



United Nations Security Council
Zenith Model United Nations 2014

BACKGROUND GUIDE

**Agenda: Combating the threat of Non-
State Military Organizations**

ZENITH MUN'14
MIRANDA HOUSE

Message from the Executive Board

Dear Delegates,

We welcome you to the meeting of the UN Security Council being simulated at Zenith MUN 2014.

We urge the delegates to go through the guide very carefully, and to understand their countries perspective and policy responses with regards to this situation.

This guide has been drafted with generic information for a specific purpose, that being that we want you delegates to come to the committee and define the scope of debate yourselves as you best deem suitable, rather than us defining the scope of debate for you.

While the background guide should provide a basic overview of each topic, additional in-depth research will be tremendously useful in committee. Our topics are intentionally broad. Since they can be applied to a variety of situations, it will be up to you to take the initiative in committee, and to narrow them down into more specific problem areas that are in need of debate.

We hope to have a rigorous learning experience with you and are positive that you too will have a lot to draw from the committee for future conferences.

Also please note that only news reports, facts and articles from sources like Reuters, and UN official reports shall be accepted in the committee. Furthermore, before the session of the Security Council begins all members will be given a briefing on various procedural issues like the treatment of points of orders, appeals, presentation of sources of information etc.

Feel free to approach any of us in case you have doubts or clarifications regarding the agendas.

Sincerely,

Hisham Ahmed Rizvi | President

Anuj Gandhi | Vice President

Aakash Sahai | Rapporteur

Committee Description

Background

The Security Council has primary responsibility, under the Charter, for the maintenance of international peace and security. It is so organized as to be able to function continuously, and a representative of each of its members must be present at all times at United Nations Headquarters. On 31 January 1992, the first ever Summit Meeting of the Council was convened at Headquarters, attended by Heads of State and Government of 13 of its 15 members and by the Ministers for Foreign Affairs of the remaining two. The Council may meet elsewhere than at Headquarters; in 1972, it held a session in Addis Ababa, Ethiopia, and the following year in Panama City, Panama. When a complaint concerning a threat to peace is brought before it, the Council's first action is usually to recommend to the parties to try to reach agreement by peaceful means. In some cases, the Council itself undertakes investigation and mediation. It may appoint special representatives or request the Secretary-General to do so or to use his good offices. It may set forth principles for a peaceful settlement.

When a dispute leads to fighting, the Council's first concern is to bring it to an end as soon as possible. On many occasions, the Council has issued cease-fire directives which have been instrumental in preventing wider hostilities. It also sends United Nations peace-keeping forces to help reduce tensions in troubled areas keep opposing forces apart and create conditions of calm in which peaceful settlements may be sought. The Council may decide on enforcement measures, economic sanctions (such as trade embargoes) or collective military action.

The Presidency of the Council rotates monthly, according to the English alphabetical listing of its member States.

Functions and Powers

Under the Charter, the functions and powers of the Security Council are:

- to maintain international peace and security in accordance with the principles and purposes of the United Nations;
- to investigate any dispute or situation which might lead to international friction;
- to recommend methods of adjusting such disputes or the terms of settlement;
- to formulate plans for the establishment of a system to regulate armaments;
- to determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken;
- to call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- to take military action against an aggressor;
- to recommend the admission of new Members;
- to exercise the trusteeship functions of the United Nations in "strategic areas";
- to recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

Structure of the Security Council

Standing Committees -- There are three committees at present, and each includes representatives of all Security Council member States.

- Security Council Committee of Experts
- Security Council Committee on Admission of New Members
- Security Council Committee on Council meetings away from Headquarters

Ad Hoc Committees -- They are established as needed, comprise all Council members and meet in closed session.

- Governing Council of the United Nations Compensation Commission established by Security Council resolution 692 (1991)
- Committee established pursuant to resolution 1373 (2001) concerning Counter-Terrorism
- Committee established pursuant to resolution 1540 (2004)

Sanctions Committees

Subsidiary Bodies Bureaux 2011

- Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea
- Security Council Committee pursuant to resolution 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities
- Security Council Committee established pursuant to resolution 1518 (2003)
- Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire
- Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan
- Security Council Committee established pursuant to resolution 1636 (2005)
- Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya
- Security Council Committee established pursuant to resolution 1988 (2011)

Working Groups:

- Security Council Working Group on Peacekeeping Operations
- Security Council Ad Hoc Working Group on Conflict Prevention and Resolution in Africa
- Security Council Working Group established pursuant to resolution 1566 (2004)
- Security Council Working Group on Children and Armed Conflict
- Security Council Informal Working Group on Documentation and Other Procedural Questions

Peacekeeping Operations

Since 1948 there have been 66 United Nations peace-keeping operations.

