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General Assembly 1

Increasing transparency in the trade of armaments to and within regions of conflict



Forum	General Assembly 1
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Introduction

In conflicts whether it be a conventional conflict, or a conflict which has a component of terrorism in, the source of the weapons used, and the funding of these weapons is often overlooked and opaque. Sometimes during extreme violence between two states it is easy to forget that there are rules. Terrorist organizations, must be funded somehow whether this is state sponsored or privately sponsored, it is the job of the United Nations to regulate these trades, set out guidelines, and bring any person found committing any violation of these regulations to justice.

There are currently regulations in place such as the Arms Trade Treaty, however this has not been ratified by all signatories and has not been enforced in such a way that there is complete transparency in these arms deals. This issue of increased transparency is of vital importance to current world issues. There are many ongoing conflicts going on ranging from the conflict in Syria, to the Palestine – Israel conflict, drug wars in Mexico and Joseph Kony in DR Congo. The first step in resolving these conflicts is to understand, monitor and regulate the very things which are the tools for death and destruction, in this case arms.

There has been speculation and rumours circulating of Saudi Arabia sponsoring so called ISIS and potentially providing them with arms. This situation is further exacerbated by the USA being a close ally of Saudi Arabia and potentially turning a blind eye to the situation which is allowing so called ISIS to further develop. This is an example of a situation where there are 'under the table' deals being made, between major parties. These actions could have huge consequences; hence clarity is imperative.

A specific example of this issue could be the funding of Bashar Al-Assad by the Russian Federation as these trades are not fully regulated and it may not be accepted by the international community as some might see this as fuelling an unstable environment

Definition of Key Terms



Arms

Arms are weapons, in context it can be used in the sense of 'bearing arms' as to say carrying weapons. Examples of arms could be guns hence the name, 'firearms' but they could also range to things such as battle ships and tanks.

Trade

Trade is when a good is exchanged with another party for the profit of one, this could be economic or it could be that they profit in another way. This is often referred to as a business deal, and could be between two countries or two non-governmental parties.

Conflict

In its basic form, the word conflict means to disagree, throughout conflict will be used in the sense of a violent disagreement between two or more parties and one that costs the lives of a significant number of people per annum. Under international law there are two types of conflict. There is international armed conflict which is between two or more states and there is non-international armed conflicts which is between a government force and a nongovernmental group, or between two or more nongovernmental groups.

Terrorism

Although there are disputes over the exact definition, the generally accepted definition is an act of violence for a religious or political belief or ideology. Examples of terrorist organizations are so called ISIS, the IRA and the Boko Haram.

The Arms Trade Treaty

This is a treaty enforced by the United Nations to regulate the international trade of all arms, hence it includes the trade of small hand guns, fighter jets, Rocket Propelled Grenades and anything in between. This treaty came into action on the 24th of December 2014. Many countries have not yet ratified it, but it does have 130 signatories.

Pro- Russian Separatist

These are fighters in some regions of Ukraine who are fighting for control of the area and giving this to Russia as sovereign territory.



General Overview

History of arms trade

Historically, arms trade has always been at the discretion of the nation as nations have the right to spend and/or invest their money in anything they deem necessary. This always remained unquestioned as it was seen as respecting a state's sovereignty. This was then reinforced by the United Nations Charter Article 2(7) – which is legally binding – and this states that the United Nations cannot intervene with the rights of a nation, or the collective self-defense of a nation.

The Cold War

The Cold war was a period of tension between the USA and the Soviet Union between 1947 and 1991. Although the Cold war never saw direct violent action the Cold War represented a time of stocking up weapons, and further developing them. This was mostly in the case of the USA and the Soviet Union trying to outmatch each other, this saw the further development of nuclear weapons; the peak of this tension was during the Cuban missile crisis which almost saw a nuclear war. At the height of the Soviet Union they represented around 40% of the total conventional arms trade around the globe; after the collapse of the Soviet Union changes in policy meant that the new Russia had reduced their presence on the global arms market by reducing their trade to only represent 20% of it. After the collapse of the Soviet Union, Russia opened its markets to various new markets such as South Korea and Brazil. Perhaps more significantly they maintained bilateral agreements with countries such as Iran which is seen by many states as a state which needs change and should be monitored carefully for development of certain weapons and as a result of some of Iran's actions it has seen economic boycotting. The United States of America on the other hand continued their dominance of the international arms market. Since the Cold war they have continued to grow and have become a huge supplier of arms across the globe.

