



# **LONDON INTERNATIONAL MODEL UNITED NATIONS**

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**Disarmament and International Security  
(DISEC)**

**Study Guide**



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## INTRODUCTION LETTERS

*Dear Delegates,*

*It is my pleasure to welcome you as Director to DISEC at LIMUN 2014. I hope that you will find the weekend to be informative both in the topics that you will discuss and in the diversity of people that you meet.*

*Since starting my MUN career four years ago, LIMUN has always been a highlight of my MUN calendar and I am sure that this year will be no different. I would encourage you to make the most of it by preparing well, taking part in the committee sessions, and making full use of the socials.*

*I am currently a Masters student in International Public Policy at University College London. Previously, I was studying P.P.E. at Oxford University while doing lots of MUN. The majority of my MUN experiences have been as a delegate or as a secretariat member, yet for the past few conferences I have switched roles again to chair.*

*If you have any question please do not hesitate to contact my co-chairs and I.*

*I very much look forward to meeting you all,*

*Imran Bhaluani*



*Dear Delegates,*

*I am Xoha Salman, currently a senior at University of the Punjab, Pakistan. Model UNs and Chemical Engineering may appear to be a surreal combination. But it is nevertheless, my favourite blend of academics and debates. I am truly honoured to be chairing Disarmament and International Security Committee at LIMUN 2014. I have been a part of and won accolades at various Model UN conferences, both at home and abroad and I find the committee sessions as a mentally gratifying experience. Needless to say, I have developed an obsession for MUNs.*

*Can't wait to get to know you all in February!*

*Xoha Salman*

*Distinguished Delegates,*

*My name is Faiz Khalil and I have the privilege of being one of your Chairs for DISEC at LIMUN this year. I'm currently a second year Law student at Queen Mary, University of London. I started doing MUNs early on in high school and have come to love them. Currently in my fifth year of doing MUNs, the highlight of my MUN career when my team and I became the first people from our country to win HarvardMUN China.*

*Chairing at LIMUN is an honour, and I want to ensure that DISEC at LIMUN 2014 a memorable experience for everyone. I look forward to well-planned, productive debate with an emphasis on imaginative yet realistic solutions to the issues at hand.*

*See you guys come February!*

*Faiz Khalil*



## INTRODUCTION TO DISEC

The Disarmament and International Security Committee was established in 1993. It is the First and one of the main committees of the General Assembly. The role of DISEC is outlined in Chapter IV, Article 11 of the United Nations Charter which states, "The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments and may make recommendations with regard to such principles to the Members or to the Security Council or to both". As per this article, the mandate of DISEC is highlighted as, "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".



## TOPIC A: Developments in Information and Telecommunications Technology in the Context of International Security

### HISTORY OF THE PROBLEM

The case of Developments in Information and Telecommunications Technology in the Context of International Security is of high relevance in the current global scenario. It is pertinent that information does not fall into the wrong hands of those who may use it to achieve malicious objectives. Certain technologies are also being used for offensive action against state or private assets, which some claim to cross the line into warfare. We face multi-faceted challenges when dealing with the international security concerns. There are rising concerns from different groups regarding the security of their data as well as the maintenance of international peace and security in the wake of recent technological advancements.

Michele Markoff, Deputy Coordinator for Cyber Issues, Office of the Secretary of State, on 30th October 2013 in New York, at the First Committee Thematic Discussion on Other Disarmament Issues and International Security, "States must unite in the common goal of preserving and enhancing the benefits of information technologies by assuring their security and integrity, while also maintaining an environment that promotes efficiency, innovation, economic prosperity, free trade, and respect for human rights."

### STATEMENT OF THE PROBLEM

*Delegates are reminded that the mandate of DISEC is to consider the aspects of the question that pertain to international peace and security—not, for example, the management of international telecommunication which is a debate under the*



*mandate of the UN's International Telecommunication Union (ITU). Questions of disarmament may also be relevant in discussing Cyber Warfare (see below).*

As the technology advances at leaps and bounds, it has become even more important to secure our private information and preventing it from falling into the wrong hands. Economic development and security enhancement is dependent on development in telecommunications and information technology. Ensuring security is paramount in today's times. Technology itself can also present particular challenges to policymaking for making systems and states more secure because it is ever changing and developing with newer avenues in science being explored and older methodologies being discarded. These methodologies also need to be consistent with the need to preserve the free flow of information. Interception of information has greatly helped governments in countering crime but has also raised concern about the legitimacy of such searches and the breach of privacy of the public. Through such issues, individual liability and state liability have been put to question. Development in telecommunications and information technology for enhancing the security has engaged the international community at several different levels.

Many countries are working towards enhancing their cyber security capabilities. The Islamic Republic of Iran has coordinated its cyber capabilities within the military by Passive Defense Organization. An Iranian military commander stated that Iran has the second largest cyber army in the world. The Islamic Revolutionary Guard is in charge of the cyber warfare unit whose budget amounts to \$ 76m. The People's Republic of China's 2004 White Paper on National Defense stated that "Informationalization has become the key factor in enhancing the war-fighting capability of the armed forces."