General Information:

Acceptable Sources of Information

Within the committee information can be quoted from the following sources:

1. News Sources:

- a. **Reuters** (<http://www.reuters.com/>) – Any Reuters article which clearly makes mention of the fact or is in contradiction of the fact being stated by a delegate in council.
- b. **State operated News Agencies** – These reports can be used in the support of or against the State that owns the News Agency but they can be denied by any other

country in the council. **The Executive Board shall remain neutral towards the credibility of these reports.** Some examples are, RIA Novosti (Russia) <http://en.rian.ru/>, IRNA (Iran) <http://www.irna.ir/ENIndex.htm>, BBC (UK) <http://www.bbc.co.uk/>, Xinhua News Agency and CCTV (P.R. China) <http://cctvnews.cntv.cn/>

2. Government Reports: These reports can be used in a similar way as the State Operated News Agencies reports and can, in all circumstances, be denied by another country. **However, the essential difference is that if a government report is being denied by a certain country, it can still be accepted by the Executive Board as a credible source of information.** Examples are,

- a. Government Websites like the State Department of the United States of America <http://www.state.gov/index.htm>
- b. Ministry of Foreign Affairs of various nations like India (<http://www.mea.gov.in/>), People's Republic of China (<http://www.fmprc.gov.cn/eng/>), France (<http://www.diplomatie.gouv.fr/en/>), Russian Federation (http://www.mid.ru/brp_4.nsf/main_eng)
- c. Permanent Representatives to the United Nations Reports <http://www.un.org/en/members/> (Click on any country to get the website of the Office of its Permanent Representative.
- d. Multilateral Organizations like the NATO (<http://www.nato.int/cps/en/natolive/index.htm>), ASEAN (<http://www.aseansec.org/>), OPEC (http://www.opec.org/opec_web/en/), etc.

3. UN Reports: All UN Reports and publications are considered as credible sources of information.

- a. UN Bodies: Like the SC (<http://www.un.org/Docs/sc/>), GA(<http://www.un.org/en/ga/>),HRC(<http://www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx>) etc.
- b. UN Affiliated bodies like the International Atomic Energy Agency (<http://www.iaea.org/>), International Committee of the Red Cross (<http://www.icrc.org/eng/index.jsp>), etc.

*Under no circumstances will sources like **Wikipedia** (<http://www.wikipedia.org/>), **Amnesty International** (<http://www.amnesty.org/>), **Human Rights Watch** (<http://www.hrw.org/>) or newspapers like the **Guardian** (<http://www.guardian.co.uk/>), **Times of India** (<http://timesofindia.indiatimes.com/>), etc. be accepted.*

INTRODUCTION

Non-state military organizations, greatly increasing in number over the past two decades, have become the core of many problems throughout various nations, particularly those that lack serious monetary strength or powerful, influential governments. These groups often react to what they consider authoritarian regimes; good examples of such organizations are the Revolutionary Armed Forces of Colombia (FARC), the Jitem in Turkey, and the Taliban in the Middle East and the Jitem in Turkey. These groups generally have complex relationships with the general population, sometimes seen as a representation of a threat, and other times representational of the views of the people. The issue is widespread across the globe, and even countries that do not possess major 'Violent Non-State Actors (as defined by US military publications as an organization that uses illegal violence) are often directly threatened by them, and it is imperative that members of the Security Council address this issue appropriately and co-operate effectively.

In many instances, these organizations are complex and sometimes maintain state sponsorship links outside of the nation-state itself. Furthermore, well-equipped militias and quasi-governmental frameworks provide services to the local populace in order to broaden the violent non-state organization's political influence in the area. In fact, some incidents indicate that the populace often depends solely upon these organizations for their fundamental needs to include food, water, sanitation, and security. Understanding this evolving process, however, and the mechanisms that lead to the existence of these groups is critical in formulating adequate responses and effectively countering the influential growth of these organizations.

As noted in the 2006 Israeli response in Lebanon, understanding the enemy and their organizational design is merely one piece of the larger puzzle. Indeed, fully comprehending one's own organizational limitations and biases is critical in the development of sound strategies to counter the growing influence of non-state actors. In fact, recent developments in South America's Tri-Border Area (TBA) involving organizations like Hezbollah and al-Qaeda illustrate a growing need to redefine western models and approaches in countering these groups. In doing so, new flexible and unstructured techniques are developed that help reformulate the fundamental tools used by nations in identifying and solving issues in emerging hotspots. These new solutions, in turn, facilitate relevant actions in each unique context that enable governments to effectively counter violent non-state organizations by isolating and delinking their activity from the population. Once the activities of these groups are effectively isolated and the organization collapses an environment ensues that is suitable for future peaceful development in the region.

In contemporary times, violent non-state actors (VNSAs) have become a pervasive challenge to nation-states. In Europe, jihadist terrorist organizations have carried out dramatic and well-publicized attacks in Madrid and London and have only been prevented from further actions by proactive intelligence and law enforcement. In Mexico, drug-trafficking organizations are challenging the Mexican state in a particularly brutal manner. In the favelas of Rio de Janeiro and Sao Paulo, drug traffickers and, more recently, militias provide rudimentary forms of governance in urban areas

where the state is absent. In Central America and the United States, youth gangs such as Mara Salvatrucha (MS-13) have a massive and highly-disruptive presence. In Colombia, the state has beaten back the political challenge from the Farc insurgency but the guerrillas have largely been transformed into a major drug-trafficking organization that in some regions, cooperates with former right-wing paramilitary organizations turned drug traffickers. In Albania, Italy and many parts of the former Soviet Union, criminal organizations not only intimidate businesses, corrupt politicians and launder their proceeds, but also engage in a variety of activities that challenge and undermine state sovereignty. In many African countries as well as Central Asia and Afghanistan, warlords are major players in the political system and the economy. In Iraq, insurgents, terrorists, militias and criminal organizations operate in a common opportunity space, intersecting and overlapping in ways that make the restoration of a legitimate and effective central state particularly difficult. In short, in many parts of the world, the state is under siege from VNSAs or non-state military organisations.

