



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Policy Statement on uncontrolled Small Arms and Light Weapons, Terrorism and Organised Crime¹

The Board of the Parliamentary Forum on Small Arms and Light Weapons, meeting on the 30th of November, 2018;

Introduction

The uncontrolled availability of Small Arms and Light Weapons (SALW) is a major destabilising factor enabling terrorism and organised crime.² These crimes are key threats to global security having high costs related to deaths and injuries, reducing investments and resulting in reallocation of public resources to counter-terrorism and counter-crime expenditures.³ The Parliamentary Forum on Small Arms and Light Weapons (hereinafter the Forum) finds it crucial to strengthen the role of parliamentarians in addressing conditions conducive to terrorism and organised crime. This is based on the Theory of Change of the Forum, to contribute to the achievement of more peaceful and sustainably developed societies through capacity-building, policy-shaping and awareness-raising, by enhancing parliamentary action in the implementation and universalisation of relevant international frameworks for the prevention and reduction of SALW-related violence. The point of departure of the Forum is therefore to utilise the three key roles of a parliamentarian; the legislative, oversight and awareness-raising functions.

Terrorism and internal conflict have been the main factors to the global deterioration in peacefulness over the decade according to the Global Peace Index.⁴ A geographical shift has taken place where Europe, which has been the world's most peaceful region since the initiation of the index, deteriorated for the third year in a row this year, due to increased impact of terrorism, perceptions of criminality and political instability.⁵ In general, the majority of terrorist attacks globally are carried out in countries experiencing internal conflict and breaches of international humanitarian law, disproportionately affecting developing countries. Hence, tackling the nexus

¹ Please also refer to the Forum's previous policy statement on Illicit Small Arms and Light Weapons and Terrorism from November 2017, <http://parliamentaryforum.org/wp-content/uploads/2018/06/Policy-Statement-on-Illicit-Small-Arms-and-Light-Weapons-and-Terrorism-1-3.pdf>

² Terrorism is a form of "organised" criminal behaviour, but it is distinct from organised crime (see page 2). This policy statement will distinguish terrorism from organised crime. When referring to organised crime here it is regarded as separated from terrorism although, as will be discussed further on in this policy statement, the definitions of these entities in many aspects can be regarded as intertwined.

³ Global Terrorism Index (2016), <http://economicsandpeace.org/wp-content/uploads/2016/11/Global-Terrorism-Index-2016.2.pdf> & United Nations Security Council Resolution 2220 (2015), http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2220.pdf

⁴ Global Terrorism Index (2016), <http://economicsandpeace.org/wp-content/uploads/2016/11/Global-Terrorism-Index-2016.2.pdf>

⁵ Global Peace Index (2018), <http://visionofhumanity.org/app/uploads/2018/06/Global-Peace-Index-2018-2.pdf>

between terrorism and organised crime has bearing on conflict prevention and the consolidation of peace.⁶

The use of SALW by terrorist and criminal organisations

Firstly, it is vital to state as important for this policy statement and further policy implications on counter-terrorist and counter-crime policy, to understand each problem separately as well as understanding their versatile correlations. There is no international consensus either academically or politically, on how to define terrorism or organised crime, since the definition of terrorism can be highly subjective and the different actors' activities to a great extent overlap.⁷

SALW are used by terrorists in a wide range of activities supporting their cause. These arms are oftentimes the most available and tactical option for terrorists, being easy to transport and conceal as well as causing extensive damage during a short period of time.⁸ Firearms were used in 18% of terrorist attacks globally in 2016, and in 32 % of the 50 most deadly terrorist attacks in 2015.⁹ The proliferation of illicit arms is an important source considerably increasing armed capabilities of terrorist groups.¹⁰ Diversion of lawful arms and ammunition to the illicit market, in the form of theft or unlawful transfers from civilian and national stockpiles, is the principal cause for illicit arms proliferation.¹¹

