing that there is widespread availability of SALW, particularly through the black market, belligerents are emboldened to pursue their objectives through violence on the battlefield, instead of at the bargaining table. Part of this has to do with the

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

<sup>2</sup> *ibid.*

<sup>3</sup> <http://www.globalissues.org/article/78/small-arms-they-cause-90-of-civilian-casualties#UNConferenceontheIllicitTradeinSmallArmsJuly2001>

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advantages of these types of weapons. Low cost and widely available, given the plentiful suppliers globally, the existence of millions of SALW either newly produced or recycled by downsizing armies from each conflict has led to 'bargain-basement prices' in many areas around the world, which inevitably means that they can easily fall into the wrong hands. SALW are often portable and concealable, able to be carried by individual soldiers or light vehicles, they can be smuggled into areas of conflict or concealed in shipments of legitimate cargo quite easily. It is also important to note the increased lethality and sophistication of SALW in tandem to their relative simplicity and durability. This type of weaponry demands little maintenance, in comparison to others (WMDs), to remain operational for many years as well as requiring little to no training to be used effectively, which increases their use in conflicts by untrained personnel and even children.

The illicit trade of SALW goes in defiance of international embargoes and legal sanctions, yet, there has been a significant swell in demand for black market dealers to satisfy the needs of non-state actors to provide such weaponry in either ethnic or internal conflicts. In regards to how the guns are supplied, the global arms market can be split into three categories: (1) legal sales of weapons where governments buy from corporations (Lockheed Martin, Boeing, Northrop Grumman), (2) a legally grey area where government, military and intelligence agencies interact with corrupt dealers to carry out secret agendas such as assassinations or regime changes, and (3) the black market. Estimates from the International Action Network on Small Arms (IANSA) state that this black market trade in SALW ranges from US\$ 2-10 billion a year. The black market trade of SALW has been facilitated by the existence of vast stockpiles of surplus arms in the states of the former Soviet bloc, and in some instances severely destitute former soldiers actually conspire with the dealer in stealing weaponry or even enter the illicit trade themselves. Underground networks, in which there are strong links between arms trafficking and the illegal narcotics trade, have developed complex methods of procurement, transportation and then sale of SALW, sometimes with the connivance of government or corrupt officials. The actual theft of these weapons often occur from either military or police warehouses and is a major issue in countries that are suffering by civil war or insurgent violence. For example, during the 1997 Albanian Rebellion, thousands of SALW were looted from military depots thereby increasing the level of armed violence but also reported smuggling of these weapons across the border into the Kosovo.

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These stolen and smuggled weapons have contributed to creating a culture of violence at the expense of the integrity of the state, cohesion of society.

The presence of these SALW is also an impediment on humanitarian and developmental action and a cause in destabilizing affected regions. It seems very much clear that the unchecked stream of SALW to areas of conflict brings a significant threat to world peace and security. Although the weaponry are not a primary cause of conflict, their worldwide availability, ease of operation and low cost make it relatively simple for potential belligerents and criminals to both start and sustain deadly conflict.

## History

Countries with large military arsenals have been selling SALW to third world countries since the sixteenth century, where European traders began trafficking arms into African, American and (to a lesser extent) to Asian markets. The Portuguese acted as the main conduit of firearms thanks to their established global trade routes and was indeed very profitable, despite Papal bans on the sale of weapons to non-Christians first issued in 1179 and onwards. By the seventeenth century, the Dutch joined Portugal as a role in weapon exporters. Purchasers of these weapons were mostly neighbouring European states, such as England, France, Sweden, Russia, and Poland. By the time weaponry became more advanced, European traders would sell off their old, less desirable weapons in Africa and other countries.

The English joined the African arms trafficking business by the turn of the eighteenth century and in the large part, the increase of European firearms was linked to the increased European demand for African slaves since African traders found themselves in a position to demand more guns in exchange for slaves. East Africa became a main destination for imported firearms through trafficking thanks to the imperial scramble for the continent. The industrial revolution brought about a huge expansion in the actual volume of this arms trafficking and their mass production produced obsolete castoffs and surplus weapons on an increasing scale. By this time other European nations also followed suit and by 1898, an estimated 300,000 guns had been exported from Europe into Africa.

