



**Forum:** General Assembly 1st Committee

**Issue:**

*Controlling Illicit Arms Smuggling in the Middle East and North Africa (MENA) Region*

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INTRO

Numerous unlawful killings and other human rights abuses have been committed in response to the mass protests and demands for change that have gripped the Middle East and North Africa (MENA) region since late 2010. These events underscore, both vividly and tragically, the urgent need for the establishment and implementation of an effective global arms trade treaty. One of the most pressing issues in the MENA region, terrorism, is itself largely derived and supported by illegal arms trade. Consequently, though United Nations member states have aimed to negotiate terms for a global arms trade treaty, there has been minimal progress regarding this issue.

As nations in the MENA region have nearly doubled their imports of guns and ammunition within a year, questions arise over how many of the weapons are fueling the conflicts in Syria, Iraq, and Libya. Bulletins from the Small Arms Survey show that some of the Arab states that most dramatically increased their imports of handguns, light weapons and ammunition are also the least transparent in terms of reporting their arms trading. Our responsibility is thus to ask the following question: Do states rigorously assess the potential for diversion, destabilization, or human rights violations before exporting arms?

*The ready availability of weapons and ammunition has led to human suffering, political repression, crime and terror among civilian populations - specifically in the MENA region. Irresponsible arms transfers can destabilize security in a region, enable the violation of Security Council arms embargoes and contribute to human rights abuses. Importantly, in countries experiencing conflict and high levels of violence, investment is discouraged and development is disrupted. Resolution after resolution has been passed by the UN on the issue, most notably the Arms Trade Treaty (ATT). However, UN actions have proved to be ineffective in addressing this issue.*

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## KEY TERMS & PLAYERS

### Gunrunning:

the trafficking of contraband weapons and ammunition, also known as arms trafficking.

### Small arms:

weapons designed for personal use, such as revolvers, assault rifles, and machine guns.

### Heavy/light arms:

weapons designed for use by several persons serving as a unit, such as heavy machine guns and grenade launchers.

### Black market:

either online or in several locations on the map, a location in which the occurrence of illegal arms trade takes place.

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### LIBYA

Since the fall of Mummer Qaddafi, Libya has been holding a massive amount of weapons from their former leader. A report from the UN shows that these weapons have been traded to reach terrorist organizations in Egypt.

### TUNISIA

Participate in illicit arms trade due to their high unemployment rate, therefore finding a new way to provide a sustainable life.

### ALGERIA

They are the leading African importers of military hardware, using oil revenues to buy weapons.

### USA

The largest exporter of weapons in the world, responsible for about 30% of weapons traded globally. There is no means of deterrence to stop the illegal trade of US-manufactured weapons, rather more focus on maximizing revenue gained from the sale of these arms.

### ISIS

Years of war, reckless arms trading, and weapons travelling across borders has provided ISIS with a sophisticated arsenal that is used to commit war crimes in Syria and Iraq. These weapons are manufactured by the US and the EU.

## BACKGROUND & TIMELINE

Since the escalation of the Syrian conflict in 2012, **weapons have been pouring into four main countries who supply arms to ongoing conflicts in Syria and Yemen: Saudi Arabia, Jordan, the United Arab Emirates (UAE), and Turkey.** Reports have found that since 2012, exports of weapons and ammunition worth at least 1.2 billion euros have been agreed upon by Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Slovakia, Serbia, and Romania. Furthermore, **manufacturing countries have granted arms export licenses despite evidence that weapons are ending up in Syria,** with armed opposition and Islamist groups accused of abuses. As such, the diversion of these weapons and their use by groups suspected of committing war crimes raises questions about the legality of the trade.

The global arms trade is **regulated by three layers of interconnected legislation - national, European Union (EU) and international** - but there are no formal mechanisms to punish those who break the law. Beyond the blanket ban on exports to embargoed countries, **each licence request is dealt with individually.** As a result, the **lawfulness of the approval hinges on whether countries have carried out due diligence on a range of issues,** including the likelihood of the arms being diverted and the impact the export will have on peace and stability. Even so, due diligence entails more than simply ticking off a document checklist. It obliges states to not only collect paperwork, but to assess that paperwork. States that rely on end-use certificates as a sufficient justification for issuing licenses are not meeting their legal obligations. While the position of the EU is clear, dictating that **exporters must assess the “existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions,”** there have been claims that **“countries selling arms to Saudi Arabia or the MENA region are not carrying out good risk assessments and, as a result, are in breach of EU and national law.”**

Consequently, while **no formal sanctions mechanism exists to punish countries that flout their internal obligations, non-governmental organizations and individuals can take legal action against governments** if they believe that arms export laws are being broken.



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## PREVIOUS ATTEMPTED SOLUTIONS

- The UN implemented a Program of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, but this did not hold any sanctions in case of violation.
- The implementation of the UN Security Council resolution 1540 in the MENA region, seeing as one-third of the countries in the region either possess some type of nuclear, biological, or chemical weapons, as well as served as an operational hub for engaging in illicit trafficking and terrorist activities. Even so, the resolution was not strong enough due to the political and economic instability of the region.
- The USA Export Control and Related Border Security supported Jordan, Oman, and Yemen in trade control, as well as sending financial aid.

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## QUESTIONS A RESOLUTION MUST ANSWER

1. What are the distinct factors that promote and sustain illicit arms trade in the MENA region?
2. How can the process of approvals be changed to ensure effectiveness and possibility of regulation?
3. Should countries be punished for a failure to make proper risk assessments? If so, how?
4. Is foreign involvement necessary to produce a successful solution?