## CURRENT SITUATION

### Past Treaties and Resolutions

Since 2004, Groups of Governmental Experts (GGE) have reported to the UN General Assembly DISEC Committee on developments in information and telecommunications in the context of international security, examining the potential as well as existing threats from cyber sphere and finding possible cooperative measures to address them. The first GGE was unable to reach consensus of its final report. The second GGE however issued a report in July 2010, *A/65/201*. The report, among other things, recommends “Confidence-building, stability and risk reduction measures to address the implications of State use of ICTs, including exchanges of national views on the use of ICTs in conflict.” In 2011, the General Assembly unanimously passed a resolution calling for a follow-up of the findings of the second GGE, *A/Res/66/24*. This third GGE took into account the findings and recommendations contained in the report and began their work in 2012. They submitted their report in June 2013, *A/68/98\** during the sixty-eighth session of the General Assembly.

The United Nations Institute for Disarmament Research (UNIDIR) published a preliminary assessment in 2012 on Cybersecurity and Cyberwarfare and reviewed, using open-source data, how the member states on the UN dealt with cyber security, whether they have a military command or doctrine for such activities and whether they have a plan to acquire offensive cyber capabilities. According to this report, only 33 member states include cyber warfare in their military planning and organization. Additionally, the majority of states have severe weaknesses in important infrastructure systems which are at risk from cyberattack, including water, energy, and financial systems. An attack to national infrastructure could cause severe harm to a country’s citizens and economic health.





Computer emergency response teams (CERT) are present in various countries which provide security services to government and corporate sectors to protect their data from internal and external threats and also prevent, detect and recover computer security incidents. CERT/CC was first formed at Carnegie Mellon University under a US government act and has now licensed other teams around the world.

Russian Federation's Convention on International Information Security sought to regulate the activity of governments to ensure international information security and "to act against the use of information and communication technology to violate international peace and security" and also "guarantee the free exchange of technology and information, while maintaining respect for sovereignty of States and their existing political, historical and cultural specificities".

The Organization for Economic Cooperation and Development (OECD) has given Guidelines for the Security of Information Systems and Networks for its member states to promote "a culture of security" and its lays down guidelines to conduct risk assessment, adequate security design and implementation, adequate security management and reassessment. OECD has also given Guidelines on the Protection of Privacy and Transborder Flows of Personal Data.

## **Penetration of Communication Systems and prevention of possible terrorist activities**

Often successful security breaches have been made into terrorist networks and the dangers of potential physical and cyber attacks averted. Hacking into enemy servers has led to acquisition of vital information and location. Britain's MI6 reportedly infiltrated a website belonging to Al Qaeda and replaced the recipe to make bombs with the recipe to make cupcakes. Terrorist groups are responding by increasing their cyber capabilities, increasing the risk of an attack against state targets.



## CYBER WARFARE

In a world dominated by technological growth and advancement, attack on information systems has become a legitimate cause of concern for security. With the increasing importance of cyberspace, a number of risks have become concurrent which not only jeopardizes the benefits that cyberspace can offer but also pose a threat to the national security of a country. Cyber warfare may include attempts to access, damage, undermine and sabotage another nation, organization's information through metadata acquisition, computer viruses, denial of service attacks. Espionage is seen as a major threat that must be redeemed. These threats are multi polar in nature and can be motivated from several directions and they may include nation states, non-state actors, proxies, intelligence agencies. It must be noted that these attacks may also be politically, socially or religiously motivated. The internet is also becoming a tool for military activities and cyber security has become more central to national and international security. More advanced methods of cryptography are being explored and enacted. Protection of data has become more important for international security than ever before.

According to European cyber security expert Sandro Gaycken, offensive operations can, seen from a long-term perspective, potentially cripple economies, change political views, instigate conflicts among or within states and also equalize technological capacities of nations.

