

Forum: General Assembly 1 (DISEC)

Issue: Measures to reduce international weapons trafficking to radical terrorist organizations

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Introduction

In light of the global increase in terrorist activity in recent years, there has been a subsequent burst in investigations and actions to counter these terrorist organizations by governments and committees worldwide. What deeper research into the hierarchies and structures of the nexus of terrorism has shown is that the illicit arms trade is crucial for the maintenance of these organizations; they essentially rely on illegally traded arms and weapons to hold their international threat.

While terrorist activities have been mostly centered in less developed countries (LEDs) throughout history such as in Syria, Iraq, and Afghanistan, there has been a significant rise in terrorist presence within more developed countries (MEDCs), as seen in many European countries. Global incidents regarding terrorist groups have been decreasing from its peak in 2014. However, terrorism levels are still significantly high worldwide.

Despite the fact that the Arms Trade Treaty (ATT) proposed by the United Nations in 2006 has gained traction and support across governments and populations latterly, there is a need for stricter restrictions and laws to be imposed on global arms trade, more specifically on arms brokers. This issue is one which requires international cooperation to solve, and due to its multifaceted nature is essentially impossible to solve with one action.

Definition of Key Terms

Small Arms

While there is no official definition of the term small arms, they are generally regarded as “weapons designed for personal use” by the Panel of Governmental Experts on Small Arms. Small arms include several types of firearms, such as revolvers, assault rifles, and light-machine guns. According to

the International Peace Bureau, there is estimated to be at least 875 million small arms in the world, around 75% of which are in civilian hands. Small arms appeal to terrorist groups for several reasons, being that they are inexpensive, effective, and are easy to conceal and transport due to their small sizes.

Light Weapons

Similarly to small arms, while light weapons have no official definition, they can be broadly regarded as “those [weapons] designed for use by several persons serving as a crew” according to the Panel of Governmental Experts on Small Arms. Light weapons include heavy-machine guns, explosives, landmines, and such. They are attractive to terrorist groups for reasons similar to that of small arms.

Terrorism

There is an absence of a universally acknowledged definition of terrorism followed by all; however, there has been a customary definition of terrorism proposed by the United Nations. This definition follows three central elements, which are “(i) the perpetration of a criminal act (such as murder, kidnapping, hostage-taking, arson, and so on), or threatening such an act; (ii) the intent to spread fear among the population (which would generally entail the creation of public danger) or directly or indirectly coerce a national or international authority to take some action, or to refrain from taking it; (iii) when the act involves a transnational element.”

Terrorist Organizations

Defined as organized groups of people who commit acts of terrorism, the UN has recognized Al-Qaeda, the Taliban, ISIL, and affiliated parties as terrorist organizations. However, because the UN does not recognize any terrorist organizations as legitimate political entities, no negotiations are done with them.

Arms Brokers

According to a report released by the United Nations, a broker is defined as “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.” Illicit arms brokers depend on lax government monitoring to transfer arms to terrorist organizations.

Cybercrime

Although there is no officially agreed on definition of cybercrime, the United Nations has formulated a framework to give a rough outline on what cybercrime is. According to the United Nations, cybercrime offences are usually “i) offences against the confidentiality, integrity and availability of computer data and

systems; ii) computer-related offences; iii) content-related offences; iv) offences related to infringements of copyright and related rights.” Cybercrime is coming to be a focal point in the illicit arms trade with the increasing importance of technology.

History

The trade of illicit arms to terrorist organizations has only become a prominent issue globally in recent years, and the beginning of its rise in importance can be traced back to the Cold War. During the Cold War, significantly large amounts of arms were produced and were widely traded and distributed. Considerable quantities of illicit arms were distributed to insurgent groups in countries such as Afghanistan and Pakistan by the former Soviet Union and the United States, which is the reason for many of the illegally possessed arms in the world today. The end of the Cold War, along with the fall of the Soviet Union in the early 1990s also created large stockpiles of arms that were not in use nor destroyed by the states that held them. Following the Cold War, in 1995, under the Clinton administration, the United States further expanded their customer base for their arms trade, seeing as previous restrictions on arms trade were relaxed or abandoned. The Clinton administration, for instance, approved \$36 billion in arms sales in 1993 alone, which set a new record. While the Arms Export Control Act (AECA), put into effect in 1976, gave Congress the authority to control the trade of arms and defense services, there has not been any interference by the Congress in any arms trade even since the implementation of the Act.

