

**Committee:** General Assembly

**Issue:** Measures to Prevent and Combat Illicit Brokering of Arms and Weapons

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## I. Introduction

The illicit brokering of arms and weapons is an activity that has been going on for years all over the world and is a pressing issue that poses a threat to international security. The center of the brokering of arms is someone called a broker. As defined by the UN, a broker is “a person or entity acting as an intermediary that brings together relevant parties and arranges or facilitates a potential transaction of small arms and light weapons in return for some form of benefit, whether financial or otherwise”.<sup>1</sup> Brokers are different from arms traders; they do not own the weapons, they simply organize the transaction between the buyer and the seller, usually charging commission. Brokering in itself is not an illicit activity, however it is regarded as illicit when these arms and weapons are sold to certain groups or in areas where they are prohibited by law. These areas and groups include groups that are considered anarchists such as terrorist groups, gangs, and criminal groups, and areas such as embargoed states, conflict or post-conflict zones.

This illicit act is what allows terrorists and other harmful groups to possess the weapons they have, and this results in the death of millions of people. Furthermore, it causes problems regarding international security and political stability nationally. When people can easily deal a large number of weapons undetected, this becomes a problem for the government and it is no longer able to secure itself nor ensure the safety of its citizens. However, some governments do benefit from these brokers since they provide weapons for them that they can use either for themselves or to sell to their allies and make a profit. Regardless, the act remains illegal and destructive, and while it may increase the wealth of some governments, it causes a lot of threat to others. Sometimes, these arms are also sold to governments that use these weapons for violent acts that violate the Universal Declaration of Human Rights (UDHR), also killing masses. Arms brokers work from many different places in the world, however most buyers of these small weapons are countries or groups in Africa. While there are buyers in other places in the world as well, the possession of illegal arms in Africa has caused the most destruction and interruption of sustainable development.<sup>2</sup>

## II. Involved Countries and Organizations

### [The Republic of Rwanda]

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<sup>1</sup> "Brokering." *Small Arms Survey* - . N.p., 12 Apr. 2011. Web. 06 July 2017.

<<http://www.smallarmssurvey.org/regulations-and-controls/control-measures/brokering.html>>.

<sup>2</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017.

<[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

Rwanda had one of the most notorious civil wars and genocides which lasted 3 years, starting October 1, 1990 until August 4, 1993.<sup>3</sup> The Civil War was between two ethnic groups, the Hutus and the Tutsis<sup>4</sup>; one in which the Tutsis were brutally massacred. The UN imposed an arms embargo on Rwanda on May 17, 1994<sup>5</sup>; hence the Rwandans resorted to brokers. Due to the Hutus members' overlap with being government officials, they managed to buy the arms and weapons they needed from brokers. As a result, their power increased drastically. Consequently, the Rwandan genocide started on April 7, 1994 and lasted until July 1994. The genocide had subsided by the end because the UN had sent peacekeepers, and "In October 1993, the Security Council, by its **resolution 872 (1993)**, established another international force, the **United Nations Assistance Mission for Rwanda (UNAMIR)**, to help the parties implement the agreement, monitor its implementation and support the transitional Government. UNAMIR's demilitarized zone sector headquarters was established upon the arrival of the advance party and became operational on 1 November 1993."<sup>6</sup> This genocide led to the death of an estimated 800,000 people (mostly Tutsis) and the creation of 2 million refugees (mostly Hutus)<sup>7</sup>.

This is one of the most significant cases in the world in which the act of buying weapons through illicit brokering led to complete destruction. Rwanda is one of the countries that has realized the importance of this issue and has begun taking initiative in solving it. Rwanda ratified the Nairobi Protocol, aimed at reducing and controlling small arms and light weapons. Rwanda also worked with other governments to create a Programme of Action, aimed at solving the problem. As the United Nations noted, "In accordance with the Programme of Action, Rwanda destroyed 6,000 firearms in 2005 and another 150 last week<sup>8</sup>, many of which had been used during the 1994 genocide. Others had been trafficked in from neighbouring countries. Those firearms were recovered thanks to community policing,"<sup>9</sup> proving the Rwandan government's important role in combatting the issue of arms brokering.