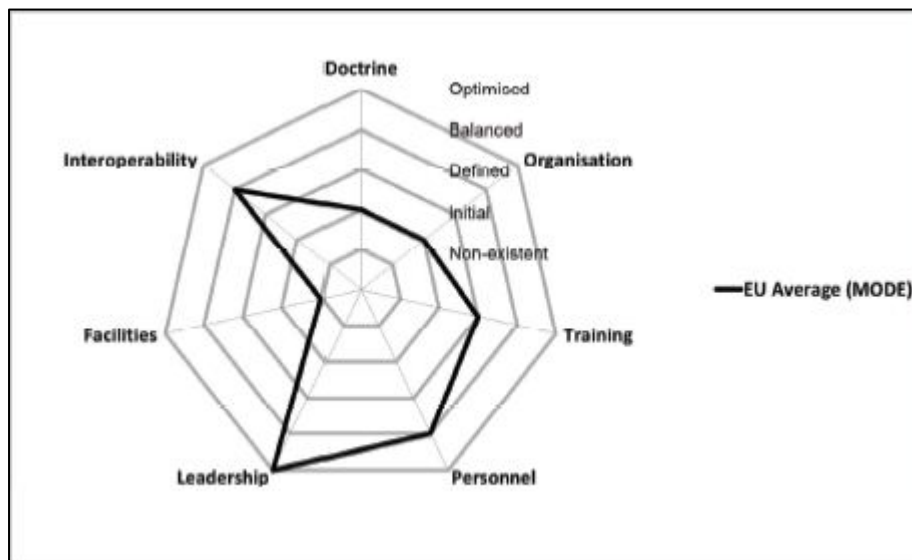
With the betterment in telecommunications and information processing, hackers are also benefitting which makes it imperative to manage cyber attack, and marshalling of an appropriate response to it. Cybercriminals route their communications through a variety of jurisdictions to avoid the detection of their crimes and identities. Cyber counterintelligence is important in keeping sensitive information safe and preventing subversion and sabotage. Another rising trend is the perpetuation of cyber attacks by nationalist groups, such as when Israeli



hackers organised together to launch an attack against Palestine in October 2000 during a period of conflict. DOS attacks were launched on computers owned by Palestinian resistance organizations (Hamas) and Lebanese resistance organizations (Hezbollah). Anti-Israel hackers responded by crashing several Israeli web sites by flooding them with bogus traffic.

In March 2013, South Korea's cyberspace came under a wave of cyber attacks. Information systems of major broadcasting corporations and banks were hacked. According to an estimate, it cost South Korea £500m. The European Defense Agency (EDA) is progressing towards a more consistent level of cyber defense capability across the European Union.

Overall view of modal average of cyber defense capability across the European Defense Agency Cyber Defense Project Team participating Member States:



Source: Stocktaking Study of Military Cyber Defense Capabilities in the European Union (milCyberCAP) (Unclassified Summary)



## CASE STUDY: NSA PRISM

The pertinence of the issue of privacy was highlighted in the PRISM surveillance program and the events that followed. PRISM (or SIGAD US-984XN as it is officially called) is a clandestine electronic surveillance data mining program that has been in operation since its inception in 2007. It is operated by the United States National Security Agency (NSA). Through PRISM, the NSA is able to access public email, phone calls, instant messages, photos and other communications without the individual's knowledge and permission. Given the exponential development and innovation in technology, serious concerns have risen about the level of intervention state surveillance is causing in the individual's life.

### Relevant Documents and Conventions

The American Convention on Human Rights (also known as the Act of San Jose), signed at the Inter-American Specialized Conference on Human Rights, San Jose, Costa Rica, 22 November 1969, Article 11(2); Right to Privacy: No one may be the object of arbitrary or abusive interference with his private life, his family, his home, or his correspondence..."

The European Convention on Human Rights, Article 8(2): "There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

Foreign Intelligence Surveillance Act (FISA, 1978) prescribes procedures for the electronic surveillance and collection of foreign intelligence information. The Protect America Act of 2007, amendment in FISA.



The Code of Laws of the United States of America, Title 50, Chapter 36, Subchapter 1: Electronic Surveillance

The questions remain: How much personal information and private correspondence should the government be allowed to access? How can cyber crime be countered through telecommunication checks without breaching the individual's right to privacy? What suspected cases qualify in validity to be serious enough to violate an individual's right to privacy?

## MAJOR COUNTRY POSITIONS

*See above for further information on a number of countries.*

**United States, United Kingdom, and France:** The United States has significant cyber warfare capabilities; recent allegations have also highlighted its controversial practise of intercepting civilian communications (collected from NATO partners and other allies). It has come under significant international pressure from some of its allies after allegations that it tapped the communications of several world leaders. It has vigorously defended the National Security Agency as an important aspect of its national defence plan, raising questions about whether it is ultimately about security from foreign threats or internal security. Allies including the U.K. and France have some of the most advanced cyber-warfare capabilities, and have followed the lead of the US in collecting information. See also relations with China and Russia below.

**China:** relations between the United States and China are harmed by their disagreements over information technology. U.S. government departments have identified China's People's Liberation Army (PLA) as the source of cyberattacks against the US government and key private companies. The Shanghai Cooperation Organisation (members include primarily China and Russia) defines cyberwar to include dissemination of information "harmful to the spiritual, moral and cultural spheres of other states". In September 2011, these countries proposed to the UN



Secretary General a document called “International code of conduct for information security”. The approach was not endorsed by most western countries as it entailed too many hints on political censorship of the internet.

**Russia:** Russia co-sponsored a resolution to give states a greater role in governing the role of the internet at a meeting of the International Telecommunication Union in April 2013, joined by China, North Korea and Iran. This was rejected by the United States and other NATO allies causing some friction. Russia’s decision to give asylum to Edward Snowden has also worsened relations with the United States over cyber security issues.

