

Preventing the Arms Trade to Extremist Groups

History of the Current Situation

Instability in the Middle East

Reckless arms trading, prolonged war, and insufficient control of weapons travelling across borders



have provided extremist groups, like the Islamic State in Iraq and Syria (ISIS), with weapons that they used to commit war crimes in Iraq and Syria.¹ An Amnesty International report called *Taking Stock: The Arming of Islamic State* found that ISIS is using weapons from at least 25 countries, including the U.S., China, Belgium, France, Russia, Germany, and countries that no longer exist, such as the former Yugoslavia, Czechoslovakia, and the

former Soviet Union.² These weapons, including pistols, anti-tank weapons, machine guns, and mortars, are typically decades old, coming from the former Soviet Union, the United States, and China—due to poor regulation and poor oversight of the large arms flowing into Iraq during the Iraq-Iranian War, and both Gulf Wars.³ ISIS took most of these weapons from Iraq’s military stocks after they had a series of military victories across northern and western Iraq, beginning in June of 2014, when ISIS captured Mosul, Iraq’s second largest city, and obtained U.S. military vehicles and a wide variety of internationally manufactured arms. The lack of restrictions and laws on arms brokers and the rise of free trade has also contributed to the ease with which extremist groups can obtain arms. Aside from the Arms Trade Treaty (ATT)⁴, the Program of Action, and other program within the European Union and the United States, there have been no real international efforts to restrict or secure the trade of arms by nations or to impose any oversight to the arms brokers trading weapons internationally. Binding rules, regulations, or any other clear international law on this subject is completely absent from international law and few informal international norms exist to provide guidance for the arms trade. The consequences of reckless arms trade are causing the deaths of millions of people, especially the arms trade to extremist groups.

Active Terrorist Groups

¹ “Amnesty International: reckless Arms Trading Fuels ISIS War Crimes in Iraq, Syria.” *Newsweek*. <http://www.newsweek.com/reckless-arms-trading-fuels-isis-war-crimes-iraq-and-syria-amnesty-report-401853>.

² “Taking Stock: The Arming of Islamic State.” *Amnesty International*. https://www.es.amnesty.org/uploads/media/Taking_Stock_The_arming_of_IS.pdf.pdf.

³ *Ibid.*

⁴ “The Arms Trade Treaty.” *UN Office for Disarmament Affairs*. <https://www.un.org/disarmament/convarms/att/>.

Wartimes, careless arms trading, and poor control of weapons travelling across borders has led to a serious issue regarding extremist groups using illegal arms to harm civilians and further their extremist ideologies. These extremist groups include ISIS, a terrorist group based out of Iraq and Syria; Al-Qaeda, a terrorist group operating mostly out of Afghanistan and Pakistan; the Taliban, an Afghanistan based terrorist group; Boko Haram, a terrorist group active in the Lake Chad region; and Hezbollah, a terrorist group active in Syria, Lebanon and Palestine funded by Iran. ISIS is a huge player in the illegal arms trade, as they have used illegal weapons from various countries, such as the United States, to carry out malicious activities, such as capturing Mosul, Iraq's second largest city. In this case, ISIS used American arms that were sent to Iraq to capture the city. This happened because, after the U.S. began to occupy Iraq in 2003, they signed military contracts worth billions of dollars to properly arm the Iraqi military and send \$500 million worth of weapons by 2014.⁵ This was done without proper checks and balances and as a result, ISIS was able to obtain the arms and rise. Additionally, the lack of governmental control over the people in a given nation gives extremist groups the opportunity to obtain arms and attack civilians. In nations like Syria, the non-existent government has given rise to ISIS, which is currently wreaking havoc on the nation. Without government control in a given nation, the nation is left vulnerable to extremist groups that can use their illegal arms to effectively fight the government and begin to carve out areas of control for themselves.

In Syria, the conflict began with civilians protesting the President Bashar al-Assad's actions in torturing teenagers who had painted a revolutionary symbol on a school wall in 2011. The civilians were also protesting the lack of democracy in their government, and the lack of the President's



actions and ability to care for the people of Syria. The protests soon turned violent when security forces opened fire on the protesters, killing several of them. The war is essentially a war between the government and the people of Syria, and a religious war between two religious sects, Shiite fighters that are aligned with Assad, and

Sunni rebel groups. The conflict soon erupted into civil war, with the government fighting rebel groups. This left the nation vulnerable to ISIS, which emerged from the lawlessness on both sides of

⁵ "How Disbanding the Iraqi Army Fueled ISIS." *Time Magazine*. <http://time.com/3900753/isis-iraq-syria-army-united-states-military/>.

the Iraq-Syrian border.⁶ Over 250,000 people have died in this conflict and over 4.5 million people have fled Syria because of this horrible conflict. There have been several attempts to solve this conflict, including attempts to hold local ceasefires and also to hold elections to elect a new president that the people of Syria would accept and respect. Unfortunately, these efforts have been largely unsuccessful and the conflict rages on, allowing ISIS to further their agenda and obtain more poorly monitored and illegally traded arms that are used to escalate the conflict in Syria.

