





Forum: Disarmament and International Security Committee (GA1)

Issue: Addressing the Illicit Trade of Small Arms and Light Weapons

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Introduction

Illegal arms trafficking is a major issue in the modern world, fueling terrorist groups and insurgencies to stand against officially recognized governments and disrupting everyday life in many parts of the world. These practices are usually carried out by individual weapon smugglers and other similar criminal enterprises with an extensive network and political influence.

The trafficking of arms began after World War II (WW2), where millions of weapons from the Allies, Axis Powers and Soviets were left in the now empty battlefields. These weapons were collected either by nations willing to deactivate them or individuals who decided to profit off of them. Even to this day, organisations in the Middle East have been found to use rifles such as the StG-44, a relic dating back more than 80 years, with production starting in 1942. Throughout the years and the ever increasing amount of conflicts in the Cold War period, more and more firearms made their way into the arms trafficking business. The phenomenon took off dramatically in the end of the Cold War, where fragmented nations, such as Yugoslavia and the USSR, had their arms stockpiles raided due to the turmoil, management issues and uncertainty present in each newly formed state. Millions of weapons flooded the open markets in many areas, notably Peshawar, Pakistan and Mogadishu, Somalia, with one AK-47 rifle costing less than 150USD in some cases [4].

Nowadays, both WW2 and Cold War equipment is used by organisations worldwide, keeping the count of illegally owned SALWs high. It is also worth noting that this form of business is a continuous cycle. Militias and insurgents will always need more weapons due to loss of equipment, which is supplied from arms traffickers, who in turn access national stockpiles to ensure a steady supply. Although this act is illegal, not all forms of arms purchases are. Distribution of firearms is considered legal only when made by a nation's military force or when sold to individual approved vendors and licensed civilians in nations such as the United States of America, where possession of a firearm is allowed.

Definition of Key Terms

Illegal arms trafficking

The import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components and ammunition from or across the territory of one State Party



to that of another State Party, if any one of the States Parties concerned does not authorize it in accordance with the terms of the Firearms Protocol [26]

Small arms and light weapons (SALW)

Any man-portable lethal weapon that expels or launches, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive, excluding antique small arms and light weapons or their replicas. [30]

Arms trafficker/dealer

Individuals or groups responsible for the acquisition or distribution of small arms, explosives, mines, rocket launches, and heavy military equipment illegally. [9]

Porous border

A border is to be considered porous when governments' policies to regulate or prohibit movement of humans and goods across borders exist, but these policies are not fully enforced. [13]

Timeline of Events

Date	Description of event
15th January 1996	The first time the illicit weapons trade is mentioned in the General Assembly, urging states to establish national arms registers. (A/RES/50/70)
29th May 1997	NATO forms the Euro-Atlantic Partnership Council, whose job is to prevent SALW proliferation caused by the organisation's peacekeeping operations.
8th June 2001	The UN requests mandatory marking on firearms for increased traceability for the first time, and urges member states to cooperate further. (A/RES/55/255)
8th December 2005	The International Tracing Instrument is founded, aiming to assist in the tracking of SALWs in a timely manner.



2nd April 2013	The first time the Arms Trade Treaty is mentioned in a UN resolution, marking the creation of the organisation. Its purpose is to regulate conventional firearms trade and eliminate illegal firearm trafficking. It was ratified in September 2014 by the 50th signatory.
2nd August 2017	A Security Council resolution is adopted, specifically mentioning the need to strengthen regulations regarding IEDs and how one can have access to materials, while also alluding to former resolutions regarding the funding and general support towards militias and terrorist groups by state actors among others. (S/RES/2370)

Background Information

Historical Overview

WWII to Cold War

The year is 1946. The abundance of functional and readily available weapons the Soviet and Allied forces left behind after the German surrender and the Yalta conference, alongside the changes in the world's philosophy on conflicts - moving from conventional to proxy warfare - meant that any individual willing to collect the equipment could profit off of it easily in the years leading to the Korean War. Although not large at first, the illicit arms market grew consistently after the World War's end until the 1980s [37]. With the Vietnam War, the Korean War and other military operations having ceased years back, major nations shifted their strategies, providing insurgencies with weapons directly. The most prominent example of all is the Afghan Mujahideen, a group supported with US equipment after the Soviet-Afghan war in 1986 [38]. Now, the number of weapons circulating in the hands of non-state actors grew exponentially, since more than three major groups were backed by the US alone [39]. The extensive use of militias in proxy war also gave any individual willing to become an arms dealer an excellent market opportunity. However, the rapid growth of the illegal arms trade didn't begin until 1991.

