



## Disarmament and International Security Committee (DISEC)

*UNGA 1<sup>st</sup> Committee*

*Study Guide for Zurich Model United Nations*

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## Topic A: Depleted Uranium

### Introduction

Depleted uranium (DU) is uranium metal containing a reduced fraction of the Uranium-235 isotope within its composition, the resulting byproduct of the industrial uranium enrichment process that produces fuel for nuclear reactors. Considered a low-level form of nuclear waste, depleted uranium exhibits both toxic and radioactive properties in addition to a remarkable density. Depleted uranium was originally stockpiled with the consideration that further Uranium-235 isotopes may be extracted as enrichment techniques were refined, yet its relative abundance and economical processing procedure served to promote the popularity of depleted uranium as a metal for military and civilian uses.

### Developmental History

As the US and USSR began their nuclear weapons and power production programs, the size of depleted uranium stockpiles increased as uranium enrichment efforts intensified. Since the start of the Cold War, military and civilian nuclear programs have continued to develop across the world, and stockpiles of DU across the world have grown in suit. Even in the current post-Cold War era, nuclear weapons production by an increasing number of states, as well as a growing reliance on the process of controlled nuclear fission for the generation of electrical energy have continued to produce a steady supply of DU byproducts from necessary uranium enrichment procedures.

The first use of depleted uranium for industrial purposes resulted from the Cold War era arms race between the North Atlantic Treaty Organization (NATO) and the Warsaw Pact. As both the United States and the Union of Soviet Socialist Republics continued to produce increasing quantities of nuclear bombs and warheads, they were forced to store ever-growing supplies of depleted uranium. When in the 1970's, the USSR introduced a new sort reinforced armor which could not be penetrated by the armor-piercing ordinance employed at that time by NATO forces, the United States military responded by beginning development of stronger munitions. The utilization of depleted uranium in these new armaments both met the requirement of NATO forces for an ultra-dense material capable of piercing Soviet armor and provided a practical solution to the problem of storing large quantities of DU as byproducts of military nuclear programs. Since the 1970's military industries in the United States, France, United Kingdom, and the USSR have served as major producers and suppliers of DU munitions.

### Use of DU

#### *Civilian Utilization*

Exploitation of depleted uranium for civilian purposes mainly employs the high-density properties in relatively small quantities of the metal. Depleted uranium is most often incorporated into precision instruments such as oil drills and gyroscopes in which they serve as weights. Depleted Uranium is also used a stain in electron microscopy and plays a role in the medical field in the manufacturing of

porcelain dentures and as radiation-shielding in radiographic, or radioactive scanning, procedures. Until 1999, a significant portion of depleted uranium used in civilian fields was incorporated into enamel paints applied to various porcelain and glass products. In that year, a French producer of enamel paints which formerly used concentrations of up to 10% depleted uranium in their products ceased to employ DU in their manufacturing process.

## *Military Utilization*

### Ammunition

Depleted uranium is 67% more dense than lead and only 16% less dense than iridium, the densest naturally occurring chemical element. Because of its extraordinary density, DU munitions are always smaller in diameter than conventional projectiles of equal weight, allowing them to travel faster, due to decreased amount of aerodynamic drag, and pierce harder, by generating more pressure on a single point of impact. Depleted uranium also exhibits pyrophoric qualities, causing the metal to ignite at a range of temperatures even below 21°C.

These qualities have lead military forces to employ DU ordinance primarily as kinetic energy armor penetrators (armor-piercing projectiles) usually no larger than 30mm in diameter. Depleted uranium is incorporated into armor-piercing ordinance in the form of staballoys, or metallic alloys consisting of a large proportion of depleted uranium combined with smaller amounts of titanium or molybdenum. Unlike Tugsten, another metal of superior density, DU-based staballoys are cheap and relatively simple to process into forms viable for use in munitions. The heat energy released by these projectiles can also ignite temperature-sensitive materials such as flammable fuel and ammunition in enemy vehicles, causing them to catch fire and even explode, thus eliminating the crew as well as the vehicle.