**Brazil and Developing Countries:** As an emerging ‘BRIC’ economy, Brazil has become something of a spokesman for the concerns of developing countries when it comes to cyber threats. The revelation that the United States may have tapped the phone of the Brazilian president Dilma Rousseff was met with anger in Brazil and in other world capitals, and calls were made for states to limit their online data collection activities or risk breaching international conventions on proper targets of espionage.

**Iran:** in 2010 Iran was subject to a large scale cyberattack known as Stuxnet which targeted high value assets in the country, including nuclear facilities. The virus was allegedly created by Israel and the U.S. Partly as a response, Iran has claimed to develop significant cyber warfare potential.

## QUESTIONS A RESOLUTION MUST ANSWER

- What constitutes a cyber-attack, cyber espionage, and hacking? How should these actions be responded to? When does the use of information technology constitute an act of aggression?



- What principles can guide an international agreement on the limitations of the use of information technology for the sake of maintaining international peace and security?
- What role should existing bodies, such as the United Nations Security Council have in determining the responsibility for destabilising cyber attacks?
- How should member states respond to the potential threat from non-state actors that acquire offensive cyber technology?

## SOURCES

<http://www.un.org/disarmament/topics/informationsecurity/>

<http://www.oecd.org/internet/ieconomy/oecdguidelinesonthe protectionofprivacyandtransborderflowsofpersonaldata.htm>

<http://conventions.coe.int/Treaty/en/Treaties/Html/185.htm>

[http://www.hrcr.org/docs/American\\_Convention/oashr.html](http://www.hrcr.org/docs/American_Convention/oashr.html)

<http://usun.state.gov/briefing/statements/216133.htm>

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## **TOPIC B: The destabilising effect of foreign military bases in sovereign states**

### **OUTLINE OF THE PROBLEM**

Ever since the development of the modern city-state in Ancient Greece, the concept of military bases outside a nation's territory has been established. Foreign military bases were at their peak during the Cold War. Ever since the end of the Cold War, there has been a decrease in the number of overseas military developments, particularly so from the Soviet side. However the number of foreign US bases has not just stayed the same, but increased with the advent of the Gulf Wars from the early 1990s. The Russian Federation has 25 military bases abroad, mostly located in the ex-Soviet republics of Eastern Europe. France and Britain's overseas military bases are mostly the remnants of past colonies. Undoubtedly the largest network of military bases across the world is that of the USA. The US Department of Defence defines foreign military bases in the following terms: "The term 'military installation' means a base, camp, post, station, yard, centre, homeport facility or any ship, or any other activity under the jurisdiction of a department, agency, or other instrumentality of the Department of Defense, including a leased facility, except that such term shall not include any facility used primarily for civil works, rivers and harbor projects, or flood control projects. An installation is a grouping of facilities, located in the same vicinity, which support the same Air Force operations."

Foreign military bases are controversial for their negative effects on host countries, and for the way that they contravene the international norm of sovereignty. This topic seeks to focus on how the spread of foreign military bases across the world has affected host nations and what the best international framework or unified strategy to deal with the problems posed by such bases would be.





## HISTORY OF THE PROBLEM

Foreign military bases, particularly those of the United States, have historically been acquired during, or after, wars. Take for example the US base in Guantanamo, Cuba, which was set up after the Spanish American War. The treaty entitling the United States to this base states that the US control is permanent as long as nominal annual payments are made and may be relinquished only by the mutual consent of both the US and Cuba. Obviously, this does not take into account the views of both the Cuban government and populace, which have on many occasions vehemently demonstrated their hostility to a US base on their soil. Besides the Guantanamo Bay base, many of the United States' bases around the world were set up as result of wars ranging from the Korean War to the present day conflict in Afghanistan.



1898	USA captures Guantanamo Bay
1977	France deploys approximately 3000 troops in Djibouti as per Defense Agreement.
March 1990	US National Security Strategy published. Quotes include "[W]e are inescapably the leader, the connecting link in a global alliance of democracies."
January 1991	US-led coalition launches "Operation Desert Storm"
1991	US deployments continue after the war has ended, with 17000-24000 US troops in the Persian Gulf at any point in time.
1991	Philippines announces to the USA that it must withdraw from the Subic Bay naval base by the end of the 1992.
June 1999	UNSC Resolution 1244 legitimizes NATO to establish a Kosovo Force overseas base in Kosovo.
2002	2 teenage girls killed by US soldiers in South Korea. Soldiers return to the USA without a trial.
October 2002	UN urges US to withdraw from the Puerto Rican island of Vieques. USA withdraws in 2003
April 2004	Cuba tables a UN resolution regarding Guantanamo Bay.
June 2004	International Committee of the Red Cross inspects Guantanamo Bay and rules treatment of suspects tantamount to torture
September 2004	UN Resolution 1559 calls on Syria to withdraw its overseas military base from Lebanon and stop intervening in Lebanese politics.
May 2006	UN Committee against Torture condemns the violation of the UN Convention Against torture in the Guantanamo Base and calls on the US to close this overseas military base.
November 2007	Czech demonstrations against a military base; the US and Czech Republic plan to set up near Prague for radar for an anti-missile system that will be based in Poland
January 2008	Citing UNSC Resolution 1778 the European Union launches its overseas military base in eastern Chad and the north-east of the



	Central African Republic.
January 2009	Barack Obama announced the suspension of the Guantanamo Military Commission for 120 days, and declared that it would be shut down within a year.
January 2013	The Guantanamo Bay Base is still open.