With the collapse of major and minor state actors in the beginning of the 1990s, millions of firearms, explosives and military equipment was now effectively stranded in newly formed nations. Political instability and regional turmoil in the fragments of once major powers allowed former members of the military to ensure access to munitions



stockpiles and distribute them worldwide, most notably Viktor Bout, the most famous arms dealer nicknamed the Merchant of Death [36]. Other people followed Bout's lead, becoming small or large scale arms traffickers. These arms traffickers usually hold political or military influence and utilise it to access national stockpiles, either with or without the knowledge of the civilian administration. Since the nations which now controlled Soviet and Yugoslav armories had a soft and weak political structure, bribery and ignorance led to hundreds of thousands of rifles and related equipment to vanish in months.

Serbian-Bosnian conflict

This conflict was one of the first to break out in Europe after the fall of the Iron Curtain. The UN had issued an embargo of weapons to all former Yugoslav states in 1991 [1], which was seriously violated and disregarded in the conflict, with thousands of firearms making their way into militia and civilian hands. This proved that existing tensions can lead to an all-out war between nations if the population is armed, and that any embargo measures to prevent the flow of arms and fueling of the conflict can be easily bypassed in case of minimal enforcement. Not only that, it was proven directly that such a heavily armed militia will disregard human rights, as seen in the Srebrenica massacre in 1995 [35]. The humanitarian tragedy, the weakness of the embargo, the effects of an armed population and the possibilities of severe national instability played a huge role in the legislation process after the end of the conflict. Specifically, the Programme of Actions (PoA) against SALW drew extensive inspiration from the sequence that unraveled itself in Yugoslavia [31].

Present day situation

The situation has still not been placed under control even after 20 years since the first time arms trafficking was mentioned in the UN resolutions. In Afghanistan alone, after the Taliban's reclamation of the country, thousands of armored vehicles, grenades, modern rifles, armor and even artillery and helicopters were found to have been left behind. With similar incidents visible around the world, and active conflicts in Yemen, DRC, Sudan, Somalia, Myanmar, Syria and Ukraine, it is clear that there is a lot to be done to rid the world of arms trafficking and the violence it brings. Moreover, equipment and ammunition is readily available for purchase in many states across the globe. Supplies like rifles, grenades, rocket launchers and much more can be found in open air bazaars like the ones in Peshawar or Mogadishu, where prices can be as low as 150 USD for one AK-47 [4].

Workings of a smuggling operation

There are many ways to come across firearms to sell. One reasonable choice, as a merchant, is to purchase directly from the manufacturer. However, this is an unsafe method as the transactions can be easily traced and thus, according to national law, the manufacturer may be forced to notify the authorities if a large order is placed. The most common way to acquire firearms in such large quantities is to locate national armories. In the example of Viktor Bout, his ties to the Soviet military allowed him full access to the



caches of the nation, which were lightly guarded after its collapse. He used the situation against the Russian state, emptying hundreds of such caches and selling them to markets and groups worldwide. Another way to gain access to national resources is by deliberately attacking the positions of the armories. In the case of ISIS, the plan calls for a coordinated attack towards a military base, looting the equipment left behind [11].

After having acquired the weapons, the group can either use them for their own personal gain or sell them. In the case of the second, the equipment ends up in an open air market to be purchased by whoever is interested. However, arms dealers also carry out contracts. An order can be placed and the merchant can execute it, shipping the equipment through many different organisations. Examples, like the Liberation Tigers of Temil Eelam (LTTE), are heavily invested in delivering shipments for a fee, utilising their own network and connections. This, in turn, means that the dealers themselves do not need to upkeep an extensive transportation network, and can rely on their reputation and close ties with militias, having them ship the equipment instead [4]. On that note, insurgents and militias with former Soviet or American backing turn to criminal activities to find money and supplies. Mujahideens in Afghanistan and Contras in Nicaragua are prime examples of this, as they both received funding from covert CIA operations.

