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| FORUM: | Disarmament Commission |
| ISSUE: | Measures to Prevent the Individuals' Illegal Possession and Usage of Firearms |
| STUDENT OFFICER: | Brandon Zhou |
| POSITION: | Deputy Chair of Disarmament Commission |

Introduction

The issue of individuals' illegal possession and usage of firearms is a matter of great concern due to its significant impact on public safety and societal well-being. The Small Arms Survey estimates that 857 million firearms are in civilian hands worldwide, 100 million of which are deemed illegitimate or illegal weapons. According to research conducted by the Violence Policy Center in the United States, there were over 1,000 mass shootings with illicit firearms between 2007 and 2017, which resulted in thousands of fatalities and injuries.



Trade of handgun from seller to individuals

When firearms are in the possession of people without legal authority, the risk of accidents, incidents of unintentional shootings, domestic violence, and armed conflicts increases substantially. Additionally, illegal firearm use and ownership raise the crime rate. Criminals frequently use illicit firearms to commit violent crimes like robbery, assault, and murder. These crimes are more severe and happen more frequently as a result of the accessibility of these weapons, which puts a strain on the criminal justice system and law enforcement. Maintaining public safety and preventing criminal activity becomes difficult when unlicensed firearms are widely available.

Background

Illegal possession and usage of firearms is a grave issue that threatens public safety and security in many countries. One critical event that played a significant role in shaping gun control policies and the concept of illegal possession of firearms was the English Bill of Rights in 1689. Following the Glorious Revolution, this legislation guaranteed certain rights to English citizens, including the right to bear arms for self-defense and protection against a tyrannical government. However, the Bill of Rights also



prohibited "certain persons" (i.e., Catholics and dissenters) from possessing arms. This marked one of the earliest instances of gun ownership restrictions based on specific criteria. As the world entered the 20th century, the proliferation of firearms and their use in criminal activities prompted further regulations. For instance, the National Firearms Act of 1934 in the United States heavily taxed and regulated certain categories of firearms, including machine guns, short-barreled rifles, and sawed-off shotguns, making their possession more difficult. The causes of this issue are many. Weak or insufficient gun restrictions are a significant contributing factor. In certain regions, it is simpler for people to purchase weapons illegally due to flaws in the law or insufficient background checks and licensing procedures. This opens the door for unauthorized individuals to purchase firearms without being thoroughly examined.

Another key factor in the issue is the trafficking of illegal firearms. Often, illegal guns are taken

from legitimate sources or transported across borders. Individuals can get firearms outside of the legal system due to an expanding black market for firearms that supports the supply and demand for illegal weapons.



Activists rally demanding action on gun safety laws outside the US Capitol in Washington

Social and economic factors also have an impact on the problem. Social inequality, unemployment, and high levels of poverty foster an atmosphere where people may turn to crime and use illicit guns as a form of power

or survival. These problems are made worse by the lack of access to social mobility, healthcare, and education. The prevalence of gun ownership and use can also be influenced by cultural and historical variables. Due to cultural norms or historical settings, regions with a hunting heritage or a history of armed conflict may have a greater frequency of illicit firearms.

Laws and policies regarding the illegal possession of firearms vary significantly from country to country, as they are shaped by each nation's unique cultural, historical, and political contexts. In the world, the United Kingdom maintains some of the tightest regulations on gun ownership for civilians. Possession of guns is governed by the Guns Act of 1968, as well as the Firearms (Amendment) Acts of 1988 and 1997. Handguns, semi-automatic weapons, and automatic weapons are generally not allowed for individual possession, while there are few exceptions made for licensed collectors or specific sports shooting activities.

Timeline



- Early 1900s:** At the beginning of the 20th century, firearms regulations were relatively lax in many countries, including the United States. While there were some restrictions on certain types of firearms and who could own them, the overall enforcement was not as stringent as it is today. This leniency allowed for a relatively higher level of gun ownership and easier access to firearms.
- Prohibition Era (1920s):** During the Prohibition era in the United States (1920-1933), the illegal possession and use of firearms increased significantly. The prohibition of alcohol led to the rise of organized crime, which heavily relied on firearms to protect their illicit operations. The prevalence of illegal guns and gun violence escalated during this period.
- Mid-20th Century:** Following the Prohibition era, there was a decrease in organized crime-related gun violence. However, as the world faced World War II and various conflicts during the mid-20th century, firearms were still prevalent in warfare and civil unrest. The issue of illegal firearms was more evident in regions experiencing political instability and armed conflicts.
- Modern Era (Late 20th and Early 21st Century):** Starting from the late 20th century, the issue of illegal firearms saw fluctuations across different regions. In developed countries, there was a growing concern about gun violence, leading to increased regulation and gun control measures. Incidents of mass shootings and high-profile gun-related crimes also garnered significant attention, prompting further debates on gun control.
- Proliferation of Firearms:** As the world became more interconnected, the global arms trade expanded, leading to a wider availability of firearms, including illegal ones. Smuggling and illicit arms trafficking increased, making it easier for criminals and terrorists to access illegal firearms in various regions.