Recent terrorist attacks in the world, aforementioned, have increased the visibility of firearms and the public concern for the threat they represent. Those acts have not only shed light on the availability of uncontrolled firearms but also how transnational criminal networks are supplying terrorist groups with firearms and ammunition.¹² Most of the illicit arms flow conducted by transnational criminal organisations begins on one continent and end on another, often through a third, and therefore demands holistic counter measures. Regarding firearms trafficking by criminal organisations one can especially distinguish two types of markets for illicit firearms; one for those who needs weapons for criminal purposes and another for those who need weapons for political reasons. However one should not over-simplify the illicit firearms market since it is much more complex in reality. For example, in the EU many different firearms markets exists with diverse dynamics, according to project SAFTE (Studying the Acquisition of Illicit Firearms by Terrorists in Europe) coordinated by the Flemish Peace Institute.¹³ To understand the comprehensiveness of the

⁶ Global Terrorism Index 2017, <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf>

⁷ Stockholm Institute Peace Research Institute (2018), *Multilateral peace operations and the challenges of organized crime*. https://www.sipri.org/sites/default/files/2018-02/multilateral_peace_operations_and_the_challenges_of_organized_crime.pdf & United Nations Office on Drugs and Crime (2018), <https://www.unodc.org/e4j/en/organized-crime/module-1/key-issues/similarities-and-differences.html#top>

⁸ Cukier, W. & Chapdelaine, A. (2007), Small Arms, explosives and incendiaries, In Levy, B., S. & Sidel. V., W. *Terrorism and Public Health: A balanced approach to strengthen systems and protecting people*. Oxford University Press, p. 2

⁹ Global Terrorism Index (2017), <http://visionofhumanity.org/app/uploads/2017/11/Global-Terrorism-Index-2017.pdf> & Global Terrorism Index 2016, <http://economicsandpeace.org/wp-content/uploads/2016/11/Global-Terrorism-Index-2016.2.pdf>

¹⁰ United Nations Security Council Resolution 2370 (2017), <http://unscr.com/en/resolutions/doc/2370>

¹¹ Small Arms Survey <http://www.smallarmssurvey.org/fileadmin/docs/A-Yearbook/Special/SAS-Small-Arms-Control-Measures-and-ATT.pdf> & United Nations Secretary General Report (2016), http://www.un.org/ga/search/view_doc.asp?symbol=A/71/438

¹² European Union for Law Enforcement Cooperation (2017), *Europol review 2016 – 2017*. <https://www.europol.europa.eu/activities-services/main-reports/europol-review-2016-2017>

¹³ Duquet, Nils & Goris, Kevin (2018), *Firearms acquisition by terrorists in Europe. Research findings and policy recommendations of Project SAFTE*, https://www.flemishpeaceinstitute.eu/sites/vlaamsvredesinstituut.eu/files/wysiwyg/vrede_syntheserapport_safte_lr.pdf

illicit firearms markets, further research is available through for example the United Nations Office on Drugs and Crime¹⁴.

The nexus between terrorism and organised crime

Terrorist and criminal organisations, and the nexus between them, are constantly evolving and adapting to new contexts, which require full attention of the entire international community. The most obvious similarity contributing to them being regarded as intertwined is the use of violence, and the perception of threat these groups are spreading transnationally.¹⁵ Terrorists may benefit directly or indirectly from transnational organised crime, whether financially or operationally. Considering operational support, terrorists may for example obtain illicit SALW trafficked by criminal organisations, in addition to the possibility of obtaining uncontrolled licit SALW.¹⁶ Although intertwined, a difference between these entities can be found in their aims which are of relevance in preventing these crimes. Terrorists often have idealistically and politically motivated goals which they tend to make public, whereas criminal organisations often have personal criminal profit as objectives which they seldom share with the public.¹⁷

Identifying solutions and relevant international instruments

To prevent and reduce the uncontrolled flow of SALW, a possible target point may therefore be the nexus between terrorist and criminal organisations. In this regard, the Forum particularly highlights the relevance of the Arms Trade Treaty (ATT), adopted in 2014, providing a global framework for arms transfer controls, requiring exporting countries to ensure that arms exported are not used to fuel conflict or facilitate terrorism and criminal organisations.¹⁸ Additionally, states need to implement and comply with the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons (UNPoA), adopted in 2001, aiming to promote coordinated international efforts to restrain the illicit trade of SALW¹⁹, as well as the Firearms Protocol.²⁰

Sustainable Development Goal 16 (more specifically target 16.4.2) of the 2030 Agenda, on peaceful and inclusive societies, needs to be implemented to reduce illicit flows of SALW for sustainable development and peace-building. However, all sustainable development goals are inseparable, their implementation mutually dependent,²¹ underlining the need to address all factors conducive to terrorism and organised crime, including socio-economic conditions.