Main causes of the issue

The necessity for firearms in active conflicts

In order to buy weapons, one must have the money to do so. For example, the Provisional Irish Revolutionary Army (PIRA) in 1984, raised 12.6 million USD from criminal activity including armed robbery, and diaspora support. NORaid, a charity created in order to support the victims of hostilities in Northern Ireland, declared only $\frac{1}{3}$ of the donations it received, the rest of which were funneled to the accounts that PIRA had access to. Although fraudulent actions do not require any firearm use, other criminal activities such as armed robbery cannot be conducted without extensive use of weapons. The situation was very similar to other parts of the world as well. After the cease of assistance from major powers, groups like the Mujahideen, the Taliban and more adopted a hybrid role as groups. While their main mission was control of territory or liberation, they turned to criminal activity to fund their operations, ranging from extortions and armed robbery to taxation and trafficking of people, guns and gems, with kidnapping alone amassing 10 million USD in profits for the Taliban [4]. As is visible by the aforementioned examples, insurgents and terrorists need SALW not only for offenses and attacks, but to secure funding to continue their operations.

Porous borders, weak law enforcement and political influence

There are many factors affecting how easy or difficult it is for a criminal organisation to smuggle weapons across borders. After the acquisition of firearms from a state, they need to be transported to their assigned destination, usually by crossing land borders illegally from lightly defended areas [13]. This is a very common phenomenon in Africa, where there is no



need for transportation by sea, given that many states engulfed in civil wars or in constant threat from militias like Sudan and the DRC usually have improperly monitored borders. This allows the belligerents of the conflicts to establish an arms flow for supplying SALW to the combatants, while the militias could profit from smuggling across other nations as well. As proven by previous conflicts, an increase in firearms presence can only do more harm, leading to more losses, a spike in criminality and an even larger humanitarian disaster. Meanwhile, the strain a conflict applies to a nation's resources leaves said nation unable to properly monitor both its borders and its interior, allowing shipments of weapons to travel across the nation due to ignorance or lack of resources. This incapability to monitor both the interior and the exterior of the country leave weapon smuggling as a very lucrative and relatively safe option. Lastly, bribery and ties to military and civilian officials can ensure less scrutiny in case a shipment is found and perhaps even its (partial) release from the authorities. As previously mentioned, political influence can allow easy access to national armories with the intent to loot and sell their contents.

Impact

Transnational insecurity

Trafficking across borders influences neighbouring countries, requiring them to invest resources in the tracing, identification and seizure of a shipment which did not originate from them [11]. Furthermore, a small portion of the weapons transported could be sold internally in the nation, to any organisations planning an insurgency, criminal enterprises or civilians. Security issues can also be observed in nations such as Somalia, where weak governance and internal tensions leave the government divided and powerless against actors such as Al-Shabaab, with its actions involving nations such as Afghanistan, Yemen and Iran as well [7+8].

Escalation of violence

As proven by previous conflicts, an increase in firearms presence can cause great harm, likely leading to a continuous increase of conflicts with well-armed militias in the future, while their hybrid fighter-criminal role will become even more noticeable, bringing about crime spikes and regional turmoil [4]. This instability is bound to breed even more issues such as rival militias, new criminal organisations and similar enterprises. Even in cases where conflicts have been resolved, weapon contamination and abandoned equipment still poses a threat to national security and safety of locals, as proven by the Vietnam and Korean battlefields. While only a matter of civilian safety at the moment [18], were someone to collect the equipment and sell it, the munitions would travel across the globe to be used in active warzones in Africa, the Middle East or Ukraine.



Challenges

Inability to track firearms

The issues regarding tracing and monitoring the position of firearms is one of the most difficult aspects to implement. While initiatives like the international Tracing Instrument (ITI) have been launched in the past, distrust among member states led to little information being shared in this channel, preventing the instrument from working as planned [26]. The situation has not changed even after 20 years, leaving the ITI functioning in a severely reduced capacity and unable to provide substantial support and information when it comes to operations against illegal arms traffickers [26]. The Arms Trade Treaty (ATT) also contained guidelines on proper marking and identification of firearms, although it was only ratified by 111 states, leaving yet another attempt not fully implemented due to national interests. The lack of cooperation between member states is actively hindering the investigations and attempts at curbing the illicit arms trade.