## CONTENTIOUS ISSUES

The lack of an international framework or consensus on how to deal with the myriad issues raised by the presence of foreign military bases in sovereign states raise several contentious issues that will undoubtedly cause heated debate amongst delegates in the committee room.

### Status of Force Agreements

A Status of Force Agreement (SOFA) is an agreement between a host country and a foreign nation stationing forces in that host country. The purpose of a SOFA is to lay down the rights, privileges and limits foreign personnel serving in a host country are subject to. *Globalsecurity.org* defines SOFAs as coming in three different forms. "These include administrative and technical staff status under the Vienna Convention on Diplomatic Privileges, commonly referred to as A and T status; a "mini" status-of-forces agreement, often used for a short-term presence, such as an exercise; and a full-blown, permanent status-of-forces agreement." As such, a SOFA is not a mutual defence or security agreement, although it may be part of one. It instead lays down a mechanism for legally protecting the rights of foreign military personnel who are present in a host nation.

*Delegates are encouraged to research the various SOFA agreements between nations and the controversies stemming from them.*

There is no singular framework for a SOFA agreement. Each agreement differs from case to case as numerous factors must be taken into account; the current security arrangements and concerns, nature and duration of missions, sentiments of the local populace, and the credibility and rights of jurisdiction.

The US has the highest of number of personnel posted across the globe. US SOFAs give provisions in criminal issues for U.S courts to have jurisdiction over crimes committed against other servicemen, or as part of their military duty. The



Host Nation retains jurisdiction over other crimes. In principle this holds true; however there are examples of crimes which include murder, rape, thievery and even gross human rights violation where the perpetrators have walked free.

A major issue is that most host nations have mixed feelings over the establishment and the influx of foreign military on their soil. Often demands for renegotiation and local pressure for calls of withdrawal cause political unrest. The difference in legal rights of a person within a host country and the personnel of the bases may differ, possibly resulting in miscarriages of justice.

Another issue with agreements arises when there is blatant hypocrisy over the terms of SOFAs signed by a nation. Taking the example of South Korea which has forces stationed in Kyrgyzstan, it has a SOFA which gives diplomatic immunity to its servicemen from being tried in Kyrgyz courts for any crime. This is far in excess of the privileges South Korea objects to in its SOFA with the US.

However, according to US analysts, the numbers of accused tried in civilian courts is evident of the fact that SOFAs work.

## **Sovereignty of the Host Country**

Foremost on the agenda when such a topic is brought into discussion, are the implications on the sovereignty of the host nation. But before these implications are explored, one must understand the concept of a sovereign nation. According to the UN, a sovereign state has an effective and independent government within a defined territory. Unfortunately there is no definition of what sovereignty implies as is evident in the words of famed International Law maker Lassa Oppenheim:

*"There exists perhaps no conception the meaning of which is more controversial than that of sovereignty. It is an indisputable fact that this conception, from the moment when it was introduced into political science until the present day, has never had a meaning which was universally agreed upon."*

However there are certain markers generally agreed upon which highlight the sovereign status of a region, namely:



## **Absoluteness**

A sovereign power has absolute sovereignty over the governed region only tampered by the rules and regulations decided upon within the country without influence of external actors. These include neighbouring nations or the much greyer influence exerted over various nations by intelligence agencies across the world.

## **Exclusivity**

This denotes the exclusive right of a nation's jurisdiction, specifically the degree to which decisions made by the state might be challenged or contradicted by another authority, International Law, or a foreign presence after which represent legal infringement on exclusivity.

## **De Jure and De Facto**

De jure or legal sovereignty is concerned with the recognized right to exercise control over a territory. De facto or actual, sovereignty is concerned with whether control exists or not, which includes the cooperation and respect of the locals, control over the national assets, means of security and ability to carry out various functions of governance.

## **Internal**

This represents the relation between the governing body and its subjects, and by what right the governing body holds the power of governance.

## **External**

This is concerned with the relations between a sovereign power and other states. External sovereignty is connected with questions of international law. For instance, when, if ever, is intervention by one country onto another's permissible?