Relatively few of the sovereign states represented in the United Nations can truly claim a monopoly of force within their territorial borders. This is a fundamental change that has been underappreciated as a global phenomenon partly because the violent challengers have taken different forms in different parts of the world. These forms include tribal and ethnic groups, warlords, drug-trafficking organizations, youth gangs, terrorists, militias, insurgents and transnational criminal organizations. In many cases these groups are challenging the state; in others they are cooperating and colluding with state structures; in some, the state is a passive by-stander while they fight one another. In several instances they are both fighting one another and confronting state structures that seek either to destroy them or to bring them under control.

Despite their divergent forms, however, these non-state violent actors share certain characteristics. They also represent a common challenge to national and international security, a challenge that is far greater than the sum of the individual types of group, and that is likely to grow rather than diminish over the next several decades.

Moreover, some efforts have been made to identify the major actors themselves. As one study observed, they are only the beginning of what appears to be growing awareness that armed groups are no longer minor players in a world once dominated by states." The Federation of American Scientists refers to these groups as "para-states" since they are entities which challenge the state's "monopoly on the use of violence within a specified geographical territory." It lists 387 such organizations.

BACKGROUND INFORMATION

Defining illegal armed groups

The terms which are usually used to define armed non-state actors is often intensely political and controversial, as to followers of their beliefs, they can be known as 'liberation movements', 'freedom fighters' or 'revolutionaries.' The same groups are labelled as 'rebels', 'insurgents', or 'terrorists'.

- In the Additional Protocol II to the Geneva Conventions, it is stated that the rules only apply in internal conflicts between a government's armed forces "and dissident armed forces or other such organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained concerted military operations and to implement this Protocol."
- A general definition often used by the United Nations: "Non- State armed groups are defined as groups that have the potential to employ arms in the use of force to achieve political, ideological or economic objectives; are not within the formal military structures of States, State-alliances or intergovernmental organizations and are not under the control of the State(s) in which they operate. It includes, but is not limited to, the following groups:
 - Local militias
 - Insurgents
 - Rebel opposition groups (groups with a stated incompatibility with the government, generally concerning the control of government or the control of territory)
 - Terrorists
 - Guerrillas
 - Paramilitary groups and civil defence forces (when they are clearly beyond state control)

Do note that these categories are fluid, and a particular group may receive a different classification over time due to variables such as leadership, structure and functions, ideological beliefs and objectives, among other things.

Yet, keep in mind that armed groups share certain characteristics. Here are some of them are listed below:

- Have a group identity, and act in pursuit of their objectives as a group;
- Members of an armed group will be strongly influenced by group conformity pressures such as depersonalization of victims; perceptions of impunity; moral disengagement and obedience to group authority;
- Are not within the formal military structures of States, State-alliances or intergovernmental organizations. This characteristic of non-State armed groups has important implications for enforcing accountability for the actions of members of the group. The 'extra-State' status of armed groups means that the applicable legal provisions relating to the duties and obligations of these groups under international law may differ from the duties and obligations of States, and for certain provisions there remains some legal uncertainty as to the extent that those provisions apply to armed groups;

- Are not under the command or control of the State(s) in which they operate.
- Armed groups may not be under the command or control of the State(s) in which they operate, but they may receive direct/indirect support of the host government or other States, or may be provided with a safe haven in certain countries;
- Are subject to a chain of command (formal or informal). This is an important attribute of armed groups, because it means (at least in theory) that there is some degree of centralized command and control, however limited, over the actions of group members. When this centralized command structure breaks down, it can no longer be considered to be one-armed group, and humanitarian negotiators may have to identify interlocutors within several factions of the original group. When a chain of command (however limited) is functioning, it increases the likelihood that lower-ranking members of the group will respect the undertakings and agreed outcomes negotiated by and with their leaders. In implementing an outcome agreed with the leaders of an armed group, humanitarian workers should attempt to identify the local chain of command to increase the likelihood that any agreed outcome will be respected and implemented by lower-ranking members of the group.

THE CONTEXT FOR THE RISE OF VIOLENT NON-STATE ACTORS: HOW DO THEY SUSTAIN AGAINST STATES?

In a sense, VNSAs have been around for millennia. Even Rome, at the height of its power, had to contend with roaming criminal bands that preyed on its citizens as well as with maritime pirates. During the 20th century, however, such groups were relatively insignificant, dwarfed by the process of state consolidation and the contest among powerful nation-states. VNSAs became a critical part of the decolonization process, but this was essentially because they wanted to control the state themselves rather than being subservient to foreign and distant rulers.

In the 21st century, however, VNSAs appear to be a major challenge to the states. Although they have re-emerged in large part because of the growing weakness of many states, they seek to perpetuate and intensify this weakness.

The notion of weak states, of course, is inherently relative. It suggests a lack of certain qualities that have become widely accepted as critical components of the modern state. Different authors, however, emphasize different aspects of the state with some focusing on legitimacy and others on capacity, some emphasizing the notion of collective interest and others shared identity. In fact, all these dimensions are important. Perhaps the best way to understand contemporary states, therefore, is in terms of a strong-weak continuum across certain key dimensions. These include:

Legitimacy. The more legitimate the state, the more it relies on consent rather than coercion and on authority rather than power or brute force. Strong and healthy states are those that exhibit several common characteristics or measures of legitimacy. There is an implicit social contract between state and society, the latter being comprised of all ethnic, religious, political, and economic groupings. In other words, there is agreement on the political 'rules of the game'. There is loyalty to the state, the political principles upon which it is based, and its institutions. In the absence of such an agreement, loyalty and allegiance are typically directed elsewhere.

