

Dear Delegate,

On behalf of the chairs of the United Nations Commission on Crime Prevention and Criminal Justice, I would like to welcome and thank you for participating in the second annual Washington State Model United Nations conference.

The Commission on Crime Prevention and Criminal Justice is just one part of the enormous United Nations system. Its focus is on suggesting policy in regards to crime prevention and the protection of justice. This years topics have become central to the maintenance of peace and international security, which has been the driving force behind the United Nations. In light of the recent attacks on the United States, these topics (the trade of small arms and light weapons and organized crime) have become crucial in preventing further tragedies from happening in the future.

This study guide will provide you with the basic ideas behind each topic and will help you examine the fundamental questions and find the necessary resources to prepare you for the conference. If you have any questions or comments about research on these topics, please do not hesitate to contact me. You can reach me via e-mail at [bananarbabe@hotmail.com](mailto:bananarbabe@hotmail.com). Please note that the secretary and moderator are also available to help you with any questions and concerns.

Once again, I would like to appreciate my heartfelt appreciation and thanks for your participation in this conference. I hope you enjoy this learning experience and I look forward to meeting you at the conference.

Sincerely yours,

Christine Lambino  
Chair, Commission on Crime Prevention and Criminal Justice

## **Overview of the Committee**

In this context of strengthening international cooperation in the field of crime prevention and criminal justice, the Economic and Social Council established a Commission on Crime Prevention and Criminal Justice in February 1992. The Commission consists of 40 members elected by the Council on the basis of the principle of equitable geographical distribution as follows: African States (12), Asian States (9), Latin American and Caribbean States (8), Western European and other States (7), Eastern European States (4). The size and geographical distribution of the Commission may be reviewed two years after its first session.

The Commission's main functions are: to provide policy guidance to the United Nations in the field of crime prevention and criminal justice; develop, monitor and review the implementation of the United Nations Crime Prevention Programme; facilitate and help to coordinate the activities of the interregional and regional institutes on the prevention of crime and the treatment of offenders; mobilize the support of Member States; and prepare the United Nations congresses on the prevention of crime and the treatment of offenders. Secretariat services are provided to the Commission by the Crime Prevention and Criminal Justice Branch of the Center for Social Development and Humanitarian Affairs, located at the United Nations Office at Vienna.

### **Topic I: Trade in Small Arms and Light Weapons**

#### ***Statement of the Problem***

Taken from the 2001 UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, small arms are defined as: "Weapons designed for personal use" while light weapons are defined as, "Designed for use by several persons serving as a crew." Examples of small arms include revolvers, rifles, sub-machine guns, and assault rifles. Light weapons include grenade launchers, portable anti-aircraft and anti-tank guns. Most small arms and light weapons would not be lethal without their ammunitions. Ammunition and explosives thus form an integral part of small arms and light weapons used in conflicts. They include cartridges (rounds) for small arms, shells and missiles for light weapons, anti-personnel and anti-tank hand grenades.

The widespread availability of small arms and light weapons is perhaps the most significant problem the duration of battle. Rarely since World War II have international policymakers met to consider imposing regulations on trade in small arms and light weapons. Unlike arms regulations in the past, the regulation of the trade of small arms and light weapons has been difficult to monitor. Many scholars claim that although the threat of nuclear proliferation is small, the potential threat of harm via the use of small arms and light weapons is skyrocketing.

Unlike the regulation of the trade of missiles and nuclear weapons, the trade in small arms and light weapons is much more difficult to monitor for several reasons:

#### ***Sources***

There are numerous sources available to acquire small arms and light weapons. For established nation-states, the commercial arms trade provides a reliable source of small arms and light weapons. Many developing nations legitimately acquire these weapons

through developed countries and are their main source of national security. However, there are illegitimate sources such as the international black market. The market is composed of private dealers who acquire weapons from corrupt officials or surplus government stockpiles and then through unmonitored routes.

### *Transport*

Lacking access to major ports or airfields and operating largely in secrecy, these forces must rely on clandestine and often unreliable methods of supply and usually entail the use of small boats, pack animals, civilian vehicles, and light planes. The illegal transport of small arms and light weapons can be done a lot easier, with less monitoring occurring.

### *Price and Availability*

Compared to high priced weapons, small arms and light weapons are cheap, lethal, portable and concealable. They are durable and are easy to operate, so easy that children as old as ten have used them in combat.

The availability of these weapons contributes towards intensifying conflicts by increasing the lethality and sustaining the duration of violence, eventually leading to a greater demand for these weapons. The fact that likely belligerents in internal conflicts are able to procure significant supplies of light weapons has certainly contributed to the duration and intensity of these conflicts.

