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ECOSOC 2: Commission on Crime Prevention and Criminal Justice (CCPCJ)

Research Report

Topic 3: Identifying solutions to prevent the illicit trade of arms.



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Introduction

The illicit trade of arms poses a significant global threat, fuelling conflict, terrorism, and organised crime. Yemen serves as a poignant example of the devastating impact of the illicit trade of arms. The ongoing conflict in Yemen has been exacerbated by the widespread availability of illicit arms, including small arms, light weapons, and explosive ordnance. Various reports indicate that arms have been smuggled into Yemen through illicit networks, further fuelling the conflict and contributing to human rights abuses and civilian casualties.

Therefore, this Research report will focus on analysing the solutions and the discussions around the third topic.

Definition of Key Terms

Illicit Trade of Arms: The United Nations defines the illicit trade of arms as the unauthorised or illegal transfer, sale, or exchange of arms, ammunition, and related materials across international borders or within a country, in violation of national laws or international agreements.

Prevent: Implies taking advance measures against something possible or probable (in this case the illicit trade of arms).

Background Information

The illicit trade of arms has emerged as a critical global challenge, with profound implications for international peace, security, and human rights. The proliferation of illicit arms contributes to armed conflicts, terrorism, organised crime, and undermines efforts to achieve sustainable development and peacebuilding initiatives. Various factors, including weak regulatory frameworks, porous borders, corruption, and illicit networks, facilitate the illicit trade of arms, making it a complex and multifaceted issue that requires a comprehensive and coordinated response. Once again, for example, in the Sahel region in Africa, many arms trafficking hubs rim borders or transportation routes where multiple criminal activities take place, according to the

UN Office on Drugs and Crime. This ongoing problem is due to the insurgency and banditry that plagues the region.

Historically, efforts to address the illicit trade of arms have focused on enhancing legal frameworks, strengthening international cooperation, and promoting responsible arms transfer controls. International instruments, such as the United Nations Programme of Action on Small Arms and Light Weapons (UNPoA)¹ and the Arms Trade Treaty (ATT)², aim to regulate the international trade in conventional arms and prevent their diversion to illicit markets. However, the effectiveness of these initiatives has been limited by gaps in implementation, enforcement, and compliance, as well as the evolving nature of illicit networks and the illicit arms trade.

In recent years, there has been growing recognition of the need for innovative solutions and approaches to address the root causes and dynamics of the illicit trade of arms effectively. The international community has increasingly emphasised the importance of enhancing transparency and accountability in arms transfers, strengthening border controls and customs cooperation, leveraging technology and data analytics to track and trace illicit arms, engaging with local communities and civil society in prevention efforts, and fostering international cooperation and collaboration among relevant stakeholders to address the illicit trade of arms comprehensively. These developments reflect a shift towards a more holistic and integrated approach to preventing and combating the illicit trade of arms, recognizing the interconnected nature of the challenges and the need for collaborative and multi-sectoral efforts to address this critical threat to global peace and security.

As the international community continues to grapple with this critical issue, a nuanced understanding of the root causes, trends, and challenges associated with the illicit trade of arms will be essential to inform and guide future efforts to promote peace, security, and sustainable development globally.

Major Countries and Organisations Involved

United States - A key player in global arms control initiatives, the U.S. has implemented stringent export controls and advocates for responsible arms transfer policies internationally³, but, paradoxically, it is also one of the countries with the highest mortality rates related to weapons.

¹ UN, United Nations Programme of Action on Small Arms and Light Weapons (UNPoA). “Programme of Action on small arms and its International Tracing Instrument”, United Nations, 2001, <https://www.unrcpd.org/conventional-weapons/poa/#:~:text=The%20UN%20Programme%20of%20Action,Small%20Arms%20and%20Light%20Weapons.>

² UN, Arms Trade Treaty. “Promoting responsibility in international transfers of conventional arms.” ATT, 24 december 2014, <https://thearmstradetreaty.org/>

³ The White House. “Memorandum on United States Conventional Arms Transfer Policy”, NATIONAL SECURITY MEMORANDUM/NSM-18, 23 Feb. 2023, <https://www.whitehouse.gov/briefing-room/presidential-actions/2023/02/23/memorandum-on-united-states-conventional-arms-transfer-policy/>

Amnesty International & Control Arms - Organisations such as Amnesty International⁴ and Control Arms⁵ play a crucial role in monitoring and advocating for stronger regulations and controls on the international arms trade and raising awareness about the impact of illicit arms on human rights and security.