Capacity. Strong and effective states have a significant extractive capacity but match this with the provision of collective goods ranging from the maintenance of security and order to health care and welfare. In addition, they engage in sound management of the economy, which includes not only fiscal prudence but also the creation of a degree of resilience that enables the economy to absorb the disruptive consequences of exogenous shocks. States that are highly extractive but do not match this with collective provision, are typically seen as exploitative – which undermines their legitimacy. States that control the extraction of raw materials typically become “rentier” states, in which the political elite benefits but the mass of the population is deprived; in the long-term this almost inevitably undermines legitimacy. States with limited extractive capacity are inherently weak, experiencing frequent economic and political crises. In some cases, these VNSAs simply exploit the permissive space created by functional holes such as the lack of effective criminal justice; in others they become the proxy for the state, thereby further challenging its authority and legitimacy.

The primacy of the collective interest over individual interest. An agreed notion of the collective interest of the state and its citizens constrains and restrains political competition. In states where this is present, procedural and substantive norms are widely accepted; although there is opportunity for the expression of individual and group interests within well-defined limits. There is general acceptance of the political process and widespread agreement on what is or is not permissible behaviour. In cases where individual interests take priority over the collective interest then corruption runs rife or the state becomes fragmented. When control of the state becomes the prize of politics, then obligations to the collective interest are subordinated to the pursuit of individual or factional interests.

Inclusiveness rather than exclusivity. In effect, this means that “no group is excluded from seeking political influence or receiving a fair share of resources and services because of its affiliation” or its identity. The collective is truly comprehensive rather than partial. Minority populations are given full rights as citizens and treated with dignity. They are also full recipients of the collective goods provided by the state. On the other side, exclusion can be social, political or economic or, more often than not, a combination of all of these. While a degree of exclusion for some and preferential treatment for others might be unavoidable, when it becomes overly stark and pronounced, it can provoke insurrection or ethnic conflict.

In sum, strong states are characterized by high levels of legitimacy and authority, adequate levels of provision of collective goods, sound economic management, the primacy of the collective, and a high degree of inclusiveness. Weak states, in contrast, suffer from deficits in legitimacy, capacity, provision of public goods and inclusiveness. In most instances, weaknesses along the various dimensions are mutually reinforcing, while in rather fewer instances weakness in some areas are offset by strengths elsewhere. When there are multiple dimensions along which the state is weak, the prospects for the rise of VNSAs are considerably increased.

States with low legitimacy, for example, are unable to create or maintain the loyalty and allegiance of their populations. In these circumstances, individuals and groups typically revert to or develop alternative patterns of affiliation. This often means that family, tribe or clan becomes the main reference points for political action, often in opposition to the state.

In a similar vein, states that are low in legitimacy and high in repressiveness, relying on coercion rather than consent, typically provoke opposition. In other words, “extreme coercive action” by the state can contribute to failure by provoking violent opposition. Something similar can occur when states exclude parts of their population – either through neglect, lack of capacity or some form of

discrimination. The result is often the creation of “no-go” zones or spaces in which VNSAs emerge as a form of alternative governance.

Moreover, where states with low capacity are unable to meet the demands of their citizenry for security and other public goods, other actors fill the gap. When there is a security deficit in particular, VNSAs come into existence to provide security or, where they already exist, become more important, in the provision of security. The difficulty is that often such groups are not only protective but also predatory.

VNSAs are inherently “illegitimate vis-à-vis the classical state system in part because the essence of being a state is having a monopoly on the legitimate use of violence”. VNSAs develop out of poor state governance but, in turn, further undermine governance by the state.

Another important factor in understanding the rise of VNSAs is globalization. Not only has globalization challenged individual state capacity to manage economic affairs, it has also provided facilitators and force multipliers for VNSAs.

Global flows of arms, for example, are no longer under the exclusive control of states. Illicit arms dealers have become important transnational players. In a similar vein, globalization has allowed VNSAs to develop what might be termed transnational social capital and to create alliances and generate support outside the immediate area of their operations. Globalization, along with the rise of the illicit global economy, has also provided funding opportunities for VNSAs. For some groups, the proceeds derived from exploitation of these opportunities are an end in themselves; for others, the profits from illicit activities provide the funding that enables them to pursue political and military agendas. Whatever the exact nature of the group, however, it is clear that just as globalization has, in some respects, diminished state control it has also augmented and empowered VNSAs.

DIMENSIONS OF VNSAs

To understand the ways in which VNSAs differ from one another, it is necessary to identify several key dimensions of these actors. These include:

- ***Motivation and purpose.*** It is important to know what drives these actors, to understand their goals and to consider the ways in which they seek to achieve these goals.
- ***Strength and scope.*** Not all VNSAs are created equal. Some are relatively small and operate in a circumscribed geographical area, while others have a wider transnational scope. Their reach can extend from local to national to transnational.
- ***The ways in which they obtain funding or access to resources.*** In many cases, funding is subservient to larger goals and no more than a means to an end; in other instances the acquisition of wealth is a central goal. Examining the funding of VNSAs often requires looking at their relationship with the illicit economy at national, regional and global levels.
- ***Organizational structure.*** There is no single structure for VNSAs: some are hierarchical and centralized; others are networked and distributed; and some can be understood as hybrids of networks and hierarchies. Moreover, organizational structures are not static; they adapt and change over time in response to opportunities and constraints in the environment and the actions of their adversaries.
- ***The role of violence.*** Although the definition of VNSAs has violence at the core – violence is what distinguishes VNSAs from the NGOs and advocacy networks that are increasingly

considered as part of global civil society – different organizations not only use different levels and forms of violence, but also use it for different purposes.

