

Addressing the illegal trade and supply of weapons to countries involved in armed conflict

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Introduction

The modern world is plagued by many conflicts, environmental and social alike, and the appearance of these is showing no signs of slowing down. Within the world of the UN, it is the utmost duty to attempt to solve these conflicts before they spiral out of control. Yet, peace-achieving progress is often hindered by parties promoting violent measures, such as those supplying weapons and firearms illegally. This problem is prevalent primarily in the Middle Eastern and African countries, though the rest of the world is not exempt from experiencing this issue. Most notably, the Ukrainian War is an example that is most approachable to Europe and its inhabitants in demonstrating the severity of this problem.

Keywords and terms:

- **ATT** - Arms Trade Treaty, a multilateral treaty detailing the regulations befalling international trade of conventional weapons.
- **UNODA** - UN Office for Disarmament Affairs created in 1998, tasked with disarmament effort on a global and local scale, further providing support to disarmament measures and implementing those of preventative nature.
- **UNODC** - UN Office on Drugs and Crime created in 1997 with the goal of addressing and tackling illicit drug use and spread and transnational crime.
- **Illicit weapon trade and supply/ Arms trafficking** - the export, exchange or sale of conventional weapons, firearms and biochemical weapons alike not abiding by national and international norms and treaties.
- **End User** - this term refers to the final user, usually a non-governmental organization, of a weapon after it has been smuggled or delivered.
- **Embargo** - an official ban or treaty regarding trade or any other common activity with a particular country.
- **Conflict minerals** - These are minerals that are mined and sold with the intention of financing terrorist or other groups promoting violence, usually those equipped with illicit weapons.

Overview of the issue

The illicit supply of weapons to conflict zones has been a persistent problem in the international community for decades. The escalation of wars and humanitarian crises poses a significant danger to the functioning of regions and the world as a whole. As defined by the UNODC, firearms trafficking is “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 to

that of another State if any one of the States concerned does not authorize the said import, export, acquisition, sale, delivery, movement or transfer of the firearms, their parts and components and ammunition or if the firearms are not marked in accordance with this Law."

The biggest issue with illicit supply and smuggling of arms is the scale of the problem. Weapons may come from numerous sources including corrupt government and military officials, terrorists, transnational criminal groups or NGOs. Additionally, the weapons may come from the country itself or from across the borders, being available even in the black market. The consequences of the supply of weapons into zones plagued by conflict are astounding. Apart from being responsible for the military escalation itself, they may also exacerbate humanitarian crises and sexual violence on a local level as upon their acquisition, abuse and exploitation often begin to surface.

Past solutions

There have been many initiatives proposed and passed internationally that aimed to stop this issue, clearly to no avail. The severity can be seen in the necessity for forming a separate UN office dedicated to tackling the illicit supply of arms in 1998, the UNODA, alongside the UNODC established in 1997. Of course, the initiatives did not stop there, with the most notable Arms Trade Treaty coming into effect in December of 2013. As one of the largest international documents regulating the supply of weapons on a global scale, it is of immeasurable importance to the functioning of the world. Over 100 countries have ratified the treaty and further 28 provided a formal signature, among those being USA and Russia, some of the biggest exporters of weaponry on a global scale.

Current situation

Many times, such supply may cause an escalation of the conflict, especially if all parties receive this aid to their forces. In such cases, the violence is bound to reach unprecedented levels, as was seen with wars of recent and historical descent alike. This can be effectively demonstrated through the war in Yemen, where the provision of arms to coalitions by states is strictly prohibited under the ATT, due to the risk that these weapons will be used for violent measures not complying with the UNDHR. "The conflict in Yemen has largely been fuelled by a collection of countries that continue to supply arms to the Saudi-led coalition forces. These sales already amount to more than US \$18 billion since the beginning of the conflict."

