

# Mexico and the World

## Moving Towards a Global Strategy against Illicit Arms Trafficking\*

*Fabián Medina*\*\*

There are causes worth dying for, but none worth killing for.

ALBERT CAMUS

In order to reduce violence generated by illicitly-sourced firearms in Mexico, we decided to deploy concerted diplomacy at the regional level and in the main international forums, in order to make use of agreements in this area to address bilateral challenges with the United States and the other main exporting countries.<sup>1</sup>

The vast majority of these international agreements have been adopted by the main European arms exporting countries—which are the source of 30% of all weapons secured in Mexico—and the United States is a party to some of the agreements—a source of 70% of all secured weapons. In all these legal instruments and follow-up mechanisms—some of which are binding—we Member States have given our commitment to ensure that firearms, especially small arms and light arms, do not fall into the hands of organized crime.<sup>2</sup>

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\* Spanish-English translation by Alexander Smith.

\*\* Head of the Office of the Foreign Affairs Minister-SRE.

<sup>1</sup> This analysis retakes and updates elements, with official figures and public sources, of the articles published in the author's column in the newspaper *Milenio* between the 2nd and 4th of August 2019 and that of March 11, 2020. See Fabián Medina, "México en los foros internacionales contra el tráfico ilícito de armas", *Milenio*, March 11, 2020, at <https://www.milenio.com/opinion/fabian-medina/columna-fabian-medina/mexico-foros-internacionales-trafico-ilicito-armas> (date of access: March 26, 2020).

<sup>2</sup> See Héctor Molina and Jorge Monroy, "Tráfico de armas supera cifras de aseguramientos", *El Economista*, July 24, 2019, at <https://www.economista.com.mx/politica/Trafico-de-armas-supera-cifras-de-aseguramientos-20190724-0125.html> (date of access: April 6, 2020).

Due to the above, at the Ministry of Foreign Affairs (SRE) we have built a global strategy that is complementary to the binational and border strategy shared with the United States, presented below in the second part of this special issue of the *Revista Mexicana de Política Exterior (RMPE)*. With the support of our work with international organizations and embassies in Europe, we have proposed to strengthen and extend these frameworks and international commitments; increase cooperation in the legal-criminal and intelligence fields, at both the regional and bilateral levels; and with the support of civil society, academia and key figures from like-minded countries in the main international forums. Our purpose will be to achieve a regulated and responsible arms trade, and to limit, on many fronts, the firepower of criminal organizations in our country.

We believe that it is time to begin to recognize and raise awareness of the humanitarian damage caused every day by firearms in the hands of not only criminal organizations, but also civilians, young people and even children who, because of mental health issues, contexts of violence or in an effort to reproduce fictional situations, have caused increasingly frequent mass shootings.

Organized civil society has already fought two important battles at the multilateral level, with recognized success, particularly due the speed with which it managed to generate government agreements, both in the fight against anti-personnel mines,<sup>3</sup> as in the adoption of a treaty for the prohibition of nuclear weapons. The latter won the Nobel Peace Prize in 2017 for the International Campaign to Abolish Nuclear Weapons, starting with a first international meeting convened by Mexico in Nayarit in 2014.

Today, a decade after the 193 U.N. Member States were called upon to deliver results and progress on the Agenda 2030 for Sustainable Development, it is up to us to move forward in building peaceful and inclusive societies, free from the violence generated by small arms and light weapons.

One of the targets to be achieved is Sustainable Development Goal 16.4, which aims to significantly reduce the flow of illicit firearms. This is not only a matter of peace and security —both national and public— that affects

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<sup>3</sup> See Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction at <https://www.apminebanconvention.org/en/>

our citizens, but also a primary underpinning of development and the protection of human rights, the three pillars of the UN.