*Sovereign: A government which exercises de facto administrative control over a country and is not subordinate to any other government in that country is a foreign sovereign state.*



- *The Arantzazu Mendi, [1939] A.C. 256), Strouds Judicial Dictionary*

## Socioeconomic issues

The establishment of foreign military bases leaves a very distinct footprint on the socioeconomic, political and environmental assets of the host nation. To understand the impact these bases have one must look at the connection established in the book *Imperial Footprint: America's Foreign Military bases*, by Zoltan Grossman:

*"The environmental, political, and economic impact of these bases is enormous and, despite Pentagon claims that the bases simply provide security to the regions they are in, most of the world's people feel anything but reassured by this global reach. Some communities pay the highest price: their farmland taken for bases, their children neurologically damaged by military jet fuel in their water supplies, their neighbors imprisoned, tortured, and disappeared by the autocratic regimes that survive on U.S. military and political support given as a form of tacit rent for the bases. "*

Such acts can be seen as violations of the parameters set to measure the sovereignty of a state. The overreaching influence causes the weakening of de facto sovereignty within a nation as people's mistrust in the government grows because of the inaction to solve the problems as already stated.

As already discussed in SOFAs, the right of jurisdiction may be violated even though stated otherwise in the SOFA which impedes the internal sovereign rights of a nation. Even the right of governance and of the populace to live in their locality can be violated as is evident by the tragedy of Diego Garcia, ostensibly a tiny British island-colony in the Indian Ocean. All of the island's residents were evicted in the 1960s so that it could be occupied by an enormous US base that has served as a lynchpin in every US Middle East invasion and occupation since that time. The residents were not provided with any compensation for this gross violation of de jure sovereignty.

## Covert Operations



A covert operation is a military, intelligence or law enforcement operation carried out clandestinely and usually outside official channels. Such operations take place without the knowledge of any other parties except the ones sponsoring or carrying out the operations. Foreign bases play a vital role in such operations as they often serve as forward base of operations and localized intelligence cells reporting back to the foreign nation from the host country without fear of liability because of the immunities often granted in State of Force Agreements. Many infamous covert operations caused great controversy such as the training of rebels in Cuba for the Bay of Pigs invasion, or the training of Afghan rebels during the Soviet invasion of Afghanistan at known or hidden military bases at neighbouring countries. A more recent example is the May 2nd 2011 operation against Osama Bin Laden by US Navy Seals in Pakistan which was done without the knowledge of the Pakistani government; this raid was launched from one of the US bases near the Pakistani-Afghan border.

Covert operations, in other countries neighbouring the host nation or even in the host nation is a contentious issue which represents one of the fundamental violations of the sovereignty of a nation and is often used by the Anti-Base movements as an argument in winning support for foreclosures of bases.

## **Aiding in Natural Disasters**

In current times there is a growing trend for armed forces around the world to go beyond traditional warfare and take on humanitarian and development-related tasks. The post-cold war repositioning is responsible for some of these factors; other reasons may include the professionalization of armed forces, the phasing out of draft and a greater investment in and management of each soldier's career pattern has begun a search for new roles as 'forces for good' or 'humanitarian warriors'. It also reflects moves towards more comprehensive approaches to security. So when a natural disaster strikes, not only the Armed Forces of the host country, but also the Visiting Forces, get activated into action.

The International Disaster Recovery Association, (IDRA), has been helped during times of natural calamities by Armed Forces of countries around the world, especially by the United States which makes its military assets available for





disaster response. Countries like the USA have a stated policy of maintaining an active international role for its military. The fact that they maintain a number of military bases globally enables them to reach the affected countries very quickly. Similarly, during the Earthquake in Pakistan on October 8th, 2005, the Visiting Forces of the USA and NATO, already present in neighbouring country Afghanistan, at the request of the United Nations, were immediately activated and within hours, helicopters and other military assets and personnel were deployed to assist initially in search and rescue efforts, followed by medical and rehabilitation efforts. The responsibility of aiding a populace in case of a natural disaster lies with civilian institutions; however, foreign military involvement in disaster relief has increased over the past 40 years. This raises questions regarding the deployment, degree of involvement and withdrawal of troops from the affected areas. The military is more adept to responding to disasters as they are readily trained to combat any contingency situation, and adapt rapidly to changing situations.

The disaster relief provided by foreign military forces, is a two sided coin, on one hand it reduces the load on the disaster hit nation's civil and military response units. On the other hand though, such endeavours may often be used to further agendas, or establish a foothold in a region otherwise unavailable.

The example of Haiti which suffered the devastating earthquake in 2010, easily demonstrates how a military presence can help further the humanitarian effort, and at the same time, present a reason for extended periods of stay of thousands of military personnel, and transference of military from assistance to supervisory roles in relief efforts.

A foreign base in the disaster hit country has its advantages as an additional asset for disaster management and relief, but it also provides an opportunity for the foreign nation to gain access to areas of the host nation otherwise restricted. Therefore the delegates must come to a conclusion whether the benefits outweigh the cons in the overall scenario not just during times of crises.