While ISIS is one of the more pressing extremist groups, extremists throughout the Middle East and the greater Arab-Islamic world remain dangerous and unless the supply of arms and weapons can be suffocated, they will remain empowered and continue to spread across the region. In Libya, ISIS has coopted several autochthonous extremist groups, allowing their extremist ideology to spread. A key result of this propagation, Libya has become a nexus for an illicit arms trade fueling extremist groups in Libya, Syria, and Central and Western Africa.⁷ During the Arab Spring arms were sent to Libya by Qatar and the United Arab Emirates despite UN arms restrictions in place.⁸ These arms, as well as those captured from the destroyed Qaddafi regime, have fallen into the hands of extremists, contributing to discord in Libya as well as across the region.

The Arms Trade Treaty (ATT)

The Arms Trade Treaty (ATT) is a multilateral treaty that regulates the trade of conventional weapons. It has been ratified by 91 states and entered into force in 2014.⁹ The purpose of the treaty is to establish international standards for weapons trading and to eliminate all illegal arms trading. The treaty applies to battle tanks, armored combat vehicles, large-caliber artillery systems, combat aircraft, attack helicopters, warships, missiles and missile launchers, and small arms and light weapons. The treaty mandates that all states must establish and maintain a national control system that regulates the export of ammunition/munitions fired, launched, or delivered by conventional arms and also to regulate the export of parts and components of conventional weapons that could possibly be used to assemble a conventional weapon. The treaty says that it will be implemented in states in the broadest, most effective manner, and that all states must give their national control list to the Secretariat so that other states will be able to view it. The treaty also says that states must not authorize the transfer of conventional arms if this transfer violates the treaty or other agreements that the state is part of, or if there is knowledge that these weapons will be used to commit crimes. When exporting weapons, states must keep in mind the principles of the treaty and assess the

⁶ "How ISIS Spread in the Middle East." *The Atlantic*. <https://www.theatlantic.com/international/archive/2015/10/how-isis-started-syria-iraq/412042/>.

⁷ "Letter... from the Panel of Experts on Libya established pursuant to resolution 1973 (2011) addressed to the President of the Security Council." *UN Security Council*. http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_99.pdf.

⁸ "Qatar, the UAE and the Libya connection." *Al Jazeera*. <http://www.aljazeera.com/indepth/opinion/2017/06/qatar-uae-libya-connection-170612080219306.html>.

⁹ "The Arms Trade Treaty." *UN Office for Disarmament Affairs*. <https://www.un.org/disarmament/convarms/att/>.

possibility that the weapons could be used to break international laws, and if this is so, then the states must not export the weapons. Importing state parties must make all relevant information available to the exporting state party so that they can assess the risks of exporting, and the importing states must also ensure that they have the necessary measures to regulate these imports. States must also regulate the transit of their weapons, and take measures to regulate the brokering of weapons within their territory. States must also take measures to prevent the diversion of weapons, and to warn other states if diversion does occur. States must also keep records of arms and exports, and they must give a report to the Secretariat that details the exports and imports of conventional weapons and the measures that the state has undertaken to implement the treaty. States must take the necessary measures to enforce the treaty and cooperate internationally to implement the treaty and its principles. A voluntary trust fund will be established to assist states to implement these measures and states may ask for assistance to implement these measures. The treaty also mandates that the state parties will convene to discuss the treaty and its rules at a time set by the conference of state parties and the Secretariat will assist the state parties in setting ways to implement the treaty. Furthermore, the treaty states that if any state parties have a dispute, they will settle it amicably and with the help of other state parties.

The Arms Trade Treaty is not effective and not working for a number of reasons. Primarily because major arms exporters such as China, Russia, the U.S., India, and Pakistan are not a part of the ATT and they do not plan to become a part of the ATT, but also because the mechanisms in the treaty are difficult to enforce in nations with weak systems and traditions of governance. Without the support of key arms exporting nations, the ATT will not live up to its lofty goals. In order to prevent the arms trade to extremist groups, there needs to be a treaty or law that extends to and is agreed upon by all nations, especially the key arms traders. Moreover, even if a treaty is agreed upon and includes major arms exporters, it must contain an effective enforcement mechanism because otherwise nations will continue to export arms to non-governmental group when it suites their interests, such as Qatar and the UAE to Libyan groups.

Case Study: ISIS

A 2015 report from Amnesty International confirmed that a large part of ISIS's ammunitions and military stockpiles came from the U.S.-allied Iraqi military and Syrian rebels when ISIS attacked and captured the second largest city in Iraq, Mosul. This was due to poorly secured military stocks in Iraq. ISIS has also gained military weapons through the capture or sale of Syrian military stocks supplied to armed opposition groups by countries including Turkey and the U.S. The Amnesty International report found that the quantity and range of ISIS's arms and ammunition "ultimately reflects decades of irresponsible arms transfers to Iraq and multiple failures by the U.S.-led occupation administration to manage arms deliveries and stocks securely, as well as endemic corruption in Iraq itself."¹⁰

¹⁰ "Taking Stock: The Arming of Islamic State." *Amnesty International*.
https://www.es.amnesty.org/uploads/media/Taking_Stock_The_arming_of_IS.pdf.pdf.