Depleted uranium munitions are currently manufactured in 18 countries around the world, while they are known or strongly suspected to be found within the military arsenals of: the United States, Russia, the United Kingdom, France, Saudi Arabia, Greece, Turkey, Israel, Kuwait, Iraq, Bahrain, Egypt, Taiwan, Thailand, and Pakistan. It is also important to note that the United States and the United Kingdom are the only states that have officially admitted using these sorts of ordinance.

### Armor

The high density of depleted uranium metal also makes it attractive as a component used in armour plating. Although depleted uranium is never employed exclusively in tank and vehicle armour, it often serves to reinforce existing protective plating. Sheets of depleted uranium are commonly placed between steel plates in order to provide a dense core. DU is being increasingly utilized in advanced composite armour such as the British Chobham armour, used extensively on coalition tanks during the First and Second Gulf Wars. In these new sorts of armour, depleted uranium is used to reinforce layers of composite ceramic tiles and other high-density metals.

## *Historical Uses*

Although it is widely believed that the first use of depleted uranium ordinance occurred during the 1973 Arab-Israeli war in which the Israeli military used DU munitions in the armor-piercing role against Egyptian tanks, the first large-scale utilization of depleted uranium in warfare was marked by the start of the Persian Gulf War in 1991. Coalition forces headed by the United States employed depleted uranium both in the role of kinetic energy armor penetrators and as reinforcement on the armor plating of tanks and vehicles. It is estimated that during the 1991 Persian Gulf War alone, coalition forces fired 315 tons of DU munitions against Iraqi targets, leaving around 189 tons of DU projectiles scattered across the territories of the Republic of Iraq and the State of Kuwait, although recent analysis has suggested that both initial figures may be nearly 25% higher. Similar results were achieved during the 2003 Iraqi War, in which military forces of mainly the United States and the United Kingdom employed DU munitions in order to destroy hundreds of Iraqi armored vehicles and killing hundreds of soldiers.

Depleted uranium ordinance was also used by NATO forces during the 1995 bombing of Bosnia-Herzegovina and the attack on the Federal Republic of Yugoslavia in 1999. During the latter conflict, NATO forces are estimated to have fired some 4 tons of depleted uranium on the Yugoslav territory, the overwhelming majority of which was deployed in the present-day Republic of Serbia and a smaller portion in the Republic of Montenegro. Today a total of about 2.4 tons of depleted uranium remain deposited across the territories of both countries as remnants of DU projectiles.

More recently the US has considered the use of DU ammunitions in military actions against the Islamic State.

## **Health Concerns**

Depleted uranium poses two potential sources of danger to the human health and well as general environmental safety: radiological exposure and chemical toxicity.

Depleted uranium has not been proven to pose the significant health risks associated with external exposure to radiation. DU produces a negligible amount of gamma-radiation, constituting approximately 60% of the amount released by an equivalent mass of unprocessed Uranium due its reduced concentration of the U-235 isotope and significantly longer half-life relative to that of natural Uranium. The relatively minute amounts in which DU is utilized within products intended for civilian use also prevents radiation stemming from the metal from adversely effecting individuals in frequent contact with industrial-grade depleted uranium. In 2008 and 2010 the IAEA reported to the General Assembly, that the radiological risk to the public and the environment from the localized contamination of territories, observed by means of environmental survey campaigns, was not significant and could be controlled with simple countermeasures conducted by national authorities.

Although the radioactive properties of DU are not likely to cause health problems for exposed populations or endanger the safety of natural environments, the chemical toxicity of depleted uranium carries the potential to adversely affect the well-being of exposed individuals through a variety of methods of exposure, namely ingestion and inhalation. The World Health Organization (WHO) has established a generally acceptable standard for daily depleted uranium intake of 0.5  $\mu\text{g}/\text{kg}$  of body



weight. Although ongoing research has not yet precisely determined at what concentrations the ingestion of depleted uranium begins to exert harmful effects on the body, certain dosages of the metals have been shown to disrupt the reproductive cycles of laboratory mammals, causing, among other symptoms, reduced fertility and decreased growth of the offspring in laboratory tests. Some research studies have also linked internal exposure to DU with an increased frequency of genetic mutations, malformations of offspring, as well as exhibiting the characteristics of a neurotoxin by damaging the nervous system of laboratory animals. Although still there exists a degree of scientific contention regarding the alleged cancerogenic properties of depleted uranium, even studies which dispute the link between this type of uranium and the development of cancer do not doubt the potential for damage of internal organs exists from the ingestion of DU, as it accumulates in the liver, kidneys, and spleen.