- ***The relationship between VNSAs and state authorities.*** In many cases, the relationship is one of hostility; yet for some kinds of VNSAs the relationship is more complex with a degree of connivance or tacit cooperation between state structures and VNSAs.
- ***The functions VNSAs fulfil for members and supporting constituencies.*** A key part of this is the extent to which the VNSA becomes an alternative form of governance and fulfils functions normally the responsibility of the state. These can include the provision of state functions such as imposing and maintaining security and order and can extend to what might be described as paternalistic forms of social welfare.

THE SPECIAL CASE OF PMCs

Although Private Military Contractors (PMCs) reflect what might be termed the privatization of violence, they differ from other VNSAs in that they are, to a significant degree regulated by states and generally act on behalf of states. This is not case with most other VNSAs that, in effect, operate outside the law. They rarely challenge state authority and legitimacy.

TYPES OF VNSAs/NSMOs

Warlords

The distinguishing features of warlords have been elucidated by numerous scholars who are broadly in agreement that they are charismatic individuals, (most of whom have had some military background or experience) able to exercise control over certain territories in large part through their military power. They sometimes co-exist with a state but typically try to ensure that the writ of the state does not extend to the territory under their control – even if this requires the use of force. They are also willing to use force against their rivals. Warlords share certain characteristics: they command private military forces; they rule a specific territory, usually linked to their ethnic community; they have a degree of legitimacy and a symbiotic economic and military relationship with the local population; they participate in the global economic system, engaging in one or more forms of illicit or informal economy; and they challenge, privatize or supplement the state functions, resources and instruments on their territories.

At the same time, coercion is rarely absent and is often used to impose taxes on licit and illicit business alike. Warlords typically seek power and resources. They want political power at least over a portion of state territory and seek to exploit the resources of that territory, sometimes engaging in looting of natural resources and sometimes providing protection and support for activities such as opium cultivation.

Examples include, “warlord mining economies in contemporary collapsed states, such as Sierra Leone and the Democratic Republic of Congo,” as well as warlord involvement in the opium economies in Burma in the 1980s and 1990s and in contemporary Afghanistan. When illicit drugs are involved, violence and the threat of violence are used “to sustain illicit economic networks, to compete for control of trade routes, and to guarantee fulfilment of transaction contracts within the opium network.”

Militias

Militias are in some respects very similar to warlords, albeit without the charismatic leader. A militia can be understood as an “irregular armed force operating within the territory of a weak and/or failing state. The members of militias often come from the under classes and tend to be composed of young males who are drawn into this milieu because it gives them access to money, resources, power and security. In many instances, they are forced to join; in others, joining is seen as an opportunity or a duty. Militias can represent specific ethnic, religious, tribal, clan or other communal groups. They may operate under the auspices of a factional leader, clan or ethnic group, or on their own after the break-up of the states’ forces. They may also be in the service of the state, either directly or indirectly. Generally, members of militias receive no formal military training. Nevertheless, in some cases they are skilled unconventional fighters. In other instances they are nothing more than a gang of extremely violent thugs that prey on the civilian population.”

Militias are “outside the formal security sector and central government command,” and outside the law. Because they often come into existence to provide security where the central government – for whatever reason – has failed to do so, however, “militias are often considered legitimate entities” filling the gap resulting from “the absence of effective national, provincial, or local security institutions.” If they fill a functional hole left by the state, however, this in turn further challenges the legitimacy of the state. Moreover, the potential for conflict is very real. Militias “do not support state institutions. Loyalties lie within the militia organization.”

Paramilitary forces

The distinction between militias and paramilitary forces is not entirely clear. One possible distinguishing characteristic is that paramilitary forces are, initially at least, an extension of government forces. They come into existence with the tacit consent and often the active encouragement of the government or the state’s military forces. Sunil Dasgupta, one of the most authoritative analysts of paramilitary forces or “parallel military formations” describes them as “armed formations outside regular military and police commands.” He also suggests that paramilitaries are often “poorly trained, lightly equipped, highly fragmented, frequently reorganized, but politically recruited and operated, enabling them and the regimes that control them to hold territory inexpensively.” The difficulty with paramilitary forces, however, is that once created, they often prove difficult to control.

This was certainly true of perhaps the most notorious paramilitary organization, the United Self-Defence Forces of Colombia. The group that came into existence to help the Colombian government and army fight left-wing insurgency organizations was involved in many atrocities, engaged in fairly extensive drug-trafficking, and infiltrated both the army and the government. Paramilitary forces in Colombia came into existence in the late 1960s after legislation was passed permitting “the formation of local self-defence groups.” Initially, such groups were fragmented. In 1997, however, the AUC was established, under the leadership, of Carlos Castana to bring these groups together. Within three years the AUC had an estimated membership of 80,000.

Although the initial impulse for the formation of the AUC was security, the organization became involved in multiple criminal activities, ranging from drug trafficking to oil theft, extortion and kidnapping. As one report notes, “While paramilitaries liked to position themselves as a necessary counter to Colombia’s leftist insurgents, ordinary Colombians were often victimized – instead of protected by – the paramilitaries. The armed groups displaced indigenous communities from their land, massacred civilians and kidnapped political figures. As human rights groups have documented,

some paramilitaries even charged “taxes” in local areas and regulated how citizens could dress.” Here again the parallels between paramilitary forces and militias are obvious.