### [The Netherlands and Norway (The Dutch-Norwegian Initiative)]

The Dutch-Norwegian Initiative was created by Netherlands and Norway in April 2003. The aim of this initiative is to help countries establish and enforce laws to help control the illicit brokering of small arms and light weapons. The initiative partnered up with NGOs in order to achieve this goal. The two countries have never been affected much by this issue firsthand like other countries have. However, they have always been active member states that aim at creating

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<sup>3</sup> "Civil War Erupts in Rwanda." *History.com*. A&E Television Networks, n.d. Web. 07 July 2017. <<http://www.history.com/this-day-in-history/civil-war-erupts-in-rwanda>>.

<sup>4</sup> A minority group

<sup>5</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017. <[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu/initiatives\\_journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu/initiatives_journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

<sup>6</sup> "UNAMIR." *United Nations*, United Nations, <[www.un.org/en/peacekeeping/missions/past/unamirS.htm](http://www.un.org/en/peacekeeping/missions/past/unamirS.htm)>.

<sup>7</sup> History.com Staff. "The Rwandan Genocide." *History.com*. A&E Television Networks, 2009. Web. 07 July 2017. <<http://www.history.com/topics/rwandan-genocide>>.

<sup>8</sup> Published July 3rd, 2016

<sup>9</sup> "Legally- Binding Accord on Arms Brokering, Common Standard for End- User Certification Among Issues Raised, As UN Small Arms Review Continues Debate | Meetings Coverage and Press Releases." *United Nations*. United Nations, n.d. Web. 07 July 2017. <<https://www.un.org/press/en/2006/dc3036.doc.htm>>.

a safer world, starting by addressing this issue. The two have signed many treaties, such as but not limited to the Nairobi Protocol and the UN Firearms Protocol, both aimed at reducing and controlling the selling of small arms and light weapons. The two have also set a clear framework as to the necessary steps that must be taken in order to solve this issue. They have also urged other member states to join, knowing that this global issue can only be solved by a global initiative. The most important point that the two stressed on, was the need for every single member state to create laws regarding brokering, because this would better international cooperation. As the delegate of Norway stated in the Second Biennial Meeting of States to Consider the Implementation of the UN Programme of Action, Combat, and Eradicate the Illicit Trade in Small Arm and Light Weapons in all its aspects, “Through the Programme of Action we have committed ourselves to develop adequate national legislation and administrative procedures, including measures such as registration of brokers, licensing or authorisation of brokering transactions and appropriate penalties for all illicit brokering activities performed within the relevant State’s jurisdiction or control.”<sup>10</sup> This quote portrays the initiative of the two countries and the role they have been playing as two highly contributing member states.

### [The United States of America]

The United States is a country known to have a powerful influence in any issue it is involved in, due to its power both politically and militarily. Its government is one of the governments that use brokers to sell weapons to their allies in Africa (ex. South Sudan, Niger, Somalia, etc.). That, in itself, is not the largest issue; the most significant problem the US causes is that because they support the illegal brokering of weapons (since they benefit from it), they do not support solving it. This issue is not regarded as a problem and is undermined by many countries, and the US has been using its strong influence to undermine the issue as well. Although the US congress had passed a law strictly regulating arms dealing in 1996<sup>11</sup>, as summarized by Kathi Austin, the Director of the Arms and Conflict Program, “The law requires all U.S. nationals and all foreign nationals residing or conducting business in the United States to register and obtain licenses for all arms deals that they transact whether on or off American soil. To safeguard national security, it provides an exemption for deals undertaken by or for the U.S. government.”<sup>12</sup> Multiple cases have been raised in the US court about arms broker since the law has been issued, however, no actions have taken place against them in the first 10 years. It was only after 10 years of issuing the law that they began arresting **some** brokers, in cases where evidence was undeniable. Shedding the light on how the American government did not focus on enforcing the law strictly, since it itself is benefitting from the act of arms’ brokering.

Nevertheless, The US violates arms embargos by interacting with these brokers along with sheltering and protecting them, since the government has come to rely heavily on the brokering of weapons economically. For example,

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<sup>10</sup> Juul, Ms. Mona, H.S. "Norway." (n.d.): n. pag. *United Nations*. 11 July 2005. Web. 7 July 2017. <<http://www.un.org/events/smallarms2005/memberstates-pdf/Norway.pdf>>.