The Kuwait invasion of 1990

The Kuwait invasion is a distinctive point on the timeline of arms trades. This could be seen as a spark for the mass interest of supplying weapons into the Middle East. After Iraq invaded Kuwait on the 2nd of August 1990 many other countries in the Middle East felt the need for safety and security and hence purchased arms. They did this in order to ensure security if an invasion like this ever occurred again. This was a



turning point, for not only did the Gulf states wish to catch up with each other in regard to their arsenal, they also wanted to close the gap with the West who had just hugely increased their weapon count due to the Cold War. The countries in the Gulf became so keen on getting these advanced weapon systems they even considered and sometimes went through the then regarded as 'embarrassing' way of going through the United States of America Congress as the congress needed to approve it.

Drug wars in South America

For a while now, ties between many South American countries of which Ecuador, Colombia and Chile are examples of. This entails that these countries are importing many weapons from Israel which is promoting the weapons industry in Israel. This has been often internationally criticised as supporting this industry has been seen as indirectly supporting apartheid and as long as this continues the protection of human rights cannot be ensured. Furthermore due to poor regulation and tracking of weapons, the weapons purchased could fall into the wrong hands such as drug trafficking groups which could further fuel the ongoing conflict in many South American countries such as the war on Cocain in Colombia.

Current arms trade into conflict zones

If we look generally at global arms trade, illegal arms trade accounts for about 10%-20% of global arms trade. Looking at the Syrian conflict as a whole, and not just at the conflict between the opposition to Bashar Al- Assad and his own forces, but also the presence of so called ISIS. Sources say that so called ISIS are using weapons which originated from at least 25 different countries. The arms trade which has allowed arms to come into Syria and Iraq from countries such as the USA, Germany and Belgium, is often regarded as 'reckless' this is because arms are traded without strict regulation, and are often lost track of, so as a potential solution tracking these weapons would allow for information on use and a response could be put in place. It is not only carelessness that can cause these situations but so called ISIS have got their hands on weapons through capturing Iraqi supplies who have been supported by the west including NATO nations to combat so called ISIS. Furthermore, Russia has been supporting Bashar Al- Assad's regime, and thus providing weapons for use to combat the opposition forces. In 2013, Russia funded the Syria 'government' \$1.2 billion US. The supporting of a scheme which is thought of as a dictatorship many nations is likely the source of many problems as the Arab Spring was based round the desire of people wanting a transition to democracy. Since Assad is getting funded by such a big arms supplier, it is making this transition extremely difficult and could



be seen as a big factor in the development of terrorist group such as so called ISIS. In the past another issue with USA funding opposition forces to Assad, is that these weapons often fall into the wrong hands, and can be tracked down to show that so called ISIS is now using them.

Arms Industry

It is important to distinguish between different types weapons producers. There are sometimes domestic weapon suppliers set up by governments to specifically produce weapons for them. There are also private contractors hired by the government to provide them with weapons. Depending on local law, these private contractors also supply the public with small arms.

Major Parties Involved and Their Views

United States of America (USA)

The United States of America being the largest exporter of arms in the world is very influential in this issue. The USA has shown great interest into providing regulations for these deals with Secretary of State John Kerry going to Moscow to meet and talk with President Vladimir Putin. Looking at the current and ongoing conflict between Israel and Palestine, it is well known that the USA is heavily funding Israel in this conflict in regards to military equipment. Every day the USA provides Israel with \$10.2 million US, and gives Palestine nothing. This is a perfect example how arms trade can majorly escalate conflicts as it does not help with the peaceful resolution of issues and can provide further means of imposing serious damage and death. As of now this is bilateral trade and does not pass through a centralized system, and so is difficult to regulate and monitor by any independent organizations, which could mean that these weapons are being used for other purposes but in this case it is obvious that these weapons are being used to fund Israel in their war with Palestine.

Russian Federation

As mentioned earlier Russia is the second largest supplier of arms in the world after the USA having reduced its trade after the collapse of the Soviet Union. The two key conflicts that Russia is currently involved in is the conflict with Ukraine, and the conflict in Syria. Firstly, currently in some disputed areas on the border with Ukraine and Russia, there are fighters known as Pro- Russian Separatists. It is said that Russia is supporting and funding these fighters with weapons and there is even speculation that Russia itself is placing troops in the area. But this arms trade within a conflict zone, and this is a more internal form of arms



trade. Unfortunately, there are no regulations concerning these arms trades, but this needs to be changed as it could be seen as funding terrorism which is punishable under international law. The other major conflict that Russia is involved with is the Syrian Conflict and they have been funding Bashar Al- Assad which is causing him to remain in power and thereby further escalating conflict with the war going into its 6th year now. Although, arguably this is allowed as Assad was 'democratically' elected, but it has still gone fairly unmonitored with issues over the past years of developing some illegal weapons under multiple international laws and conventions such as chemical weapons. If Russia is funding such activities, it must be addressed and that begins with monitoring and regulating arms trade.