The toxicity of depleted uranium poses an additional threat to the ecological health of human environments during the routine process of DU storage. About 95% of depleted uranium produced all over the world as a byproduct of enrichment processes is stored in the form of  $UF_6$  (uranium hexafluoride). This unstable compound quickly reacts with air, bonding to oxygen and water molecules (contained in air as moisture) in order to form  $UO_2F_2$  (uranyl fluoride) and HF (hydrogen fluoride). Both of the resulting compounds are highly toxic and water-soluble. Thus, without careful monitoring of storage tanks, leaking uranium hexafluoride may react to form its toxic byproducts and eventually seep into the ground, polluting soil and groundwaters and thus leaving a lasting, harmful effect on the surrounding environment. In 2005, 686,500 tons of uranium hexafluoride were being stored in the United States alone.

## Legality of Depleted Uranium Weaponry

The legal status of depleted uranium weaponry has long been contested among international organizations and various organs of the United Nations itself. Following growing debate among the global community regarding the classification of nuclear weapons, the International Court of Justice (ICJ) prepared an advisory opinion in 1996 entitled, "Legality of the Threat or Use of Nuclear Weapons," which specified that nuclear weapons, and thus their derivatives such as depleted uranium armaments, are not governed by international agreements regarding poisonous armaments, such as the Second Hague Declaration of 1899, Article IV of the Hague Convention of 1907, and the Geneva Protocol of 1925, as their primary aim was not to "poison or asphyxiate." During the same year as the release of the opinion of the ICJ and once again in 1997 the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the United Nations Human Rights Commission, passed motions placing depleted uranium armaments among a list of "weapons of mass destruction," or armaments utilizing an indiscriminant and highly destructive force, and encouraged member-states of the United Nations to reduce or eliminate the development of these sorts of weapons. In 2001, the UN Sub-Commission on Promotion and Protection of Human Rights issued resolution 2001/36, which sanctioned the composition of a working paper regarding the effect of "weapons of mass destruction" on the protection human rights and humanitarian conditions. The subsequent report, delivered in 2002, suggested that depleted uranium weapons, among others, may represent a breach of the Charter of the United Nations, the Convention on Genocide, the Universal Declaration of Human Rights, the United Nations Convention against Torture, the Geneva Convention, as well as other international



agreements regarding weaponry and warfare, and thus directly contradicted the opinion of the ICJ that previous agreements do not apply to nuclear weapons and their derivatives. Although there is currently no agreement among the global community on the legal definition of depleted uranium armaments, efforts among states and multinational organizations such as the International Criminal Tribunal for the Former Yugoslavia (ICTY) to engage the question of the legality of DU armaments have intensified.

## *Past UN action*

The United Nations have thus far tabled five resolutions on the topic of DU. In 2010 the United Nations Environmental Programme (UNEP) published a report, in which it recommended to take action to clean up and decontaminate polluted sites. NGOs have criticized that implementing these recommendations is nearly impossible, since the US refuses to hand over targeting coordinates to identify the sites. After the government of Iraq had called for help in dealing with contaminated sites and material in summer 2014, the First Committee of the General Assembly forwarded a new resolution to the General Assembly, calling for states to assist countries affected by the weapons. The resolution also recognized the need for more research on DU in conflict situations. Only 4 countries opposed the text, including 3 permanent members of the Security Council, explaining that still more research needed to be done.