Lack of information channels as a result of political tension

In order to launch correctly targeted operations, the national or international task forces need information about their targets. However, there exists no fully ratified mechanism to share information reliably. While iARMS and the ATT have both made progress in the issue, the ATT specifically has not seen full implementation, hindering attempts to create reliable information channels [41]. Meanwhile, iARMS is a huge step forward, allowing INTERPOL to have a database of over one million weapons and facilitate communication with state actors. Even though this information channel exists, the atmosphere is relatively hostile, with nations withholding information even though the channels exist. In the name of national interests, major nations such as the Russian Federation and the US have not enrolled in such initiatives, most notably the ATT citing reasons such as defense of national interests and overall ineffectiveness of the document [12+25]. While previous attempts may face issues, their continuous development can make them overcome them and become more effective over time.

Stakeholders (Countries, organizations etc. involved)

North Atlantic Treaty Organisation (NATO)

An organization created to defend against Soviet influence in the 1940s, NATO has taken some significant steps towards combatting the illegal arms trade through various means [19]. With legally binding documents such as the Treaty for Conventional Armed Forces in Europe [29], the Vienna document [22] and other similar actions, the alliance always stood in favor of combatting the illicit arms trade, with various policies regarding national stockpiles and rules of procedure in peacekeeping missions. So far, NATO has contributed by destroying close to 700 thousand light weapons and is determined to support UN decisions on the matter. However, NATO and its members, most notably the United States, have left millions of weapons in usable,



sometimes mint condition on various battlefields such as Afghanistan and Iraq. The best examples from the aforementioned nations are ISIS and the Taliban, each having access to modern rifles like the M4 and M16, mortars, mines, armored cars, radios, armor, night vision equipment, even artillery and shells [34]. Thus, their actions on the active battlefield have led to a deterioration of the situation on multiple occasions.

United Nations Office on Disarmament Affairs (UNODA)

The department on disarmament affairs of the United Nations has continuously backed UN policies and resolutions since its creation in 1998. Aiding in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) and monitoring the International Tracing Instrument (ITI) [30], its impact is immense and important. Organising meetings for governmental experts to benefit from the knowledge of technical specialists and keeping records on the implementation of the ITI and PoA, UNODA's involvement in tackling the issue is of utmost importance as it has proven to be a valuable partner in the past, although its initiatives have seen limited success. [30]

International Police Force (INTERPOL)

INTERPOL has taken multiple steps against the proliferation of arms, with initiatives like iARMS, a platform to enhance cooperation between states on the issue of firearm trafficking by facilitating communication and information sharing. Other programmes, such as the Firearms Reference Table and the Ballistics Information Network are not only providing guidance on accurately identifying weapons, but also allow national officials to access information based on the "footprints" of the weapon, providing information about which crimes was the firearm involved in from the bullet and casing markings [10]. With operations such as the TRIGGER series, INTERPOL has successfully captured many SALW and brought criminals across the globe to justice [10]. Their continuous dedication and effective actions are vital to ensuring a halt in arms smuggling.

Sudan & South Sudan

Sudan is a nation plagued by a civil war and numerous conflicts in its modern history. It is estimated that 3.2 million firearms are scattered across the nation alone, with a similar number present in South Sudan. The issue appeared in 1955, the first time a rise in civilian-owned weapons was noticed. Further instability issues and the introduction of semi-automatic weapons by West Germany in the 1960s only worsened the issue, with the German equipment making its way through the hands of numerous militias, possibly still in use today. Nearby wars, such as the Libyan-Chad war of 1980, worsened the situation, leaving Sudan as a major highway for the transportation and smuggling of arms. The sheer amount of firearms in the area allows for local merchants to sell for just 200USD. Meanwhile, after the independence of South Sudan in 2011, both nations have



been found to supply militias active in the area, with the goal of toppling each other's official government. [20+21]

Relevant UN resolutions, treaties and events (Previous attempts)

A/RES/55/255 - 2001

The creation of the Firearms Protocol created a binding framework under the United Nations Convention against Transnational Organized Crime (UNTOC) and required the creation of mechanisms for increased traceability. It was one of the first steps towards the resolution of the issue, coming into effect in 2005, months before the ITI. Although it is in effect for more than 20 years, it has faced and still is facing significant challenges regarding its implementation [12+24]. Inconsistencies in national legislation are amongst the top reasons for the limited implementation and effectiveness of the UNTOC, while lack of reliable data create delays in investigations.