<sup>11</sup> "Public Law 104–164—July 21, 1996." (n.d.): 2-6. Web. 7 July 2017. <<http://www.taiwandocuments.org/hr3121.pdf>>.

<sup>12</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017. <[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

when the UN came to investigate an American arms broker with the name Fred Keller, who sold to countries in Africa, the US government refused to cooperate. The reason for this is that this arms broker was providing weapons to the army of South Sudan, an ally of the United States<sup>13</sup>. There are no specific statistics as to how many deals are done illegally in the United States or the number of weapons sold, nor do government officials reveal any information since of course, it is illegal for them to be selling arms by means of illicit brokering. However, (Figure 1)<sup>14</sup> shows how large the US's exports of arms are, and from that it can be deduced that the number of weapons they are illegally selling to embargoed areas is massive, and of course so is the revenue.

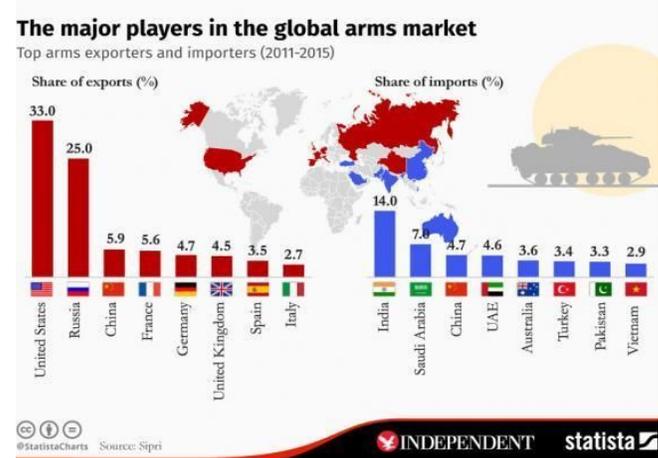


Figure 1 showing that the US is the largest arms exporter in the world

### [The International Action Network on Small Arms (IANSA)]

IANSA is a huge network made up of many small organizations which serves different functions. However, its main goal is to stop gun violence and create a safer world through increasing regulations on weapons and arms transfers. It represents more than 500 NGOs such as but not limited to “policy development organizations, human rights organizations, research institutes, and aid agencies”<sup>15</sup>. The organization is also working in 100 countries.<sup>16</sup> As the network’s mission statement states, it is meant to create a movement, globally, to end gun violence, by working with organizations to end the misuse of small arms and light weapons (SALW). What the organization wants is to reduce demand for these weapons and to increase regulations, making arms transfers safer. The final sentence of the mission statement portrays their initiative clearly: “IANSA members are promoting local, national, regional and global measures to strengthen human security.”<sup>17</sup> IANSA helps to raise awareness to policy makers and help NGOs build experience and skills so that they can be better at their job. The NGOs they work with are of a huge variety, some of them being national gun control groups and many other organizations that work to secure arms. The IANSA also coordinates with governments and

<sup>13</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017. <[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

<sup>14</sup> *The Major Players in The Global Arms Market*. 2015. Independent. Web. 7 July 2017. <<http://www.independent.co.uk/news/business/news/arms-trade-exporters-importers-weapons-transfers-sipri-a6891491.html>>.

<sup>15</sup> "About Us." *About Us | IANSA - the Global Movement against Gun Violence*. N.p., n.d. Web. 07 July 2017. <<http://www.iansa.org/aboutus>>.

<sup>16</sup> "Disarmament Diplomacy." *Disarmament Diplomacy: Opinion & Analysis - The First Biennial Meeting of States on Small Arms: Building Momentum for Global Action*. N.p., n.d. Web. 07 July 2017. <<http://www.acronym.org.uk/old/archive/dd/dd72/72op1.htm>>.

<sup>17</sup> "About Us." *About Us | IANSA - the Global Movement against Gun Violence*. N.p., n.d. Web. 07 July 2017. <<http://www.iansa.org/aboutus>>.

government officials in addition to the NGOs. The main goal of the organization is to stop the proliferation and misuse of weapons and this also includes, the illicit brokering of weapons. The IANSA has undoubtedly been playing a huge role in solving this pressing matter.