The Forum welcomes the United Nations Security Council Resolution (UNSCR) 2370 from 2017 on preventing terrorists from acquiring weapons. The resolution also emphasises the contribution of

¹⁴ United Nations Office on Drugs and Crime (2010), http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf & European Union for Law Enforcement Cooperation (2017), *Europol review 2016 – 2017*. <https://www.europol.europa.eu/activities-services/main-reports/europol-review-2016-2017>

¹⁵ Prokic, Ana (2017), The Link between organized crime and terrorism. *Law and Politics* Vol. 15, No 1, 2017, pp. 85 – 94

¹⁶ The United Nations Security Council Counter-Terrorism Committee (2018), <https://www.un.org/sc/ctc/wp-content/uploads/2018/10/Concept-note-and-open-briefing-nexus-rev-and-reformatted-3.10.pdf>

¹⁷ Ibid. & Prokic, Ana (2017), The Link between organized crime and terrorism. *Law and Politics* Vol. 15, No 1, 2017, pp. 85 – 94

¹⁸ United Nations The Arms Trade Treaty <https://unoda-webs.s3.amazonaws.com/wp-content/uploads/2013/06/English7.pdf>

¹⁹ Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (2001), [http://www.un.org/events/smallarms2006/pdf/192.15%20\(E\).pdf](http://www.un.org/events/smallarms2006/pdf/192.15%20(E).pdf)

²⁰ The Firearms Protocol http://www.weaponlaw.org/assets/downloads/2001_UN_Firearms_Protocol.pdf

²¹ United Nations General Assembly Resolution 70/1 *Transforming our world: the 2030 Agenda for Sustainable Development* (2015), http://www.unfpa.org/sites/default/files/resource-pdf/Resolution_A_RES_70_1_EN.pdf

international and regional organisations, civil society and the private sector in these efforts.²² The Forum also recognises the United Nations Convention against Transnational Organized Crime (UNTOC) from 2000 which recognise the links between transnational organised criminal activities and acts of terrorism, along with the Firearms protocol which supplements the UNTOC and should be interpreted together with the convention.²³ The Forum further welcomes UNSCR 2195 and 2322 which calls upon states to better understand and address the nexus between organised crime and terrorism and expresses concern that terrorist groups may obtain operational support from transnational criminal organisations.²⁴

In view of parliamentarians' legislative, oversight and awareness-raising functions, parliamentarians have a responsibility to advocate for the ratification of international instruments, overseeing their implementation and holding governments responsible. Parliamentarians also play a key role in sharing experiences and good practices between countries to maximise synergies and to improve legislation and parliamentary control of arms exports and uncontrolled proliferation.

In light of the risk that counter-terrorism and counter-crime related measures may lead to increasing levels of violence and armaments races that in turn becomes drivers of terrorism and other types of crimes,²⁵ states need to ensure that counter-terrorism and counter-crime measures are responsible and comply with the rule of law and human rights, as well as focusing on preventive measures such as disarmament and arms regulation.

Given the detrimental effects of the accumulation and misuse of SALW in the hands of terrorists and criminal organisations on human security, particularly the security of vulnerable groups, all affected actors need to be involved in efforts to eliminate armed violence. As recognised in UNSCR 1325 on Women, Peace and Security from 2000²⁶, and UNSCR 2250 on Youth, Peace and Security adopted in 2015, women and youth play a central role in the process towards more peaceful and inclusive societies. UNSCR 2250 specifically highlight the increasing threat of radicalisation of youth to violent extremist groups, oftentimes conducive to terrorism and other forms of organised crime, and the vital role youth play as positive role models in preventing and countering violent extremism and armed violence.²⁷

Based on the three key roles mentioned, parliamentarians are particularly important for building sustainable peace and sustainable development by ensuring a platform for different actors to express views – including women and youth. As such, parliamentarians can serve as the connecting agents between government institutions and civil society in the common efforts to tackle terrorism and organised crime.