Problems Raised

Public Safety

Concerns regarding public safety occur as a result of unauthorized access to and use of firearms by individuals. These concerns cover a wide range of issues, such as the occurrence of mass shootings that target innocent people, cause a substantial number of casualties, and spread fear and panic throughout communities. The existence of illicit guns makes law-abiding individuals



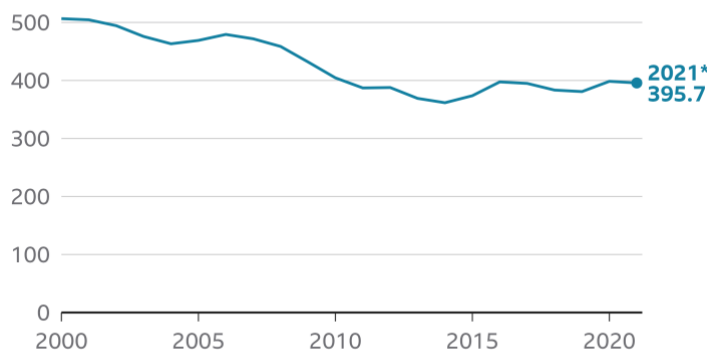
Police officers in the UK patrolling for public safety



more vulnerable since conflicts may easily turn into life-threatening scenarios. This puts pressure on law enforcement organizations, which must set aside funds to stop the illegal trade in guns and deal with occurrences involving firearms. Another unsettling result is collateral damage, in which uninvolved third parties may sustain injuries. Additionally, the dread of gun violence has a negative effect on mental health, bringing anxiety and psychological distress to the population it affects.

Crime Rates

Violent crimes per 100,000 people in the US



* 2021 figures are estimates based on reporting covering 66% of US population
 Source: Federal Bureau of Investigation
 Graph showing the violent crimes per 100,000 people in the US in 2021

Illegal firearms play a significant role in fueling crime rates, as they frequently end up in the hands of criminals and contribute to the perpetration of violent offenses. These illicit firearms can be used by criminals for a variety of crimes, such as robbery, assault, and even murder. Law enforcement organizations and the criminal justice system are faced with great difficulty as a result of the severity and frequency of these crimes being exacerbated by the availability of illicit firearms. The

availability of these illegal weapons gives criminals the tools to further their criminal goals more successfully, which raises the frequency of violent crimes. To lower crime rates and improve public safety by limiting criminals' access to these lethal weapons, the problem of illicit firearms must be addressed.

Public Protests (For & Against Firearms)

The National Rifle Association (NRA) is one of the most widely recognized organizations advocating for gun rights in the United States. The NRA has a history of staging demonstrations and protests against proposed gun control laws or regulations that they feel violate the Second Amendment rights of citizens to keep and bear weapons. After mass shootings or other high-profile acts of gun violence, discussions over gun control can become more contentious, which could



Protests gather across the U.S. to speak out against gun violence



result in protests from those who believe that owning a gun is a basic right and who consider gun control measures useless or an infringement on their rights.

Gun rights supporters contend that prudent gun ownership is an essential component of their personal safety as well as the defense of their families and homes. They argue that limiting law-abiding persons' access to weapons will not stop criminals from getting firearms illegally and could make law-abiding citizens more exposed to violence. It's important to remember that the gun control debate is an extremely complex topic and that people's views on it can differ greatly depending on cultural, geographical, and political variables. Both sides of the debate have fervent beliefs and pro-gun rights organizations may stage demonstrations in reaction to perceived threats to their liberties and the Second Amendment.

International Actions

Arms Trade Treaty (ATT)



The logo of the Arms Trade Treaty

The Arms Trade Treaty (ATT), which came into force in 2014, is an international agreement aimed at regulating the global trade in conventional weapons. By creating universal international standards, it aims to stop the illegal transfer of firearms and encourage responsible arms transfers. The pact has clauses that deal with transparency, risk analysis, and stopping the diverting of weapons to illegal users or receivers.

By mandating state parties to keep national records of allowed arms exports and imports, the ATT encourages transparency in the global arms trade. The development of a thorough and open picture of the world's weapons trade is made possible by the information provided. In order to foster transparency and collaboration, it also urges governments to communicate information on how the treaty is being implemented and to hold frequent viewpoint discussions.

The need for governments to carry out extensive risk assessments prior to approving weapons transfers is one of the treaty's main provisions. In this evaluation, the possible hazards of the planned transfer are assessed. These risks include human rights breaches, transgressions of international humanitarian law, and the danger of diversion to unintended users or receivers. The intention is to prevent terrorism, human rights violations, or armed conflicts from being exacerbated by the transfer of firearms.



Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition (Firearms Protocol)

This protocol is an addition to the UNTOC that focuses on stopping the production and trafficking of illegal firearms, ammunition, and parts. To prevent and stop these actions, it underlines the value of international collaboration, the tagging and tracking of firearms, and the improvement of national legislation. The protocol supports the creation of mechanisms for labeling and record-keeping and also makes it easier to identify and trace weapons.

Key Players

United Nations Programme of Action on Small Arms and Light Weapons (UNPoA)

The UNPoA is a global initiative established in 2001 to address the illicit trade in small arms and light weapons. It offers a platform for nations to collaborate and develop their domestic firearms control policies. The initiative encourages actions including stockpile management, firearm labeling and tracing, and global collaboration to stop illegal arms trafficking. The UNPoA is a political commitment by member states to act, not a legally enforceable agreement. A series of biannual meetings and reports from member nations are used to track the program's implementation, providing a forum for exchanging successes, setbacks, and best practices.

INTERPOL Firearms Programme

The International Criminal Police Organization (INTERPOL), has established a Firearms Programme to enhance global cooperation in combating illicit firearms trafficking. It promotes investigations into transnational crimes involving firearms, encourages the sharing of intelligence among member nations, and offers law enforcement organizations training and technological assistance. To combat the global problem of illicit firearms trafficking, the Firearms Programme of Interpol is essential in fostering international cooperation and coordination among law enforcement authorities. Interpol seeks to prevent the improper use of firearms, lessen armed conflict, and improve public safety globally by encouraging information exchange, offering training, and assisting investigations.



INTERPOL

*The logo of The International
Criminal Police Organization*

United States Of America

As a result of a large number of firearm-related occurrences and a complicated system of gun laws and rights, the United States is heavily involved in the problem of preventing unlawful possession and use



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of weapons. There are many different and frequently opposing viewpoints on this problem inside the nation. Government officials hold varying views; some want harsher gun control laws to increase public safety, while others place a stronger emphasis on defending individuals' right to bear weapons. Gun rights advocates defend the Second Amendment and oppose many proposed laws, while proponents of gun control support policies like universal background checks and bans on certain types of weapons.

The diversity of public opinion reflects differences in demographics, geographic areas, and political allegiances. A variety of laws have been proposed and put into effect as a result of legislative initiatives at the federal and state levels, with varied degrees of support. The problem of guns and gun control in the United States is still complicated and politically contentious, necessitating continuing discussions and efforts to forge consensus and implement practical solutions.

Possible Solutions

Strengthen and enforce existing laws

Governments should make sure that regulations governing the ownership and use of firearms are thorough and functional. Implementing stringent background checks, hold periods, and licensing requirements is part of this. Law enforcement authorities should strictly enforce these regulations, doing routine inspections and checks to spot and detain anyone who is in possession of guns against the law.

One specific example of an existing law that embodies the principles is the Firearm Owners Protection Act (FOPA) in the United States. Enacted in 1986, FOPA aims to ensure thorough and functional regulations governing the ownership and use of firearms while safeguarding the rights of law-abiding gun owners. The law requires licensed firearm dealers to conduct stringent background checks on potential buyers before selling them firearms, effectively preventing individuals with criminal records or mental health issues from acquiring guns. Moreover, FOPA established a federal system for issuing Federal Firearms Licenses (FFL), requiring licensed dealers to adhere to strict regulations and responsible practices. Law enforcement authorities play a vital role in enforcing these regulations, conducting routine inspections and checks to identify and detain anyone unlawfully in possession of firearms.

Improve background checks

Background checks could be made better in order to make sure that firearms do not end up in the wrong hands. This involves thoroughly checking each potential buyer's criminal and mental health histories. For accurate and effective background checks, access to extensive databases, including



A firearm store in the United States



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criminal histories, restraining orders, and mental health information, is essential.

Glossary

Firearm

A firearm refers to a portable weapon that uses explosive materials or compressed air to propel projectiles, such as bullets or shells. Firearms are designed to be held and operated by an individual and are capable of discharging projectiles at high speeds with considerable force.

Illegal possession

Illegal possession refers to the unauthorized or unlawful ownership, control, or possession of an item, in this case, firearms. It refers to situations where an individual possesses a firearm without the necessary legal authority or is in violation of specific laws or regulations.

Background check

Background check refers to the process of investigating an individual's criminal history, personal records, and other relevant information to assess their eligibility for certain activities, such as employment, licensing, or firearm ownership. Background checks are conducted to ensure public safety, reduce risk, and make informed decisions about an individual's suitability for a particular role or privilege.

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