



## **MILMUN 13<sup>TH</sup> CONFERENCE**

ADDRESSING THE CHANGING IDEAS  
OF **NATION** AND **CITIZENSHIP**

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Bocconi University, Milan

**UNITED NATIONS SECURITY COUNCIL**  
STUDY GUIDE

## WELCOME LETTER

Dear Delegates,

Welcome to this years Security Council simulation at MILMUN 2018.

It is an honour for us to be presiding over The Security Council which is one of the main United Nations Organs that aims to deal with problems in order to preserve international peace and security.

Together we will be dealing with the following topics:

1. Regulating The Use of Lethal Autonomous Weapons
2. After ISIS: Addressing Violent Non-State Actors

We aim to find comprehensive solutions to the problems the world faces today, keeping in mind MILMUNs theme "The Concept of Citizenship and the Changing Role of the Nation".

Meeting these challenges and to have a truly successful session requires productive, active and well prepared delegates.

Also, as the name suggests, this guide is meant to merely provide a background to the topics and your real research lies beyond this guide. We recommend that you research in depth considering the complexity and relevance of the Topics, We hope to see some strong content and debate heading our way.

We wish you all the best for your preparation, and we look forward to seeing you all at the conference!

In case you have any questions, feel free to contact us.

*Best Wishes,*

*Ishaan Singh*

*Zuzanna Kalwat*

## COMMITTEE HISTORY

On October 24, 1945, the victors of World War II — China, the U.S.S.R., France, the United Kingdom, and the United States — ratified the UN Charter, creating the Security Council and establishing themselves as its five permanent members with the unique ability to veto resolutions.

The main purpose of the Council being, to “investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security” and to act accordingly, by Investigating any situation threatening international peace ,Recommending procedures for peaceful resolution of a dispute, Calling upon other member nations to completely or partially interrupt economic relations as well as sea, air, postal, and radio communications, or to sever diplomatic relations, and Enforcing its decisions militarily, if necessary.

The Security Council held its first session on 17 January 1946 at Church House, Westminster, London. Since its first meeting, the Security Council has taken permanent residence at the United Nations Headquarters in New York City. It also travelled to many cities, holding sessions in Addis Ababa, Ethiopia, in 1972, in Panama City, Panama, and in Geneva, Switzerland, in 1990. The first UN peacekeeping mission was deployed in 1948 to the Middle East; there have been 60 more. Over the last 60 years, the Security Council has taken action to defuse innumerable international crises, the most recent of which include those in North Korea, Iran, and Lebanon.

Originally there were six temporary members, rotating every two years and distributed on an equitable geographic basis. That rule was more explicitly defined in 1965, when the number of temporary members was increased to ten (five from Africa and Asia, one from Eastern Europe, two from Latin America and the Caribbean, and two from Western Europe). The first temporary members were

Australia, Brazil, Egypt, Mexico, the Netherlands, and Poland.

There have been frequent calls to reform the membership of the UN Security Council, most of which include accepting Japan, Germany, India, and Brazil (known as the G4) as permanent members. Japan and Germany are the second and third largest contributors to the UN budget respectively. India is a nuclear power, the world's largest democracy, and the second most populous nation. Brazil is the largest, most populous, and most prosperous nation in Latin America. The United Kingdom, France, and Russia are said to support permanent G4 membership on the Security Council. In addition to the proposal to make the G4 permanent members of the Security Council, there have been several other proposals floated by various groups and individual countries, none of which have met with positive response from the Security Council.

## **MODUS OPERANDI OF THE COMMITTEE**

### **Composition**

The Security Council consists of fifteen Members of the United Nations.

The Republic of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America are permanent members of the Security Council.

The General Assembly elects ten other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

The non-permanent members of the Security Council are elected for a term of two years. In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members are chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

Each member of the Security Council has one representative.

### **Functions & Powers**

In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations.

The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII of the United Nations Charter.

The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

## **Voting**

Each member of the Security Council has one vote. Decisions of the Security Council on procedural matters are made by an affirmative vote of nine members. Decisions of the Security Council on all other matters are made by an affirmative vote of nine members including the concurring votes of the permanent members.

In decisions under Chapter VI, and under paragraph 3 of Article 52 of the UN Charter, a party to a dispute shall abstain from voting.

# **TOPIC 1: REGULATING THE USE OF LETHAL AUTONOMOUS WEAPONS**

## **Introduction**

Advances in a variety of fields have led recently to the development of machines with increasing capacities for autonomous assessment and action, and which offer transformative potential for human society.<sup>1</sup> Ranging from Automated floor cleaning robots<sup>2</sup> to Self Driving cars<sup>3</sup>, automation is on the upswing but the weaponization of increasingly autonomous technologies is one domain of growing interest and concern at the international level. Notably, AWS (Autonomous Weapon Systems) or LAWS (Lethal Autonomous Weapon Systems) have been discussed over the last several years in talks under the auspices of the 1980 United Nations Convention on Certain Conventional Weapons (CCW) in Geneva.<sup>4</sup>

For the purpose of this guide, We will be using the terms AWS, LAWS and LARS(Lethal Autonomous Robots) interchangeably which refer to any weapon system with autonomy in its critical functions. That is, a weapon system that can select (i.e. search for or detect, identify, track, select) and attack (i.e. use force against, neutralize, damage or destroy) targets without human intervention.<sup>5</sup>

Autonomous weapon systems ("AWS"), still in their technological infancy, have recently come under heavy fire from non-government organizations ("NGOs," singularly "NGO") and various experts who oppose the research, development, and eventual deployment of such weapon systems in armed conflicts.<sup>6</sup>

Some military and robotics experts have predicted that “killer robots”—fully autonomous weapons that could select and engage targets without human intervention—could be developed within 20 to 30 years. Human Rights Watch and Harvard Law School’s International Human Rights Clinic (IHRC) believe

that such revolutionary weapons would not be consistent with international humanitarian law and would increase the risk of death or injury to civilians during armed conflict.<sup>7</sup>

Human Rights Watch and Harvard Law School's International Human Rights Clinic (IHRC) contend that autonomous weapons will be incompatible with principles of the Law of Armed Conflict ("LOAC") including distinction, proportionality, military necessity, and the Martens Clause and have concluded that AWS should be preemptively banned.<sup>8</sup>

In terms of the hazards such weapon systems might generate, international policy discussions have mainly revolved around whether there would be, in effect, a 'responsibility gap' relating to machines deciding when, where and how to attack which objects and people in war. The prospect of militaries delegating targeting and attack decisions to machines raises a number of important challenges in terms of transparency, ethics and accountability with international humanitarian law (IHL) and human rights law.<sup>9</sup>

## **History of the Problem**

### **Brief History of Modern Military Robotics**

Humans have always engaged in armed conflict, and this reality has often led to heated competition between states for supremacy and invention in "the arts and the instruments of force".<sup>10</sup>

Modern technology allows increasing distance to be put between weapons users and the lethal force they project. For example, UCAVs, commonly known as drones, enable those who control lethal force not to be physically present when it is deployed, but rather to activate it while sitting behind computers in faraway places, and stay out of the line of fire.<sup>11</sup>

Broadening this technology spectrum takes us to the question of autonomy and robots.



There has been debate on the precise definition robots as well, where they are essentially machines that have the power to sense and act based on how they are programmed. They all possess some degree of autonomy, which means the ability of a machine to operate without human supervision. The exact level of autonomy can vary greatly. Robotic weapons, which are unmanned, are often divided into three categories based on the amount of human involvement in their actions:

- **Human-*in*-the-Loop Weapons:** Robots that can select targets and deliver force only with a human command;
- **Human-*on*-the-Loop Weapons:** Robots that can select targets and deliver force under the oversight of a human operator who can override the robots' actions; and
- **Human-*out*-of-the-Loop Weapons:** Robots that are capable of selecting targets and delivering force without any human input or interaction.