Another problem with the use of small arms and light weapons is that the excessive and destabilizing accumulation and transfer of small arms and light weapons is closely related to the increased incidence of internal conflicts and high levels of crime and violence. Even when formal hostilities have ceased, the diffusion of light weapons poses a continuing threat to international security. In war-torn areas where jobs are few and the economy is in ruins, many demobilized soldiers have turned to crime to survive, often using the weapons they acquired during wartime for criminal purpose or selling them abroad.

### *History of the Problem*

Small Arms/Light Weapons are the “Weapons of Choice” for many internal conflicts. Oftentimes used by small groups such as, insurgents, ethnic separatists, and brigands with limited access to the international arms market. Most of these individuals and groups do not have the financial capabilities to afford major weapons systems such as nuclear bombs and biological weapons. The price of these weapons has remained low due to theft from government arsenals being the most important source of arms for these insurgents and militias. The most popular conflict in which these types of weapons are used is civil wars.

Even today, there is still a lack of information for nations in regards to the flow of international trade in small arms and light weapons. As of 1998, there are no published statistics on the annual trade in light weapons. Further data on the sale of small arms and light weapons through commercial channels are unavailable.

### ***UN Bloc Positions***

Many developing countries still rely on small arms and light weapons for their national security. Yet, many of them have expressed their support of the formation of a multilateral agreement. In the African continent, which presently is replete with conflicts, the availability of small arms and light weapons exacerbates and fuels conflict. In societies where there are social problems, poverty and crime the availability of small arms contributes to those problems through their negative impact in terms of their psychological, physical and social consequences. Canada and a number of other members of the Wassenaar Arrangement have worked to ensure that Wassenaar members respect the Economic Community of West African States (ECOWAS) moratorium on small arms and light weapons. Russia, as a major producer and exporter of small arms and light weapons, is carrying out a responsible policy in the area of the supply of weapons to the international market; undertaking measures at the national level to tighten control over the export, production and supplies of small arms and light weapons; and intensifying the fight against their illicit proliferation.

### ***Past UN Action***

Almost every committee within the UN is affected by recent armed conflicts where these types of weapons were primarily used. Since 1990, this issue has been placed on the UN Political Agenda. There have been several expert groups established by the UN in regards to weapons regulation. These include: Panel of Governmental Experts on Small Arms, Group of Governmental Experts on Small Arms. In numerous peacekeeping missions, the UN has been involved in the collection and destruction of weapons. Over the past few years, the Department for Disarmament Affairs (DDA) has been the focal point within the United Nations system on small arms issues and has covered a wide range of small arms and light weapons-related issues.

The mechanism for Coordinating Action on Small Arms (CASA), a mechanism of 17 United Nations agencies and departments based on cooperation on various small arms issues, was established by DDA after being designated as the focal point on small arms. CASA convenes meetings several times a year and has often been briefed by members of international organizations, NGOs, United Nations agencies and experts. Further cooperation within the United Nations system, including DDA, has been the preparation of the Report of the Panel on United Nations Peace Operations, known as the Brahimi Report, which deals with the strengthening of the United Nations peacekeeping machinery.

The United Nations Trust Fund for the Consolidation of Peace through Practical Disarmament Measures is administered by DDA. Some of its objectives are to "assist countries affected by the illicit trafficking in small arms and light weapons in their efforts to consolidate peace through . . . retrieval, storage and safeguarding of weapons from demobilized personnel and through the destruction of those weapons". Upon their request, the Department assists Governments in defining the most effective formula towards that end. DDA has assisted Governments in various regions, such as Albania in Europe and Guatemala and El Salvador in the Americas, and is currently developing ways and means to assist such States as the Republic of the Congo and Niger in Africa and the Kingdom of Cambodia in Asia. With this last program, the Department has now reached each continent across the globe.

In 1999, the General Assembly decided to convene the UN Conference on the Illicit Trade in Small Arms and Light Weapons (SALW) in All Its Aspects in June/July 2001. The Assembly established a Preparatory Committee and requested it to recommend to the Conference a draft final document, which will include a program of action.

At the 2001 SALW conference, adopted numerous political undertakings at local, national, and global levels. Participating states agreed to support the Security Council in enforcing arms embargos. In terms of acquiring information, states pledged to work with the World Customs Organization to enhance cooperation with the International Criminal Police Organization (Interpol) to identify those groups and individuals engaged in the illicit trade in SALW in all its aspects as well as encourage international and regional organizations and States to facilitate the appropriate cooperation of civil society, including non-governmental organizations, in activities related to the prevention, combat and eradication of the illicit trade in SALW

UN Secretary General Kofi Annan has even taken an interest in this issue. In his Millennium Report, the Secretary-General noted that controlling the proliferation of illicit weapons is a necessary step towards the non-proliferation of small arms.

