



**CONTROLLING ILLEGAL WEAPON
SMUGGLING IN CRISIS ZONE**

Forum: Disarmament and International Security Committee

Issue: Controlling Illegal Weapon Smuggling in Crisis Zone

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Position: President Chair

1) **Introduction**

Smuggling illegal weapons in crisis zone is a critical issue for all nations with special emphasis on the nations in war, civil war or conflict. The issue threatens national insurance, global security and civilian populations. The question of weapon smuggling in crisis zone mainly includes illegal trafficking of weapons especially “Small Arms and Light Weapons”. According to United Nations Small Arms Review Conference 2006 data small arms and light weapons account for approximately 60-90% of the 100,000 deaths linked to international conflict each year.¹ They are preferred in illegal smuggling due to their weight and ease of their transportation. As a result of their ease of use and ease with which they can be acquired, they are the preferred weapon of terrorist organizations. Additionally, since many small arms are lightweight and easy to use, they are used in conflicts involving child soldiers. It is therefore critical that the continued illegal trade of weapons and their smuggling into crisis zone should be heavily controlled.

The issue becomes hard to solve since it is nearly impossible to keep the track of legal and illegal weapon trafficking in crisis zone during conflict. Because of loose international standards and regulations, weapons are often able to fall into the hands of paramilitary forces and terrorist groups. Many of the institutional checks on small arms that are in place around the world are weak and poorly enforced. As a result of corruption and general misinformation, many states both willingly and unwillingly supply weapons normally destined for legitimate government military services straight into the hands of groups that seek only to incite violence. This chair report aims to introduce the issue to delegates, show timelines and previous attempts and propose possible solutions for the aforementioned issue.

a) **Definition of Key Terms**

Small Arms: Small arms is a term used by armed forces to define weapons an individual soldier may carry. Those are usually limited to submachine guns, carbines, assault rifles, squad automatic weapons and machine guns.

Light Weapons: According to 1997 Report of United Nations Panel of Experts on Small Arms light weapons are : “*Broadly speaking...light weapons are those...designed for use by several persons serving as a crew*”. Those are heavy machine-guns, hand-held under-barrel and mounted grenade launchers, portable anti-craft guns etc.

¹ “Federation of American Scientists,” Accessed March 28, 2011

Illicit Trafficking: The term "illicit trafficking" can be defined as illegal "trading, selling or dealing" in specified goods. [Urena-Ramirez v. Ashcroft, 341 F.3d 51, 57 (1st Cir. 2003)]

Neutralization: to prevent something from having any effect, balance out

Demilitarization: the action of removing military forces from an area.

Smuggling: To take something or someone illegally from one country to another

2) **Body**

a) General Overview

i) Historical Background

The unauthorized action of obtaining small arms and light weapons is a universal concern due to the low cost and lightweight nature of these weapons, making them easier to smuggle. The broad introduction of these weapons contribute to making conflict zones far more dangerous, and the resulting instability creates a chronic cycle of high demand for weapons from both sides of the party. The total value of the global market for arms is estimated to be \$60 billion per year, with 10-20% of that being illicit trade.

The issue of small arms is most obvious in the twenty first century after the end of the Cold War. The prevalent inter-state conflict quickly transformed into intra-state conflict fought not by large weapons and weapons of mass destruction but by small arms. Instead of the large battles of the past century that divided the world in two, much of the world in conflict laden nations is now instead divided by ethnic and religious conflicts, most of which are fought by small arms and rebel groups. These small weapons are prevalent throughout the world. Unlike the massive war machines of the Cold War, these weapons are useful in combat and unlikely to disappear. They provide easy armament for any party wanting to reignite a conflict or engage a neighboring country. Even when further fighting does not materialize, small arms can be employed in other forms of criminal violence, disruption of development efforts, or interference with efforts to deliver humanitarian aid. The advantages of these weapons are clear. They are cheap, widely available, simple to use, durable, portable, concealable, and have legitimate military, police, and civilian uses, making them easy to transfer across borders, legally and illicitly.² It is for this reason that they are so prevalent and the issue so difficult to approach. Any solution would require multiple point of view and must target both the lax control and regulation in the target nations as well as the current socio-economic condition of the area. For that reason, it is important to understand where and how these weapons are entering the market, as well as which issues are international and which must be solved at a rural level.