Here, the terms “robot” and “robotic weapons” encompass all three types of unmanned weapons, in other words everything from remote-controlled drones to weapons with complete autonomy. The term “fully autonomous weapon” refers to both out-of-the-loop weapons and those that allow a human on the loop, but that are effectively out-of-the-loop weapons because the supervision is so limited. A range of other terms have been used to describe fully autonomous weapons, including “lethal autonomous robots” and “killer robots.”<sup>12</sup>

In recent history, various examples of highly automated, human-supervised (human-in-the-loop) weapon systems have been seen including the Phalanx anti-ship defense system, the Patriot anti-aircraft missile batteries, the Counter-Rocket, Artillery and Missile ("C-RAM") system, and the SGR-A1 sentry robot.

A self-contained package, the Phalanx weapon system automatically carries out functions usually performed by multiple systems: search, detection, threat evaluation, tracking, engagement and kill

assessment.<sup>13</sup>

The Phalanx automatically determines whether an approaching target is a threat or a non-threat by comparing the trajectory of the target against the software's threat logic.

On land, the C-RAM (**C**ounter **R**ocket, **A**rtillery, and **M**ortar ) provides defense in hostile territories through automated turret intervention against surprise ballistic attacks. The C-RAM detects, tracks, targets, and eliminates incoming ballistics "faster than a human could even begin to command it to fire. The human's role in the operation of the C-RAM system is relegated to that of maintenance: the operator merely turns on and off the turret.<sup>73</sup> This human-machine relationship, which relies almost entirely on the robot, is by design: The C-RAM is meant to respond to threats that human beings simply are not fast enough to handle.<sup>14</sup>

The **Samsung SGR-A1** (or **Samsung Techwin SGR-A1**) is a type of sentry robot(a weapon that fires autonomously) that was jointly developed by Samsung Techwin to assist South Korean troops in the Korean Demilitarized Zone. It is widely considered as the earliest commercialized robot with autonomous capabilities and the first of its kind unit to have an integrated system that includes surveillance, tracking, firing, and voice-recognition altogether. <sup>15</sup>

The robotics revolution has been described as the next major revolution in military affairs, on par with the introduction of gunpowder and nuclear bombs. But in an important respect LARs,LAWs are different from these earlier revolutions: their deployment would entail not merely an upgrade of the kinds of weapons used, but also a change in the identity of those who use them. With the contemplation of such weapons, the distinction between weapons and warriors risks becoming blurred, as the former would take autonomous decisions about their own use. <sup>16</sup>

## **Past Un Action**

### **2013**

Concerns increased over the potential impact of fully autonomous weapons under human rights law, which applies during peacetime as well as armed conflict.

In 2013, The UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Professor Christof Heyns, presented his latest report (A -HRC-26-36) to the the Human Rights Councilon recommending that the body “remain seized” with the issue of autonomous weapons systems and “make its voice heard as the international debate unfolds.” According to the report, fully autonomous weapons pose “far-reaching potential implications” to human rights, specifically the rights to life and dignity. The possibility that the weapons will be used in circumstances outside of armed conflict requires broad consideration by all actors in any fora. The Campaign to Stop Killer Robots supported the report’s conclusion that the weapons must remain on the agenda of the Human Rights Council to ensure that the human rights perspective is considered.<sup>17</sup>

### **2014**

The first-ever multilateral meeting on “lethal autonomous weapons systems” this year marked a key milestone for the Campaign to Stop Killer Robots, the international coalition of NGO's working to preemptively ban fully autonomous weapons.

As of 2014, Only two nations stated policy on autonomous weapons systems: a 2012 US Department of Defense directive permits the development and use of fully autonomous systems that deliver only non-lethal force, while the UK Ministry of Defence stated that it had “no plans to replace skilled military personnel with fully autonomous systems. Five nations—Cuba, Ecuador, Egypt, Pakistan, and the Holy See— expressed support for the objective of a preemptive ban on fully autonomous weapons. The 2014 experts meeting reviewed technical, legal, ethical, and operational questions relating to the

emerging technology of lethal autonomous weapons systems, but did not take any decisions.<sup>18</sup>

The ICRC also convened an international expert meeting on autonomous weapon systems from 26 to 28 March 2014. It brought together government experts from 21 States and 13 individual experts, including roboticists, jurists, ethicists, and representatives from the United Nations and non-governmental organizations. The aim was to gain a better understanding of the Technical, Military, Legal and Humanitarian Aspects issues raised by autonomous weapon systems.<sup>19</sup>

## **2015**

The second meeting on lethal autonomous weapons systems was held at the United Nations in Geneva with Representatives from more than 90 countries as well as UN agencies, the International Committee of the Red Cross, and the campaign convened at the Convention on Conventional Weapons (CCW) to engage on substantive deliberations with invited experts on ethical, legal, operational, security, technical, and other challenges raised by these weapons. About 65 states have articulated their views on autonomous weapons concerns, with most expressing the need to affirm the principle of human control over the selection of targets and use of force, indicating they see a need to draw the line at some point. Bolivia, Ghana, State of Palestine, and Zimbabwe called for a preemptive ban on lethal autonomous weapons systems during 2015, adding to the ban calls by Cuba, Ecuador, Egypt, Holy See, and Pakistan.

2015 was also the year that the artificial intelligence (AI) community firmly threw its substantial weight firmly behind the call to preemptively ban autonomous weapons, with experts from Association for the Advancement of Artificial Intelligence in Austin, Texas advocating the same.<sup>20</sup>

## **2016**

The Informal Meeting of Experts recommends that the 2016 Fifth Review Conference of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain

Conventional Weapons may decide to establish an open-ended Group of Governmental Experts (GGE). The GGE should meet for an appropriate period of time starting in 2017 to explore and agree on possible recommendations on options related to emerging technologies in the area of LAWS, in the context of the objectives and purposes of the Convention, taking into account all proposals – past, present and future. The GGE should concentrate on technical and expert work in its first part and report on its progress to the 2017 Meeting of High Contracting Parties. <sup>21</sup>

During 2016, the group of nations calling for a ban on fully autonomous weapons doubled from nine to 19 states. Algeria, Chile, Costa Rica, Mexico, and Nicaragua called for a ban on fully autonomous weapons during the CCW meeting on killer robots in April, while Argentina, Guatemala, Panama, Peru, and Venezuela endorsed the ban call during the CCW Review Conference in December.

China for the first time shared its views on fully autonomous weapons, found “uncertainties” in the adequacy of international law to deal with the challenges raised by fully autonomous weapons and expressed support for the development of a legally-binding instrument. It cited the relevant precedent of the 1995 CCW protocol that preemptively banned blinding lasers.

China is the first permanent member of the UN Security Council to find that new international law is required on fully autonomous weapons.

In February 2016, Heyns called for a preemptive ban again. His report found that: “Autonomous weapons systems that require no meaningful human control should be prohibited” and proposed that “where advanced technology is employed, law enforcement officials must, at all times, remain personally in control of the actual delivery or release of force.” <sup>22</sup>

## **Characteristics**

Views on autonomous weapon systems continue to evolve as a better understanding is gained of current and potential technological capabilities, the military purpose of autonomy in weapon systems, and the resulting questions for compliance with international humanitarian law (IHL) and ethical acceptability.<sup>23</sup>

### **Automation or autonomy**

Automated weapon systems are nothing new. Crudely put, if one has a pre-programmed system—whether in code or mechanically—with "if this, do that" logic, then one is talking about an automated weapon system. The system is simply carrying out the task and it has all the human-embedded answers ahead of time. On the mechanical end of the spectrum we have weapons like landmines, where the object is engineered to detonate when particular conditions are met—often a pressure plate triggered at a specific weight load. A landmine doesn't "decide" whether or not to detonate. But as one moves away from the automation side of the autonomy spectrum, it becomes more difficult to draw firm lines. Whereas autonomous systems, once the system is "on", it will destroy incoming objects that match the signature set without further human engagement based on its faster-than-human response times.<sup>24</sup>

### **Learning, adaptation and adjustment**

Some machine learning systems are able to learn through simulation or direct experience or a combination of both. This learning can be supervised; that is, with humans labelling all of the training data and correcting errors. Or, learning could be unsupervised, where the system learns the underlying structure of the data itself without it being labelled. Learning can also be done "offline" where the system learns its task by being provided a static dataset. No new data comes into the system. It can then

be “frozen” after it reaches a particular threshold set by its creators and cannot continue to learn while in use. Other systems can continue to learn, through “online” learning, where the data inputs constantly change, and thus continue to update its model of the world and its parameters. These continuous learning systems are said to “adapt”. Adaptation is the ability to change with environmental inputs. These systems continually update their internal states and representations, as well as their decisions, based on external stimuli and the probability distribution of those stimuli. <sup>25</sup>

Any system that continues to learn while deployed is constantly changing. It is not the same system it was when deployed or verified for deployment. Some have raised questions about the legality of adaptive systems, particularly in regards to States’ Article 36(of Additional Protocol I to the Geneva Conventions) obligations. <sup>26</sup>

## **Lethality**

Lethal anti-personnel weapons systems are often cited as the central concern. These may take the form of either crude identification systems, such as the Super aEgis 2<sup>27</sup> that can lock onto a humanized target using infrared sensors at up to a two kilometre distance, or future systems that are more advanced, such as one utilizing facial recognition or behaviour recognition as an indication of combatancy. These types of anti-personnel systems pull us in different directions. On the one hand, too crude systems may fail to meet the necessary principle of distinction. On the other, the deployment of extremely advanced systems may feel more like targeted assassination or individualized warfare.