The Al-Qaeda attacks targeted at the United States on September 11, 2001 marked the beginning of the war on terror. Since 9/11, the United States has seen a substantial increase in the pace of arms sales. In the period from 2002 to 2016 following the 9/11 attacks, the United States sold over \$197 billion worth of arms and other forms of military aid to 167 countries.¹ Nations which were previously deterred from purchasing arms from the US before 9/11 due to conflicts or other violations were allowed to purchase arms after the fact, as long as a claim of combatting terrorism was produced. The AECA calls for the government to develop a risk assessment covering their arms sales as a measure to ensure that no danger or disadvantageous outcomes that can ensue. However, in analyzing the United States’ past arms sales, it can be inferred that this method is not being used to its full potential. Throughout the years, the United States has participated in arms trade or has sold arms to states with high risk on several instances. It has been found that 28 countries which were currently

¹ Security Assistance Monitor, “Arms Sales Dashboard,” <https://securityassistance.org/content/arms-sales-dashboard>.

subjects of high-level conflicts contributed \$2.94 billion to the United States arms exports.² Several governments, such as those of Iraq and Yemen, have purchased hundreds of millions of dollars worth of US arms, and have employed those to sustain civil wars and perpetrate human rights abuses.

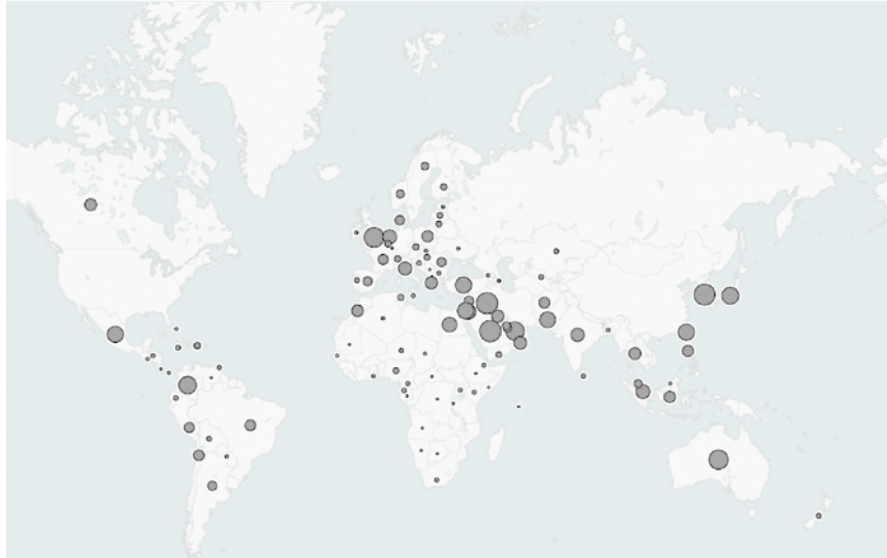


Figure 1: Distribution of US arms sales from 2002 to 2016

The Post-Cold War environment has, in ways, fostered the growth and sustenance of many terrorist organizations. Considering the direct link between organized crime and the illicit arms trade to terrorist organizations, the growing complexity of technological systems allows for more opportunities for illegal activities to occur, consequently fueling the illicit arms trade. Furthermore, the dark web, along with the growth of e-commerce and the globalization of the world, has allowed for an exponential increase in illicit markets for child pornography, narcotics, and such, which has in turn contributed to the worsening of the illicit arms trade. It is common for terrorist organizations nowadays to conduct fundraising activities and mask propaganda behind raising money for charities and other organizations with good cause in mind. Supply chains of terrorist organizations are progressing in intricacy as time passes, making it increasingly difficult for law enforcers to intervene in arms trafficking.

Key Issues

Arms Brokers

² Thrall, Trevor, and Caroline Dorminey. "Risky Business: The Role of Arms Sales in U.S. Foreign Policy." *Cato Institute*, 16 Oct. 2019, www.cato.org/publications/policy-analysis/risky-business-role-arms-sales-us-foreign-policy

Illicit arms brokers play a pivotal role in a large percentage of the world's trade on arms to terrorist organizations. Arms brokers that work illegally often obtain or create false identification and other documents for arms, allowing them to be traded under the radar. These arms brokers rely on lax regulations and monitoring from governments to function; only 56 countries worldwide have any regulations on arms brokering, and only 25 of those have criminal penalties on illicit brokering.³ However, even the nations with regulations on illicit brokers do not have laws effective enough to adequately administer these brokers in order to ameliorate the issue of illicit arms trade to terrorist organizations.