### III. Focused Overview of the Issue

The illicit brokering of weapons began once the UN started to place arms embargos and laws began to ban the selling of weapons to certain groups and areas. It is because of insecurity that these certain groups want to buy these weapons in the first place. The reason brokers rarely get charged for what they do is because they can operate out of anywhere, they use complicated methods that make it almost impossible to track them down. Brokers go to certain countries where they know there are no laws to ban certain acts they do which makes it becomes impossible to charge them for it. Also, the fact that governments do not have technologies to track down all arms deal happening within their country allows brokers to do their operations undetected. Some brokers are also sheltered by certain governments. For these reasons, this issue remains of global importance.

#### 1) Why is this an issue?

The reason why brokering has become and has always been a very important issue is because of what these weapons eventually get used for. Small arms in themselves do not pose a threat, however they start posing a threat when they fall into the wrong hands. The reason this type of brokering is called illicit is because these weapons are sold to places or groups where they aren't supposed to be. For example, the most common areas to which brokers sell are embargoed areas. An embargoed area or country is a place where an arms embargo has been placed (see footnote<sup>18</sup>). These areas are usually areas of conflict, this shows why the weapons should not be in the hands of embargoed areas, nor should they be in the hands of terrorist groups. Although illegal trading of arms is a widespread act, a study done by Brown University estimates that the value of illegal arms trade annually is not likely to exceed 1 billion US dollars.<sup>19</sup> However a study done by Norway shows that an estimated 50,000 people die annually from the use of these weapons.<sup>20</sup>

#### 2) What are the effects of the act of illicit brokering?

A huge terrorist group in Africa, mainly in Nigeria, called Boko Haram used to get their weapons through illicit brokering. Since they needed weapons so they could commit their crimes but of course, were not permitted to own them, they resorted to illicit brokering. In 2014 alone, Boko Haram's violent acts led to the death of 6,347 civilians and more than 1 million civilians

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<sup>18</sup> "The arms embargo, established by paragraph 2 of Security Council resolution 1390 (2002) and reiterated in subsequent resolutions, including paragraph 1(c) of resolution 2161 (2014), obliges Member States to: Prevent the direct or indirect supply, sale or transfer, to these [the listed] individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities."

<sup>19</sup> Marsh, Nicholas. "Two Sides of the Same Coin? The Legal and Illegal Trade in Small Arms." [https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu/initiatives/journal-world-affairs/files/private/articles/9.1\\_Marsh.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu/initiatives/journal-world-affairs/files/private/articles/9.1_Marsh.pdf). >

<sup>20</sup> Juul, Ms. Mona, H.S. "Norway." (n.d.): n. pag. *United Nations*. 11 July 2005. Web. 7 July 2017. <http://www.un.org/events/smallarms2005/memberstates-pdf/Norway.pdf> >.

were displaced, since they ran away in fear.<sup>21</sup> There are many other cases of illicit brokering leading to devastation, such as the aforementioned Rwandan Genocide, and the Liberian Civil War. However, this violence does not only cause problems with death. Although the use of arms derived from illicit brokering activities to commit crimes isn't the main cause of illiteracy or healthcare problems in Africa and the rest of the world, it still is a major contributing factor. Post-war and combat zones (such as those fueled by the illicit brokering of weapons) have very poor education since the standard of living severely drops; education already being very poor in Africa, this violence worsens it even more (see Figure 2).<sup>22</sup>