Additionally, concerns might emerge that were a less-than-lethal autonomous weapon with either crude or advanced capabilities to be created, it would be relatively easy to modify the weapon to project lethal force. Of course, in the same way that existing anti-materiel weapons target objects yet cause collateral deaths, increasingly autonomous anti-material weapons will likely also cause death as a secondary or collateral effect. For example, weapons that are able to find particular buildings, radar signatures or objects will have to rely on a host of other intelligence data to meet obligations of

precaution, necessity, proportionality and discrimination.<sup>28</sup>

### **Predictability and Reliability**

Often, the most cited characteristic of an “automated” weapon is that it is predictable, whereas an autonomous weapon is said to be “unpredictable”. Predictability is the state of knowing what will occur in the future, given the current or present state of affairs. Being unpredictable is, then, the inability to know what will occur in the future, even if the state of affairs remains the same. How one achieves this knowledge can be quite rudimentary, such as through simple mechanisms and physics (e.g. a landmine). Or it could be quite complex, such as a machine learning algorithm that has millions of data inputs.

Reliability is more akin to consistency. That something performs reliably means that it acts in ways that are expected, has a history of acting in accordance with prior, or expected, patterns of actions or behaviours and performs consistently well.<sup>29</sup>

### **Accountability**

In a traditional military organization, accountability is hierarchical. Soldiers are trained to obey orders and strict procedures, and are accountable to their commanders, who are responsible for making decisions and providing leadership. Accountability flows upward, through the chain of command. The higher up on the chain, the more power one has to make various decisions and order events. For military operations, accountability for AWS remains an unclear area. One may claim that it does not matter who “pushed the button” or gave the order, accountability always flows upward to the leaders and ultimately the State itself. De jure, there is someone or something accountable. However, if the actions of an AWS are unforeseen, unintended and deemed an “accident” this may engender an odd situation where operators, commanders and the State are all absolved of accountability because each



malfunction is always an accident. In short, the introduction of AWS into the battlespace changes that space to one where intentionality and accountability are de facto not possible.<sup>30</sup>

## **Concerns**

### **Human rights and ethics**

The human rights and ethical dimension of the Autonomous Weapons Systems (AWS) question was the first concern to attract international attention. Christof Heyns, in his 2013 report recommended a moratorium on the development of what he called “Lethal Autonomous Robots”. He called for this moratorium on the grounds that these so-called “killer robots” might pose significant challenges to the right to life and the right to human dignity.<sup>31</sup>

Questions over ethics range from whether decisions to intentionally take a life ought to be delegated to an object, to others arguing that there is a moral responsibility to develop and deploy autonomous weapon systems if, through greater precision and situational awareness, they lower civilian harm or increase protection of one’s own forces.<sup>32</sup>

Much of the ethical discussion that has occurred is grounded on interpretations of the Martens Clause, by reminding States that even in situations where there is no specific law, combatants and non-combatants remain under the protection of the principles of humanity and the dictates of the public conscience.<sup>33</sup>

### **Legality**

The CCW is an international arms control treaty whose purpose is to ban or restrict the use of specific types of weapons that are considered to cause “unnecessary, unjustifiable or superfluous suffering to combatants or to affect civilians indiscriminately.”<sup>34</sup>

By situating the discussion on autonomous weapons within the CCW, the international community has

framed the discussion as primarily a humanitarian law one: whether increasingly autonomous weapons will be able to comply with the laws of war, and specifically the IHL principles of necessity, proportionality, and distinction. It has also engendered a discussion of how autonomous weapons that could have learning algorithms embedded in them can be tested in a way that respects States' commitments to review new weapons, methods and means of warfare under Article 36 of the 1977 Additional Protocol I to the Geneva Conventions. Questions of legal accountability for the use of autonomous weapon systems, as well as the roles and responsibilities of humans in decisions to use force, have also been raised.<sup>35</sup>

### **Proliferation and arms-racing**

Over the past three years of CCW informal meetings of experts, many stakeholders noted the danger of AWS proliferation and have suggested that a regulatory response now would be the best hedge against a future proliferation problem. However, even if such systems are regulated in some manner, it will remain difficult to fully restrict their proliferation. With smaller and more efficient systems—with readily available dual-use components—there lies an ability for such systems to proliferate to individual actors or groups with malicious intent, such as terrorists. Additionally, with many militaries currently undergoing significant modernization efforts, there is an incentive to constantly pursue increasing autonomy to maintain a technological advantage, with adversaries responding in kind and creating a traditional arms-race dynamic.<sup>36</sup>

### **Operational concerns**

There are several pressing operational concerns regarding AWS. As there is uncertainty whether such systems will work as intended, as well as regarding their reliability and predictability, there is worry whether commanders will be able to trust the systems and thus use them during armed conflict. They may be unwilling to use a system that would hold them accountable, or strictly liable, for the

unforeseen or unintended acts of it. Where emergent behaviour is more likely to occur, such as in swarms of AWS, there may be operational concerns that the commander would be unable to control the systems appropriately.<sup>37</sup> Furthermore, research into human factors analysis and machine interfaces suggest that humans are likely to either over- or under-trust the performance of certain systems. For example, if one were to have AWS embedded within units of soldiers, there may be over-confidence in the abilities of the systems, thereby leading to dangerous or risky uses, or their use in situations where AWS fail to provide the presumed protection to soldiers.<sup>38</sup>

### **Strategic stability**

The conditions for arms race dynamics as described above, increasingly autonomous weapons might create regional or global instability or lower the threshold for the use of force. As belligerents may be less concerned with force protection, States may extend the use of autonomous weapons to strategically sensitive tasks or roles. For instance, a State may use increasing autonomy to secure its territory, protect its borders or strategic assets, or engage in counter-terrorism operations. Additionally, with increasing autonomy distributed in a battlespace, there will be incentives to shorten time cycles between decision and action. This potential for a “flash war” may be highly destabilizing.<sup>39</sup>

## **Bloc Positions**

### **1. Outright Ban**

There are calls for a pre-emptive and comprehensive ban on the development, production, and use of lethal autonomous weapons systems or killer robots which could be achieved through new international law (a treaty), as well as through national laws and other measures.<sup>40</sup> Christof Heyns, U.N. special rapporteur on executions, called for all states to declare a moratorium to prevent so-called “killer robots” being deployed on the battlefield in his report presented to the UNHRC in 2013.<sup>41</sup>

A leading group of 116 Artificial Intelligence specialists from across 26 countries are calling for the ban on autonomous weapons claiming that, “Once developed, lethal autonomous weapons will permit armed conflict to be fought at a scale greater than ever, and at timescales faster than humans can comprehend. These can be weapons of terror, weapons that despots and terrorists use against innocent populations, and weapons hacked to behave in undesirable ways. We do not have long to act. Once this Pandora’s box is opened, it will be hard to close.”<sup>42</sup>

## **2. Regulated Development and Use**

There is clearly a strong case for approaching the possible introduction of LARs with great caution. If used, they could have far-reaching effects on societal values, including fundamentally on the protection and the value of life and on international stability and security. While it is not clear at present how LARs could be capable of satisfying IHL and IHRL requirements in many respects, it is foreseeable that they could comply under certain circumstances, especially if used alongside human soldiers.<sup>43</sup> Suggestions include, States to develop a definition of “lethal autonomous weapon systems” in terms of the weapon systems that may be problematic from a legal and/or ethical perspective with a view to establishing specific limits on autonomy in weapon systems. Another approach is for States to develop the parameters of human control in light of the specific requirements under IHL and ethical considerations (principles of humanity and the dictates of public conscience), thereby establishing specific limits on autonomy in weapon systems. Both approaches recognise that international consideration is needed to limit autonomy in weapons systems to ensure legal compliance and ethical acceptability. Ultimately these two approaches might lead to the same end point in terms of identifying weapon systems requiring possible regulation.<sup>44</sup>

Meaningful Human Control (MHC) has been taken up by civil society and some States as a useful framing concept for discussions on autonomy in weapon systems.