Most governments lack regulations that apply to illicit brokering outside their legal territories, which is a significant issue with government attempts to restrict illicit brokers. It is common for brokers to facilitate or organize illegal trades from an outside territory nowadays with the growth of technology and the internet. The significance of this issue can be illustrated by an instance in 2004, where an Irish broker operating illegally was involved in an attempt to transport 50 T72 tanks to Sudan from Ukraine. Due to the Irish government's lack of laws applicable to illicit brokering outside Ireland, however, no actions were able to be taken to punish this illicit broker.⁴

State Sponsorship of Terrorism

State sponsored terrorism, defined as a state which assists or utilizes terrorist organizations as a foreign policy tool against others, has become significant in several states only after World War II, likely in response to the risks of nuclear war and the costly nature of traditional warfare. Hezbollah and Hamas are examples of organizations that rely on state sponsorship to continue to function. The United States list of states which sponsor terrorism include Iran, North Korea, Sudan, and Syria. Pakistan was accused by several states, including the United States, the United Kingdom, India, Afghanistan, and Israel, of participating in state sponsored terrorism regarding the Jammu and Kashmir disputes. The UN has also placed heightened pressure on Pakistan for its condoning of Taliban activities and its lack of actions against them.

The Bush administration deemed Iran as the "world's primary state sponsor of terror," likely based on Iran's long history of terrorist attacks on the United States as well as on other countries. Iran has reportedly used several terrorist organizations including Hezbollah and Hamas as well as the Taliban as proxies to perpetrate attacks in the past, and is suspected of having committed several bombings and other forms of terrorist attacks against the United States and other Western countries.

³ "The Arms Trade Treaty and the NRA's Misleading Rhetoric." *Arms Control Association*, Arms Control Association, 11 July 2012, www.armscontrol.org/issue-briefs/2012-07/arms-trade-treaty-nras-misleading-rhetoric

⁴ Webel, Charles, and Johan Galtung. *Handbook of Peace and Conflict Studies*. Routledge, 2010.

Black Market / Dark Web

The black market for arms provides weapons to many terrorist organizations. The process in which arms end up in the black market begins with legal gun stores. It has been determined that the majority of arms suppliers themselves are not the most pressing issue, seeing as arms are, for the most part, sold legally to individuals who then go to sell them illegally to criminals; in some cases, on the other hand, arms are sold to individuals with falsified documentation unknowingly. In recent years, with the rapid advancement of technology, the dark web has risen in significance and now allows for more efficient circulation of arms already on the black market. Stolen military arms have been found to contribute greatly to the arms being sold on the black market, along with arms being legally transported which were intercepted and taken illegally. The black market of arms is prospering today and is attractive to terrorist organizations due to the ease in which weapons can be acquired through it, along with the relatively affordable costs, with small arms being only \$200 or \$300 above street price on average.

With the rising importance and complexity of technology in recent years, the dark web has come to serve as a doorway to more efficient circulation of black market arms. With the dark web, many black markets are able to become interlinked and are accessible at once with ease. The dark web is allowing for more advanced arms to be illicitly traded for prices that match, and in cases even come to be more affordable, than street prices. It has been found that almost 60% of all arms related products on the dark web are linked to the United States, and about 25% of arms related products can be traced back to European countries.⁵ There is a plethora of different arms related products traded on the dark web, including not only arms but also a wide variety guides to illegal activities. There have even been models for 3D printing entirely functional arms trafficked on the dark web. The diversity of arms related products on the dark web along with the difficulty of apprehension stemming from strong anonymity has made it a large challenge for law enforcers to find ways to regulate the illicit arms trade. The availability of such a wide variety of products teamed with the secure anonymity of the dark web has made it extremely popular among terrorist organizations in recent years as a source of their arms.