Insurgencies

An insurgency has been defined by the United States Department of Defense as “an organized movement aimed at the overthrow of a constituted government through the use of subversion and armed conflict.” More elaborately, it has been described as an “organized, armed political struggle whose goal may be the seizure of power through revolutionary takeover and replacement of the existing government. In some cases, however, an insurgency’s goals may be more limited. For example, the insurgency may intend to break away from government control and establish an autonomous state within traditional ethnic or religious territorial bounds. The insurgency may also only intend to extract limited political concessions unattainable through less violent means.”

Insurgents typically operate within a defined territory and seek to deprive the existing government of legitimacy while establishing themselves as a viable and legitimate alternative. Insurgents seek a transformation in governance with the existing incumbents overthrown and replaced by the insurgent group, which espouses different values, whether they stem from national identity or from concerns about social justice. While insurgencies often use terror tactics their activities go well beyond this and in areas they control they typically establish alternative forms of governance to that provided by the state. Similarly, although insurgencies can develop transnational links, especially with diaspora communities, their objectives are territorially-bounded.

For insurgents control of the state is the prize. They are almost invariably dissatisfied with and hostile to the existing state and want to replace it with one based on the principles they espouse. These principles can range from an independent state based on national self-determination (sought by the Liberation Tigers of Tamil Elam or LTTE in Sri Lanka), to the creation of a state based on a socialist or Maoist ideology (the Maoist insurgents in Nepal who are now part of the government), or even sharia law (espoused by the Taliban). In the case of Iraq, the Sunni insurgency was partly an effort to expel the United States (and in this objective there was considerable overlap with the Shia militias) and partly an attempt to ensure that Sunni tribes had an established and respected place in the new political order in Iraq.

Even though insurgents typically espouse high ideals this does not stop them from using terror tactics both to coerce the existing government and to provoke it into harsh measures that might further undermine its legitimacy and support among the population. Nor does it prevent them from resorting to criminal activities as funding mechanisms. Insurgents may also establish links to both criminal and terrorist organizations, in an attempt to advance their agenda.

Terrorist organizations

For terrorist organizations, the use of indiscriminate violence against civilian targets is not only central to their strategy but is also their defining characteristic. These groups seek political change through the use of violence. At the same time, terrorist organizations differ enormously in terms of origins and objectives. Each of the four waves of modern terrorism identified by David Rapoport – anarchist, anti-colonial, left-wing and religious – has had its own set of militant organizations seeking change and using violence to bring it about. Yet, the dominance of one kind of terrorist organization does not mean the absence of others. The successors of anti-colonial terrorist organizations, for example, are groups dissatisfied with the outcome of decolonization, seeking national self-determination and see a terrorist campaign as the only way to achieve their objectives. For these groups the state remains the dominant frame of reference and they typically want a state of their

own. When such groups have popular sympathy, a degree of legitimacy and some territorial control, they typically develop into an insurgency. Nevertheless, it is clear that in the early 21st century, the most dangerous terrorist organizations are not nationalist groups of this kind but rather those groups rooted in misguided militant Islam.

Although terrorism has a long history, the events of 11 September 2001 gave it an unprecedented prominence. Since then most attention has been given to al-Qaida, the terrorist organization responsible for the destruction of the twin towers of the World Trade Center and the attack on the Pentagon. Unlike the warlords, militias and insurgencies – all of which are nationally-based – al-Qaida's has a transnational global presence. In effect it is a distributed, transnational network organization. At the same time its relationships with states vary considerably. While it targets certain states, al-Qaida also tries to maintain sanctuaries in countries that have sympathy for its aspirations and are willing to accept its presence. The organizational structure of al-Qaida has changed over time.

Prior to 2001, al-Qaeda was a concentric network with the leadership group in Afghanistan at the core and cells dispersed throughout Western Europe at the periphery. The cells were typically overseen by intermediaries who provided guidance while insulating the core. After the United States intervention in Afghanistan and the removal of al-Qaida's safe haven, the network appeared to become more horizontal. Subsequently, many observers argued that al-Qaida had transformed from terrorist network to social movement, inspiring sympathetic individuals and groups but not controlling them.

Criminal organizations and youth gangs

Of all the VNSAs considered here, criminal organizations are the most ubiquitous. Although some criminal organizations remain local, more and more of them have responded to the opportunities of globalization by becoming transnational in scope. They have also become increasingly diverse with more traditional organized crime groups such as the Chinese Triads, Italian Mafia organizations and the Japanese Yakuza increasingly sharing the spotlight with Nigerian drug traffickers and financial fraudsters, Russian and Albanian criminal organizations, outlaw Motor cycle Gangs, and Mexican drug-trafficking organizations among others. Almost all of these organizations are transnational in their activities and, therefore, are referred to here as transnational criminal organizations or transnational organized crime.

Criminal organizations differ enormously in size and scope and in their portfolios of activities. Groups from Latin America, for example, are typically focused fairly narrowly on the drug business, while groups from elsewhere typically have a much broader set of criminal activities. For Russian, Chinese and Albanian organizations, for example, the range of activities include extortion, trafficking in human beings, especially women for commercial sex, cigarette smuggling and counterfeiting.

Nigerian organized crime is somewhere in between with a lot of drug-trafficking, trafficking in women from West Africa to Western Europe (especially Italy), and the infamous 419 (or advance fee) frauds that have become ubiquitous, as emails have replaced letters and faxes and lowered the transaction costs.

NON STATE ACTORS: Why Should We Discuss Them?