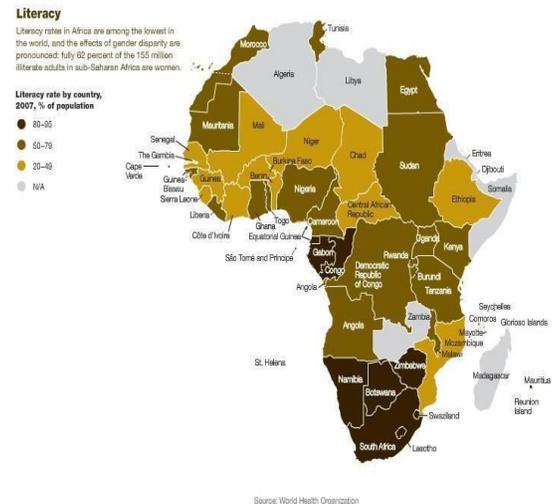


Figure 2 shows literacy rates in Africa

This figure gives an average percentage of literacy in different countries in Africa in 2007. Although literacy percentages have risen since then, this chart shows the amount of illiterate people that there were in Africa, just as Africa was beginning to recover from massive violent occurrences. There is no doubt that many violent acts that shook Africa were fueled by illicit brokering<sup>23</sup>. These acts of violence also affect healthcare, and the standard of living in general. The problems of illiteracy, healthcare, and general poor standards of living caused by violent acts do not only affect Africa, but the whole world. What this shows is the long-term effects these illicit acts cause. (Refer to Figure 3 for worldwide illiteracy rates)<sup>24</sup>

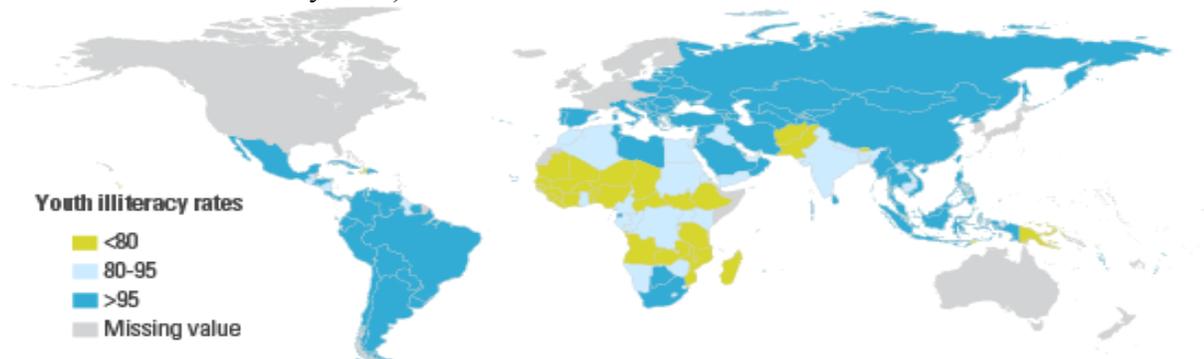


Figure 3 shows global youth illiteracy rates.

<sup>21</sup> Anderson, Mark. "Boko Haram Violence Leaves Nigeria with Highest Civilian Death Toll in African War Zones." *The Guardian*. Guardian News and Media, 23 Jan. 2015. Web. 07 July 2017. <<https://www.theguardian.com/global-development/2015/jan/23/boko-haram-nigeria-civilian-death-toll-highest-acled-african-war-zones>>.

<sup>22</sup> "Nairaland Forum." *Nigerian Forum*. N.p., n.d. Web. 07 July 2017. <<http://www.nairaland.com/1363392/zimbabwe-highest-literacy-rate-africa>>.

<sup>23</sup> "ILLICIT SMALL ARMS TRADE IN AFRICA FUELS CONFLICT, CONTRIBUTES TO POVERTY, STALLS DEVELOPMENT, SAY SPEAKERS ON SECOND DAY OF UN REVIEW CONFERENCE | Meetings Coverage and Press Releases." *United Nations*, United Nations, 27 June 2006, <[www.un.org/press/en/2006/dc3032.doc.htm](http://www.un.org/press/en/2006/dc3032.doc.htm)>.

<sup>24</sup> "Literacy." *UNICEF DATA*. N.p., n.d. Web. 07 July 2017. <<https://data.unicef.org/topic/education/literacy/>>.

### 3) What role do governments play in this issue?

Brokering does not only cause problems for civilians, it also causes lots of distress to governments. Since brokers work their operations without the government being able to trace them down, this begins to create a very big issue in terms of both national and international security. For this reason, governments are threatened by terrorist groups and other large armed groups just like the Nigerian government was threatened by Boko Haram. This results in political instability in the country; with large groups of anarchists being armed, the state becomes in grave danger.