There are several ways to smuggle those light weapons and small arms into market. It is important to understand those ways to find fruitful solutions for the issue. The first and most serious transfer of illegal weapons take place when states and/or organizations defy weapons

² Jeffery Boutwell and Michael Klare, "Special Report: A Scourge of Small Arms," *Scientific American*, June 2000, 30-35.

trade embargos on nations. By that action, they directly fuel the conflict in nations that have already been pre-identified as war-torn. Cases on regional, national and international scales can be found where the embargos were not monitored closely enough, such as the embargos on Angola and Liberia.³

Another way of transgression occurs because of corruption in the governmental system. In many countries, such as Russia, the illegal trade of weapons is allowed through and across the border of a country as officials are bribed to let those actions. These officials will often accept payoffs, especially in countries where government officials receive limited salaries and have little to no incentive to enforce the law. In many cases “legal” weapons can reach to illicit trade market too. The inadequate management of weapons stockpiles, often stored once they are outdated, leak into the black market.⁴

Other important source of illegal weapons can again be linked to the poor management of weapon stocks. During times of conflict, many opportunists find the time to raid weapon arsenals. In 1997, for example, Albanian government arsenals emptied as the country descended into chaos and more than half a million weapons flowed into the hands of Albanian citizens. Many of these guns made their way throughout the Balkans and into other regions. In the most extraordinary case, that of Iraq, the loss of control of millions of small arms and light weapons, ammunition and explosives helped to undermine the stability of an entire country.⁵

Another source of those weapons are also due to corruption in government officials. There are also known cases where members of the military who have legal access to guns and weapons sell them or provide them to the black market. Israeli soldiers are known to sell weapons to Palestinians with the full understanding that these weapons will be used against Israeli soldiers and citizens.⁶

In some cases individuals or groups in black market can directly stole the weapons from military stocks by unexpected raids or produce their own weapons in their facilities to sell them into black market. Overall there is a lack of law enforcements, management and police patrol in this issue. But the key component in the fight against illegal arms trafficking is the correct management of weapons stocks. The secure disposal of weaponry as well as the safe management of current stocks would greatly reduce the likelihood that weapons which are originally made for legal purposes, i.e. national defense, do not fall into the hands of black market traffickers.

³ For specific information on the U.N. reports on Angola and Liberia see U.N. documents S/2000/203 and S/2001/1015.

⁴ *Small Arms Survey 2004: Rights at Risk* (Geneva: Graduate Institute of International Studies, Oxford University Press, 2004)

⁵ The Small Arms Survey, *Small Arms Survey 2004*, chap. 2

⁶ “Daily Telegraph”, last modified July, 22, 2003

Currently, the response for illicit trafficking and smuggling is still weak and uncoordinated. The U.S. currently leads the world in its international small arms and light weaponry disarmament attempts with its efforts to secure and destroy small arms and light weapons. Since 2001, the State Department's Small Arms/Light Weapons Destruction Program has facilitated the destruction of over 800,000 surplus small and light weapons and 80 million rounds of ammunition in 23 countries.

The international response has not been as strong. While its response to such weaponry as landmines and biological weapons has been very effective in curbing and limiting their use, the enforcement of measures against the illegal distribution of light weaponry is currently insufficient. Although the UN has passed multiple resolutions against the proliferation and endorsement of arms trafficking, such as the *United Nations Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Program of Action, or POA)*, these resolutions are too vague and widespread to have much of an impact on the global community.

ii) Major Parties Involved

(In this section major parties involved will be presented in bloc form.)

African Bloc: As the region with the most conflicts, this bloc understands the effects of the proliferation and use of small arms and light weapons. The long lasting conflicts in Rwanda, Somalia, and Darfur have been perpetuated because of the available access to the arms. As such, the African Bloc has been establishing preventative measures for keeping the SALW's away from belligerent parties and rehabilitation programs to stop the effects of their illicit use.

Asian Bloc: Conflicts in this region have been relatively high, especially in the South Asian region. For example, the armed confrontation in Thailand has greatly destabilized a region once hailed as a tourist haven. As such, the Asian Bloc has also been careful to regulate its arms trade throughout the region. However, as a region with one of the biggest suppliers of SALW's, members of this bloc need to also consider solutions that do not impose upon a nation's autonomy to legally sell arms. The Association of South- East Asian Nations (ASEAN) has been establishing particularly stricter regulations into the arms trade by unifying the arms tracking methods and improving international communication.

