



CSPCMUN2017

Counter Terrorism Committee

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Committee: Counter-Terrorism Committee

Topic: Criminalizing Active and Passive Assistance for Terrorism in Domestic Law.

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“Men make history and not the other way around. In periods where there is no leadership, society stands still. Progress occurs when courageous, skillful leaders seize the opportunity to change things for the better.” – Harry S. Truman

Dear Delegates,

First of all, welcome to CSPCMUN2017. It is an honor to have you in this year's edition. We hope that this simulation is a memorable experience. We are confident that during these three days you will develop skills such as leadership, negotiating, and critical thinking while representing a specific country. We expect that in this model you meet new people who will encourage you to make an impact in our world. I am sure that you will prepare yourself enough so you can get to agreements and help in the resolution of the committee's problematic. We hope that you enjoy this simulation as much as we will. Any doubts you may have, do not hesitate on asking us.

Sincerely,

Mariana Lazo

Chief of Moderators



I. Committee Overview

Guided by Security Council resolution 1373 (2001) and 1624 (2005) , the CTC works to bolster the ability of the United Nations Members of State to prevent terrorist acts both within their borders and across regions . The CTC's Resolution 1373 (2001) , adopted unanimously on September 28th 2001 , calls upon Member States to implement a number of measures intended to enhance their legal and institutional ability to counter terrorist activities , including steps to :

- Criminalize the financing of terrorism
- Freeze without delay any funds related to persons involved in acts of terrorism
- Deny all forms of financial support for terrorist groups
- Suppress the provision of safe haven, sustenance or support for terrorists
- Share information with other governments on any groups practicing or planning terrorist acts
- Cooperate with other governments in the investigation, detection, arrest, extradition, and prosecution of those involved in such acts; and
- Criminalize active and passive assistance for terrorism in domestic law and bring violators to justice.

II. Topic Information

This passivity in the face of terrorism can be deadly. In conducting the September 11th attacks, al-Qaeda recruited and raised money in Germany with relatively little interference, enjoyed financial support from many Saudis unobstructed by the government in Riyadh, planned operations in Malaysia, and sent operatives to America. None of these governments are "sponsors" of al-Qaeda—indeed, several were and are bitter enemies of the organization—but their inaction proved as important, if not more so, than the haven the group enjoyed in Afghanistan in enabling al-Qaeda to conduct the attacks.

Saudi Arabia has few contacts in America today. Members of Congress and the American media have lambasted the Kingdom for backing al-Qaeda and promoting hatred of the United States. Senator Bob Graham, the former chairman of the Senate Select Committee on Intelligence who co-led an investigation into the September 11th attacks, argues that the September 11th hijackers "were actively supported" by "our supposed friend and ally, Saudi Arabia." As he accepted the Democratic Party's nomination for President, Senator John Kerry declared, "I want an America that relies on its own ingenuity and innovation—not the Saudi royal family" —a remark that generated perhaps his biggest applause of the evening.

Across the aisle, William Kristol, a leading neoconservative close to the Bush administration, has declared that "it is time for the United States to rethink its relationship with Riyadh." In July 2003, 191 members of the House of Representatives supported a bill to add Saudi Arabia to the official U.S. list of state sponsors of terrorism.

A) History of the Topic

According to UN Security Council Resolution 1373 there are certain duties and limitations on a member state. Some of these are:

Clause 2 (a)" Refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts, including by suppressing recruitment of members of terrorist groups, and eliminating the supply of weapons to terrorists;"

Clause "(c) Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens"

In the above fragment is clearly mentioned that it is the responsibility of the country from where the terrorist group is working to deny any type of access to resources and safe heavens. The active support of terrorist activities has decreased since 9/11 .

The passive sponsorship of terrorism is not involved in a governor giving materials or financial support to terrorist group . Passive support has the following characteristics:

-The regime in question itself does not provide assistance but knowingly allows other actors in the country to aid a terrorist group;

- The regime has the capacity to stop this assistance or has chosen not to develop this capacity, and often passive support is given by political parties, wealthy merchants, or other actors in society that have no formal affiliation with the government.

B) Current Issues

Passive support such as the provided by Saudi Arabia is a different aim compared to traditional state support of terrorism, but it has received little serious attention during the Global War on Terror. Iran typifies a traditional, active, state supporter: Tehran has armed, trained, organized, and at times directed the Lebanese Hizballah as an instrument of regime policy. Passive support in contrast, involves regimes that support terrorism by not acting. A regime can be said to be guilty of passive support if it knowingly allows a terrorist group to raise money, enjoy sanctuary, recruit, or otherwise flourish without interference but does not directly aid the group itself.

Often, passive support is given by political parties, wealthy people, or other actors in society that have no formal affiliation with the government.

The Saudi, Pakistan, U.S., and Greek experiences suggested that passive support usually occurs for three reasons, often in combination: domestic sympathy for the group; a sense that the group poses little threat to the host government itself; and relatively low costs of inaction, or even indirect benefits.

C) UN Action

Shutting down passive support is vital. To do, so the United States must go beyond its traditional emphasis on direct state support to terrorist groups and instead recognize the many dangers of inactivity.

In concept, the recommendations for ending, or at least reducing, passive support are straightforward. The Saudi, Pakistan, Greek, and U.S. experiences indicate that outside governments should try to establish new rules that recognize the importance of passive support, impose new costs on regimes that tolerate terrorist-related activities, diminish popular support the group enjoys, and bolster the counterterrorism capacity of regimes that seek to end their passive support. In practice, such efforts require using the full range of U.S. national power, as should be done with traditional state sponsors of terrorism. However, diplomatic, legal, informational, and intelligence tools are likely to be more important for stopping passive support than traditional military and economic forms of leverage.

III. Conclusion

Passive support for terrorism can contribute to a terrorist group's success in several ways. Passive support often allows a group to raise money, acquire arms, plan operations, and enjoy a respite from the counter-attacks of the government it opposes. Passive support may also involve spreading an ideology that assist to a terrorist group in its efforts to recruit new members. That's the reason why we need your help, to solve this problem and make it a better world, without violence or wars.

IV. Essential Questions

1. Why does passive support is not considered a crime ?
2. What is the real difference between passive and active assistance ?
3. How does the Domestic Law affect each country?
4. What does Passive assistance means?
5. What can we do to solve this problem?
6. In which countries does this problem is reflected?

7. How can your country help to resolve this problem ?
8. Is there any possible way to eradicate the passive assistance?

V. Sources

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