Major Parties Involved and Their Views

United States

⁵ Landy, Heather, et al. "The Dark Web, the Sale of Illegal Weapons and the Impact on International Security." *World Economic Forum*, 6 Dec. 2018, www.weforum.org/agenda/2018/12/the-sale-of-illegal-weapons-on-the-dark-web-and-the-impact-on-international-security/

The United States is one of the leading actors in attempts to eradicate the problem of the growing trade in illicit arms to fuel terrorism. The U.S. has been designated a position on the International Action Network on Small Arms' (IANSA) list of countries which have fulfilled their roles in implementing laws and procedures relating to the UN Program of Action. The U.S. also follows a system in which any individual wishing to involve themselves in manufacturing, brokering, or exporting any forms of arms must register officially and receive government approval. Surplus amounts of defense articles are regularly destroyed in the U.S as well. As one of the relatively few countries that provide monetary assistance to other states in destroying their SA/LW surpluses, the U.S has donated a total of over \$27 million to over 25 states, which in turn has led to the destruction of an estimated 900,000 SA/LW.⁶

While the United States has taken several measures to ameliorate the pressing issue of illicit arms trade to terrorist organizations, the U.S. remains the main source of weapons trafficked on the black market/dark web. An estimated 60% of all arms related products present on the black market can be traced back to the U.S. There are definite loopholes in the U.S's laws and regulations on illicit arms, most notably regarding the recent rise of the dark web. However, recently, the FBI has been taking action against the dark web, and they recently seized Deep Dot Web, a large source of black market links on the dark web. Furthermore, the U.S recently withdrew from the Arms Trade Treaty under the Trump presidency, which may act as an indication of a change in strategy or stance.

China

In recent years, China has made plans to join the Arms Trade Treaty considering the increasing prominence and therefore harm of the illicit arms trade across the globe. China has implemented a set of domestic laws and regulations targeting illegal exports on arms. China has put out an official statement affirming their opposition to the growing illicit arms trade and their attempts to end or better the issue. China conducts arms trade with sovereign states only, and requires the consent of the government for any movement or transfer of arms internationally. China's decision to join the ATT will significantly strengthen international supervision over any transfer of arms and thus hopefully assist in the global battle against the illicit arms trade.

UNODC

The United Nations Office on Drugs and Crime (UNODC) has a goal of minimizing the presence of terrorism, organized crime, drugs, and corruption across the globe. UNODC is responsible for the UN lead programme on terrorism, which aims to ameliorate the threat of terrorism by supporting member states. UNODC assists member states in implementing the internationally recognized legal instruments

⁶ "Actions by the United States to Stem the Illicit Trade in Small Arms and Light Weapons." *U.S. Department of State*, U.S. Department of State, 9 June 2006, <https://2001-2009.state.gov/t/pm/rls/fs/67700.htm>

to combat terrorism along with strengthening their national policies against it. UNODC also helps member states in ratifying and implementing the UN Convention against Transnational Crime and its Protocols, which can have a direct impact on helping states against the illicit arms trade. UNODC also works together with member governments to stop the illicit arms trade by confiscating and destroying confirmed illicit arms and monitoring all arms traded to ensure the legitimacy/legality of all arms. UNODC also promotes fair justice systems in member states.