On the other hand, governments, such as the United States of America, can have a very effective role, but in a negative way. The allies of the United States are also countries that deal with arms brokers. These countries include South Sudan, Niger, Somalia, DRC, etc. Although these countries signed international treaties and other treaties aimed at solving the issue, the fact that they themselves deal with illicit brokers means that they are halting the resolution of this issue.

There are governments that have been making tremendous efforts to solve this issue as well, such as the governments of Rwanda, Netherlands, Norway, Nigeria, Sierra Leone, Saudi Arabia, etc. So far, these governments and many like them have worked to sign at least six treaties regarding the combatting of the illicit brokering of arms since 2001.<sup>25</sup> Since governments are highly affected by this illicit activity, their role is vital and the reason for that is because the only thing that will stop this illicit activity is the passing and enforcement of strict laws regulating the buying, selling, and ownership of weapons. This proves the strong influence governments have in this issue and that the whole problem lies in the law. It is all in the power of the government to stop these illicit activities if they simply take the initiative. This quote said by the Center for American Progress directly shows the urgency of the governments to act: “Approximately 875 million small arms are in circulation worldwide, and only about a third are in the hands of legally constituted security forces. Because small arms are simple to use, durable, and easy to conceal they are especially prone to misuse, and their misuse directly and indirectly affects hundreds of thousands of people and severely undermines sustainable development in scores of countries around the world”.<sup>26</sup>

Two thirds of small arms and light weapons are in the hand of illegal forces, and a major way to stop this is by strongly enforcing strict national and international laws. Since prior legislation has failed to solve this issue, the delegates are encouraged to look into and come up with more effective solutions.

## IV. Key Vocabulary

**SALW:** Small arms and light weapons.<sup>27</sup>

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<sup>25</sup> Juul, Ms. Mona, H.S. "Norway." (n.d.): n. pag. *United Nations*. 11 July 2005. Web. 7 July 2017. <<http://www.un.org/events/smallarms2005/memberstates-pdf/Norway.pdf>>.

<sup>26</sup> Hogendoorn, Rachel Stohl and EJ. “Stopping the Destructive Spread of Small Arms: How Small Arms and Light Weapons Proliferation Undermines Security and Development.” *Center for American Progress*, [www.americanprogress.org/issues/security/reports/2010/03/10/7511/stopping-the-destructive-spread-of-small-arms/](http://www.americanprogress.org/issues/security/reports/2010/03/10/7511/stopping-the-destructive-spread-of-small-arms/)

<sup>27</sup> "SALW." *The Free Dictionary*. Farlex, n.d. Web. 07 July 2017. <<http://acronyms.thefreedictionary.com/SALW>>.

**Illicit:** Forbidden by laws, rule, or custom. It is synonymous to: unlawful<sup>28</sup>

**The Programme of Action:** “The Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UN Small Arms Process) was adopted by consensus at the UN General Assembly after negotiations at the 2001 UN Conference on Small Arm”<sup>29</sup> It is a program set by the UN General Assembly aimed at eradicating all illicit brokering of SALW.

**UN arms embargo:** “The arms embargo, established by paragraph 2 of Security Council resolution 1390 (2002) and reiterated in subsequent resolutions, including paragraph 1(c) of resolution 2161 (2014), obliges Member States to: Prevent the direct or indirect supply, sale or transfer, to these [the listed] individuals, groups, undertakings and entities from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned and technical advice, assistance, or training related to military activities.”<sup>30</sup> This means that it is illegal for brokers to sell to areas under UN arms embargo.

## V. Important Events & Chronology

Date	Event
October 1, 1990 - August 4, 1993 <sup>31</sup>	Rwandan Civil War took place.
May 17, 1944 <sup>32</sup>	The UN imposed an arms embargo on Rwanda.
April 7, 1994 <sup>33</sup>	Rwandan genocide began.

<sup>28</sup> “Illicit.” *Dictionary.com*, Dictionary.com, [www.dictionary.com/browse/illicit](http://www.dictionary.com/browse/illicit) .

<sup>29</sup> Goldring, Dr. Natalie J. "The Programme of Action, the Arms Trade Treaty, and the UN Register of Conventional Arms: Seeking Synergy and Overcoming Challenges." (n.d.): n. pag. June 2016. Web. 7 July 2017. <<http://www.iansa.org/system/files/IANSA%20POA%20ATT%20Synergies%20ENG.pdf>>.