Saudi Arabia

It has been said, and there is strong evidence to support this, that Saudi Arabia has been funding so called ISIS and has been helping them gain territory. Although addressing the arms trade may seem like it is just dealing with one issue, it is the underlying cause for many other consequences such as war, destabilization of regions and so on; hence tackling this issue is really tackling many problems by the roots. Saudi Arabia is a theocracy, and interprets Sharia Law in a very extreme way and has often been compared to so called ISIS.

United Nations Office for Disarmament Affairs (UNODA)

The United Nations Office for Disarmament Affairs is the back bone of current regulations regarding arms trade. They are the organization that have implemented the Arms Trade Treaty. This is a treaty which provides regulations on arms and how to proceed with legal transactions. Unfortunately, out of the 130 signatories only 83 states have ratified this treaty, and it is still very unclear if arms trade on a large scale will be heavily influenced by this. Hence development is vital, and expansion of the UNODA is critical.

Timeline of Events

Date	Description of event
Febuary 1946	The Soviet Union and Syria signed an agreement ensuring Russia would support Syria for independence after French troops left after World War 2.
1971	

The Soviet Union was allowed to set up a 'naval base' in Tartus in Syria. This is said not to be a 'base' as such but a site for naval ship repairs and replenishment. This could be a place for these arms trades.

January 1998 The United Nations Office for Disarmament Affairs was officially formed which is one of the most relevant United Nations bodies on this issue.

1st of May 2003 US led coalition invaded Iraq, the other nations involved were the United Kingdom, Australia and Poland. This invasion contributed to the start of the growth so called ISIS, this was a result from destabilizing this area.

18th of December 2010 The Arab Spring started in Tunisia when a member of the public set themselves on fire outside the parliament buildings as protests began to strive for democracy. It is the source of lots of the conflicts in North African countries and the Middle East, this has led to conflicts such as the ongoing conflict in Syria which recently reached 5 years of going on.

March 2014 After the annexation of Crimea following a referendum which was after Russian forces entering the area, a conflict arose in the East of Ukraine which has become an ongoing war which is called the 'War of Donbass'. The Pro-Russian separatists are being funded by Russia although they do not admit to this. On the other side of this conflict the USA has been providing non-lethal aid to the Ukrainian army, and has been providing training although there have been no weapon trades.

24th of December 2014 This is when the Arms Trade Treaty was entered into force by the UNODA, but this treaty has not been ratified by all countries hence the effectiveness is debatable.

UN involvement, Relevant Resolutions, Treaties and Events

The United Nations has remained quite passive on issues placing trust in issues to enforce their own laws and try and control this. Although, the United Nations strongly



condemns arms trade in general especially in conflict zones as it can heavily destabilize a country and contribute to the violation of Human Rights. Due to this lack of regulation by the United Nations it is imperative to take actions now.:

- The Arms Trade Treaty, entered into action on the 24th of December 2014

Evaluation of Previous Attempts to Resolve the Issue

This issue is an old one but as only become one of interest recently and hence there have not been many attempts to try and solve it. There is the Arms Trade Treaty, but this refers to general arms trade not specifically to arms trade into conflict zones; and this is when it really matters, this is when it can have the most impact, as it can severely contribute to the instability of a region. Moreover, the Arms Trade Treaty is arguably not very effective as it has only been ratified by 83 nations. As there is no central monitoring of ongoing arms trades, and certain large nations have turned blind eyes, previous attempts have been ineffective.

Possible Solutions

There are numerous ways in which this issue could be tackled. Firstly, it is essential to have regulation. We further need guidelines and more specific international laws because at this point in time laws are being interpreted and not quoted. We need a treaty which more specifically looks at arms trade into conflict regions and that is ratified by all nations because for a treaty to work it has to be accepted and agreed upon.

As the United States of America is a close ally of Saudi Arabia very little action is being taken. as funding a terrorist organization is punishable by international law and is extremely counterproductive towards establishing peace in the region.

Another way for monitoring arms trade is to have an independent body which has access to all arms deals but keeps them confidential of course, which asks for yearly reports from member states on weapon production, destination of these weapons and so on. Furthermore, it should be the responsibility of the member state itself as well as the monitoring body to track weapons over a period of say 50 years after trade. This is to look at where arms are going so that, for example, the USA could see if their weapons end up in the hands of so called ISIS fighters. Or so that there is evidence that Pro-Russian separatists are using ex- Soviet Union weapons, and some Russian weapons.

Furthermore, more research needs to be done into the funding and supplying terrorist groups as this is illegal by international law, and there needs to be more accountability for

this, so maybe setting up a task force as part of this independent body could be of use to do this and hold people accountable.