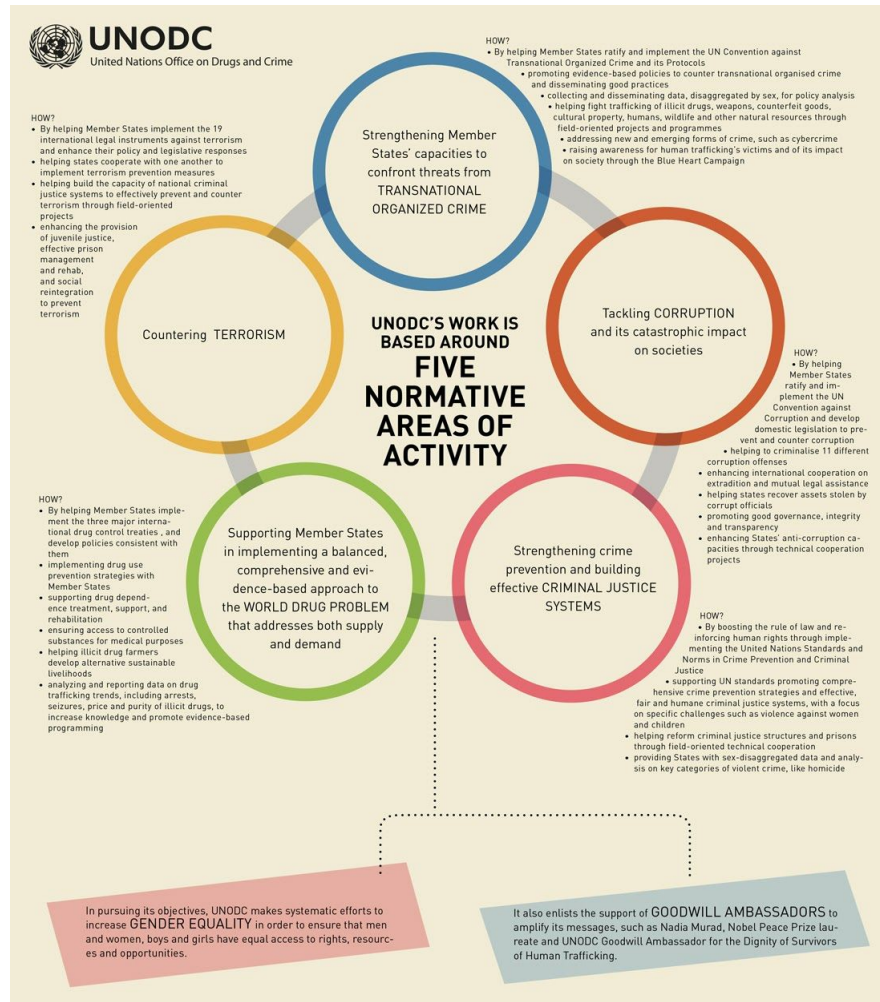


Figure 2: UNODC's Five Normative Areas of Activity

UNODA

The United Nations Office on Disarmament Affairs aims to help member states develop effective and practical methods of disarmament. UNODA focuses on strengthening disarmament systems for weapons of mass destruction (WMD) as well as small arms and light weapons. UNODA was responsible for bringing awareness to the ATT as well as hosting an annual conference for member states to discuss

disarmament issues, WMD, and SA/LW. UNODA is also promoting the UN 2030 Agenda for Sustainable Development, and is making attempts to reduce the global flow of illicit arms trade.

Timeline of Relevant Resolutions, Treaties and Events

Date	Description of Event
1947-1991	Cold War. A period of tension between the United States and the Soviet Union following World War II which lasted decades. Significantly large amounts of arms were produced during the Cold War, and a large percentage of illicitly traded arms today can be linked back to stockpiles of arms resulting from the Cold War.
June 23, 1985	Air India Flight 182. The deadliest aviation related terrorist attack until the Al-Qaeda attacks on September 11, 2001. A bomb planted on the aircraft flying the Montreal to London route exploded and caused the aircraft to break down over the Atlantic Ocean, killing all 329 passengers. A Sikh extremist group was suspected, and one person was convicted later in 2003.
July 12, 1996	Wassenaar Arrangement established. The Wassenaar Arrangement was established on July 12, 1996 to aid international security by promoting global transparency in the transfer of arms. 42 states are currently participants in the agreement.
September 11, 2001	Al-Qaeda attacks against the United States. Four aircrafts were hijacked by individuals with connections to the terrorist group Al-Qaeda and used to carry out suicide attacks against the U.S. An approximate 3,000 fatalities were recorded and over 25,000 were injured in the attacks. This event marked the beginning of the war on terror and spurred U.S efforts to combat terrorism.
August 14, 2007	Yazidi Community Bombings. Four coordinated suicide bomb attacks targetting two Yazidi towns in Iraq, resulting in almost 800 deaths and over 1500 injured individuals.
December 24, 2014	Arms Trade Treaty (ATT) enters into force. Adopted by the UN General Assembly on April 2, 2013, the ATT is a multilateral treaty regulating the international trade on arms that was put into effect on December 24, 2014. There are 130 signatories of the ATT, and 103 states have entered the ATT into force.
July 3, 2016	Karrada Bombings. Coordinated bombings in Baghdad, Iraq perpetrated by individuals associated with ISIL that resulted in over 340 fatalities.

Relevant UN Treaties and Events

- The United Nations Convention Against Transnational Organized Crime, 15 November 2000 (**A/RES/55/25**)
- Preventing Terrorists From Acquiring Weapons, 2 August 2017 (**S/RES/2370**)

- Threats to International Peace and Security Caused by Terrorist Acts, 12 December 2016 **(S/RES/2322)**
- Small Arms, 22 May 2015 **(S/RES/2220)**
- Threats to International Peace and Security, 19 December 2014 **(S/RES/2195)**

Evaluation of Previous Attempts to Resolve the Issue

There have been many attempts and efforts taken by governments across the globe as well as by the UN and various NGOs to resolve the growing illicit arms trade to fuel terrorist organizations. While many of these attempts have been successful in ameliorating the prominence of the issue, more needs to be done as the illicit arms trade and market are still increasing in significance.

