



Forum: 6th committee – Legal

Issue: Legal issues regarding arms trade

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Description of issue:

For several decades, the trade in weapons has been among the most profitable businesses in the world with predictable increases year after year. The ready availability of weapons and ammunition leads to human suffering, political repression, crime and terror among civilian populations. Irresponsible arms transfers can destabilise an entire region, enable violations of arms embargoes and contribute to human rights abuses. Investment is discouraged, and development disrupted in countries experiencing conflict and high levels of violence. Countries affected by conflict or pervasive crime have the most difficulty attaining internationally agreed development goals. Irresponsible arms trading affects those living inside and outside areas of armed conflict and political instability. Gun violence is a daily tragedy that impacts people around the world, the vast majority of whom are not living in conflict zones. Globally, more than 500 people die every day because of violence committed by firearms

Background information:

A global **Arms Trade Treaty (ATT)** imposing strict rules to regulate international arms transfers has been in force for over five years, yet global arms trading is still on the rise and continues to fuel human rights abuses. This is because some of the largest arms exporters like Russia and the USA have not ratified the treaty. And even countries that have ratified the treaty fail to comply with it, and transfer weapons and munitions to places where they risk being used to commit serious violations of international humanitarian law, including possible war crimes.

Jordan was the main provider of arms in Kenya in the period between 2010 and 2020, with a value of 113 million SIPRI trend indicator value (TIV). TIV is a measure to represent the transfer of military resources rather than the financial value of the transfer. It neither reflects prices paid for weapons nor represents current dollar values

for arm transfers. Italy was the second main supplier (60 million TIV), followed by the United States (44 million TIV). Arms imported include aircraft, armoured vehicles, artillery, engines, naval weapons, and ships

Main countries involved:

- The United States of America
- United Kingdom
- Serbia
- Turkey
- United Arab Emirates
- Kenya
- Namibia
- Brazil
- Mexico
- Serbia
- China

Measures taken by the UN:

UN PoA 2001

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.

Firearms protocol 2001

The Firearms Protocol provides for a framework for States to control and regulate licit arms and arms flows, prevent their diversion into the illegal circuit, facilitate the investigation and prosecution of related offences without hampering legitimate transfers.

The Firearms Protocol aims at promoting and strengthening international cooperation and developing cohesive mechanisms to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition (firearms). By ratifying or acceding to the Firearms Protocol, States make a commitment to adopt and implement a series of crime-control measures.

ITI 2005

International Tracing Instrument (ITI) was adopted in 2005, which requires States to ensure that weapons are properly marked and that records are kept. Moreover, it provides a framework for cooperation in weapons tracing – fulfilling one of the commitments governments made in the Programme of Action. Improving weapons tracing is now part of the 2030 Agenda for Sustainable Development.

Adoption of the Arms Trade Treaty 2013

Virtually all areas of world trade are covered by regulations that bind countries into agreed conduct. Before the adoption of the Arms Trade Treaty (ATT) in April 2013 by the General Assembly of the United Nations, there was no global set of rules governing the trade in conventional weapons. The ATT sets robust international standards to help guide governments in deciding whether or not to authorise arms transfers. It provides for cooperation and assistance to help countries develop adequate regulatory systems and safe weapons stockpiles. The adoption of the Arms Trade Treaty marked a turning point in the international community's efforts to regulate the global trade in conventional arms and to promote peace and security.

Questions for delegates:

- What is your country's opinion on this issue?
- What are some actions the UN should take regarding this issue?

Key terms:

TIV - Trend indicator value

The Arms Trade Treaty (ATT) - is a multilateral treaty that regulates the international trade in conventional weapons.

The International Tracing Instrument (ITI)- was adopted in December 2005 to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

UN PoA - the UN Programme of Action provides the framework for activities to counter the illicit trade in small arms and light weapons.

Firearms protocol - protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime.

Arms trafficking - is the illegal smuggling of contraband weapons or ammunition.

Links:

<https://www.un.org/disarmament/convarms/att/>

<https://www.un.org/disarmament/att/>

<https://unrcpd.org/conventional-weapons/poa/>

<https://smallarms.un-arm.org>

<https://www.un.org/disarmament/conventional-arms/>

<https://www.unodc.org/unodc/en/firearms-protocol/the-firearms-protocol.html>

https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-12-c&chapter=18&clang=_en

<https://legal.un.org/avl/ha/att/att.html>