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While the arms route into Africa contributed to the most volume of traffic, the trade route flowing from the Persian Gulf into Asia became an issue in the late nineteenth century. Again, local demand for it stemmed from the shifts in power of not just local non-state actors but European colonial powers and in 1908, 30,000 SALW were estimated to arrive in Afghanistan. The notion that arms ought to be regulated emerged following the First World War through the, newly formed, League of Nations. However, despite European consensus, smaller states rejected this claiming that their sovereignty would be reduced and security diminished because of the *de facto* control of arms by great powers. By the end of the 1930s, Belgium, France, Britain, Sweden and the US had all established peacetime licensing of arms exports as normal practice and the embargo on warlord China represented the most sustained effort of this kind. During the Cold War era, arms trafficking received a boost thanks to the vast quantities of surplus war equipment following the Second World War. As stated above, many of the illicit SALW have emanated from surplus stockpiles from the Soviet Union. One of the most notorious of which is the arms dealer Viktor Bout, who exploited loopholes and sold weapons to war-torn countries such as Iran, Syria, Sudan, and Somalia. Bout is now serving a 25-year prison sentence following a conviction in 2011 after being charged of conspiring to sell weapons to Colombian rebels in a deal worth millions of dollars.

Today, the main offenders who contribute to the illicit trade of SALW are developed countries that manufacture the weapons internally then find either domestic buyers or to other nations. Similarly, the five permanent members of the UN Security Council- France, China, Russia, the UK and the USA- collectively account for 88% of the world's arms exports and these weapons often fall into the hands of nations such as Afghanistan, North Korea, Syria, and Venezuela, which allow escalation and instigation of conflicts to occur.

Regulations on the small arms trade have proven ineffective. Despite being designed to prevent such weaponry going to terrorist and criminal groups, first world weapon dealers rarely abide by these rules in order to gain profit in selling the weapons to developing nations. What is clear is that each successive historical period has brought even bigger waves of supply and demand for weaponry and has overwhelmed attempts to monitor and counter the issue. The ease in accessibility of weapons, especially in developing countries, in addition to ineffective efforts to control the trade, has contributed with clear magnitude, to the devastating violence seen in the world.

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## Previous UN Action

UN involvement is an ongoing focus and the first nonproliferation initiative was adopted at the 50<sup>th</sup> session of the 1996 General Assembly. This initiative was put in place recognizing that small arms form a serious barrier in complete disarmament, but was not a substantial outcome to tackle the issue. A year later in 1997, the first report on the issue of small arms was published by the UN Secretary General, which followed a second in 1999. Similarly, these reports merely recognized the already clear correlation between the illicit trade of SALW and increases of internal conflict and level of crime and violence.

The UN thus introduced, in the UN Document A/CONF.192/15, the “Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects”, referred to as the Program of Action (PoA), in 2001, which remains as the main international agreement for SALW control. The PoA, however, is an initiative that is non-binding and open to the interpretation of the national government and assigns responsibility to them to solve these issues themselves. The PoA brought about measures that one may well obviously expect such as encouraging strengthening national regulation on the product of SALW, ensuring gun manufacturers mark weapons to allow tracing of seized weapons, encouraging the destruction of old stockpiles, an increase in security of weapon stockpiles, reassurance that UN Security Council embargos on SALW are enforced, encouragement that international and regional co-operation, and improvement in the necessary certifications (licensing) required in order to access weaponry. Despite the step, the document fails to elaborate on the required commitments regarding an internationally recognized instrument for marking and tracing weapons nor does it go into issues of increasing transparency in SALW legal production, stockpiles, and control of transfers between non-state actors.

Notwithstanding the criticism, the UN has hailed it as a success and the PoA has brought about legally binding agreements in Africa and more than 50 countries have strengthened national laws on gun control in addition to various disarmament campaigns in over 60 countries. Follow up meetings regarding the PoA occurred in New York in 2003, 2005, and 2006 in light of the main criticisms that the document still does not force countries into carrying out any real action. Unfortunately, these meetings failed to reform the document to



further enforce the PoA. The General Assembly, in 2008, went on to adopt a resolution entitled “The Illicit Trade in Small Arms and Light Weapons in All Its Aspects” and in summary it abridged the multiple features of SALW proliferation, adding for more urgency to curb proliferation given its social ramifications. Four years later, the resolution entitled “Assistance to States for curbing the illicit traffic in small arms and light weapons and collecting them” was adopted. In 2013, the Secretary General provided a report on the issue reaffirming their negative impact of illicit small arms on security, human rights, and socioeconomic development. This is still a pressing issue for the UN and the most recent meeting was in the Fifth Biennial Meeting of States in 2014.

Since the 1990s, many countries have worked hard to develop an international convention on the arms trade. In 2006, over a hundred nations in the UN General Assembly (UNGA) had brought forth their views on creating a possible Arms Trade Treaty (ATT). The negotiations for the treaty took several years, but in 2013, the UNGA passed an ATT, which made it difficult “for human rights abusers, criminals and arms traffickers to obtain weapons.” The resolution passed with 154 nations in favor, 3 against and 23 abstentions. The only three nations to vote against the treaty

were the Democratic People’s Republic of Korea (DPRK), Iran, and the Syrian Arab Republic. The ATT works to create a “uniform framework for the international trade in conventional arms.” It also seeks to encourage transparency and accountability to make it easier to track and catch smugglers. It also places some responsibility on the sellers of small arms to know their customers - states cannot transfer conventional weapons to parties they know would take advantage of such weapons in order to create a genocide, crimes against humanity or attacks on civilians such as the grave breaches of the Geneva Conventions of 1949.