Middle Eastern Bloc: As a region that has experienced many armed conflicts, the Middle East is aware of the fact that smuggling of SALW's can bring serious problems. However, with a military expenditure comparatively high to its gross domestic product, the Middle East is also a large customer base for legitimate arms sales. In-fighting throughout the Middle Eastern Bloc, originating from the Israeli conflict, has frequently destabilized peace in the region through retaliatory attacks. As such, efforts to build peace are repeatedly undermined through renewed acts of violence.

Latin America Bloc: The Latin American states have experienced many uprisings that have garnered a great human cost. Furthermore, the instability that such rebellions bring has caused

a great deal of violent crimes – between 1979 to 2003, 500,000 Brazilians have been killed by SALW's. The conflicts have also been attributed to the wide gap between the poor and the rich. The Organization of American States (OAS) has devoted measures to more efficiently track arms and their illicit trade to end such prevalence of volatility.

Western Bloc: As a bloc with the most SALW manufacturers and some of the most developed nations, members of this bloc need to consider various viewpoints. Although many of these nations support disarmament, it is also important to consider that their economies are also dependent on the sales of arms. Thus, the biggest discrepancy between the Western bloc and other blocs is that they would consider the reduction of SALW's rather than the complete eradication of them.

b) Timeline of the Events

Since the agenda item did not specify any event there will be no “timeline of the events” section in this chair report.

3) Conclusion

a) Previous Attempts to Solve the Issue

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.

UN 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.

Other UN organizations such as The United Nations Development Program 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. One recent example of their work was the Uwiano Peace Platform, consisting of a toll free SMS service which allowed the people around Kenya to report threats. Before its constitutional referendum in 2010, Kenya was considered an extremely high risk for outbursts of violence, particularly after their political crisis in 2007. However, thanks to the Uwiano Platform, over 200,000 SMS messages were received, analyzed and verified causing the referendum to be passed without violence. This system will soon be implemented on a permanent basis in upcoming elections.

One NGO that helped combat illicit small arms trade is the United Kingdom-based Campaign against Arms Trade. This nongovernmental organization is not only against the illicit trade of small arms but is a strong advocator of peace wanting to reduce and eradicate conflict. The organization has a commitment to nonviolence and educates the public through campaigns focusing on different methods to propagandize security around the world, abandoning the sale of arms. For example, the Campaign against Arms Trade advises governments to not support

arms trade through funds but instead search to create jobs in other areas such as green technology which would increase security and help people stay out of an illegal arms trade.

b) Possible Solutions

Production: Although addressing the sale and trade of arms, the ATT makes no mention of combatting the illegal production of small arms. In many parts of the world, bullets and weapons are built using spare materials that are available, and these weapons are among the hardest to track and stop, since they pass through no legally recognized state or business. Delegates should be able to examine and find out how to implement private workshops like those used in Peshawar and Pakistan in order to create a system of control which ensures that manufacturers are held accountable and monitored.

Marking and Tracing: “If national law enforcement officials were able to trace small arms back to their last legitimate owner, who might then be held accountable, this would form an effective measure against illicit trade and diversion.” Delegates should seek an effective way to mark and trace weapons upon production as well as encourage other nations to keep appropriate and accurate records.

c) Notes from the Chair

Dear Delegates,

I am Ecenur Aslan as president chair of DISEC. In this chair report I tried to introduce the topic as broad as I can starting from their production and trade. I hope that you find this chair report fruitful. To make this report no longer than ten pages I will add further research section for you to take a look at if you'd like to make some extra reading and find examples. We as the chair board expect constructive solutions for the issue in those 3 days.

Hope to see you soon,

Ecenur Aslan

d) Bibliography

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“The Illicit Arms Trade.” *Walsh Iran / Contra Report - Part I Iran/Contra: The Underlying Facts*, fas.org/asmp/campaigns/smallarms/IssueBrief3ArmsTrafficking.html.

“UN Documents for Small Arms.” *Yemen Chronology of Events : Security Council Report*, www.securitycouncilreport.org/un-documents/small-arms/.

e) Further Research

An issue brief:

<https://fas.org/asmp/campaigns/smallarms/IssueBrief3ArmsTrafficking.html>

Security Council Reports Relevant to the issue:

http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2220.pdf

http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2117.pdf

Information About “Programme of Action on small arms and its International Tracing Instrument”

<https://www.un.org/disarmament/convarms/salw/programme-of-action/>

Programme Explanation of POA:

<http://www.nti.org/media/documents/sarms.pdf>

Factsheet About SALWs:

http://www.un.org/events/smallarms2006/pdf/factsheet_1.pdf