African Union - The African Union has initiatives and mechanisms in place to address the illicit trade of arms in Africa⁶, including the African Union Mechanism for Police Cooperation (AFRIPOL) and the African Union Convention on Preventing and Combating Corruption.

North Korea - North Korea has been implicated in illicit arms trafficking, violating international sanctions and contributing to regional tensions⁷. They are often at the centre of arms scandals and illegal affairs.

United Nations Office for Disarmament Affairs (UNODA): The United Nations ODA was established in January 1998 as the Department for Disarmament Affairs which was part of the SG's programme for reform. The Office for Disarmament Affairs supports multilateral efforts aimed at achieving the ultimate goal of general and complete disarmament under strict and effective international control.

Relevant UN Resolutions

1. [United Nations Security Council Resolution 1540 \(2004\)](#)

The Role of the UN Office for Disarmament Affairs (UNODA) in support of the Committee established pursuant to Security Council Resolution 1540 (2004):

In resolution 1540 (2004), the Security Council decided that all States shall refrain from providing any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical, or biological weapons and their means of delivery, particularly for terrorist purposes. The resolution requires all States to adopt and enforce appropriate laws to this effect as well as other effective measures to prevent the proliferation of these weapons and their means of delivery to non-State actors, particularly for terrorist purposes.

A Security Council Committee was established pursuant to resolution 1540 (1540 Committee), which is tasked to report to the Security Council on the implementation of the resolution. On 30 November 2022, the Security Council unanimously adopted resolution 2663 (2022). In doing

⁴ Amnesty International. "Arms Control", The Amnesty International website, Feb. 2016, <https://www.amnesty.org/en/what-we-do/arms-control/>

⁵ Control Arms, NGO. "We work to stop irresponsible arms transfers that fuel conflict and armed violence." controlarms.org, 2003, <https://controlarms.org/>

⁶ The African Union, "AU/UN Consultation Experts Meeting to Discuss Ways to Curb Illicit Trade of Small Arms and Light Weapons" News rubric, 27 October 2023, <https://au.int/en/pressreleases/20231027/auun-consultation-experts-meeting-discuss-ways-curb-illicit-trade-small-arms>

⁷ 38 North, Hyuk Kim. "North Korea's Trading of Small Arms and Light Weapons: Open-source Information Analysis of Sanctions Implementation." Domestic, Foreign and Military Affairs, 1 September 2022, <https://www.38north.org/2022/09/north-koreas-trading-of-small-arms-and-light-weapons-open-source-information-analysis-of-sanctions-implementation/>

so, the Council extended the mandate of its subsidiary 1540 Committee, for a period of ten years until 30 November 2032.

2. United Nations Programme of Action on Small Arms and Light Weapons (UNPoA)

Adopted in 2001, the UNPoA provides a framework for national, regional, and international efforts to prevent, combat, and eradicate the illicit trade in small arms and light weapons.

The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (PoA) is a globally agreed framework for activities to counter the illicit trade in small arms and light weapons and control the negative consequences of Small Arms and Light Weapons. It was adopted by all UN member states in 2001. Since that time the UN has worked to support the implementation of the PoA at national, regional, and international levels. It has hosted three Review Conferences in 2006, 2012, and 2018, sixth Biennial Meetings of States in 2003, 2005, 2008, 2010, 2014, and 2016 and two meetings of government experts in 2011 and 2015. The sixth biennial meeting of states took place in New York from 6 – 10 June 2016. By-products of the PoA include the International Tracing Instrument and the recommendations of a Group of Governmental Experts on Brokering Controls. The implementation of the PoA is judged on the basis of national reports submitted by the Member States.

