

Forum: General Assembly First Committee

Issue: The Question of the Illicit Trade in Small Arms and Light Weapons

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Introduction

The Growth in the illicit trade of small arms and light weapons is an emerging problem in the modern world. Insurgents, armed gang members, pirates and terrorists can cause great harm to society through the illicit trade of these weapons. Small arms and light weapons are able to cause disruption in the security and development of nations, due to the fact that they are easy to conceal, transport, cheap and most importantly easy to use.

The United Nations states that the use of Small arms and light weapons acquired through illicit trade in homicides in post- conflict nations outnumbered battlefield deaths. It is estimated that more than 500,000 people are killed each year with small arms and light weapons.^[1] Humanitarian laws are negated over regions as children are forced to become child soldiers and women, the elderly and children remain victims of armed conflicts.

While these weapons are responsible for the deaths of civilians and multiple U.N. workers, they also take responsibility for multiple human rights violations. Such as killing, rape, enforced disappearance, torture, recruitment of children by armed groups and many more. The United Nations also explicitly states that more human rights are violated and abused by Light weapons and small arms than any other weapon. These also have a close link between terrorism, crime, trafficking in drugs and minerals and the illegal trading of small arms and light weapons.^[2]

^[1]<http://www.saferworld.org.uk/resources/view-resource/130-combating-the-illicit-trade-in-sm-all-arms-and-light-weapons-strengthening-domestic-regulations>

^[2]"COMBATTING THE ILLICIT TRADE IN SMALL ARMS." UN News Center. Accessed November 30, 2015. <http://www.un.org/disarmament/content/slideshow/poa/>.

Definition of Key Terms

Small arms

According to the international arms control, small arms include weapons include revolvers, pistols, rifle, carbines, assault rifles, submachine guns and light machine guns. It is defined by U.S. military as “man portable, individual, and crew-served weapon systems used mainly against personnel and lightly armored or unarmored equipment.” Defined by the United Nations General Assembly, “Small arms” are, broadly speaking, weapons designed for individual use. They include, inter alia, revolvers and self-loading pistols, rifle and carbines, sub-machine guns, assault rifles and light machine guns.

Light weapons

Light weapons are heavy machine guns hand-held under-barrel and mounted grenade launchers. Defined by the United Nations General Assembly, “Light weapons” are, broadly speaking, weapons designed for use by two or three persons serving as a crew, although some may be carried and used by a single person. They include, inter alia, general purpose or universal machine guns, medium machine guns, heavy machine guns, rifle grenades, under-barrel grenade launchers and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, man portable launchers of anti-tank missile and rocket systems, man portable launchers of anti-aircraft missile systems, and mortars of caliber of less than 100 millimeters.

Illicit trade

In order to understand and prevent, eradicate the illicit trade of small arms and light weapons, the term ‘illicit’ has to be understood. Although some governments defines the illicit trade as those international transactions of weapons not authorized by one of both states concerned in transfers, the UN Disarmament Commission (UNDC) defined the illicit trade as “that international trade in conventional arms, which is contrary to the laws of States and/or international law”.

"Combating the Illicit Trade in Small Arms and Light Weapons: Enhancing Controls on Legal Transfers." - View Resource -. Accessed November 30, 2015.

<<http://www.saferworld.org.uk/resources/view-resource/129-combating-the-illicit-trade-in-small-arms-and-light-weapons-enhancing-controls-on-legal-transfers>.>

Small Arms Survey

The Small Arms Survey is an independent research project located at the Graduate Institute of International and Development studies in Geneva, Switzerland. Its main objectives are to serve as the principal international source of impartial and public information on all aspects of small arms and armed violence and act as a forum and resource for sharing information of governments, policy-makers and researchers on small arms and armed violence issues.

"About the Small Arms Survey." Small Arms Survey - Mission. Accessed November 29, 2015. <<http://www.smallarmssurvey.org/about-us/mission.html>>
"UNODA - Military Spending." UN News Center. Accessed November 29, 2015.
<<http://www.un.org/disarmament/convarms/Milex/>>

Background

Small arms trade, arms trafficking, is the illegal trading of weapons. The margin of illicit trading varies widely, and it differs on local and national laws. The UN Panel of Governmental Experts on Small Arms defined in more precise and accurate way, which has become internationally adopted. Small arms which are designed for personal use and light weapons are designed for use by several people serving as a unit.

The illicit trade of SALW is widely spread over the regions of conflict and turmoil. However this is not limited to such regions as for example an estimated 63 million guns have been trafficked into India and Pakistan. Small arms and light weapons are the main reasons for violence and deaths in conflict regions around the world. The illicit manufacture, transfer and circulation of small arms and light weapons have wide consequences on the humanitarian and socio-economic range. Their excessive accumulation and universally uncontrolled spread endangers peace, reconciliation, safety, security, stability and sustainable development at the individual, local, national, regional and international levels.^[8]

Many governmental bodies and non-governmental organizations have worked in the past to create and make use of international laws. They specify a number of direct prohibitions on transfers of arms and impose a ban on the devastating consequences on children, women, and the elderly and other victims of armed conflict. Children are forced to become child soldiers which undermines respect for international humanitarian law.^[9]

^{[8][9]}"Programme of Action - Implementation Support System." Programme of Action - Implementation Support System. Accessed November 30, 2015.
<<http://www.poa-iss.org/PoA/poahtml.aspx>.>

Key Member States and NGOs Involved and Their Views

Mexico

Trafficking of drugs and weapons in Mexico have been happening for decades, and many organizations that control this trade have thousands of members that influence over territory. Illicit small arms and light weapons are used to protect drug shipments, drug traffickers and revenue generated by these acts. In between January 2009 and August 2012, the seizure of more than 5200 small arms and light weapons occurred.