Other UN organizations such as The United Nations Development Programme help nations and civilizations deal with the effects of illegal arms trade through its Bureau for Crisis Prevention and Recovery. The UNDP helps over 80 countries, including many nations that are on the verge of an armed crisis. The UNDP implements new and innovative approaches to help and rebuild nations, and end to conflict.

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## Bloc Positions

### *Africa*

African nations are definitely the most affected by the illicit trade and stand to benefit from SALW nonproliferation. An important issue, the further development and stability of the continent depends on reducing the numbers of SALW in conflict-affected regions. Western African states, in particular, are susceptible to illicit SALW as it attempts to recover from political and economic turmoil and decreasing the access of weapons to non-state belligerents can avoid further volatility in countries such as Liberia, Congo, Nigeria, Kenya, Sudan and Somalia. Affected governments would be aiming to bring solutions by the creation of restrictions and agencies that would be able to track illicit weapons and their distribution.

### *Europe*

The European Union (EU) has recognized the threat that SALW pose and have taken measures to combat their illicit trade. In 2005, the EU adopted a strategy, which committed all members to combat weapon accumulation and trafficking bringing a Code of Conduct as well as judiciary action (which is also in reference to the International Arms Trade Treaty).

Most European countries are primary contributors to the illicit arms trade. Countries such as the UK, Italy, and Spain have been criticized for selling arms and security equipment in Colombia, a country where human rights violations are not held accountable to an international standard. Smuggling of SALW mostly occurs in South-Eastern Europe and sold to unstable regions. Despite the 2005 measures, loopholes have allowed EU private arms manufacturers to export to countries such as Israel, Nigeria, Pakistan, Sierra Leone, and

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Kazakhstan. European countries will be focusing on tightening of regulations and having them written to a higher standard so in that smugglers will not be able to interact with international organisations.

#### *Latin America*

Latin American countries are notorious for criminality and there has been an increase in demand by these criminal organisations for SALW. The majority of these weapons enter the through countries such as Colombia, Guatemala and Panama before spreading throughout the region. Half of the fourteen countries which had the highest armed violence caused death rates for the better half of the 2000s were from Latin American and Caribbean regions; and SALW is the most common cause of death in relation to organized crime and drug trafficking. Governments will be seeking to increase the intervention of the illicit SALW trade and enforce stricter regulations to inhibit the trade.

Being able to successfully protect civilians from further acts of violence from SALW requires the country's government to support their criminal justice system, however, countries such as Honduras, Nicaragua, Panama, and Guatemala have corrupt justice systems making it increasingly difficult to attain compliance with implemented regulations. If representing a Latin American country, it is vitally important to recognize the necessity of addressing the issue of corrupt governments to ensure effective circumvention of illicit SALW.

#### *Middle East/Arab Nations*

Given the level of conflict due to the US invasion of Iraq and Afghanistan as well as the Israel-Palestine conflict, the region has seen vastly multiplied numbers of SALW. The 2006 Small Arms Survey notes that Middle Eastern countries rank the highest in gun ownership rates and many of these arms come from the infusion of weaponry into the region from Western countries during the Cold War and more recently. Through their illicit trade, SALW has fallen into the hands of terrorist organisations such as the Taliban, Al Qaeda and ISIS, promoting insurgency and violence in urban areas.

Middle Eastern and Arab countries would seek to impose trade regulations and ban on the trading of small arms, which would restrict foreign influences (US's influence in Iraq and Afghanistan) that increase the volume of weaponry in the region. The surplus of weapons undermines the population's public safety as well as creating regional instability, focus may

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be put towards addressing the need to end civil conflicts and reduce the excessive need for small arms.

#### *South East Asia*

In recent times the region has seen a dramatic increase in the number of SALW following the Vietnam war. Countries like Sri Lanka have seen an increase in the weapons trade industry due to intrastate conflict.

South East Asian countries will work towards a solution that can effectively control the maritime trade routes in which the illicit trade of SALW is normally carried out through.

#### *North America*

The United States plays a major role as a primary small arms trader, particularly to the Latin American countries through the US-Mexico border, yet the US has executed reforms, which impose new measures in licensing policies for product exports. Along with Canada, the countries call for the governments of developing countries, those who are most afflicted by illicit SALW, to work together with neighbouring countries to help counter illicit trade and the escalation of present conflicts.