Control exercised by human beings can take various forms and operate at different stages of the “life

cycle” of an autonomous weapon system, including: (1) the development of the weapon system, including its programming; (2) the deployment and use of the weapon system, including the decision by the commander or operator to use or activate the weapon system; and (3) the operation of the weapon system, during which it selects and attacks targets.<sup>45</sup>

Some advocates against an outright ban suggest considering more constructive alternatives to campaigning for a total ban, International laws such as the Geneva Convention that restrict the activities of human soldiers could be adapted to govern what robot soldiers can do on the battlefield, for example. Other regulations short of a ban could try to clear up the murky question of who is held legally accountable when a piece of software makes a bad decision, for example by killing civilians.<sup>46</sup>

No country has yet said they plan to build fully autonomous weapons, but several major military powers have made clear that robotics and artificial intelligence are key elements of their military’s competitive strategy. The United States has made robotics and autonomy a centerpiece of its “Third Offset Strategy” to reinvigorate America’s technological edge. China released a new national strategy on artificial intelligence earlier this year. And most recently Russian President Vladimir Putin said that whoever leads in AI “will become the ruler of the world.”<sup>47</sup>

## **Questions A Resolution Must Answer**

### **Questions a resolution might address/ Questions for debate**

- Does your country have any automated or autonomous weapons?
- How does your country intend to overcome the problems associated with the use of Lethal Autonomous Weapons including the legal and ethical aspects?
- Is there a need for a definition of LAWS/AWS given by the UNSC explicitly, which can be identified to be universal in nature with acceptable standards?
- Is there a need for a standardized framework or design for LAWS and their use keeping in mind their implications of their use?
- How can the UNSC address the issues of accountability in case of accidents or malfunctions by such lethal weapons?
- Can there be a monitoring force that can be set up to monitor the activities of the LAWS, or states that are developing or using such technology?
- What steps can the UNSC take to address the issue in entirety? Could sanctions against the development of such technology be helpful/feasible?
- Which way forward is the best keeping in mind international peace and security when it comes to lethal autonomous weapons, an outright ban or regulated development?

## **Topic 2: After ISIS: Addressing Violent Non-State Actors**

### **Introduction**

Violent Non-State Actors (VNSAs, also known as non-state military organizations) are among the most complicated and influential entities in international politics today. For one, in almost every modern war, a VNSA has been involved as a major or minor player, often starting and even sustaining the conflict instead of merely playing a supporting role.<sup>48</sup> In these scenarios, they are often perpetrators of frequent violations of humanitarian norms, though it is worth mentioning that their behavior is much like state parties in these cases. Often existing in areas of great instability, VNSAs have immense potential to destabilize fragile regions and perpetuate the ineffectiveness of governments to bring about order.<sup>49</sup>

However, before conducting a more thoroughly critical analysis of VNSAs as an international “problem” that needs to be “solved,” it is important to mention some of the structural conditions that make their existence so destabilizing in the first place. While currently several different types of VNSAs exist and they are all quite different from each other (as will be discussed), they all share influential relationships with civilian populations.<sup>50</sup> Often they control or heavily influence areas where civilians live, much like recognized governments. Yet they lack the legitimacy to negotiate on behalf of the populations or regions that they “control,” even if their control is much more real than the recognized authority. “International law remains largely state-centric, existing treaties and their enforcement mechanism remain primarily focused on states and NSAs cannot negotiate or become parties to relevant international treaties.” Because of this lack of status, VNSAs are automatically labeled as threats and are treated as so, whether correctly or incorrectly.

This guide will serve as an introduction to VNSAs. There is a wealth of information and a tremendous amount of scholarship available on these entities, so this guide will be geared toward specific aspects that the UNSC as a committee can solve. It will begin with a big-picture question that the committee must solve before further considering VNSAs and will provide case studies to give delegates a more concrete understanding of their complex and remarkable existence in international politics.

### **Past UN Action**

The UN and the Security Council have never specifically acted on the topic of VNSAs, instead focusing on individual organizations in either the Security Council or other bodies. The UNSC has been involved with disarmament efforts that are related to this topic, but this topic focuses on classification, mitigation, and long-term approaches rather than short-term efforts to undermine the strength of these organizations. Thus, the committee will have to incorporate fresh approaches to international politics and United Nations politicking to produce effective solutions to the topic.

An example of such an approach can be seen with the incorporation of the Responsibility to Protect doctrine, also known as the R2P. Established by the UN Office of the Special Adviser on the Prevention of Genocide, the R2P has redefined how intervention is justified in international politics.<sup>51</sup> The doctrine states that it is ultimately up to the states to prevent crimes against humanity and genocide, but if the state is unable to prevent these atrocities within its borders, then the international community has an *obligation* to intervene.<sup>52</sup> Extending this to the topic under discussion, if a state is unable to deal with the threat posed by a VNSA that has been accused of committing crimes against humanity against a population, then the international community has an obligation to put an end to the operations of the VNSA.<sup>53</sup> Utilizing doctrines of international doctrines and covenants like this will provide simple and tangible solutions to otherwise immensely complex topics related to these organizations.



## Features Of VNSA's

The issue of defining what constitutes a VNSA is immensely complex. Oftentimes, a VNSA is simply a “rational actor who makes strategic decisions in pursuit of their own self-interests.”<sup>54</sup> Others place limitations on the type of objectives seen by the organizations, referring to a VNSA as “any organized group with a basic structure of command operating outside state control that uses force to achieve its political or allegedly political objectives.”<sup>55</sup> Others extend socioeconomic activity into the realm of activity VNSAs get involved in, noting that especially weak states see competition from these organizations in more spheres than just politics. There are groups that already have unequivocal control over territory and groups that make claims to territories, often fighting with other VNSAs and states over ownership. <sup>56</sup>

Furthermore, VNSAs are extremely varied in capacity, type of “owned” region, activity, and purpose, among other equally important categories.

“Some may have clearly defined political objectives, while this may be less clear-cut in other cases. Some may control territory and have established administrative structures parallel to or instead of those of the state, while others have loose command structures and weak control over members. Some operate in rural areas conducting guerrilla type warfare, while others are mainly urban phenomena. Some concentrate on attacking military targets, while others attack civilians as a matter of strategy. NSAs may be composed of men, women and children. In some groups, female members comprise an important percentage of combatants and other members.12 Members may be recruited forcefully or join voluntarily.”<sup>57</sup>

Clearly, there are several different ways to determine and group VNSAs. This guide will present two major factors, though it is important to remember that a major objective of the committee will be to decide what metrics should be utilized to differentiate and classify VNSAs. For each of the categories,

states have different levels of influence on the perpetuation and strength of the NSAs, varying from direct impact to subtle but evident consequences.