One previous attempt to stop the trade of illicit arms by the United States was the creation of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The ATF aims to prevent the illegal use and trafficking of firearms as well as to prevent other illegal activities regarding alcohol and tobacco. While the ATF has had a notable amount of successes in reducing the activity of illicit arms in the U.S throughout its presence, the effectiveness of the ATF has been shrinking at a fast pace in recent years. The ATF has been riddled with problems such as inadequate management on many scales. The agency was passed from the Department of Treasury to the Department of Justice in 2002, increasing its ability in regulating illicit arms to a certain level. However, since then, it has not been incorporated into more prominent law enforcement agencies as it should have been, hindering its potential. On an executive level, ATF has not had a permanent director for over a decade. On another hand, Congress has also imposed restrictions and made changes to the political system which has undermined the ATF in their attempts. Furthermore, insufficient resources have also contributed to the coming failure of the ATF. Many believe that the FBI should be the governing body in terms of combating the illicit arms trade and should absorb the ATF's workforce due to its ineffectiveness at this time.

Another attempt to minimize the trade and presence of illicit arms is the buyback program in countries such as New Zealand. After the Christchurch massacre in March of 2019 which resulted in 51 fatalities, the government implemented the system in an attempt to increase the safety of the country and prevent further occurrences of terrorist attacks. The buyback program started with reforms which made certain weapons that were previously legal illegal, and then the government paid civilians in exchange for them to turn in their [now] illegal firearms. This system proved to be a success and the government was able to retrieve 56,250 firearms and more than 194,000 other prohibited items after modifying their laws on guns. Brazil and Australia are examples of countries which have implemented similar systems, and it has proved to be effective in both countries to a certain extent. Terrorist attacks are relatively rare in both

countries, and while further action does have to be taken, it acted as a large step in ameliorating the presence and trade of illicit arms.

Possible Solutions

The issue of illicit arms trade to terrorist organizations is not one that can be solved immediately through one singular approach, but instead requires global cooperation and several actions due to the multifaceted nature of the issue. The illicit arms trade as well as terrorism have been at historical highs in the recent decades and thus is a pressing issue that requires action to be taken immediately.

Reducing Existing Stockpiles

The Small Arms Survey has found that global stockpiles of arms total at an estimated 875 million, only 25% of which are in the hands of government bodies or armies. There are three possible approaches to reducing stockpiles, one being to reduce state stockpiles. State stockpiles are easy to reduce, and it has been determined that 38% of military small arms are surplus of what is needed. Another approach to reducing stockpiles would be to reduce civilian stockpiles of arms. Buyback programs implemented in countries such as New Zealand, Australia, and Brazil, have procured positive results and have led to hundreds of thousands of civilian arms being surrendered to the government. Buyback programs operate on two premises, which are i) to reform laws on arms to make arms more difficult to own legally and ii) to offer (typically monetary) compensation in exchange for turning in [now illegal] guns. Buyback programs offer positive incentives for citizens to turn in their arms, in turn strengthening the reformed arm laws. Destroying surplus and confiscated arms is another way to reduce the amount of arms in the world. Unnecessary arms from government arsenals, arms confiscated from civilians or seized from the black market should be immediately destroyed. This has been eluded by many governments as it can be seen as beneficial to trade those arms to other states or organizations, which actually only shifts the potential harm from one area to another.

Stricter Monitoring Systems

By increasing the frequency of cross-border checkpoints and enforcing more in-depth inspection methods, higher frequencies of arms can be seized and prevented from being illicitly transported. Furthermore, more definite tracking systems could be placed on every arm produced to be able to know where an arm is at any given time. These methods would require international cooperation and may be difficult to execute, but once implemented it could significantly decrease the presence of illicit arms being traded across the world and hopefully in turn decrease terrorist activity globally.

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Appendix or Appendices

- I. Has several in-depth possible solutions that can be adapted
<https://unchronicle.un.org/article/small-arms-no-single-solution>
- II. Provides detailed background information along with approaches to solve the issue.
<https://www.americanprogress.org/wp-content/uploads/kf/TerrorinShadows-Stohl.pdf>