**FORUM**: GA 1 (Disarmament and International Security)

**QUESTION OF**: National sovereignty and asymmetric warfare

**SUBMITTED BY**:Republic of Finland

**CO-SUBMITTED BY:** Chile, Vietnam, Yemen, United Arab Emirates, Antigua &Barbuda, Dominican Republic, Sudan, Thailand, Serbia, Italy, Georgia, Australia, Russian Federation, New Zealand, Czech Republic, United States of America, South Sudan, Dr. Congo, Mauritius, France

THE GENERAL ASSEMBLY FIRST COMMITTEE,

*Expressing its determination* to ensure the protection and well being of civilians and civilian populated areas against the threats of terrorism posed by Violent Non State Actors (VNSA),

*Bearing in mind* the Declaration on the Strengthening of International Security as well as the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

*Defining* asymmetric warfare as a conflict between two or more parties whose power and strategies differ, mainly referring to a governmental army facing an insurgency or rebellion using unconventional warfare, such as guerrilla warfare, terrorism and cyber warfare,

*Further defining* a violation of national sovereignty as being the action of an entity to disrupt the power of an internationally recognized government over its territory, citizens and domestic affairs without due course of law,

*Approving* the existing international treaties addressing various aspects in regards to the question of international terrorism, inter alia, the International Convention against the Taking of Hostages, adopted in New York on 17 December 1979, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, adopted at Rome on 10 March 1988,

*Deeply conscious* of the potential danger that VNSAs pose to the international security as well as the prosperity of member states,

*Emphasizing* on the desirability of maintaining under examination the existing international legal provisions to combat terrorism in all its forms and manifestations, with the aim of ensuring a comprehensive legal framework for the prevention and elimination of terrorism,

*Further reaffirms* the importance of a country’s sovereignty in ensuring its citizens’ welfare,

*Determined* to protect national sovereignty from foreign entities insofar as this Resolution does not propose exceptions,

*Takes note* of the difficulty of a country to protect and care for its citizens while facing a violation of its national sovereignty,

*Takes further note* of the disruption caused by asymmetric warfare, which often results civilians deaths, starvation and difficulty of access by humanitarian agencies,

1. Reaffirms the importance of a country’s duty to protect its citizens;
2. Strongly urges for the need of the establishment of an official and internationally accepted UN-affiliated definition by all member states for the following fundamental terms that are pivotal to the understanding of the issue, as the following:
3. National Sovereignty is the principle of international law in which each nation state has the full right and power of a governing body to govern itself without any interference from outside sources over its territory and domestic affairs, to the exclusion of all external powers, on the principle of non-interference in another country’s domestic affairs
4. Right of Hot Pursuit: Nations have the right to continue the pursuit of criminals that have left the national territory of the respective nation in which the pursuit begun, unless denied entrance from the country where in pursuit is being taken place, to validate the consequential violations of other nation’s sovereignty in the confrontation with non-state actors
5. Responsibility to Protect (R2P) includes the following principles:
   1. a state has a responsibility to protect its population from genocide, war crimes, crimes against humanity, and ethnic cleansing
   2. the international community has a responsibility to assist the state to fulfill its primary responsibility
   3. if the state manifestly fails to protect its citizens from the four above mass atrocities and peaceful measures have failed, the international community has the responsibility to intervene through coercive measures such as economic sanctions;
6. Calls uponmember States, guided by the purposes and principles of the Charter of the United Nations and other relevant rules of international law, to abstain from:
   1. instigating, assisting or in any manner participating in terrorist acts in territories of other nations
   2. acquiescing or encouraging activities within their territories directed towards the commission of such acts;
7. Encourages all States to strengthen cooperation with one another to ensure that the groups or individuals participating in terrorist activities, whatever the nature of their participation find no safe haven in any member nation of the United Nations;
8. Requests the Security Council to establish a United Nations Intervention Committee (UNIC) as a new administrative organization that shall work to investigate the following matters:
9. to identify if it is acceptable for a state to declare ‘The responsibility to protect’ through methods such as but not limited to:
   * 1. signs of asymmetric warfare and the strength of VNSA threatening the nation’s sovereignty
     2. evidence of geopolitical destabilization of the area
     3. indication of the internal conflict becoming international
   1. to be an umbrella organization for NGOS and any other third parties to cooperate with the UN to be able to discuss:
      1. types of crime committed by the VNSA
      2. how many crimes have been committed
      3. the extent of the damage on infrastructure
      4. health and safety of the civilians in the war zone
      5. to explore non-forcible or less-forcible alternatives to diminish to the threat towards the national sovereignty;
   2. to implement a policy for the organization to follow if international military intervention occurs:
      1. following an attack, an investigation group should conduct a transparent and accountable investigation to the organization to re-examine its own actions
      2. the organization will judge whether targets were legitimate military targets, but also whether the decision to use force against them rather than explore the non-forcible, or less-forcible alternatives, was justified under the circumstances
      3. investigate if before and during the attack, the attacking army had done its duty to respect enemy civilians’ lives, consisting of the duty to avoid unnecessary harm
   3. any claims that a party conducting military acts for self interest in a military intervention will be investigated and if evidence do support it the organization will inform the security council;
10. Authorizesthe reevaluation of the legitimate use of R2P only for cases where:
    1. the government of a country has been weakened to a point where it can no longer properly respond to diplomatic calls to stabilize the situation
    2. a country’s leadership has begun committing severe human rights crimes against its citizens
    3. a government ignores atrocities against its population even where it could have helped to at least partially alleviate the situation
    4. groups causing atrocities against a population are imminently about to capture a region where severe human rights violations are likely to occur, and the government of the country does not respond in a reasonable or acceptable manner
    5. the danger posed by groups causing atrocities is likely to spread into other regions or countries with even worse consequences, and the government of a country refuses to establish reasonable diplomatic talks
    6. UNIC will vote whether or not R2P can indeed be implemented;
11. Supports the UNIC backed by Interpol to be placed for cooperation between nations to combat the VNSA’s with ensuring that border controls have the already established Mobile INTERPOL Network Database (MIND) and Fixed INTERPOL Network Database (FIND) which will:
    1. allow countries to screen people and documents systematically against INTERPOL database on VNSA members
    2. contain stolen and lost travel documents which are commonly used by these organizations to transit border
    3. decrease the activity of the non-state actors crossing to other states.