There exist various reasons why this particular issue of non-state actors warrants attention in the Security Council. Listed below are a few. These are:

1. *Armed groups are important participants in the trade of small arms globally.*

Because they usually operate outside the legal framework in their own countries, it is difficult, though not impossible, for them to acquire weapons through licit channels.

The global spread of small arms and light weapons has been facilitated by the emergence in many states, including a dozen or more developing countries, of a domestic capacity for the manufacture of such weapons. Whereas the fabrication of major weapons systems is highly concentrated, with only a dozen or so states capable of producing modern tanks, planes and warships, some 50 nations now manufacture light weapons and/or ammunition of various types.

One category of light weapons transfers includes illegal sales through black-market channels, the supply of arms in defiance of international embargoes and other legal sanctions, and the theft of arms from government stocks or private citizens. In recent years, there has been a striking growth in the operations of black-market dealers to satisfy the needs of non-state actors in ethnic and internal conflicts. Because such actors are normally barred from purchases on the legal munitions market, they must acquire their weaponry from illicit sources. The growing number of UN arms embargoes has also produced an increased demand for black-market arms. Although it is impossible to estimate the value or scale of all such transactions, some estimates place 1993 black market sales to the belligerents in Bosnia alone at \$2 billion or more.

The black-market trade has been facilitated by the existence of vast stockpiles of surplus arms in the states of the former Soviet bloc—arms which in many cases are guarded by near-destitute soldiers and officers who are all too eager to conspire in their theft by black-market dealers or to enter the illicit trade themselves. Moreover, there are strong linkages between the illegal narcotics trade and black-market arms trafficking. These underground networks have developed sophisticated methods for the procurement, transportation and sale of small arms and light weapons, at times with the connivance of governments or corrupt public officials.

2. *Armed groups are also frequently involved in the unlawful redistribution of weapons, including other armed groups and criminal organizations.*

Although armed groups possess only a small proportion of the world's small arms, their holdings and transfers should be of particular concern to the international community. These are the weapons most commonly used in armed conflicts and that are associated with many deaths, injuries and violations of human rights. There are three primary sources through which armed groups acquire weapons: importation, domestic procurement and indigenous production.

Small arms proliferation has been particularly devastating in Africa, where machine guns, rifles, grenades, pistols and other small arms have killed and displaced many civilians across the continent. These weapons have been used in deadly conflicts in Sudan, Uganda, Sierra Leone, Rwanda, Angola, the Democratic Republic of Congo, Somalia and other African countries. They are frequently recycled from country to country, and their ownership is transferred among fighters, security forces and war profiteers.

In central and eastern Africa, many lives have been lost through conflict and its related effects. The irregular warfare that has been common there in recent decades is well served by these kinds of weapons, which are easily available and sometimes cost less than food items. In 1994, an interethnic conflict in Rwanda left more than 800,000 people murdered, mostly with small arms, including machetes. An estimated 300,000 civilians have also lost their lives the same way in Burundi. However, the foreign supply of arms to both governments and rebel groups continues to grow in illicit, ungoverned or poorly controlled transactions.

The small arms that are already in the sub region move easily across borders—the borders between Cameroon, Chad and the Central African Republic have been identified specifically as areas of high proliferation. Small arms and light weapons are widely available in southern Africa.

Small arms circulated and used by NSAs have been used in armed robberies, intra- and intercommunal feuds, local wars, armed insurrections, armed rebel activities and terrorism. They are used to facilitate drug trafficking, smuggling and other such crimes. Overall, small arms maintain a general state of fear. As a result of the armed conflict in the region, many people have been killed, many others displaced or made refugees.

3. In situations of internal conflict, armed opposition groups are important military and political actors.

They often command large areas of territory and population and in some cases operate as de facto governments. How they use (or misuse) their weapons have direct effects on the security and wellbeing of people under their control, and they continue to play a role in disarmament and peace negotiations.

4. The illicit small arms trade forms part of an extensive shadow economy

The illicit small arms trade forms part of an extensive shadow economy in which weapons are one of many commodities, including drugs, timber, precious stones, endangered species, and even human beings. Rebel groups, non-state actors and various forms of organized crime are part of and use the profits made from the sale of these commodities to purchase weapons to protect their operations. Furthermore, these complex networks are deeply integrated into the global economy and those who take advantage of them are experts in finding new innovative ways to exploit both the legal and the illegal side.

The illicit drug trade is often carried out by highly sophisticated organizations that are in many ways comparable to multinational companies. There is evidence that many non-state actors use the illicit drugs trade as a source of income to fund their armed struggles.

5. NSAs fuel and maintain illegal drug trade

The problem is global and drugs are exchanged for arms in many parts of the world. For instance, around 30 percent of the cocaine consumed annually in Europe passes through West Africa. It is common that humans are taken advantage of in this process since most of these drugs are transported to Europe on commercial flights by drug mules, which is extremely dangerous and often even life-threatening. Upon arrival, the cocaine is predominantly distributed by West African criminal networks working throughout Europe.

Drug trafficking routes often overlap gun trafficking routes perfectly and the reason behind this is that the same methods, actors and networks are involved. The supply and demand side is reversed, given that arms production and the demand for illicit drugs are found in the north, whereas illicit drugs production and the demand for weapons are found in the South. There is a tendency among the countries setting the agenda in the West to focus on the demand for weapons and the supply of drugs, hence placing the principal responsibility for the problems which arise on developing countries in the South. This leads to an unbalanced debate on supply and demand as well as difficulties in taking proper political responsibility. To address the problems arising from the illicit

trade of small arms and drugs, equal attention must be given to the supply and demand for both of these commodities in both the North and the South.