It is concerning that every year more than half a million people in the world die from the violence generated by small arms and light weapons, accounting for three quarters of total crimes, with an alarming upward trend in societies not in armed conflict.<sup>4</sup>

Regarding Mexico—and of a large number of countries in various regions—we find that the origin of the vicious circle of violence and death lies, among other factors, in the ready availability and wide circulation in our societies of small arms and light weapons,<sup>5</sup> including those where civilians require authorization to carry them.

As the United States is the main supplier of these weapons to Mexico and to the world, we decided to use regional frameworks such as the one offered by the Organization of American States and its Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA). This Convention, adopted by 34 countries in the region at the end of the 1990s, was the first binding instrument on the subject. It has been signed by the United States since 1997—although they have not yet ratified it—, along with Canada and Jamaica.

In this forum based in Washington, where we maintain an active presence in its Advisory Committee created at Mexico's request, we are bringing experts so that their recommendations strengthen our commitments. In parallel, we are carrying out a broad outreach agenda around the Inter-American Day against Illicit Arms Trafficking—April 5—on the growing threat to human safety in Latin America and the Caribbean posed today by the proliferation of arms and ammunition. Outside of areas of armed conflict, 42 of the 50 most violent cities on the planet are in our region, which

<sup>4</sup> Gergerly Hideg and Anna Alvazzi del Frate, *Darkening Horizons. Global Violence Deaths Scenarios, 2018-30*, Geneva, Small Arms Survey (Briefing Paper), May 2019, at <http://www.smallarmsurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-BP-Violent-Deaths-Scenarios.pdf> (date of access: February 2, 2020).

<sup>5</sup> See Robert Muggah, "Stop Enabling Latin America's Gun Addiction" in *Americas Quarterly*, July 8, 2016, at <https://www.americasquarterly.org/content/stop-enabling-latin-americas-gun-addiction> (date of access: March 19, 2020).

has the highest global homicide rate (36%), with 66% of them being caused by firearms, in contrast to 28% in Asia and 13% in Europe.<sup>6</sup>

Similarly, within the framework of the Arms Trade Treaty in Geneva, adopted in 2014 and in force in 105 countries, we are promoting synergies among the various international instruments in this area. In particular, we are strengthening the implementation of Article 7 on risk analysis in arms exports and self-monitoring of their trade; diversion to transnational organized crime or unauthorized persons; traceability of arms, their components and ammunition; and increased commitment from manufacturers and their subsidiaries to prevent their diversion, as well as by national authorities in the application of sanctions. And in the case of Article 8, with respect to the obligation of the importing country to inform the exporter about the use and final destination, as well as to maintain import records.

In the same vein, we will seek to promote the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, as binding on its members, on the fifteenth and twentieth anniversaries of its entry into force in 2020, respectively. In particular, under Mexico's chairmanship of the Protocol's Working Group on Firearms—which we have chaired three times and will do so again this year—to bring results to the Conference of the Parties in October 2020. In both forums, we will pursue a number of objectives, including increasing the membership of the Protocol, 118 since its adoption in 2001, from the 190 States Parties to the Convention, including the United States.

From this group we will promote innovative recommendations that can be used in a resolution on cross-border cooperation; against gender violence and hate crimes; on the illicit use of new technologies; and for the registration of firearm homicides by organized crime or civilians, mainly with restricted and controlled military firearms, to support the prosecution of cases.

We will also work within the framework of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Tech-

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<sup>6</sup> Daniel Mack, *Taming the Devil Within: How to Use the Arms Trade Treaty to Address Diversion in Latin America*, New York, Control Arms/ United Nations Trust Fund for Arms Regulation Cooperation, December 2018, p. 2, at <https://controlarms.org/wp-content/uploads/2019/02/ATTDiver-sion-Paper-FINAL.pdf> (Date of access: January 27, 2020).

nologies, adopted in 2014, as well as the Global Programme on Arms of the United Nations Office on Drugs and Crime, to include in their studies documenting the humanitarian impact of the illicit arms trafficking in the world.