Another current example demonstrating this issue further, and had already been briefly mentioned previously, is the current war in Ukraine. It is very controversial if countries should or should not be allowed to supply arms to Ukrainian forces under the provision of the ATT. During a Security Council assembly, the Russian representative called upon member states to stop the supply and recognize their insincerity and illegality in the matter. He further noted that his "Government has repeatedly convened Council meetings on the dangerous consequences of pumping Ukraine full of weapons. Instead of combating violations of bilateral agreements, the United States and its allies have pressured third countries to increase arms supplies to Ukraine, in direct violation of fundamental international norms." The controversy lies in the fact that as the USA has not ratified the ATT, it is officially not subject to following its provisions. The country has now provided over 43 billion euro worth of military aid since the beginning of the conflict in 2021.

Major parties and their views

United States of America

Being one of the largest exporters of weapons internationally, the USA has a long history of supplying arms into conflict zones in a controversial manner. Contrary to this, the official country policy remains strongly against this with the adoption of numerous policies to limit the spread of weapons from legitimate to illicit markets. As well, strong policies regarding export laws into conflict zones have been adopted as well. The USA keeps lobbying against this on an international level and is supporting measures to curb the spread of weaponry.

Russian Federation

To the western world, Russia's standpoint has always been a subject of controversy. Though officially adopting and signing bilateral treaties outlying key regulatory laws, the country has been accused of supplying weapons to both state and non-state actors in conflict zones, conflicting with the documents mentioned previously. Officially, representatives deny any wrongdoing and continue to emphasize the need for international dialogue and cooperation. Joining the USA in the ranks of global exporters of weapons, Russia has further called out western powers for their double standards and not complying with international regulations.

Democratic People's Republic of Korea

North Korea officially maintains that it does not supply illicit weapons to conflict zones, citing its commitment to international law and peaceful coexistence with other nations. However, multiple reports suggest that the country has been involved in the proliferation of weapons, including nuclear and missile technology, to countries such as Syria, Iran, and Libya. The United Nations has imposed sanctions on North Korea for its weapons programs, which the country claims are for defensive purposes. Despite those, it has continued to develop its weapons capabilities, conducting missile tests and expanding its nuclear program. The exact extent of North Korea's involvement in the illicit supply of weapons to conflict zones remains unclear due to lack of data stemming from media scarcity and general encloement of the country.

Iran

While continuously denying any illicit activity in the matter of illicit weapon supply, there have been numerous occasions during which Iranian weapons have been seized in conflict zones, such as those in Syria, Iraq and Libya. Furthermore, Iran has been accused of arming and supporting a number of militant groups in various conflict zones, such as Hezbollah in Lebanon and the Houthi rebels in Yemen. The country's officials continue to deny any wrongdoing and strive for peaceful solutions. Further accusing the USA and Israel of being primary suppliers of such weapons, Iran's contradictory actions on an international scale remain a contentious issue.

Somalia

According to officials in the country, the influx of weapons has contributed significantly to the ongoing conflicts and instability in the region. Somalia's government is working on reaching new solutions on the international scene, however, the problem remains insistent as many non-state actors continue to receive weapons in an illegal manner. While implementing stricter regulations and border controls is a semi-effective solution, the country remains as one of the most prominent recipients of weapons exports (if unwillingly).

Questions a resolution should answer

How can we ensure long-term prevention?

What is the root cause of the issue?

Can this problem be ever eradicated, if yes, how?

What guidelines and rules should be followed by every member state?

Is it possible to reduce how lucrative the illicit weapon market is?

Is the problem amplified by conflict, or does conflict amplify the problem?

Is it possible to alleviate the humanitarian and social hardships stemming from this issue, if so, how?

Are conflict zones more prone to being sites for weapon supply and trade? If so, what can be done to prevent this?

Is it possible to subdue non-state actors into following the proposed laws?

Relevant documents

- The ATT - <https://thearmstradetreaty.org/treaty-text.html?templateId=209884>
- *Model Law against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*, produced by the UNODC
https://www.unodc.org/documents/legal-tools/Model_Law_Firearms_Final.pdf

- EU Common position on arms exports and regulation - <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32008E0944>

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