## **Rape, Crime, Prostitution and Subsequent Diplomatic Immunity**



*Privileges and immunities are the handmaidens of international law. - McCormack Crosswell, 1952: v*

Rule 93 of the Geneva Conventions (1949), Common Article 3(1)(c) of the 1949 Geneva Conventions defines Rape, Prostitution and Other Forms of Sexual Violence, which has been stated which provides that “outrages upon personal dignity” are prohibited at any time and in any place whatsoever with respect to persons *hors de combat*.

Hors de Combat literally means "outside the fight". This is a French term, used in diplomacy and international law to refer to soldiers who are incapable of performing their military function. Examples include a downed fighter pilot, as well as the sick, wounded, detained, or otherwise disabled. Soldiers *hors de combat* are normally granted special protections according to the laws of war, sometimes including prisoner of war status.

Foreign military bases are sometimes associated with increases in instances of rape, crime, and prostitution in the host country.

Well documented are the atrocities at Guantanamo Bay in Cuba or in Abu Gharaib prison in Iraq, where actively serving men and women of the US Army were photographed and documented sexually abusing prisoners. Governments have long extended to other sovereign states and their representatives The Basis for Immunity from the Countries Laws, affording them rights and facilities not available to ordinary citizens.

State of Force Agreements signed by the US protects US military personal on foreign soil from prosecution even in case of serious crimes, such as rape, thievery and even murder. In some cases soldiers cannot be persecuted for crimes while on duty or even crimes committed in ‘civvies’ by the host country. The SOFA between US and East Timor grants full diplomatic immunity to US soldiers which meant that the domestic authorities could not arrest or hold them, or charge them with a crime making extradition impossible for crimes committed elsewhere or hold them financially or legally responsible for civil matters, including child support. Additionally, many recent agreements made around US military bases –



including the East Timor treaty – have included commitments that no US personnel will be sent to the International Criminal Court, an attempt at global human rights protection which the US government has repeatedly refused to ratify.

Even if SOFA conditions allow for soldiers to be held liable by the host country, they cannot be handed over unless the charges are formally filed and proven. This makes prosecution exceptionally difficult, and can be understood by observing the reports of crimes committed in Japan by US soldiers including rape, indirect promotion of prostitution and even murder.

Particularly alarming though, is that many such protective agreements also cover employees of companies subcontracted by the US Army. The most notorious effect of this has been the failure of any authorities – US or European – to bring to justice a number of workers from DynCorp, who were exposed as being involved in the trafficking of women and children as sex slaves in Bosnia.

## **Economics of Bases**

The economic strains on the country owning bases in various nations increases exponentially as each new base is set up, the prime example of how much the cost can be, is United States of America with an annual spending of 1.9 Trillion dollars in 2008 on its foreign bases. However such bases often provide a boost to the economy of the host country, as it creates new opportunities for work, for example the construction of bases is often done by local construction contractors as to reduce the costs for the foreign nation. As long as the base exists it also creates a trade cycle for local business for various items. Besides the obvious, there is a huge economic input in terms of long term leasing and other support infrastructure provided to the foreign nation, and in some cases the host nation is paid a compensating amount as per the SOFAs made. Another economic impact which is often overlooked is in terms of security spending as is exemplified by the presence of US military in the Philippines, which averted the Chinese from laying claim to certain resource rich Islands. When the US army left, the Philippines Navy spending increased by nearly \$6 Billion so as to maintain the previous strategic advantage. But there are cases where ideological/political differences result in negative impacts to the economy of the host nation, in terms of increased



unrest, violence and damages to property, or if the bases required the eviction and acquisition of prime lands resulting in the loss of real state capital, as in the example of Guam where two maps were compared, one showing the island's best fishing grounds, agricultural lands and drinking water, the other showed the location of US military bases; the maps were identical.

It is difficult to gauge the economic impacts of foreign military bases across the globe as the impacts vary from nation to nation because of many contributing factors such as ideological differences, stability within the country, political standings, and history of the formation of bases. The delegates can clearly see that foreign bases across Europe have a positive impact on the economy as compared to the negative economic reactions seen in Afghanistan, Pakistan, and Iraq etc. In looking at economic impacts one also needs to consider the implications on the input to the host nations GDP and local populace of the area in case of foreclosures of bases, Panama was able to recover from the foreclosures, but the same may not hold true in Afghanistan and Iraq.

## PAST INTERNATIONAL ACTIONS

Over the years the efforts of the international committee to address these contentious issues have met with failures, as the key actors have much to lose by the formation of an international binding framework to oversee the construction, maintenance and closure of bases. Including the legal grey areas and issues of diplomatic immunity of soldiers as discussed in the guide so far.

However since 2003 various community campaigns resisting military bases have started to join forces to address the spread of military bases through an international campaign. It is now known as "*The international network for the abolition of foreign military bases*" or "*No Bases Network*". The first global conference was held in 2007 in Quito and Manta, Ecuador where the two main objectives were laid out:



1. To support the local and regional groups that are members of the Network by sharing information, developing joint strategies, and helping new campaigns to get on their feet.