Creation of International Tracing Instrument - 2005

The creation of the International Tracing Instrument was meant to assist nations with tracking and record keeping of weapons, proven to be an issue regarding the UNTOC [27]. However, it too has faced significant challenges over the years regarding identification, withholding of information and problematic records. The general lack of cooperation between member states has kept the attempts to curb the illicit arms trade fragmented, since both the ITI and the UNTOC rely on communication and cooperation. The initiative by itself is a well thought-out plan to ensure a common database exists, but the vagueness of the rules when it comes to disposal and marking of firearms, as well as withheld information from member states has led to the instrument not performing as it was thought it would.

A/RES/67/234B - 2013

The creation of the Arms Trade Treaty as an attempt to provide international legislation was at first an excellent initiative by the United Nations, setting standards for the global arms trade business and shifting the measures taken against weapon trafficking from tracking to preventing trades before they take place [40]. Issues with the treaty revolve around national interests, partial adoption and incomplete implementation. Meanwhile, a climate of mistrust has led to the limited effectiveness of the treaty, leaving member states fragmented against the issue.

S/RES/2370 - 2017

The Security Council's first resolution discussing how to prevent member states from funding militias and terrorist organisations. Bodies such as the UN Counter-Terrorism Committee Executive Directorate (CTED), United Nations Counter-Terrorism Centre (UNCCT) of the UN Office of Counter-Terrorism (UNOCT) and UNIDIR worked on the



guidelines to implement the aforementioned resolution in 2022 [6], and, while non-binding, were developed to strengthen the effects of the resolution. From the creation of improvised explosive devices (IED) to the acquisition of SALW and unmanned systems, the resolution and its technical guidelines cover all possible aspects regarding acquisition of supplies for use in terrorism and insurgencies.

Possible solutions

Promoting the participation in joint initiatives

Although many ideas have been proposed and implemented over the years to tackle the issue of illicit arms trafficking, not all nations adopt them to a desired extent. Initiatives such as iARMS, facilitating communication and information sharing are extremely important. A common legislation ground and a platform that streamlines communication and bureaucracy are key, although there are some issues to be resolved. Firstly, attempts to adopt universal policies have stalled due to member states not willing to participate in their implementation. Secondly, the responsibility of implementation is up to the discretion of each nation's officials, meaning that bribery or corruption can bypass any measures aimed at stopping the arms trade. This indicates the need to review frameworks and address each nation's concerns regarding the legislation, while ensuring the monitoring of enforcement and creating mechanisms to increase transparency.

Strengthening border control and maritime patrols

The thousands of weapons successfully trafficked every day indicate the need to create measures against such practices. However, with inadequate equipment and poor border and maritime safety it is easy for smugglers to slip through the cracks and continue their normal operations. The extensive use of makeshift boats and submarines as well as planes make it even harder for officials to ensure that no illegal weapons are distributed across nations. This issue can be tackled by launching training campaigns for the guards responsible for border and maritime safety, aimed at developing and implementing new methods to detect, track and seize firearms. Moreover, investments in new safety measures can significantly reduce the amount of smuggled weapons, by facilitating in the detection of illegal border crossings and seizure of shipments in both land and sea.

Campaign against corruption

Weapons can reach the hands of arms dealers and militias via secret agreements with local authority, while bribery of border patrols allows for easier transportation of shipments. Also, corruption plays an important role in blocking universal policies from being adopted. Nations such as Somalia are the most notable examples [20], where corruption and lack of surveillance lead to a very high weapon count. New regional and



international laws regarding corrupt officials should be created, aimed at identifying misconduct among them and prosecuting them according to the severity of the crime. Furthermore, an increase of citizen participation on state matters can also alleviate the issue, with civilians encouraged to report bribery, corruption and misconduct to the appropriate authorities, to launch investigations.

Further reading

In order to understand more about the topic and investigate further, it is recommended to follow these links to better clarify how the situation evolves in the modern world, what actions have been taken against the illicit arms trade in the past, why is Africa the epicenter of the issue and how do the Yemeni Houthis and similar groups maintain access to firearms.

- <https://www.unodc.org/unodc/en/firearms-protocol/firearms-study.html>
- <https://www.unodc.org/unodc/firearms-protocol/the-firearms-protocol.html>
- <https://www.theguardian.com/world/2014/oct/02/-sp-africa-arms-dump-south-sudan>
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