## **Territory**

When it comes to territory, the relationship VNSAs have with their constituents is as important as the relationship they have with neighboring states and governments. Examples of NSAs in a position of territorial control are the Moro Islamic Liberation Front in the Philippines, the Liberation Tigers of Tamil Eelam in Sri Lanka, the Sudan People's Liberation Movement/Army, and the Communist Party of Nepal-Maoists.<sup>58</sup> Oftentimes, NSAs that operate with territorial control share the most in common with states – they establish administrations like government, parliament, ministries, and police and armed forces.<sup>59</sup> The key to understanding how similar a NSA is to a legitimate state is to hold it to a test: if other actors need the authorization of the NSA to operate within a territory, perhaps for humanitarian purposes, then the NSA has a strong hold on its territory and perhaps must be treated akin to a state. In fact, many of these organizations will resist being treated as NSAs and instead prefer to negotiate as states – whether the international community believes it is “positive” to negotiate with parties that have de facto control of territories is an important question the committee must answer.

Because control of territory is often used as a measure of “success” by NSAs, it necessarily puts these organizations at odds with states that claim to have the same territory under their jurisdiction. To this end, it is important to remember that not all NSAs have control over territory. NSAs typically do not have the resources in terms of weapons or financials to outright deny the state ownership of the territory in question, so they often aim to destabilize regions and create an environment of insecurity, making it difficult for the state to assert its control. The objective of these NSAs is typically less to acquire strength from the inhabitants of the territory they operate within and instead have a much more adversarial relationship with the states they challenge – as Max Glaser argues, “many NSAs do not necessarily aim at regime change or total power seizure, but rather employ strategies to deny control to

the adversary by causing insecurity or instability.”<sup>60</sup> Examples of these types of NSAs include the Colombian National Liberation Army, the Turkish Kurdistan Workers Party (PKK), and the Lord’s Resistance Army (LRA).<sup>61</sup> Another interesting thing to note is that because these organizations do not have to spend their resources maintaining control over territory, they can often operate transnationally, with the LRA being a strong example of this. The LRA’s actions have influenced the lives of civilians in Uganda, but have also led to problems in the Democratic Republic of the Congo, the Central African Republic, and South Sudan.<sup>62</sup>

### **Identity and Resources**

Though identity and resources may seem like different factors related to the operations of NSAs, they are intricately tied together as how a NSA spends its resources strongly determines the perception of the organization.<sup>63</sup> Through this lens, territory could be seen as a resource on the more expensive end, though due to its tendency to also be a way to evaluate the success of NSAs it has been given a separate category. This category helps broaden the scope of NSAs beyond groups that destabilize territories – several provide services to their constituents like justice, land reforms and campaigns to improve health. Two examples of service-providing NSAs are the Burmese Shan state and the former Sri Lankan LTTE enclaves.<sup>64</sup> Some NSAs even promote ideology, with wealth redistribution a popular policy in several cases. Perhaps the most significant resource provided by any NSA is security, whether they created the atmosphere of fear or not.<sup>65</sup>

Identities of NSAs factor into the resource discussion as well by providing insight into the intangibles that NSAs use to leverage their influence. Oftentimes loyalty, a sense of pertinence, status within and outside the group, and knowledge are among the characteristics that govern perception of NSAs.<sup>66</sup> Often there exists a separation between the NSAs and their constituents to the point of elevating individuals above other recognized social norms – if you participate in an initiation ceremony for a group, you are considered to be among a privileged few that have access to resources that others

do not. To this end, NSAs often define their own norms, values, and patterns of behavior, making them immensely complex to boil down into a simple framework. Though there can be vast discrepancy between the norms of different NSAs, one characteristic they often share in common is the degree to which they reprimand any transgressions to the recognized order – because these groups have a less established hold on the regions within which they operate, any unaccepted behavior is often severely punished regardless of the nature of the offense.<sup>67</sup>

The scholar Jeremy Weinstein has separated NSAs according to resources and membership by arguing that there are structural factors that determine whether NSAs fall into the “activist” camp versus the “opportunistic” camp.<sup>68</sup> If social resources like shared beliefs and expectations and norms within the different types of groups are high, then the organization will be able to recruit lower numbers of highly committed members and have a more activist sentiment. An example would be the PKK.<sup>69</sup> If instead there was a high opportunity for the utilization of economic resources like natural resource extraction, taxation, criminal activity or external patronage, then individuals would be more committed to seeking short-term personal gain and the organization would attract higher numbers of “low-commitment” individuals. An example would be the Revolutionary United Front in Sierra Leone.<sup>70</sup> Oftentimes it is important to recognize that organizations are a mix between activist and opportunistic and several organizations change from activist to opportunistic as they grow. Though this approach does not provide a foolproof, comprehensive view that there is a single characteristic shared by all NSAs, it could prove to be immensely useful for the international community to classify organizations like this.

### **Types of VNSA's**

This section begins a discussion about different organizations that VNSAs can fit the general model of. Bear in mind that though there are valuable comparisons available to draw with the following

types of organizations, VNSAs are often far more complex because of their international status, their historical importance, or their permeation into local culture.

### **Private Security**

Private security has grown tremendously since the 1990s as actual and perceived insecurity has become a much larger threat to populations around the world.<sup>71</sup> Examples of this can be seen with private citizens relying on overt, conspicuous means of security (if they can afford them). The Sante Fe region of Mexico City has whole areas that are “designed as modern-day fortresses, with sophisticated systems for limiting the flow of people.”<sup>72</sup> In the United States, private police outnumber the number of publicly employed police officers by a ratio of three to one, raising several questions about regular state accountability structures as these private police forces may not be obligated to uphold the same public security policies.<sup>73</sup> According to Diane Davis,

“[Private security firms] have a narrowly defined view of the problem of public insecurity and they rarely engage government agencies or key democratic institutions. Organizations linked to business chambers of commerce and other private sector entities, moreover, care about problems like crime and police corruption because they create an environment that puts economic gains in jeopardy, either by creating locational disincentives for private investors or by driving away potential consumers, not because of their concern for civil society. Within this framework, concerns about justice and human rights are not so central, while the techniques these organizations favor are more consistent with an authoritarian ... ethos than a commitment to democracy, due process, and the rule of law.”<sup>74,75</sup>

In the context of this discussion, as mentioned before, it is important to remember that VNSAs often serve the needs of specific territories rather than populations, so they have more opportunity to serve as or interact directly with government institutions. However, this difference is twofold – if VNSAs neglect their ability to provide basic public services and strong institutions, the effects will be far direr,

and the international community needs to keep this in mind as they address this issue. There are also some instances of tension between public and private security forces. Private police forces have been known to withhold evidence from the state and public officers sometimes have refused to cooperate with private forces in order to “protect their own institutional authority.”<sup>76</sup>

Finding ways to make public and private forces, while remembering that they are only somewhat analogous to governments and VNSAs, may be helpful for the international community. Some of the things that the international community can do to mitigate these risks and establish some accountability measures are: establish robust regulatory markets for private security forces; limit the market for private security or make it much more regulated; create incentives for self-regulation; limit their exposure to the media to reduce their profile. Again, this is only one category of VNSAs – there are several more that may have to be treated more cautiously, like crime groups.

### **Paramilitary forces**

Though it is tricky to distinguish between militias and paramilitary forces, it is important to understand the difference. While militias are groups of armed civilians, paramilitary forces are considered an extension of government forces in that they are managed by, funded by, and answerable to the state military.<sup>77</sup> However, they often are given broad, general mandates by state militaries in order to achieve their goals and essentially can function like armies for hire. Paramilitary groups are perhaps the most complicated groups that the international community has to consider when dealing with VNSAs because they are the group that is most likely to be utilized and even encouraged by the state, deeming them necessary to the legitimate political decision-makers in geopolitics. At the same time, they are also incredibly risky to create and sustain because they are fundamentally separate from the state military, which, if in need of a paramilitary force in the first place, probably is not strong enough to hold the paramilitary force accountable. “The difficulty with paramilitary forces, however, is that once created, they often prove difficult to control.”<sup>78</sup>

We can demonstrate this with the United Self-Defense Forces of Colombia (AUC). In the 1980s, the Colombian government was having trouble dealing with left-wing insurgency groups that were notably involved in extensive drug-trafficking throughout the country.<sup>79</sup> These groups, which mostly started in the 1960s, included the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), the former of which was much more involved in the drug trade and the latter much more involved in politics.<sup>80</sup> It is important to note that FARC and the ELN were, at some point in their development, VNSAs since they controlled territory, provided “security” to their constituents, and filled the vacuum left by a lack of state presence in certain barren areas in Colombia. The Colombian government struggled to control these groups who at some points occupied significant amounts of territory within Colombia. They were well funded and used tactics like kidnapping for ransom to instill fear into anyone that may have worked with the government to prevent their spread.<sup>81</sup>

To help locals combat the influence of these groups, the Colombia government passed a law in the 1960s that allowed for armed local “self defense” groups. However, it wasn’t until 1997 with the formation of the AUC that the groups actually became united and effective. Under the leadership of a man named Carlos Castana, the AUC continued to grow and in three year grew to become a force of 80,000.<sup>82</sup> While the Colombian government was initially supportive of the group, which was proving to be a substantial force against FARC and other “illegal” VNSAs within the country, eventually the group engaged in criminal activities “ranging from drug-trafficking to oil theft, extortion and kidnapping.”<sup>83</sup> In some cases, the AUC, a paramilitary organization authorized by the Colombian government to act in its stead against illegitimate organizations like FARC, displaced indigenous peoples, collected taxes, and even “regulated how citizens could dress.”<sup>84</sup> Clearly the continued presence of the AUC was posing a problem to the Colombian government.