2. To create space in international forums and at the UN for a critical debate both on the legality and necessity of foreign bases as a method of military domination and on the need for codes of conduct or 'setting minimal standards' for the use of existing bases. For this, the network actively engages with other international civil society networks and with intergovernmental forums, such as the NPT 2010 Review Process. The Network also lobbies 'host nation governments' and in Brussels and Washington.

## MAJOR COUNTRIES' POSITIONS

The main division will be between countries who support the continuation of foreign military bases and those host countries who claim to be negatively affected by them.

**The United States, United Kingdom, France, and Russia:** the United States has the most foreign military bases, with much information about them in the previous sections. Many are controversial, however there are many examples of foreign military bases that are tolerated or accepted by host populations. Likewise, the UK, France, and Russia have a number of bases each around the world. Russia has a base in Syria with whom its relationship has become increasingly controversial over the past 3 years.

**China:** China opened its first military base in the Seychelles in 2011, signalling its growing naval presence in the Indian Ocean. Countries with expanding military presences, such as China, should think of their future needs in preparing their country position. **Japan** also has a single military base in Djibouti to help in the international efforts to combat piracy in the Horn of Africa.



**Germany:** Germany hosts one of the collections of US military personnel, who number almost 30,000 personnel over 15 bases. Whether these troops are a continued hangover from the Cold War or a necessary part of the NATO defence structure remains debatable. **Poland** has a similarly contentious relationship with Russia due to the presence of US troops.

**Afghanistan:** Afghanistan hosts military bases for the United States and the United Kingdom. With the winding down of military operations, many in both the US and Afghanistan would like to see these bases drawn down. However, some have argued that they continue to support the stability of the country.

## QUESTIONS A RESOLUTION MUST ANSWER

- Should there be a binding international agreement on the regulation of foreign military bases? If so, what provisions should it contain?
- What is the acceptable diplomatic status of foreign troops stationed on military bases?
- What guidelines should there be in signing SOFA agreements to protect civilian populations and local cultures?
- Is there a solution to reducing the negative consequences of foreign military bases, especially concerning human rights?

## SOURCES

US Department of Defense, *Dictionary of Military and Associated Terms*



# LONDON INTERNATIONAL MODEL UNITED NATIONS

15th session - Disarmament and International Security Committee

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The Arantzazu Mendi, [1939] A.C. 256), Strouds Judicial Dictionary

Zoltan Grossman, *Imperial Footprint: America's Foreign Military bases*

[www.nobasesnetwork.blogspot.com](http://www.nobasesnetwork.blogspot.com)



## CONFERENCE INFORMATION

When looking for information regarding LIMUN 2014 (and subsequent editions) your first step should be to visit our website: [www.limun.org.uk](http://www.limun.org.uk)

## LIMUN in social media

Please follow updates from us through our social media channels:



**London International Model United Nations (LIMUN)**



**@LondonMUN**

When tweeting about this year's conference (your preparations, journey to/from London or when live-tweeting the events during the conference itself) –

- please **use hashtag**



**#LIMUN2014**

## Agenda & Rules of Procedure

The agenda for the 2014 conference is available online at [www.limun.org.uk/agenda](http://www.limun.org.uk/agenda)

Since its 14<sup>th</sup> session last year, LIMUN has introduced changes to its Rules of Procedure. The revised Rules can be accessed here: <http://limun.org.uk/rules>





## POSITION PAPERS

### What is a position paper?

A position paper is a statement of policy, which is intended to communicate an overall position of a country on a particular topic debated in the committee. Position papers should be brief and outline the general policies rather than specific measures.

Each delegate should submit one position paper per topic to be debated by the committee (note: most of the committees have two proposed topics). Each paper should be approximately one page per topic.

LIMUN offers a short guide on how to write a position paper. It is available on our website: [http://limun.org.uk/FCKfiles/File/Position\\_Paper\\_Guide.pdf](http://limun.org.uk/FCKfiles/File/Position_Paper_Guide.pdf)

### Deadlines

There are two deadlines for submission of delegates' position papers:

**February 11<sup>th</sup> (Tuesday)** – position papers submitted before this deadline will be reviewed by the Directors and the delegates will receive feedback and will be given a chance to submit a corrected version of their policy papers (if necessary).

**February 14<sup>th</sup> (Friday)** – position papers submitted before this deadline will still receive feedback from the Directors, but their re-submission will not be permitted.

**Submitted position papers will be circulated by the Directors among the committee members. Please note: LIMUN 2014 Awards Policy revision has introduced a Best Position Paper award.**



## CONTACT DETAILS

For any enquiries relating to your committee proceedings or if you want to get in touch with your committee's Directors, or for submission of position papers -

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Other enquiries regarding the Conference should be made to [enquiries@limun.org.uk](mailto:enquiries@limun.org.uk)

Before contacting LIMUN please make sure you have read FAQ section on our website: <http://limun.org.uk/faq>