Moreover, even things that cannot immediately be used as a weapon, such as chemicals, but can be developed in to more dangerous weapons are finding their way into the hands of ISIS. Chemicals that are sold for other purposes in Turkey are easily bought by members of the group and smuggled into areas controlled by ISIS in order to manufacture improvised explosive devices.¹¹ The porous nature of the Turkish border as well as the lack of a registry that tracks large purchases of chemicals that can be used in bombs make it difficult to keep extremist groups from obtaining the component parts of dangerous weapons. It is quite clear that the only way to resolve this issue would be to closely monitor all arms transfers and to responsibly guard all arms stocks so that groups like ISIS will not get ahold of them.

Case Study: Hezbollah

Iran's revolutionary guards have built underground weapons production factories in Lebanon and



has handed them over to Hezbollah. Iran has previously had weapons factories in Sudan to produce weapons for Hezbollah and they have sent convoys to Hezbollah to arm the group. Hezbollah currently has tens of thousands of rockets that have a 45 kilometer range, thousands with a range of 250 kilometers, and several hundred with even longer ranges.¹² At these factories, ground to

ground missiles with a range of up to 500 kilometers, anti-ship missiles and torpedoes for small speedboats are being produced. These weapons are not produced from start to finish at one single factory. Instead, different parts are produced at different factories and then they are assembled.¹³ Hezbollah is currently operating out of both Lebanon and Iran, utilizing the knowledge of both countries. Most of Hezbollah's weapons are supplied by Iran through factories and convoys. The factories in Lebanon are said to be able to produce: "aerial drones capable of carrying reconnaissance missions or carrying munitions... artillery, machine guns, anti-aircraft guns, missile launchers and various types of ammunition including armor-piercing rounds...[and] anti-tank missiles..."¹⁴ In

¹¹ "IS Conflict: How is it getting hold of weapons from the West?" *BBC News*. <http://www.bbc.com/news/world-middle-east-38048482>.

¹² "Iran Reportedly Built Weapons Factories in Lebanon for Hezbollah." *Haaretz*. <http://www.haaretz.com/middle-east-news/iran/1.777038>.

¹³ "Iran Produces Weapons for Hezbollah on Lebanese Territory." *South Front*. <https://southfront.org/iran-produces-weapons-for-hezbollah-on-lebanese-territory-media/>.

¹⁴ "Has Hezbollah developed a domestic arms industry with Iranian support?" *Long War Journal*. <http://www.longwarjournal.org/archives/2017/03/has-hezbollah-developed-a-domestic-arms-industry-with-iranian-support.php>.

order to stop terrorist groups like Hezbollah from receiving arms and munitions, countries like Iran and Lebanon need to stop funding Hezbollah and providing them with weapons.

Role of the Arab League

The mission of the Arab League is to improve coordination among its members on issues of common interest. According to its charter, the Arab League will seek close cooperation on matters of economics, communication, culture, nationality, social welfare, and health. It will also renounce violence for the settlement of conflicts and collaborate in military affairs.¹⁵ The Arab League has established that an attack on any one member nation is an attack on all member nations. The Arab League also has a formal commitment to international human rights law. The Arab League has no mechanism to compel the compliance of its members on its resolutions, so decisions reached by a majority only apply to those members that agree to them.¹⁶ Only unanimous decisions of the League are binding to all members. According to the charter, the member states shall respect the systems of government in other member states and they shall abstain from actions to change those systems of government. A majority vote on matters relating to personnel, the League's budget, establishment of the administrative regulations of the League, and decisions to adjourn sessions.¹⁷ An example of the limitations of the Arab League's actions would be that the Arab League could not declare an embargo against an extremist group, but it could recommend or endorse such actions. Nevertheless, the Arab League is the prime venue to confront the arms trade to extremist groups to ensure the protection of civilians and prevent the erosion of Arab governments.

Questions to Consider

- What should be the next step for the Arab League?
- To what extent has the ATT been successful in reducing the arms trade to extremist groups?
- How can the ATT be revised to be an effective defense against the arms trade to extremist groups?
- How can the UN work to solve the arms trade issue by solving the issue of government instability without infringing on national sovereignty?
- How can United Nations Office for Disarmament Affairs be improved to successfully prevent the arms trade to extremist groups?

¹⁵ "Charter of the Arab League." *League of Arab States*. <http://www.refworld.org/docid/3ae6b3ab18.html>.

¹⁶ "The Arab League." *Council on Foreign Relations*. <https://www.cfr.org/backgrounder/arab-league>.

¹⁷ Ibid.