### ***Proposed Solutions***

Unlike nuclear, chemical, and biological weapons, there are no agreed international norms and standards dealing directly with small arms and light weapons. At the same time, over 100 states that do not export these weapons rely on them for their legitimate national and collective defense and internal security needs.

Because information is limited, steps could be taken to establish an international set of standards in both the enforcement of embargos as well as the sharing of information. One possible way to gain support from more states is to expand the UN Register of Conventional Arms to include small arms and light weapons.

The greatest challenge presented to the commission is to balance the need for strong, swift enforcement while protecting non-exporting states. States uphold the right of individual and collective self-defense as acknowledged in Article 2 of the UN Charter. Sustainable peace cannot exist without addressing both disarmament and root causes of a conflict. It is therefore imperative that cooperation and communication between civil society, Governments, the military and United Nations agencies, as well as NGOs, be present.

## **Topic II: Organized Crime**

### ***Statement of the Problem***

In the new globalized age, borders have opened up, trade barriers are being lifted and information speeds around the world at the touch of a button. Amidst all of these changes, transnational organized crime has been booming. Fortunes are being made from drug trafficking, prostitution, illegal firearms and a host of other cross-border crimes. Globally organized syndicates control the bulk of illicit international trade in drugs, prostitution, transport of aliens, gems and valuable metals, body parts, counterfeit currency, weapons and stolen goods. Every year, organized crime groups launder huge amounts of money in illegal proceeds. These large criminal groups often mimic legitimate business by forming multinational alliances to extend their reach and push up profits. They

have moved swiftly to take advantage of international trends towards globalization and liberalization, as deregulation of national economies and cutthroat competition for investments and hard currency make it easier to operate and to hide profits.

The seriousness of the problem lies in the complexity of these organizations and their activities, their global penetration and the threat they pose to democracy and legitimate economic development - these organizations clearly undermine the concept of the nation-state.

The complexity of transnational organized crime does not permit the construction of simple generalizations; there is no prototypical crime cartel. Organized crime groups engage in such widely publicized activities as drugs and arms trafficking, smuggling of automobiles and people and trafficking in stolen art. They also engage in such insidious activities as smuggling of embargoed commodities, industrial and technological espionage, financial market manipulation and the corruption and control of groups within and outside of the legal state system. Money laundering through multiple investments in banks, financial institutions and businesses around the globe has become a central and transnational feature of these groups' activities, as they need to hide ever-larger revenues.

Furthermore, the control of illegal markets by international organized crime has a ripple effect throughout the economy, thereby affecting the quality of life of even those who do not participate in the market of illicit goods and services. Extortion activities and the monopoly of markets increase the costs of consumer goods. As a consequence, citizens pay more for food, housing and medical services.

The social consequences of transnational organized crime are often understated. The most visible manifestations - violence, drug trafficking, gambling, prostitution and the spread of AIDS - all have a very direct effect on quality of life. Not only do international crime groups run these illicit markets, but also they coerce women and children into prostitution and develop drug dependencies among millions of individuals in order to create a market for their narcotics.

Unless countries are willing to make a concerted effort against organized crime, they threaten their own institutions and the stability and longevity of their governments.

### ***History of the Problem***

It is hardly surprising that no comprehensive international effort against organized crime has been initiated until recently. Transnational organized crime has been problematic for the last couple of decades, but it is only since the end of the Cold War that so many countries and international bodies have addressed it. The recently mounted attack on transnational organized crime is, indeed, partly a consequence of the need for security bodies (such as the CIA, KGB and the Mossad) and international organizations (such as the U.N. and the Council of Europe) to develop new missions in the post-cold War era. While the world focused on such highly visible problems as the superpower conflict or regional hostilities, the increasingly pernicious and pervasive transnational crime that now threatens the economic and political stability of many nations was ignored.

Long-term neglect of this problem means that the world now faces highly developed criminal organizations that undermine the rule of law, international security and the world economy and which, if they are allowed to continue unimpeded, could threaten the concept of the nation-state.

### ***Bloc Positions***

Transnational organized crime groups thrive in different political environments, functioning with diverse internal structures and in various areas of activity. They can be based in a collapsing superpower, the less-developed region of a developed democracy and in a formerly stable democracy. These groups vary broadly in size as well as in their strategies for avoiding detection. International organized crime groups are based on every continent, and their activities, while probably most pronounced in the regions closest to their home country, are increasingly conducted across continents, often in conjunction with organized criminals from other parts of the world. Divergent legislative and enforcement policies among nations permit these transnational crime groups to more easily elude authorities by exploiting a particular environment. For example, the favorable banking laws and the lack of enforcement have made several Caribbean islands havens for money laundering.