## **Points a resolution should address**

- Clear up the views of relevant states on the issue
- Comment and (if appropriate) act on the state of research
- Follow up on the operative clauses of past resolutions and determine possible action to support affected regions
- Discuss a comprehensive solution to the DU problematic on a global level

## **Further reading and related materials**

On the legality of DU: International Law and Depleted Uranium Weapons: A Precautionary Approach, edited by Avril McDonald, Jann K. Kleffner and Brigit Toebe (The Hague, TMC Asser Press 2008); Adequate summary: <http://www.bandepleteduranium.org/en/docs/41.pdf>

On health issues in affected regions: <http://www.paxforpeace.nl/our-work/programmes/depleted-uranium>

<http://www.iacenter.org/depleted/mobiliz.htm>

<http://www.bandepleteduranium.org/en/docs/187.pdf>

<http://www.globalresearch.ca/pentagon-announces-u-turn-on-use-of-depleted-uranium-ammunition-in-iraq-and-syria/5434817>

## Topic B: Harmonizing the fight against terrorism with State Sovereignty

### 'The War on Terror' – A global overview

Terrorism, as for example defined by the UN General assembly in 1994, constitutes “Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes”<sup>1</sup> and is a phenomenon that usually occurs when a proportionally small, militarily weak but ideologically determined group attempts to inflict fear and disorientation upon a larger, more powerful enemy, be it a state, an organization or an entire society.<sup>2</sup>

Depending on how broadly the term is defined, the roots and practice of terrorism can be traced at least to the 1st-century AD. The first use in English of the term 'terrorism' occurred during the French Revolution's Reign of Terror, when the Jacobins, who ruled the revolutionary state, employed violence, including mass executions by guillotine, to compel obedience to the state and intimidate regime enemies. The association of the term only with state violence and intimidation lasted until the mid-19th century, when it began to be associated with non-governmental groups. Anarchism, often in league with rising nationalism and anti-monarchism, was the most prominent ideology linked with terrorism. Near the end of the 19th century, anarchist groups or individuals committed assassinations of a Russian Tsar and a U.S. President.

In the 20th century terrorism continued to be associated with a vast array of anarchist, socialist, fascist and nationalist groups, many of them engaged in 'third world' anti-colonial struggles. Some scholars also labeled as terrorist the systematic internal violence and intimidation practiced by states such as Stalinist Russia and Nazi Germany. Increasingly, however, as the century neared its end, the United States and other Western powers were confronted with Islamic terrorism, most notably the groups Al Qaida and Islamic State (IS) and their global affiliates. For many observers, radical Islamic terrorism in the 21<sup>st</sup> century is primarily associated with the attack on the World Trade Center and the Pentagon on September 11, 2001. However, some notable incidents of Jihadist attacks have preceded the September 11 attacks.

#### *Incidents of Islamic terrorism pre-9/11*

##### World Trade Center Bombing 1993

On February 26, 1993, a truck bomb was detonated below the North Tower of the World Trade Center in New York City. The explosive device was intended to send the North Tower crashing into the South Tower, bringing both towers down and killing thousands of people. The attempt failed, but did kill six

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<sup>1</sup> <http://www.un.org/documents/ga/res/49/a49r060.htm>

<sup>2</sup> See Yuval Noah Harari, “Terror als Theater“, Tagesanzeiger-Magazin, 28.02.2015



people and injured more than a thousand. The attack was planned by a group of terrorists that received financing from Khaled Sheikh Mohammed, an important al-Qaeda operative.

## Attacks on US Embassies in Nairobi and Dar es Salaam in 1998

The 1998 United States embassy bombings were a series of attacks that occurred on 7 August 1998, in which hundreds of people were killed in simultaneous truck bomb explosions at the embassies of the United States in two East African cities – the Embassy in Dar es Salaam, the largest city of Tanzania, and the embassy in Nairobi, the capital and largest city of Kenya.

The attacks, which were linked to local members of the Egyptian Islamic Jihad, brought Osama bin Laden and Ayman al-Zawahiri—and their terrorist organization al-Qaeda—to the attention of the American public for the first time, and resulted in the Federal Bureau of Investigation (FBI) placing bin Laden on its ten most-wanted fugitives list. In response to the bombings, President Bill Clinton ordered Operation Infinite Reach, a series of cruise missile strikes on targets in Sudan and Afghanistan on 20 August 1998, announcing the planned strike in a prime time address on American television.