Many of the agents involved in the illegal drugs trade acquire arms; from the primary production stage where farmers possess small arms, to the couriers accompanied by armed bodyguards, to the more heavily armed cartels which use more sophisticated automatic and semi-automatic weapons.

This is also due to factors related to globalization, such as the ability to circulate capital, people and information from one country to another. Non-state actors (NSAs) constantly change the methods they use for illicit trafficking and, as such, addressing the issue will require not only regulatory measures but also cooperation and the continuous exchange of information.

UN Action/Stance Regarding the Issue of VNSAs so far:

According to the UN, terrorism that spreads through non state military organization constitutes a threat to international peace and security, and it is contrary to the purpose and principles of the United Nations. The UN currently has 13 major multilateral conventions regarding the responsibilities of member states to combat terrorism. The UN has established written legal documents on how to handle violent NSAs and their usage of terrorism in response to the growth attained by these groups over the past century and a half. The UN is built upon the workings of the LoN and the documents from both The Hague Regulations and the Geneva Conventions as its framework.

- The Security Council adopted resolution 1373, under the enforcement provisions of the UN Charter, to prevent the financing of terrorism, criminalize the collection of funds for such purposes, and immediately freeze terrorist financial assets. It also established a Counter-Terrorism Committee to oversee the resolution's implementation.
- The tragic events of 11 September also underlined the potential danger of weapons of mass destruction falling into the hands of non-state actors. That attack could have been even more devastating had the terrorists had access to chemical, biological or nuclear weapons. Reflecting these concerns, the General Assembly, in 2002, adopted resolution 57/83, a first-time-ever text on measures to prevent terrorists from acquiring such weapons and their means of delivery.
- Acting under the enforcement provisions of the Charter, the Security Council unanimously adopted resolution 1540, obliging states to refrain from any support for non-state actors in the development, acquisition, manufacture, possession, transport, transfer or use of nuclear, chemical and biological weapons and their means of delivery.
- The General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism, which was opened for signature in September 2005.
- In 2002, UNODC launched its Global Project against Terrorism with the provision of legal technical assistance to countries on becoming party to and implementing the 12 universal anti-terrorism instruments.

- In January 2003, UNODC expanded its technical cooperation activities to strengthen the legal regime against terrorism, providing legal technical assistance to countries on becoming party to and implementing the universal anti-terrorism instruments.
- The Vienna-based United Nations Office on Drugs and Crime (UNODC) leads the international effort to combat drug trafficking and abuse, organized crime and international terrorism. It analyses emerging trends in crime and justice, develops databases, issues global surveys issued, gathers and disseminates information, and undertakes country-specific needs assessments and early warning measures — for example, on the escalation of terrorism.
- In the legal sphere, the UN and its related bodies — such as the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO) and the International Atomic Energy Agency (IAEA) — have developed a network of international agreements that constitute the basic legal instruments against terrorism.
- The General Assembly has also concluded the following five conventions:
 - the International Convention against the Taking of Hostages;
 - the Convention on the Safety of United Nations and Associated Personnel;
 - the International Convention for the Suppression of Terrorist Bombings;
 - the International Convention for the Suppression of the Financing of Terrorism; and
 - the International Convention for the Suppression of Acts of Nuclear Terrorism.
- As part of the international effort to stem this deadly tide, the General Assembly, in September 2006, unanimously adopted and launched the UN Global Counter-Terrorism Strategy. Based on the fundamental conviction that terrorism in all its forms is unacceptable and can never be justified, the Strategy outlines a range of specific measures to address terrorism in all its aspects, at the national, regional and international levels.

Links for further research:

- <http://www.au.af.mil/au/awc/awcgate/sa98/sa98ch13.htm>
- <http://press.hmunindia.org/?p=157>
- <http://www.icrc.org/eng/assets/files/review/2011/irrc-881-bellal-giacca-casey-maslen.pdf>
- <http://www.fmreview.org/non-state.pdf>
- <http://www.smallarmssurvey.org/fileadmin/docs/G-Issue-briefs/SAS-AA-IB2-Ad-Hoc-Arsenals-PSSM.pdf>
- <http://www.smallarmssurvey.org/?highlight-ad-hoc-arsenals>
- http://www.unitingforpeace.com/resources/small_arms.pdf
- http://www.ssrnetwork.net/document_library/detail/4506/weapon-transfers-to-non-state-armed-groups
- <http://www.armscontrol.org/print/391>
- http://www.sipri.org/research/armaments/transfers/publications/other_publications/Prohibiting%20Arms%20Transfers.pdf
- <http://globalsecuritystudies.com/Durbin%20Narcotics.pdf>
- http://www.dcaf.ch/content/download/53925/812465/file/ANSA_Final.pdf

- <http://www.ankarabarasu.org.tr/siteler/AnkaraBarReview/tekmakale/2009-2/6.pdf>
- <http://www.uu.nl/faculty/leg/NL/organisatie/departementen/departementrechtsgeleerdheid/organisatie/onderdelen/studieeninformatiecentrummensrechten/publicaties/simspecials/19/Documents/19-11.pdf>
- http://www.hdcentre.org/uploads/tx_news/223-The-role-of-non-state-actors-in-building-human-security.pdf

Note: This is a non-exhaustive list of research links. Please feel free to explore the different dimensions of this agenda and researching on them extensively on the internet and otherwise.



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