Here are just a few of the areas experiencing detrimental effects of organized crime:

#### *Central Asia*

For our purposes, Central Asia is located between Afghanistan and the markets of Russia and Western Europe. New groups have sprung up in Eastern Europe and the countries of the former Soviet Union, where crumbling state control has been an open invitation to organized crime.

Indeed, the post-Soviet proliferation of nations, each with its own legal system, and the lack of adequate border controls in a vast geographical area (that now stretches from Western Europe to the Pacific borders of the former Soviet Union) make it all the more difficult to monitor organized crime activity in the region.

#### *Africa*

Organized crime groups in West Africa have developed large drug trafficking activities and have been identified among several actors importing Asian heroin into the US and Europe. In recent years, West African drug-trafficking organizations have diversified into other forms of criminal activities such as theft, smuggling of contraband goods and counterfeit cards, money laundering and trafficking in women and children.

Another example of this geopolitical change is the European Union, which seeks the free movement of people and goods on a regional, transnational basis. In addition, the weakness of many other states that are unable to control their existing boundaries or establish proper internal legal institutions, creates vast areas in which boundaries are no longer delineated by walls - these borders have become webs of netting through whose holes passes the business of organized crime.

#### ***Past UN Action***

The new-style criminal organizations of the 1990s--termed "crime multinationals" by former Secretary-General Boutros Boutros-Ghali--were the subject of the World Ministerial Conference on Organized Transnational Crime in Naples, Italy, organized by the UN Crime Prevention and Criminal Justice Branch. The meeting, attended by

representatives of 142 nations, focused attention on the rapid growth, increasing financial sophistication and predominantly international character of today's crime syndicates.

In its policy proposals for the 1994 Ministerial Conference on Organized Transnational Crime, the United Nations suggested that the fight against these groups could be enhanced if more nations adopted legislation on the criminalization of participation in a criminal organization (which does not exist in many criminal codes), the criminalization of conspiracy, the prohibition of laundering of criminal profits and the implementation of asset forfeiture laws. The U.N. proposals also advocated the adoption of a convention specifically targeting transnational organized crime.

The UN has moved swiftly to put into effect a new treaty that could close the major loopholes that have allowed organized crime to flourish and have blocked international efforts to combat it. A committee of more than 120 countries forged the United Nations Convention against Transnational Organized Crime in only one and a half years. The Convention is intended to serve as a blueprint for countries to effectively shut down international criminal organizations, eliminate "safe havens", and protect witnesses and block money laundering.

While an increasing number of countries is likely to participate in such international efforts, there will always be countries whose governments are too corrupted, or whose legal infrastructures are too primitive, to allow them to actively participate in such arrangements. Gaps will invariably remain in the international legislative framework and, consequently, in the enforcement capacities of different states.

### ***Proposed Solutions***

Policy solutions cannot be simplistically homogeneous, since transnational organized crime groups can develop under a variety of political and economic conditions. All benefit from weaknesses in law enforcement in their home countries, and each exploits conflicting criminal, banking and investment laws among nations. There is no form of government that is immune to the development of a transnational criminal organization, no legal system that seems capable of fully controlling the growth of transnational organized crime and no economic or financial system able to resist the temptation of profits at levels and ratios disproportionately higher than the licit system offers. A successful policy must seek international harmonization in legislation combating crimes in the areas of banking, securities law, customs and extradition in order to reduce the opportunities for criminal activity and minimize the infiltration of transnational organized crime groups into legitimate business.

Extradition treaties and mutual, legal assistance agreements among the broadest number of signatories would best protect against the ability of transnational criminals to elude detection. All nations must engage in a coordinated law enforcement campaign to ensure that criminals do not exploit differentiated enforcement strategies.

## **Conclusion**

I am looking forward to meeting you at the second annual WASMUN conference. Please remember that the chairs of this committee are available and eager to hear from all of you if anything comes up that you would like clarification on or just want to discuss the conference. We can be reached by the following ways:



Washington State Model United Nations Topic Synopsis:  
United Nations Commission on Crime Prevention

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Here are some sources that may help you with your research:

University of Washington Political Science and Public Affairs Reference and Resources:  
<http://faculty.washington.edu/alvin/PolBib.htm>

*Note: A few of the resources in this website are UW restricted and you may not have access to these.*

United Nations Crime and Justice Information Network: <http://www.uncjin.org/>

United Nations Office of the High Commissioner for Human Rights Office of Crime Prevention and Criminal Justice: <http://www.unhchr.ch/html/menu2/2/crimepr.htm>

United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects: <http://www.un.org/Depts/dda/CAB/smallarms/about.htm>

New York Times Website: <http://www.nytimes.com>

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