In Sudan, the missiles destroyed the Al-Shifa pharmaceutical factory, where 50% of Sudan's medications for both people and animals were manufactured. The Clinton administration claimed that there was ample evidence to prove that the plant produced chemical weapons, but a thorough investigation after the missile strikes revealed that the intelligence was false.

## Bombing of the 'USS Cole' in 2000

The USS Cole bombing was a suicide attack against the United States Navy guided-missile destroyer USS Cole on 12 October 2000, while it was harbored and being refueled in the Yemeni port of Aden. 17 American sailors were killed, and 39 were injured. The terrorist organization al-Qaeda claimed responsibility for the attack.

## *The War on Terror after 9/11*

The War on Terror, also known as the Global War on Terrorism, refers to the international military campaign that started after the 11 September 2001 terrorist attacks on the United States. The United States led a coalition of other NATO and non-NATO nations in the campaign to destroy al-Qaeda, the Taliban and other militant extremist organizations.

U.S. President George W. Bush first used the term "*War on Terror*" on 20 September 2001. The Bush administration and the western media have since used the term to argue a global military, political, legal, and conceptual struggle against both organizations designated terrorist and regimes accused of supporting them. It was originally used with a particular focus on Muslim countries associated with Islamic terrorist organizations including al-Qaeda and like-minded organizations.

The Authorization for Use of Military Force Against Terrorists or "AUMF" was made law on September 14, 2001, to authorize the use of United States Armed Forces against those responsible for the attacks on September 11, 2001. It authorized the President to use all necessary and appropriate





force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

The George W. Bush administration defined the following objectives in the 'War on Terror': Defeating terrorist networks such as al-Qaeda and identifying and eliminating their leadership, denying sponsorship, support and sanctuary to terrorists, diminishing the underlying conditions that terrorists seek to exploit (e.g poverty, social injustice), and defending US citizens and interests at home and abroad.

Over the next decade, the United States, NATO and regional allies have carried a number of large and small-scale military operations against terrorist networks worldwide.

## Operation Enduring Freedom – Afghanistan

On 20 September 2001, in the wake of the 11 September attacks, George W. Bush delivered an ultimatum to the Taliban government of Afghanistan to turn over Osama bin Laden and al-Qaeda leaders operating in the country or face an attack. Under UNSC Resolution 1368, the international coalition guided by the United States was legitimized to attack and invade Afghanistan.

Subsequently, in October 2001, US forces (with UK and coalition allies) invaded Afghanistan to oust the Taliban regime. Kabul, the capital city of Afghanistan, fell by mid-November. The remaining al-Qaeda and Taliban remnants fell back to the rugged mountains of eastern Afghanistan, mainly Tora Bora. In December, Coalition forces (the US and its allies) fought within that region. It is believed that Osama bin Laden escaped into Pakistan during the battle.

The Taliban regrouped in western Pakistan and began to unleash an insurgent-style offensive against Coalition forces in late 2002. Throughout southern and eastern Afghanistan, firefights broke out between the surging Taliban and Coalition forces. Coalition forces responded with a series of military offensives and an increase in the amount of troops in Afghanistan. In September 2014, Afghanistan and the United States signed a security agreement, which permits United States and NATO forces to remain in Afghanistan until at least 2024. The United States and other NATO and non-NATO forces are planning to withdraw; with the Taliban claiming it has defeated the United States and NATO, and the Obama Administration viewing it as a victory. Continued United States operations within Afghanistan will continue under the name "Operation Freedom's Sentinel".

## **Current Challenges: ISIS and the American drone campaign**

### *The bombing campaign against IS in Iraq and Syria*

In response to advances made by the Islamic State of Iraq and the Levant militants in June and July 2014, many states began to intervene in the ongoing civil wars in Syria and Iraq, and eventually, in Libya. Rapid territorial gains from ISIL military operations in Iraq and Syria during the first half of 2014, combined with internationally condemned brutality, reported human rights abuses, and the fear of further spillovers of the Syrian Civil War caused many countries to consider interventions.