To mitigate the damage done by the paramilitary group, President Uribe of Colombia signed an agreement in 2003 that detailed a process of Disarmament and Reintegration, which is also known as DDR. The process was only partially successful – some members were reintegrated into society, while

others simply created new factions and sustained the “paramilitary-ness” of the group. The membership of these armed groups is estimated to be from 3,000 to 9,000, and almost all of them are in some way involved in criminal activity, most notably drug trafficking and smuggling.<sup>85</sup> Some of these groups have continued the fight against the left wing insurgents while others have even joined them.

Ultimately, it is unclear whether the disbanding of the paramilitary group led to more destabilization and violence than was seen prior in Colombia. Regardless, the international community needs to decide if paramilitary groups are a legitimate tool for countries – and especially developing countries that often don’t have a substantial military capacity – to use for state security. If so, the international community needs to set up a new framework for initializing paramilitary groups, keeping them accountable, and reintegrating the citizens of the groups back into society. Another topic in need of answer is what to do with existing paramilitary organizations – if they are to be disarmed, what is the best way to go about this? If they are allowed to maintain their weapons and other assets, how should they be managed, checked on, and ultimately held accountable? The question of paramilitary organizations will be an important one for our committee.

## **Crime Groups**

Often considered an economic phenomenon, several scholars have highlighted evidence that demonstrates that a crime group “assumed an important institutional role, partly as a result of the gap left by absent or weak state institutions.”<sup>86</sup> In some circumstances, crime groups are even protected by official institutions like local police forces or armies, signaling a severe deterioration of political and social institutions. Drug distribution networks in Mexico are a strong example of this as they have grown with the help of government officials and local institutions. Because of this facilitated growth from institutions, in fact, the drug distribution groups have become so embedded in the institutional structure of entire committees that they seem to be normal.<sup>87</sup>



The major difference between these groups and what has been described about VNSAs is that they do not constitute “parallel power systems.”<sup>88</sup> Instead of directly threatening the authority of established institutions in a confrontational manner, they exploit state weakness and fill the gaps caused by weak institutions in order to fulfill their needs. They do not work against the state; they work in spite of the state. Think of the example of the drug distribution networks – their objectives are not to overthrow the government, but to widen their influence and presence by acquiring more territory over which they have a monopoly on the sale of drugs, reducing the threat that law enforcement poses to their operation, and decreasing the pressure from outside competition – all of which are to increase their own profits and “influence.” As Davis suggests, “armed mafia forces are not struggling for political dominion, control of the state, or political inclusion so much as economic and sub-territorial dominion as well as the coercive capacity to control key local nodes and transnational networks to make their economic activities possible.”<sup>89</sup>

Another way to describe these groups is by describing them as economic actors that charge services the state fails to provide for money. These services are valuable because they are difficult for individuals to obtain and can only be provided by large organizations like the state or crime groups. These organizations have to be embedded into local communities because they need a large amount of buy-in and a steady source of interest – local communities thus gain special benefits from these organizations and provide added benefits like not allowing information to be passed to authorities.<sup>90</sup> As an example, in some of the favelas of Rio de Janeiro and Sao Paolo, the local drug lords and private security guards are trusted much more to provide protection than the police or state.<sup>91</sup> This kind of behavior leads to citizens supporting criminals daily, helping these crime networks become ingrained with local communities.

These groups have also begun to provide services that are usually reserved for the state like judicial services and welfare. “In many of Rio’s favelas, for example, many years of state neglect has resulted in a loss of control by the state to well-organized crime groups who now enforce contract and

adjudicate in disputes.<sup>92</sup> This has become especially problematic because the punishments doled out by these unrecognized crime groups are often much harsher than those granted by the state – since the local communities feel more alienated from formal justice channels, they are willing to accept more severe punishments for crimes in order to give them a sense of security. Thus, punishments for crimes such as robbery and assault often include death sentences.<sup>93</sup> Crime groups also use welfare services to recruit for their organizations and build support in local communities. One example of this is the Zetas in Mexico, who have built community solidarity by providing employment opportunities, infrastructure projects, and goods and services.<sup>94</sup> These services also can be cultural, with crime groups throwing parties and festivals and giving presents to children, a common occurrence in Rio's favelas.<sup>95</sup>

It is important for the international community to realize that crime groups and the state often work together, but this relationship is mostly kept from the public view in order to maintain the state's legitimacy.<sup>96</sup> Oftentimes these relationships are meant to reduce the amount of violence that is liable to take place in communities that the state has little control over, but now a form of clientelism has come to dominate these areas in which traffickers provide a portion of the benefits to the communities on behalf of the partnership. Combined with NGOs that may be working in some of the more distressed areas, there are many actors at play in these communities and the international community needs to take all of them into account or risk exacerbating the delicate balance that is being maintained behind the scenes.

## **Warlords**

Warlords are an interesting class of VNSAs because they often depend and revolve around single influential individuals that share in common characteristics like charisma, military backgrounds, and a profound willingness to use violence against any sort of threat to their authority.<sup>97</sup> Warlords have also flipped the conventional wisdom that is often applied to other types of VNSAs, including several described previously: they have rejected the notion of collective interest and have managed to convince

their constituents that what is the interest of the warlord is the interest of all that are part of the organization. Oftentimes, this takes place through brainwashing, coercion using force, or incentives, with the latter two often more prominent.<sup>98</sup>

These individual interests often include power and resources, often through specific channels. One is the “warlord mining economies in contemporary collapsed states, such as Sierra Leone and the Democratic Republic of the Congo.”<sup>99</sup> Another is the opium trafficking in Burma.<sup>100</sup> Warlords procure power by ensuring the (often unwavering) loyalty of those under their influence through anything ranging from incentives to cruelty. This can be seen through Josef Kony’s leadership in the Lord’s Resistance Army. In the past, Kony maintained the ranks of the LRA by abducting large numbers of children from their homes. In an effort to secure their complete loyalty, Kony would often order that the families of the children be murdered either by current LRA members or the children themselves – this would guarantee that the children have nothing but Kony himself to rely on. Kony would reward loyalty by providing promotions in rank and power within the LRA. He would also maintain strict discipline in conduct, punishing members that did things like rape women on missions or confiscate precious items to augment their personal wealth. All of this was in an effort to increase the reliance of all LRA members on Kony.<sup>101</sup>

Though warlords often set up new systems of “governance,” it is also not unusual for them to utilize existing structures to organize their members and supplement their importance. Most warlords operate through “trusted subordinates” rather than through a strict hierarchy, often in an attempt to highlight the personal relationship they strive to have with their constituents and draw a contrast with the state.<sup>102</sup> Governance also may just be laid over existing tribal structures. This helps reduce the “learning curve” of new members joining the organization, and is an especially useful way to integrate children quickly. If they see little difference between their old culture and the new culture of the warlord camp, they are more likely to resist integration. But as stated before, these changes must be

accompanied by patronage systems in which warlords grant rewards to those who perform acts that are favorable to them – the incentive structure is key to maintaining the loyalty of the members.<sup>103</sup>

Warlords often have varied relationships with the state. At times, they are used by states for hire, as was the case with the LRA and Sudan. The Sudanese President Omar Bashir had provided Kony and the LRA with arms and safe haven in the region of Kafia Kingi.<sup>104</sup> This was in order to help Sudan keep the territory from South Sudan, who laid claim to the territory shortly after claiming its independence.<sup>105</sup> This activity came under severe criticism from the international community as both Josef Kony and Omar Bashir had previously been accused of several crimes against humanity and the sustainment of the conflict in this disputed territory further led to the abduction of several hundreds of children by the LRA.<sup>106</sup> From this example, it is easy to extrapolate that collaboration between states and warlords should be illegal in the eyes of the international community as it only sustains violence and gives more power to VNSAs, which in general has been shown to be a threat to international security.