In particular, we will seek to contribute to the work of the Programme of Action against the Illicit Trade in Small Arms and Light Weapons (PoA), created in 2001, which is due to hold its seventh biennial meeting in June 2020 in New York, where the United States regularly participates. In this forum, we want to stimulate discussion and raise awareness about the illicit transfer of arms and ammunition to civilians and unauthorized persons, including cross-border trafficking and brokering, and generate greater commitments. We will also promote greater voluntary registration of these types of weapons in the 2005 International Tracing Instrument (ITI), whose political commitments are reviewed along with the PoA.

Although these programs are not binding and only require countries to submit a report, it is a fact that their wide convocation to experts, civil society and academia is a relevant opportunity to add voices that promote the efficient registration of government data. In particular, with regard to the humanitarian dimension of the violence and deaths that these weapons generate on a daily basis.

We will also promote greater visibility of the humanitarian impact of small arms and light weapons within the U.N. Security Council, once our candidacy is confirmed for the period 2021-2022. On this issue, which is part of their regular agenda, the U.N. Secretary-General presents a biennial report. The next one will be in 2021.

Finally, we also intend to strengthen regional cooperation with the European Union and we have started a working agreement with the European Union Agency for Police Cooperation (Europol), making it possible to stem the flow of illicit weapons from the main European exporting countries to Mexico. The latter framework will offer, among other possibilities, training to Mexican agents through the sharing of knowledge of 250 police forces in the evolution of armed crimes with the use of new technologies, the handling of intelligent tracking platforms and the deep web.

We start from a comprehensive perspective that goes from the prevention of illicit arms trafficking to its punishment, throughout the arms cycle, which begins with their design and ends not only with their final destination, but also with their impact, including their parts, components

and ammunition. We believe that, in order to address this calamity, there must be a shared vision regarding the responsibility of producers, exporters, intermediaries and recipients.

In this task, the support of multiple figures at various levels and in various functions of government are needed to curb the firepower of organized crime and the vicious circle of armed violence. It is inconceivable that every day 1500 lives —many of them civilians, women and children— are taken by firearms worldwide, with a total of 1013 million firearms in circulation, of which more than 327 million are in the United States.<sup>7</sup> Nor should it be the case that every day 7.1 billion dollars are spent on the global trade in small arms and light weapons, resources that should be used for the sustainable development of our countries as well as for their stability and peaceful coexistence.

Armed violence is a multifactorial problem, where our social fabric isn't the only thing damaged, but also the nation's human capital, with effects on employment, education and public health —in such a way that some experts already define it as a pandemic.<sup>8</sup> That is why civil organizations are a fundamental tool to raise this issue in the public agenda and generate a counterweight to the great economic interests of the arms industry.

With the support of civil society we have managed to unite voices to stop an eventual nuclear disaster, which would have a catastrophic humanitarian impact. Their role will be paramount once again in curbing the illicit flow of small arms and light weapons that today circulate unnoticed on a large scale, with massive damage being done to our societies on a daily basis.

<sup>7</sup> Small Arms Survey, *Law Enforcement Firearms Holdings*, 2017, Geneva, Small Arms Survey, 2018, at [http://www.smallarmssurvey.org/fileadmin/docs/Weapons\\_and\\_Markets/Tools/Firearms\\_holdings/SAS-BP-Law-enforcement-firearms-annexe.pdf](http://www.smallarmssurvey.org/fileadmin/docs/Weapons_and_Markets/Tools/Firearms_holdings/SAS-BP-Law-enforcement-firearms-annexe.pdf) (date of access: January 28, 2020).

<sup>8</sup> Among others, the Prevention Institute. See "Gun Violence Must Stop. Here's What We Can Do to Prevent More Deaths", in Prevention Institute, at <https://www.preventioninstitute.org/focus-areas/preventing-violence-and-reducing-injury/preventing-violence-advocacy> (date of access: March 19, 2020).