On the evening of 7 August 2014, U.S. President Barack Obama gave a live address to the Nation. He described the worsening conditions in Iraq and said that ISIL's persecution and threatening the extinction of Yazidis, a religious minority in northern Iraq, in particular had convinced him that U.S. military action was necessary. The President said that he had ordered airstrikes to protect American diplomats, civilians and military in Erbil at the American consulate or advising Iraqi forces, prevent a potential massacre (genocide) of ISIL on thousands of Yazidis on Mount Sinjar, and to stop ISIL's advance on Erbil, the capital of the Kurdish Autonomous Region where the U.S. had a consulate and a joint operations center with the Iraqi military.

On Friday, 8 August, U.S. Navy McDonnell Douglas F/A-18 Hornet fighters bombed Islamic State artillery units. U.S. fighters later bombed Islamic State military convoys, some of them advancing Erbil and besieging Kurdish forces defending Erbil. A round of U.S. airstrikes in the afternoon struck 8 Islamic State targets near Erbil.

On 8 and 9 August, Obama extended the purposes of the airstrikes of 8 August as to be: 1.) protecting Americans in Iraq; 2.) helping Iraqi minorities stranded on Mount Sinjar; 3.) breaking the siege that had stranded thousands of Yazidi atop Mount Sinjar; 4.) preventing massacres (genocides) to Yazidis and other minority groups as announced by ISIL; and 5.) helping Iraqis combat the threat from ISIL.

On September 22, 2014, the United States, Bahrain, Jordan, Qatar, Saudi Arabia, and the United Arab Emirates began to strike targets inside Syria, which also included the Khorasan group, an offshoot of al-Nusra, in the Idlib Governorate to the west of Aleppo, as well as the al-Nusra Front around Ar-Raqqah. The Syrian government has not given authorization for the bombing campaign and has repeatedly lamented that its sovereignty has been violated by the anti-IS coalition.

## *Pakistan*

Since 2004, the United States government has attacked hundreds of targets in Northwest Pakistan using unmanned aerial vehicles (drones) controlled by the Central Intelligence Agency (CIA)'s Special Activities Division. Most of these attacks are on targets in the Federally Administered Tribal Areas along the Afghan border in Northwest Pakistan.

These strikes began during the administration of U.S. President George W. Bush, and have increased substantially under his successor Barack Obama. Some in the media have referred to the attacks as a "drone war". Initially the U.S. government had officially denied the extent of its policy; in May 2013 it acknowledged for the first time that four U.S. citizens had been killed in the strikes. Surveys have shown that the strikes are deeply unpopular in Pakistan, where they have contributed to a negative perception of the United States.

There is a debate regarding the number of civilian and militant casualties. An estimated 286 to 890 civilians have been killed, including 168 to 197 children. Amnesty International found that a number of victims were unarmed and that some strikes could amount to war crimes.

Pakistan's Prime Minister, Nawaz Sharif, has repeatedly demanded an end to the strikes, stating: "The use of drones is not only a continual violation of our territorial integrity but also detrimental to our resolve and efforts at eliminating terrorism from our country". The Peshawar High Court has ruled that



the attacks are illegal, inhumane, violate the UN charter on human rights and constitute a war crime. The Obama administration disagrees, contending that the attacks do not violate international law and that the method of attack is precise and effective.

## *Somalia*

The US has carried out covert operations in the country since just after the September 2001 attacks, and according to the Bureau of Investigative Reporting's own monitoring, it continues to do so. The main targets are radical Islamist insurgents; most notably members of the terrorist network al Shabaab. The United States has around 2,500 military personnel in the Horn of Africa region. It has provided support to international bodies and, it is alleged, to invading armies. From 2007 elite troops from the Pentagon's Joint Special Operations Command (JSOC) took advantage of Ethiopia's invasion to carry out a number of targeted killings. In 2011, US armed drones began operating in the failed state. It was recorded that at least 10 US combat operations in Somalia took place in the past five years.

The CIA also has a major presence in the country. According to US investigative journalist Jeremy Scahill, it runs a secret prison at Mogadishu airport. And the UN monitoring group's most recent findings suggest a far higher level of US military activity in Somalia than is reported.