## Questions That a Resolution Should Answer

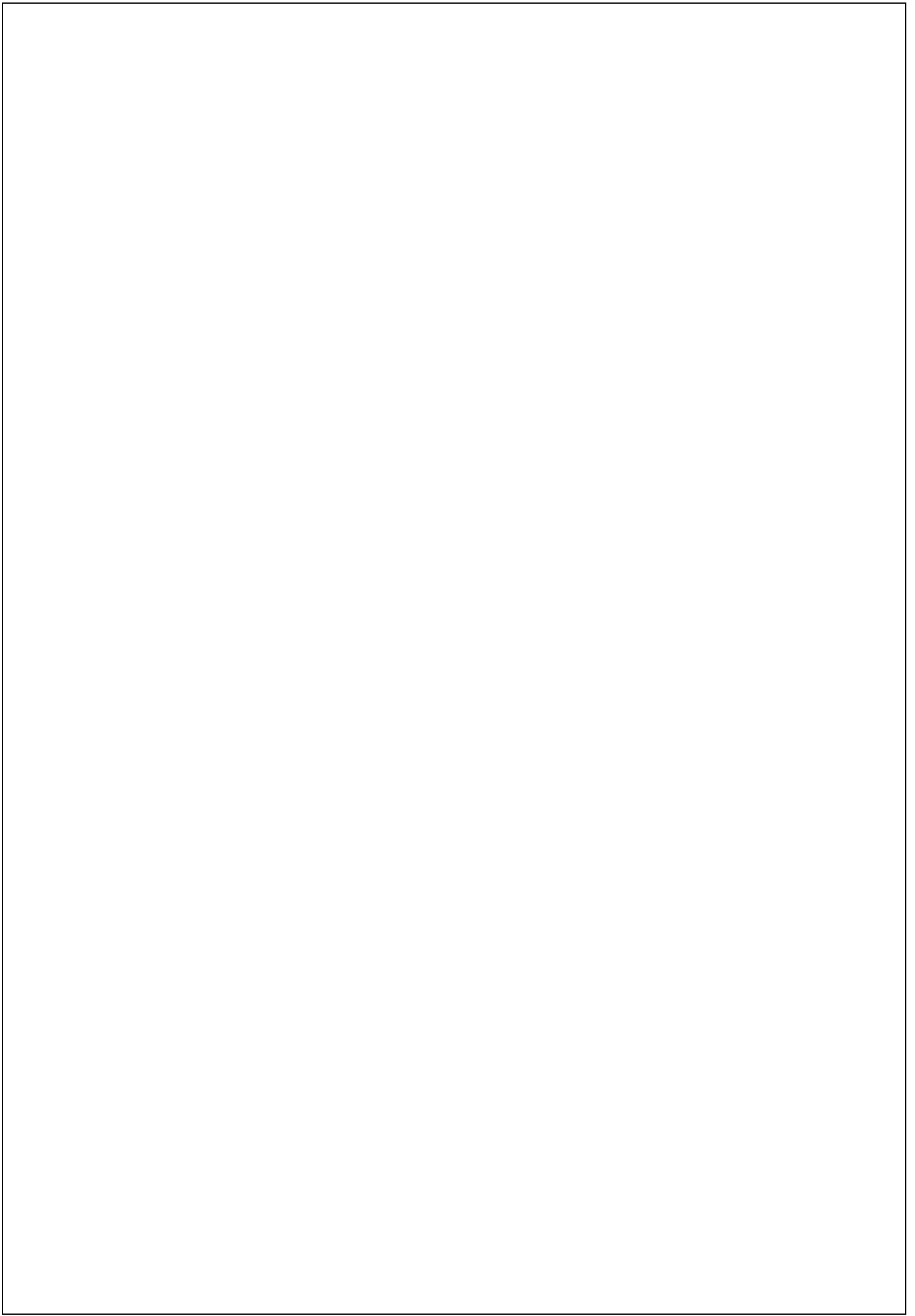
- What measures can be implemented to fight against the root causes of armed violence?
- How can the committee implement these solutions that would effectively prevent the illicit sale of SALW? And how would this differ from previous attempts?
- What are the advantages and disadvantages of current policies on SALW trade?
- Are there any alternative means of generating income in so to discourage individuals from entering the illicit trade?
- How can we achieve increased data and transparency regarding SALW?
- How can greater transparency be achieved within countries with unstable and corrupt governments?

## Guiding Questions:

1. Are small arms a problem in your country? What are your country's gun laws? What is your government doing about illegal guns?
2. What are some secondary effects of the illegal arms trade? What can be done to help the people impacted by these effects?
3. What are some global choke points in the illegal arms trade? What can the UN and member nations do to better control those areas?
4. What can nations that supply (legally and illegally) arms to the global market do to make sure they are properly marking and keeping records of weapons?

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