<sup>30</sup> "The Arms Trade Treaty." (n.d.): n. pag. 24 Feb. 2015. Web. 8 July 2017. <[https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/eot\\_arms\\_embargo\\_english.pdf](https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/eot_arms_embargo_english.pdf)>.

<sup>31</sup> "Civil War Erupts in Rwanda." *History.com*. A&E Television Networks, n.d. Web. 07 July 2017. <<http://www.history.com/this-day-in-history/civil-war-erupts-in-rwanda>>.

<sup>32</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017. <[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

<sup>33</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017. <[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>

1996 <sup>34</sup>	US congress passed a law regarding the illicit brokering of SALW.
November 15, 2001 <sup>35</sup>	A resolution was passed by the European Parliament that called for an international treaty to regulate the acts of illicit arms brokers
April 2003 <sup>36</sup>	The Dutch-Norwegian Initiative was created established
2013 <sup>37</sup>	First resolution passed by the Security council regarding the issue of Small Arms and Light Weapons

## VI. Past Resolutions and Treaties

- 1) A resolution was passed by the European Parliament in 2001 that was amongst the first of many resolutions to be passed regarding this topic. The resolution is aimed to regulate and control the activities of arms brokers and to secure arms trade on an international level. So far, this resolution is being implemented. This was not a resolution passed by the UN, it was passed only in the European Union.

To read the resolution:

"EUR-Lex Access to European Union Law." *EUR-Lex - 52016PC0616 - EN - EUR-Lex*. N.p., n.d. Web. 07 July 2017.

<<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2016%3A0616%3AFIN>>.

<sup>34</sup> "Public Law 104–164—July 21, 1996." (n.d.): 2-6. Web. 7 July 2017.

<<http://www.taiwandocuments.org/hr3121.pdf>>.

<sup>35</sup> Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017.

<[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

<sup>36</sup> PRIO, Peace Research Institute Oslo. *NISAT - Norwegian Initiative on Small Arms Transfers*. N.p., n.d. Web. 07 July 2017.

<<http://nisat.prio.org/Publications/Dutch--Norwegian-Initiative-on-Further-Steps-to-Enhance-International-Co-operation-in-Preventing-Combating-and-Eradicating-Illicit-Brokering-in-Small-Arms-and-Light-Weapons/>>.

<sup>37</sup> "Security Council Adopts First-ever Resolution Dedicated to Question of Small Arms, Light Weapons | Meetings Coverage and Press Releases." *United Nations*. United Nations, n.d. Web. 07 July 2017.

<<https://www.un.org/press/en/2013/sc11131.doc.htm>>.

- 2) Resolution 2117 was passed by the Security Council in 2013, the first ever resolution by the UN dedicated to the issue of SALW. The resolution was reminding members states to take action against any violators of embargos, and it stated that peacekeepers in the area may help the government do this, as the United Nations concluded its summary of the resolution, “By further terms, the Council reaffirmed its own responsibility to monitor the implementation of Council-mandated arms embargoes, reaffirming its intention to strengthen monitoring mechanisms, including by assigning staff to relevant missions. It also stressed the need for all parties to take all measures to avoid civilian casualties.”<sup>38</sup>

To read the full resolution and its summary:

“Security Council Adopts First-ever Resolution Dedicated to Question of Small Arms, Light Weapons | Meetings Coverage and Press Releases.” *United Nations*. United Nations, n.d. Web. 07 July 2017. <<https://www.un.org/press/en/2013/sc11131.doc.htm>>.

- 3) The Arms Trade Treaty was a treaty that came into force on the 24th of December, 2014. It regulates international trade of arms and ensures safety in the arms trading industry. The treaty was signed by 130 states<sup>39</sup> and has so far been making a lot of progress in preventing illicit brokering.

To read the full treaty:

"The Arms Trade Treaty." (n.d.): n. pag. Web. 8 July 2017.

<<https://unoda-web.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>>.

