



ESEM
ESCUELA DE SEGURIDAD
MULTIDIMENSIONAL-USP

USP



Course on

ILLICIT MARKETS AND ORGANIZED CRIME IN THE AMERICAS



MINISTÉRIO DA
JUSTIÇA E
SEGURANÇA PÚBLICA



Eurofront

Class

Arms trafficking and international law

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Introduction

Students will learn about the **main international normative instruments** that help in the fight against the illicit trafficking of firearms, ammunition and their accessories.

They will also address **how this crime has been dealt with in the field of international relations**, international organizations and cooperation systems created to make the best fight against this international crime.

As well as the purpose of **international institutions** and how they adhere to national policies to combat the crime of arms trafficking, in addition to the obligations and political commitments of the countries in the different instruments.



Concepts

International Law: Defines the legal responsibilities of States in their relations with each other.

International normative instruments: Refers to any agreement, pact, treaty, protocol or convention signed between two or more States or subjects of international law.



Institutions

United Nations (UN): International organization founded in 1945 by 51 countries that pledged to maintain international peace and security, foster friendly relations among nations, and promote social progress, improved living standards, and Human rights.

Organization of American States (OAS): Hemispheric organization that integrates all the countries of the American continent, and which areas of work cover a wide variety of issues relevant to the region.

Southern Common Market (MERCOSUL): It is an open and dynamic process. Since its creation, its main objective was to promote a common space that would generate commercial and investment opportunities through the competitive integration of national economies into the international market.

Central American Integration System (SICA): It was established on December 13, 1991, by signing the Tegucigalpa Protocol. Its purpose is the integration of Central America, to make it a region of peace, freedom, democracy and development.

Class Content

What is the purpose of international institutions?

International institutions have the purpose of cooperation, technical assistance and coordination of activities that can lead to safer, more peaceful and more orderly environments, scenarios, territories and countries.

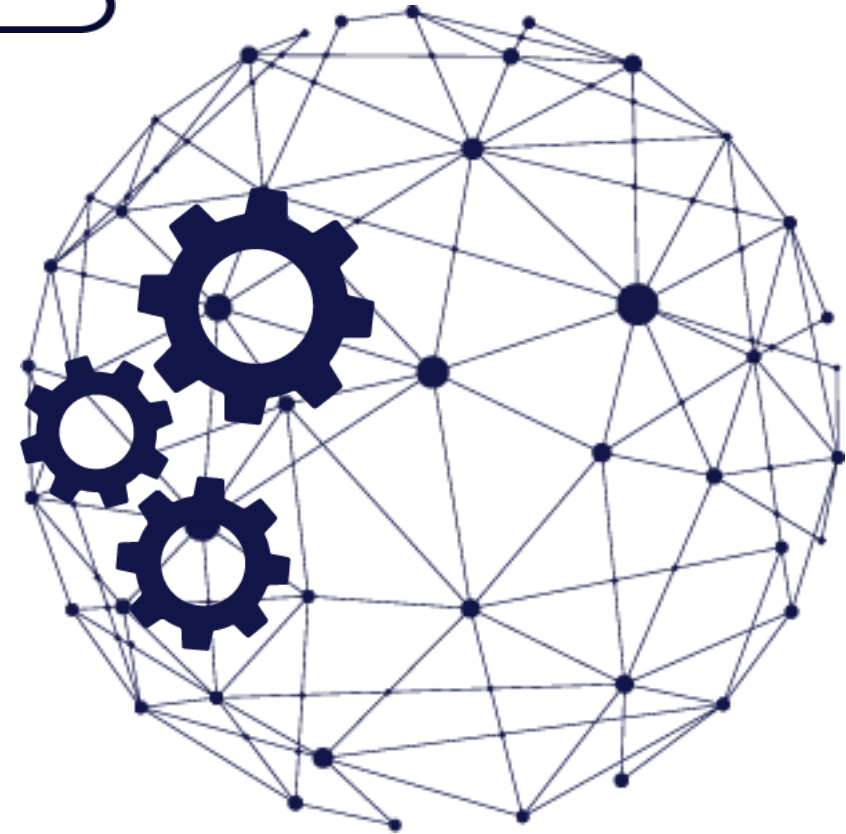
How can international institutions help in the fight against arms trafficking?

They are responsible for guaranteeing, through international political and/or legally valid instruments, normative basis for monitoring the arms trade..

Class Content

International relations take place through **political agreements**, but also through **voluntary commitments** made by the member countries of international institutions to comply with the agreements legally..

- United Nations Action Program to prevent, combat and eliminate the illicit trade in small arms and light weapons in all its aspects (PoA) – 2001
- Arms Trade Treaty (ATT) – 2012
- Inter-American Convention against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) – 1997



United Nations Action Program to prevent, combat and eliminate the illicit trade in small arms and light weapons in all its aspects (2001)

It is a United Nations program that was created in 2001 with the great intention of regulation to combat arms trafficking in the world.

Purpose: Combat the illicit trafficking of firearms in all its aspects. It is the basis of what is expected throughout the world regarding policies to combat the trafficking of arms, ammunition and their accessories.

The PoA is a **political agreement**: it does not generate sanctions



Arms Trade Treaty (2012)

The treaty is a **voluntary international instrument**, that is, countries adhere to the treaty and bring these norms into their national legislation.

Purpose: It entails legal obligations, of all the countries that are part of this treaty, to monitor the firearms trade.

It has the weight of international law: it **generates sanctions**.



Inter-American Convention against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials(1997)

It is a **regional international treaty** approved in 1997 by the Assembly of the Organization of American States (OAS).

Purpose: Establish a regional standard for the control of illicit manufacturing and trafficking.

Emphasizes the need for authorizations and licenses for export, import and transit.



Class Content

The difference between voluntary commitments assumed by the countries and by political agreements is that one is a mere political commitment, a will to achieve that objective that must be implemented through public policies within each of the countries. International obligations are given through signed treaties, these generate obligations under international law and can also generate sanctions for those who do not comply with them.

All of these international instruments serve to enhance **cooperation and assistance** between countries.

When we are in an investigation, to try to combat arms trafficking, **the exchange between countries is fundamental**, the exchange between police agencies within the same country already becomes fundamental.

Class Summary

- Main international normative instruments in the fight against arms trafficking
- United Nations Action Program to prevent, combat and eliminate the illicit trade in small arms and light weapons in all its aspects (PoA) – 2001
- Arms Trade Treaty (ATT) – 2012
- Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) – 1997

Reference

The Arms Trade Treaty.

ORGANIZAÇÃO DOS ESTADOS AMERICANOS. Convenção Interamericana contra a Fabricação e o Tráfico Ilícitos de Armas de Fogo, Munições, Explosivos e outros Materiais Correlatos.

UNITED NATIONS. UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (UNPoA).





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