But the US is far from the only external actor in Somalia. The African Union Mission in Somalia – Amisom – was set up for peacekeeping in the war-torn state. Its 16,500 strong peacekeeping force comes mostly from Uganda, Burundi and Kenya. **Also**, forces from neighboring Ethiopia crossed over to Somalia with US backing in December 2006 after the Somali Transitional Federal Government (TFG) was ousted from power by Islamists in what journalist Jeremy Scahill described as 'a classic proxy war'.

## *Yemen*

The U.S. first said it used targeted killing in November 2002, with the cooperation and approval of the government of Yemen. A CIA-controlled Predator drone fired a Hellfire missile at a SUV in the Yemeni desert containing Qaed Salim Sinan al-Harethi, a Yemeni suspected senior al-Qaeda lieutenant believed to have been the mastermind behind the October 2000 USS *Cole* bombing that killed 17 Americans. He was on a list of targets whose capture or death had been called for by US President George W. Bush. In addition to al-Harethi, five other occupants of the SUV were killed, all of whom were suspected al-Qaeda terrorists, and one of whom (Kamal Derwish) was an American.

Thus far, it is estimated that a total of 98 US drone attacks have been conducted in Yemen since 2002; 41 in 2012, 26 in 2013 and 14 in 2014.

The current anti-terror operations, facilitated by the rapid development of remote-controlled Unmanned Aerial Vehicles have raised serious concerns of ethical and legal nature. While Article 2 of the UN Charta grants countries their sovereignty and calls for the peaceful solution of conflicts, Article 42 gives the UNSC the authority to intervene should international security be threatened. The obligation of every country to protect its citizens from threats seems to collide with the fundamental principle of self-determination. The current state of affairs seems to favor security over sovereignty, as



U.N. special rapporteur on human rights and counterterrorism, Ben Emmerson, concluded in a 2013 interview: "As a matter of international law, the U.S. drone campaign in Pakistan is ... being conducted without the consent of the elected representatives of the people, or the legitimate Government of the State," and "It involves the use of force on the territory of another state without its consent and is therefore a violation of Pakistan's sovereignty,"<sup>3</sup>. Similarly, in the case of the US involvement in Syria, the rationale for the American aerial campaign clearly values regional and American security interests over the formal sovereignty of Syria.

In light of these puzzles, what kind of tactics should the United States and other Western countries resort to in order to fight terrorism? Is the war on terror, as it is being waged at the moment, fundamentally at odds with the concept of state sovereignty? How broadly should the right to self-defense be defined and what kind of actions should a state be able to perform to protect its citizens from terrorism?

## Questions a resolution must answer

DISEC should pass a resolution answering the following questions:

- Can the war on international terrorism be brought into harmony with state sovereignty? If yes, how?
- How can international interventions against terroristic threats be better legitimized by the international community?
- How can the legal and political dilemma of security vs. sovereignty be resolved and how should the United Nations deal with governments that decide on their own to intervene in other states?
- Discuss what alternative anti-terror policies can be developed. Can local stakeholders such as governments, tribal leaders or insurgents be better incorporated into the fight against terrorist networks?

## Further reading and related materials:

<http://www.isn.ethz.ch/Digital-Library/Video/Detail/?lng=en&id=188161>

<http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=187861&lng=en>

<http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=184688&lng=en>

<http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=10165&lng=en>

<http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=187961&lng=en>

<http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=116629&lng=en>

<http://brianglynwilliams.com/pdfs/69327091-7.pdf>

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<sup>3</sup> <http://www.reuters.com/article/2013/03/15/us-un-drones-idUSBRE92E0Y320130315>



<http://www.rferl.org/content/drones-pakistan-un/25206076.html>

<http://www.thebureauinvestigates.com/2015/02/06/does-latest-drone-strike-on-al-shabaab-signal-change-in-us-tactics-in-somalia/>

<http://www.isn.ethz.ch/Digital-Library/Articles/Special-Feature/Detail/?id=152680&contextid774=152680&contextid775=152677>

<http://www.thebureauinvestigates.com/2015/02/06/does-latest-drone-strike-on-al-shabaab-signal-change-in-us-tactics-in-somalia/>

I also **highly** recommend you listen to this lecture by Prof. Kevin Heller of Melbourne Law School on the legality of the targeted killing program: <http://www.international.ucla.edu/burkle/event/9933>