However, there are more complicated scenarios to consider, like the situation in Afghanistan with the government and the Mujahideen. Some claim that the warlords in Afghanistan have used “state building and democratization processes to legitimize their positions within the local and international political system.”<sup>107</sup> In essence, because each of the warlords has reserved the right to use force, they were sharing power in order to keep the central Administration weak and keep Soviet influence at a minimum.<sup>108</sup> In this scenario, the VNSAs were propped up by the United States, who gave them arms in order to undermine Soviet control of Afghanistan.<sup>109</sup> This would later become an issue after the Soviets left because those arms caused a great amount of infighting among the individual warlords and then also supplied the current international terrorist organization known as the Taliban with weapons.<sup>110</sup>

Ultimately, warlords become tricky questions for the international community to answer because “it is hard to dispute that warlord coercion provides a degree of predictability and stability.”<sup>111</sup>

Warlords have a strong incentive to maintain peace and security within their territories because their claim to power over their constituents is essentially solely through greater force. This management of territories has been closely compared to local governance, which some scholars note “has a closer relationship with – and perhaps even a higher degree of responsiveness to – the community, than does the state.”<sup>112</sup> Though this is not to say that warlord rule is preferred to rule under the state, it is important to recognize that they can provide security in very unstable environments and that they are deeply embedded into the culture of the places and populations they control. Any international efforts designed to handle the class of warlords must keep this in mind.

## **Insurgencies**

Insurgencies are perhaps more complicated class of VNSAs for the Security Council because they create several political and ideological questions on top of the questions typically associated with VNSAs. They will also be the last class of VNSAs discussed in this background guide, though it is important to remember that several others exist and that new classes may be warranted depending on the needs and justifications of the international community.

According to the United States Department of Defense, an insurgency uses two primary means in order to overthrow a constituted and internationally recognized government – subversion and armed conflict.<sup>113</sup> However, this does not mean that every insurgent force wants to supplant the recognized authority completely – it is entirely possible and common for insurgencies to have more narrow goals, like establishing an autonomous state to achieve economic and cultural independence, as happened in South Sudan.<sup>114</sup> Insurgencies that wish to attain specific concessions from the government may also use violence if they feel that they have no other options – thus, the impetus for violence is as a means to an end rather than the means itself, which is more likely to be seen in a crime group or a paramilitary force.

Insurgencies are similar to warlords in that they seek to lessen the influence of the state in defined territories and do so using a variety of means. Some of them cite ideology and political oppression as justification for removal of the state, while others simply recognize that the government in place is ineffective and difficult to change using the standing system.<sup>115</sup> Nevertheless, insurgencies typically operate *within* the confines of a recognized state's territories, making their reach less directly international. This complicates the international community's ability to factor in their actions into a direct response – technically it is the individual state's problems to deal with insurgencies because without the authorization of the government, any other country's involvement is a breach of national sovereignty. However, even if the national government were to give permission to other states to intervene, it is hard to decide which side is more justified in the conflict and whether the international community's involvement would help end violence and stymie prolonged suffering.<sup>116</sup>

To further demonstrate these complications and draw attention to two unusual insurgencies, we will briefly touch on two notable insurgent groups: FARC and the Taliban. FARC in Colombia began as a “left-wing idealistic movement to bring about social justice in a country dominated by a narrow elite.”<sup>117</sup> But over the years of its struggle against the government what began as an ideological movement gradually changed to a “commercial insurgency” that became deeply embedded in the drug trafficking economy gaining prominence across South and Central America. Some of the organizations FARC became involved with include the Arellano Felix Organization in Mexico and the Costa organization in Brazil.<sup>118</sup> As mentioned in the section on paramilitary groups, FARC's influence has decreased since the Colombian government's efforts to control armed groups in Colombia, and especially after the bilateral cease-fire agreement of 2016, but FARC's influence lives on still today. As one scholar remarks “it seems likely that groups within FARC will continue to be prominently involved in the drug trade. Moreover... one emergent phenomenon in Colombia is collaboration between old FARC members and new criminal organizations created by the former right-wing paramilitaries that made up the AUC.”<sup>119</sup>

The FARC case demonstrates how insurgencies without clear goals can often be derailed and become unsuccessful in their efforts to reduce the influence of recognized states in their territories. Furthermore, the international community's indirect involvement in the issue may not have been the best solution for the Colombian government. If the government was supported with more arms from outside actors, the AUC would have been better equipped and potentially better able to fortify the efforts of FARC after the complete unraveling of the group. A more direct solution, perhaps with a peacekeeping force, may have been more effective even if it would have caused more violence initially. <sup>120</sup> Thus, the international community must take seriously how committed insurgencies are to their goals before deciding how to act.

When considering the Taliban, it is first easy to draw parallels to the example of FARC and then necessary to distinguish the two. While the Taliban is also in large part being funded by the opium trade in Central Asia, it does not seem that the desire for profit is as strong as it was with members of FARC. One scholar notes that "Indeed, some insurgencies appear to maintain their political objectives while using the proceeds of criminal activities as a major funding mechanism."<sup>121</sup> This seems to be true of the Taliban, which had successfully occupied large portion of Afghanistan and parts of Pakistan. The Taliban's objective was also to convey a strongly ideological and theological style of governance that could have been a major motivating factor for the group to maintain its political objectives. The success of the Taliban in actually occupying territory and using force to promote its ideological objectives thus can probably be traced to its commitment to its original goals – the drug trade did not motivate the Taliban as much as it motivated FARC and thus did not derail the insurgent group as much.

Overall, other distinguishing characteristics of insurgent groups are their ability to cooperate with other insurgent groups and general criminal organizations to help further their goals through violence, their decentralization in organization often to draw people to their cause and empower their members, and their often shorter lifespan. <sup>122</sup> For the international community, it will be essential to

discuss exactly how to identify insurgent groups and what course of action to take based on many factors, one of which is how committed these groups are to their original goals.

Before moving to the next section, it is worth briefly touching on a VNSA that has been prominently featured in the news in recent years. ISIS represents a category of actors that use terror driven methods to advance their goals and destabilize recognized authorities.<sup>123</sup> These kinds of organizations have seen an unprecedented rise in the Middle East and Africa recently, but also have been influential in Asia. These organizations have also been helped and enabled to grow by other VNSAs that may not share the ideologies or use the same tactics. After all, ISIS had been growing in Syria, a nation which saw its leader embroiled in a very violent conflict with other non-state players. Thus, the example of ISIS is truly indicative of the growing role that non-state actors are playing in our world today. The dystopian system that ISIS had set up within its territories is a clear demonstration of the ability of any non-state actor to set up an effective system of governance and an ability to deal out (even extreme forms of) justice.<sup>124</sup>

Though the organization has been described as weakening over the course of the past year, it would be irresponsible to overlook the potential for violence that could be caused by the departure of this organization and the rise of (perhaps several) others.<sup>125</sup> Already we have seen VNSAs fill the power void left by the lack of a legitimate state's presence and the violence that has been caused as a result of this. What would happen if a VNSA that originally controlled large amounts of territory spanning multiple countries suddenly collapsed and left another vacuum to be filled by all those who have the weapons and money to do so? The international community must focus on not just reducing the capacity of these organizations but also building the capacity of legitimate state actors to ensure that the havoc that could be wreaked by new VNSAs is minimized. Of course, this adds a state-building dimension to this topic area which is outside of the scope of the committee, but it is important to ensure that solutions do not enable new VNSAs to rise up in the wake of suppressed VNSAs.