3. Arms Trade Treaty (ATT)

Adopted in 2013, the ATT is the first global, legally binding instrument that regulates the international trade in conventional arms and seeks to prevent and eradicate the illicit trade in conventional arms and prevent their diversion (The following conference takes place in 2019, A few clauses will be cited with their number registered next to them):

3. *‘Recognizes that the consolidation of the institutional structure of the Treaty provides a framework for supporting further work under the Treaty, in particular its effective implementation, in this regard welcomes the efforts undertaken at the Fifth Conference of States Parties to address the Treaty’s financial situation, expresses concern about the unpaid assessed contributions of States and the potential adverse implications that this has for the Treaty processes, and calls upon States that have not yet done so to address their financial obligations under the Treaty in a prompt and timely manner;’*

7. *‘Stresses the vital importance of the full and effective implementation of and compliance with all provisions of the Treaty by States parties, and urges States parties to meet their obligations under the Treaty, thereby contributing to international and regional peace, security and stability, to the reduction of human suffering and to the promotion of cooperation, transparency and responsible action;’*

10. *‘Encourages further steps to enable States to increasingly prevent and tackle the diversion of conventional arms and ammunition to unauthorised end uses and end users, and recognizes that enhancing reporting rates, transparency and information-sharing, in line with Treaty obligations, is fundamental to achieving this goal’*

Previous Attempts to Solve the Issue

United Nations Security Council Resolutions:

The United Nations Security Council has adopted several resolutions aimed at preventing the illicit trade in arms, including resolutions imposing arms embargoes and sanctions on parties involved in illicit arms transfers and calling upon Member States to strengthen national capacities and international cooperation to combat the illicit trade in arms.

Organisation for Security and Co-operation in Europe (OSCE):

The OSCE has initiatives and mechanisms in place to address the illicit trade in arms, including the OSCE Document on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition, which provides a comprehensive framework for addressing the challenges posed by the illicit trade in arms in the OSCE region.

Regional Organizations and Initiatives:

Various regional organisations, such as the African Union, the European Union, and the Organization of American States, have implemented measures and initiatives to prevent and combat the illicit trade in arms within their respective regions, including regional treaties, action plans, and capacity-building initiatives.

Possible Solutions

The UN and national or international organisations could:

- **Improve Stockpile Management and Security:**

- Enhancing the security and management of state-owned stockpiles of arms and ammunition to prevent unauthorised access, theft, loss, or diversion to illicit actors, including through the implementation of international standards and best practices.
- Creating regional centers of excellence or specialized facilities dedicated to providing training, technical assistance, and capacity-building support to states in the management, security, and disposal of their arms and ammunition stockpiles. These centers could facilitate the sharing of expertise, resources, and best practices among states, promote regional cooperation and collaboration, and contribute to building sustainable national capacities to address the challenges posed by poorly secured or surplus arms and ammunition stockpiles effectively.

- **Address Demand and Supply Factors:**

- Addressing the root causes and drivers of the illicit arms trade, including armed conflict, organised crime, terrorism, and socio-economic factors, through comprehensive strategies and initiatives aimed at promoting peace, security, development, and the rule of law.

- Implementing community-based initiatives and outreach programs aimed at raising awareness, promoting education, and fostering dialogue on the dangers and consequences of the illicit arms trade. By engaging local communities, civil society organisations, religious leaders, youth groups, and other stakeholders, these initiatives can help build social cohesion, resilience, and support for peaceful conflict resolution, disarmament, and arms control efforts.

- **Monitor and Report Mechanisms:**

- Establishing and strengthening monitoring, reporting, and verification mechanisms to assess and evaluate progress in preventing and combating the illicit arms trade, including through the collection and analysis of data and information on illicit arms trafficking trends, patterns, and actors.

- Leveraging advancements in technology, such as satellite imagery, remote sensing, geographic information systems (GIS), and data analytics, to enhance monitoring, surveillance, and analysis of illicit arms trafficking activities and trends.

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