## VII. Failed Solution Attempts

While there are solutions that did succeed, some solutions didn't. Amongst these solutions is the law the United States passed in 1996. The US passed a law that put strict guidelines as to the ownership of SALW, however, this solution was deemed unsuccessful. The reason it was unsuccessful was due to the fact that it wasn't and still isn't being enforced properly.

Another solution that could be considered a failure is the First Biennial Meeting of States to Consider the Implementation of the UN Programme of Action, Combat, and Eradicate the Illicit Trade in Small Arm and Light Weapons in all its aspects. This was a meeting in which member states and NGOs met, and although they did not agree on setting the UN Programme of Action, some progress was made. However, due to a lack of cooperation and some important members being absent, the meeting didn't achieve much.

## VIII. Possible Solutions

What is necessary to solve this problem is some kind of global coalition. If the problem is to be solved, then all nations must have laws strictly regulating the arms trading business and

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<sup>38</sup> "Security Council Adopts First-ever Resolution Dedicated to Question of Small Arms, Light Weapons | Meetings Coverage and Press Releases." *United Nations*. United Nations, n.d. Web. 07 July 2017. <<https://www.un.org/press/en/2013/sc11131.doc.htm>>.

<sup>39</sup> Parker, Sarah. *The Arms Trade Treaty | Homepage*. N.p., n.d. Web. 07 July 2017. <<http://www.thearmstradetreaty.org/index.php/en/>>.

these laws have to actually be enforced. NGOs that are supporting the cause must be provided with the means necessary to solve this issue. Awareness also must be raised to all members of state as to how vital this problem really is and that it is not to be undermined. Another possible solution is for governments themselves to stop dealing with arms brokers and supporting illicit acts, and start arresting the well-known brokers that have been uncovered and are still operating. Furthermore, governments and NGOs should aim to find methods to track down these brokers and block the technologies and methods they use.

## IX. Useful Links

- The Nairobi Protocol:

"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." (n.d.): n. pag. Web. 7 July 2017. <<http://www.poa-iss.org/RegionalOrganizations/RECSA/Nairobi%20Protocol.pdf>>.

- Law passed by the United States:

"Public Law 104-164—July 21, 1996." (n.d.): 2-6. Web. 7 July 2017. <<http://www.taiwandocuments.org/hr3121.pdf>>.

- Resolution passed by the European Union regarding the topic:

"EUR-Lex Access to European Union Law." *EUR-Lex - 52016PC0616 - EN - EUR-Lex*. N.p., n.d. Web. 07 July 2017. <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2016%3A0616%3AFIN>>.

- A short article regarding potential technological solutions:

Marsh, Robert Muggah and Nic. "How New Technology Can Help Us Track Illegal Guns." *The Atlantic*. Atlantic Media Company, 31 May 2013. Web. 08 July 2017.

<<https://www.theatlantic.com/international/archive/2013/05/how-new-technology-can-help-us-track-illegal-guns/276440/>>.

- A useful report regarding the problems with brokering, specific examples, efforts made by governments, and efforts that should be made:

Austin, Kathi. "Illicit Arms Brokers: Aiding and Abetting Atrocities." (n.d.): 206. Web. 6 July 2017.

<[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Austin.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Austin.pdf)>.

- An informative and reliable article, addressing illicit brokering in all its aspects:

"Tackling Illicit Brokering." (n.d.): n. pag. 2009. Web. 8 July 2017.

<<http://www.unidir.org/files/publications/pdfs/tackling-illicit-brokering-en-324.pdf>>.

- An article giving insight about the position of the US:

"Arms Control Today." *United States Weakens Outcome of UN Small Arms and Light Weapons | Arms Control Association*. N.p., n.d. Web. 08 July 2017.

<[https://www.armscontrol.org/act/2001\\_09/stohlsept01](https://www.armscontrol.org/act/2001_09/stohlsept01)>.

- A detailed article giving a clear definition, statistics, and examples of illicit brokering:  
Marsh, Nicholas. "Two Sides of the Same Coin? The Legal and Illegal Trade in Small Arms."  
<[https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1\\_Marsh.pdf](https://www.brown.edu/initiatives/journal-world-affairs/sites/brown.edu.initiatives.journal-world-affairs/files/private/articles/9.1_Marsh.pdf). >

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