²² United Nations Security Council Resolution 2370 (2017), http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2370.pdf

²³ United Nations Convention Against Transnational Organized Crime and The Protocols Thereto (2000), <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

²⁴ United Nations Security Council Resolution 2195 (2014), [https://undocs.org/S/RES/2195\(2014\)](https://undocs.org/S/RES/2195(2014)) & United Nations Security Council Resolution 2322 (2016), <http://unscr.com/en/resolutions/doc/2322>

²⁵ Taylor, I. (2016), State responsibility and counterterrorism, *Ethics & Global Politics*, 9(1)

²⁶ United Nations Security Council Resolution 1325 on Women, Peace and Security (2000), [https://undocs.org/S/RES/1325\(2000\)](https://undocs.org/S/RES/1325(2000))

²⁷ United Nations Security Council Resolution 2250 on Youth, Peace and Security (2015), <http://unoy.org/wp-content/uploads/SCR-2250.pdf>

Recommendations

The Board of the Parliamentary Forum on Small Arms and Light Weapons, meeting on the 30th November, 2018;

Acknowledges the devastating consequences of terrorism and organised crime on societies and communities, its high humanitarian and socio-economic costs and negative impact on sustainable development, peace and security;

Affirms that sustainable development, peace and security are interlinked, and that all conditions conducive to terrorism and organised crime need to be addressed;

Recognises the importance of preventing and reducing the uncontrolled proliferation of SALW to limit the armed capabilities of terrorist groups and criminal organisations;

Understanding terrorism and organised crime as intertwined issues, to facilitate policy making in prevention of these crimes and the illicit flow of SALW between these entities;

Is deeply concerned that terrorist groups benefitting from transnational organised crime contributes to undermining affected States, specifically the human security, stability, governance, social and economic development;

Draws attention to the fact that much of the illicit SALW trade depend on lack of control of legal transfers, where legal SALW are being diverted to the illicit market through theft or unlawful transfers;

Calls on parliamentarians to work with their governments to strengthen government policies, party programmes, appropriation bills and budgets action plans related to the 2030 Agenda, ATT, UNPoA and other relevant resolutions and processes mentioned in this statement related to counter-terrorism, counter-crime, arms control and peace and security; *further calls* on parliamentarians to review and scrutinise governments compliance with aforementioned instruments;

Reiterates the importance of signing, ratifying and implementing the ATT and the Firearms Protocol, compliance with the UNPoA as well as implementation of other international instruments relevant to counter-terrorism, counter-crime, and the prevention of uncontrolled SALW proliferation;

Reiterates the need to harmonise responsible legislation between different countries, to prevent terrorists and other criminal organisations from taking advantage of loopholes;

Recognising that a comprehensive approach to defeat terrorism and organised crime is required involving national, regional and multilateral action as well as a socio-economic perspective and *encourages* collaboration between international and regional organisations, civil society and the private sector in efforts to prevent terrorism as well as organised crime and implementing policies and mechanisms to monitor and report on proliferation of SALW;

Supports global partnership initiatives to combat the uncontrolled proliferation of SALW and *recognises* the need to further maximise these efforts;

Promotes women's and young people's participation in processes on peace and security on all levels and *calls* for the establishment of structures in decision-making processes to include women's and

young people's skills and perspectives on issues related to counter-terrorism, counter-crime and to peace and security; *encourages* parliamentarians to create partnerships with women's and youth organisations to increase the impact of parliamentary action;

Underlines the responsibility of states and parliamentarians to ensure that counter-terrorism and counter-crime actions comply with the rule of law and human rights, and *recognises* the need to work with an integrated approach on disarmament and sustainable development to enhance human, national and international security;

Mandates the Forum, its Members and the Secretariat to undertake all necessary actions towards universalisation and effective implementation of relevant international instruments to counter-terrorism and counter-crime in relation to the uncontrolled proliferation of SALW.