Moreover, there should be penalties in place to sanction any countries that do not abide by international law or by the terms of a ratified treaty to ensure that weapon trade is controlled.

Bibliography

"America's Arms-Trade Monopoly." *Foreign Affairs*. N.p., 28 Jan. 2009. Web. 15 Aug. 2016.
<https://www.foreignaffairs.com/articles/1994-05-01/americas-arms-trade-monopoly>

"Arms Control Today." *Exposing the Arms Trade*. N.p., n.d. Web. 15 Aug. 2016.
https://www.armscontrol.org/act/2012_06/Exposing_the_Arms_Trade

"The Arms Trade – UNODA." *UN News Center*. UN, n.d. Web. 15 Aug. 2016.
<https://www.un.org/disarmament/convarms/armstrade/>

"The Arms Trade Treaty – UNODA." *UN News Center*. UN, n.d. Web. 15 Aug. 2016.
<https://www.un.org/disarmament/convarms/att/>

"The Arms Trade Treaty – UNODA." *UN News Center*. UN, n.d. Web. 15 Aug. 2016.
<https://www.un.org/disarmament/convarms/att/>

"Arms Trafficking." *Wikipedia*. Wikimedia Foundation, n.d. Web. 15 Aug. 2016.
https://en.wikipedia.org/wiki/Arms_trafficking

"A Brief History of ISIS." *A Brief History of ISIS*. N.p., 21 Nov. 2015. Web. 15 Aug. 2016.
<http://theweek.com/articles/589924/brief-history-isis>

"New American Nation." *The Cold War*. N.p., n.d. Web. 15 Aug. 2016.
<http://www.americanforeignrelations.com/A-D/Arms-Transfers-and-Trade-The-cold-war.html>

N.p., n.d. Web. <http://uk.businessinsider.com/arms-sales-by-the-us-and-russia-2014-8?r=US&IR=T>

"The Politics of British Arms Sales Since 1964." *Google Books*. N.p., n.d. Web. 15 Aug. 2016.
<https://books.google.nl/books?id=B4hwrVzZhtMC&pg=PA260&lpg=PA260&dq=arms%2Btrade%2Bin%2Bthe%2Biraqi%2Binvasion%2Bof%2Bkuwait&source=bl&ots=4j4S1ekC0C&sig=IBitx-A84IOMpkgKUpHx1teCdx0&hl=nl&sa=X&ved=0ahUKEWjG5-mbuLfnAhXishQKHZeVBe4Q6AEIKDAB#v=onepage&q=arms%20trade%20in%20the%20iraqi%20invasion%20of%20kuwait&f=false>

"Putin Defends Arms Sales to Syrian Regime." *The Guardian*. Guardian News and Media, 04 June 2013. Web. 15 Aug. 2016. <https://www.theguardian.com/world/2013/jun/04/putin-defends-arms-sales-syria>

"Russian Naval Facility in Tartus." *Wikipedia*. Wikimedia Foundation, n.d. Web. 15 Aug. 2016.
https://en.wikipedia.org/wiki/Russian_naval_facility_in_Tartus



"Russia–Syria Relations." *Wikipedia*. Wikimedia Foundation, n.d. Web. 15 Aug. 2016.

https://en.wikipedia.org/wiki/Russia%E2%80%93Syria_relations

"Saudi Arabia Funds and Exports Islamic Extremism: The Truth behind the Toxic U.S. Relationship with the Theocratic Monarchy." *Saloncom RSS*. N.p., n.d. Web. 15 Aug. 2016.

http://www.salon.com/2016/01/06/saudi_arabia_funds_and_exports_islamic_extremism_the_truth_behind_the_toxic_u_s_relationship_with_the_theocratic_nation/

"2014 Pro-Russian Unrest in Ukraine." *Wikipedia*. Wikimedia Foundation, n.d. Web. 15 Aug. 2016.

https://en.wikipedia.org/wiki/2014_pro-Russian_unrest_in_Ukraine

"2003 Invasion of Iraq." *Wikipedia*. Wikimedia Foundation, n.d. Web. 15 Aug. 2016.

https://en.wikipedia.org/wiki/2003_invasion_of_Iraq

"United Nations Office for Disarmament Affairs." *Wikipedia*. Wikimedia Foundation, n.d. Web. 15

Aug. 2016. https://en.wikipedia.org/wiki/United_Nations_Office_for_Disarmament_Affairs

"U.S. Military Aid and the Israel/Palestine Conflict." *US Aid to Israel and the Palestinians*. N.p., n.d.

Web. 15 Aug. 2016. <http://www.ifamericansknew.org/stat/usaid.html>