Iraq

Arms trafficking is circulated internally or is passed on across Iraq's borders with Iran and Syria. Many arms transfers occur by former soldiers, Iraqi army members and polices selling some of the weapons to the black market. Weapons are trafficked in trucks with cigarettes, sheep, cement, crates of fruit, or propane gas cylinders.

Somalia

In Somalia many of the widely exported are Soviet-designed assault rifles and machine guns. Through May 2004 and November 2008, UN monitors recorded 88 embargo violations. The trafficking routes mostly consist of arms shipments that make their way to Mogadishu after. Leakage from weapons stockpiles in Somalia is an important source of weapons fuelling the country's illicit market.

South Africa

In Africa the illicit trade in small arms and light weapons is prolific especially in South Africa. Only some countries in Africa have the capacity to manufacture arms, however these weapons are seized and stolen by government forces and corrupt soldiers. Small arms are also used to engage in poaching activities. There is no body at the continental level that regulates the arms trade in Africa.

"Pakistan's Illicit Arms Trade Thrives." SFGate. Accessed November 30, 2015.

<http://www.sfgate.com/news/article/Pakistan-s-illicit-arms-trade-thrives-3301312.php#photo-2448659>

<http://www.smallarmssurvey.org/fileadmin/docs/A-Yearbook/2012/eng/Small-Arms-Survey-2012-Chapter-10-EN.pdf>

Timeline of Events

Date	Description of event
November 19, 1990	Treaty on Conventional Armed Forces in Europe
December 6, 1991	United Nations Register of Conventional Arms
October 13, 1995	Convention on Certain Conventional Weapons
June 7, 1999	Inter-American Convention on Transparency
December 1, 2000	Bamako Declaration on an African Common Position on the Illicit Pro
July 20, 2001	Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
April 21, 2004	The Nairobi Protocol for the Prevention, Control, and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa
December 8, 2005	International Tracing Instrument

"UNODA Disarmament Treaties Timeline." UN News Center. Accessed November 30, 2015.
<http://www.un.org/disarmament/content/timeline/>

"Combating the Illicit Trade in Small Arms and Light Weapons: Strengthening Domestic Regulations." - View Resource -. Accessed November 30, 2015.
<http://www.saferworld.org.uk/resources/view-resource/130-combating-the-illicit-trade-in-small-arms-and-light-weapons-strengthening-domestic-regulations>.

Possible Solutions

Experience clearly shows that if surplus in small arms and light weapons are not removed from uncontrolled circulation, conflicts will persist and the levels of violence will remain high in conflict regions. Effective domestic regulations and international restrictions on the illegal circulation are critical in order to distinguish the trafficking of small arms and light weapons to combat illegal trading of these weapons. The expansion of foreign aid programmes and the strengthening of national arms control legislation are some viable solutions.

UN Involvement, Relevant Resolutions, Treaties and Events

The United Nations have resulted resolutions on Small Arms and Light Weapons (SALW) used in conflicts around the world causing violence and deaths. The two-week conference in result adopted 'Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.'

- The Illicit Trade In Small Arms and Light Weapons in All Its Aspects, 21 October 2015 (A/C.1/70/L.39)
- The Illicit Trade In Small Arms and Light Weapons in All Its Aspects, 11 December 2014 (A/RES/69/51)
- Consolidation of Peace Through Practical Disarmament Measures, 11 December 2014 (A/RES/69/60)

"UNODA - Small Arms and Light Weapons." UN News Center. Accessed November 30, 2015. <http://www.un.org/disarmament/convarms/salw/>.

Programme of Action - Implementation Support System (Programme of Action - Implementation Support System) <<http://www.poa-iss.org/PoA/poahtml.aspx>>

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N15/230/57/PDF/N1523057.pdf?OpenElement>

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N14/665/36/PDF/N1466536.pdf?OpenElement>

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N14/666/76/PDF/N1466676.pdf?OpenElement>

<http://cns.miis.edu/inventory/pdfs/sarms.pdf>

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<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N15/230/57/PDF/N1523057.pdf?OpenElement>

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<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N14/666/76/PDF/N1466676.pdf?OpenElement>

<http://cns.miis.edu/inventory/pdfs/sarms.pdf>

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"Illegal Weapons in India: Which State Tops the Charts When It Comes to Confiscation?" Factly. March 24, 2015. Accessed November 30, 2015.

<https://factly.in/illegal-weapons-in-india-which-state-tops-the-charts-when-it-comes-to-confiscation-of/>.

<http://fas.org/asmp/library/articles/SchroederLamb.pdf>

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