## Summing Up

Through our discussion of the classification and description of different VNSAs, several things that are important to consider specific to our committee have been mentioned. Perhaps the most important of these tools for our committee is going to be pattern recognition. Delegates need to find ways to draw parallels across the different organizations in order to develop frameworks with which to decrease their negative influence and find ways to stabilize the regions that they occupy. Two such patterns will be elaborated upon here.

The first is a question relevant to the name of the organizational type: why do VNSAs use violence? Ultimately, different types of organizations have different uses for violence. Insurgencies use violence to gain political concessions and recognition for their causes or ideologies, though these causes certainly can have underlying economic motivations. Crime groups, on the other hand, may have much more specific uses for violence, perhaps limited to specific populations or territories and particular industries. Warlords use violence to secure their own personal influence and guarantee the loyalty and safety of their constituents in an effort to provide an alternative to the state. Very quickly, a pattern can be seen here – VNSAs use violence to achieve their goals because either their goals are either illegal or established nation-states will not allow them to accomplish their goals. The use of violence is obviously a destabilizing force for any region and should be the committee's top priority – thus, the international community is going to have to decide whether it is appropriate in some circumstances to grant concessions in order to reduce the violence experienced by a region or what alternative measures can be used to reduce how violent these organizations are/can be.

Another instructive pattern to look into is the life cycle of different types of VNSAs. This sort of approach will dramatically improve any delegate's ability to find individual solutions for different types of VNSAs and calls to question many fundamental queries regarding these organizations: How

do they begin? What sustains them? Is there any point at which they begin to decline? What does the “fall” of a VNSA look like? The first question was touched on briefly at the beginning of this guide – often, VNSAs rise to power when there is a power vacuum in a territory. They provide services and gain the support of local communities, eventually forming ideologies and processes by which they sustain their existence. Usually, their decline is marked by external pressure or force to cease operations that keep them afloat (like the selling of drugs or the solicitation of other services and territories) or infighting caused by weak leadership and/or fracturing ideologies. One of the biggest points to consider is the aftermath of the passing of these organizations – instead of disappearing peacefully, they often lead to the creation of more disparate violent groups that further destabilize territories and cause problems for recognized international actors.

Aside from these patterns and the above highlights, delegates should also focus their research on:

- The historical impact of VNSAs on individual countries, if applicable
- Current or past VNSAs in their regions and the contributions to the culture of these regions that these organizations may have had
- Any nation-specific classifications or definitions of VNSAs (for example, many VNSAs fall under the category of terrorist organizations for Western nations)
- An individual nation’s capacity to deal with these organizations if the committee decides that international or regional responses are necessitated

### **Questions A Resolution Must Answer**

- How should the international community identify what are the most relevant VNSAs in the world today? Should VNSAs be called “relevant” based on the amount of territory they span,

the number of their constituents, their military capacity, their annual revenue, the types of crimes they commit, or some combination of these factors? Should there be any other classifiers used to recognize VNSAs?

- How can VNSAs be classified such that they share similar characteristics? What are the most important characteristics to create these categories? How should things like geography, culture, history, and natural resources in the region play into these categorizations? What should the goal of these categories be?
- How should the international community interact with and/or respond to different kinds of VNSAs? Are there some scenarios when a unilateral approach is more appropriate than an international response? What should the goal of these interactions be? Who should be held responsible for accomplishing these goals?
- What is the best way to transition a population that was previously under the authority of a VNSA to the government? How can the UNSC promote disarmament of these organizations in a way that is effective and leaves as little impact in the region as possible?
- Is there a place for “legitimate” VNSAs in geopolitics? How can they be used to fill vacuums in different states that are not providing basic needs to their constituents? How can they be held accountable for their actions? Who should hold them accountable?

### **Bloc Positions**

Though every country should work to provide unique, individualized solutions to the topic area, there are some trends by which delegates can more or less align themselves. Most of these trends revolve around key characteristics regarding each nation such as military and economic capacity and current stability.

Nations with large militaries and/or economies will be looking to reduce the influence of VNSAs as much as possible. The larger nations look to the current system of international politics to provide security for people globally and have invested a great deal of their resources into preserving this system, whether through regional alliances, military agreements, or foreign aid deliveries. These are often the nations that consider almost all VNSAs terrorist groups and have been actively working to undermine the efforts of VNSAs. The larger nations that have the capacity to directly confront VNSAs will be pushing for solutions that allow for more international engagement whether through military or economic intervention or regional cooperation to enhance the efforts of states that are currently working to tackle issues related to VNSAs.

Nations that are currently developing militarily and economically will hold similar views to the larger nations, though they will push for more caution and more thoughtful approaches to handling these organizations. Some of the governments of developing nations may be more focused on sustaining their internal growth and security, so they will likely be cautious of pledging any grand support for vast military campaigns against organizations that do not have clearly fleshed out plans and objectives. These nations are also much more likely to have experience with smaller VNSAs that do not pose a severe threat to their governments but could destabilize regions within their countries – thus, these experiences could help readjust and broaden solutions that the committee ultimately presents.

Smaller countries with smaller economies and little to no military capacity will have exceptional investment in this topic area as they will be most likely to be affected directly by the activities of VNSAs. These nations will likely be most opposed to uncontrolled foreign intervention, citing the effects of this kind of intervention in the past. Especially since VNSAs, once disbanded, often lead to more smaller groups that continue to destabilize regions and cause violence, these nations will push for solutions that address the aftermath of a VNSAs fall as well as their controlled, sustained decline. Finally, these nations will also push for creative solutions to the topics related to VNSAs since the complexity involved with such organizations is most directly applicable and relevant to the nations

that they reside in – a government that has a warlord controlling half the territory is going to need a solution other than a large military campaign to deal with the issue, and will likely push for more comprehensive and insightful solutions.

## **Suggestions For Further Research**

There is a wealth of information available on the subject of VNSAs. Internet sources including several think tanks have published a great amount of information on how these organizations operate and what their role in international politics has become. But ultimately, a deeper understanding of specific VNSAs (especially of different types) will be most useful to delegates.

Other than reports and news articles on VNSAs in general and specific organizations, you are encouraged to go above and beyond in your research to really understand these actors and learn their stories. Often, their circumstances are incredibly surprising and demonstrate just how complicated the world we live in today is. There are several high quality documentaries on these organizations that include ISIS, FARC, the Liberation Tigers of Tamil Nadu, and several others. Visual descriptions and the stories of people that have been a part of these organizations or encountered these organizations make the issues much more visceral and impactful, you might find it helpful to look at some of these through your research.

## CONCLUSION

The agenda at hand, concerned with Lethal Autonomous Weapons and with Violent Non-State Actors is slightly atypical with respect to conventional topics you may come across in other Security Council simulations.

Discussion on Lethal Autonomous Weapons, for example, deals with an unforeseen threat. This guide presents a futuristic view of weapons technology and we hope that all delegates research and debate keeping this perspective in mind. The perspective being that, though similar weapons are currently employed, truly autonomous weapons may be developed in future and potentially be used on the battlefield. The use of such weapons will primarily have legal and ethical considerations and may potentially be a threat to international peace and security. The discussion on Violent Non-State Actors should go beyond cases of FARC and ISIS, which this guide purposefully deals with very briefly. In fact, delegates can choose whether they want to focus on a pressing case of VNSA at the time of committee (maybe the Taliban or Boko Haram) or whether they want to focus more on the development of a framework for a timely international reaction to a VNSA rising to power, keeping in mind legal and military considerations of extra-national intervention.

Also, please do not feel taken aback by any jargon used particularly for these topics. Even though the topic revolves around technical concepts and sometimes technology, the crux of your debate will lie on the application of International law and basic analytical skills keeping some of these underlying concepts in mind. In case you are not familiar with some of the terms used in this guide, or are finding any of the technicalities particularly hard to grasp, just send us an email for clarification. All the information contained in this Study Guide along with the referenced links is more than sufficient, but any queries are always welcome!

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