

04/2015

January 20, 2015

Federico Aznar Fernández-Montesinos

SPAIN IN THE SECURITY COUNCIL.
THOUGHTS ON THE UNITED NATIONS
ORGANISATION IN THE 21ST CENTURY.
FAILED STATES, ORGANISED CRIME AND
TERRORISM (II)

[Visit WEB](#)

[Receive Newsletter](#)

This document has been translated by a Translation and Interpreting Degree student doing work experience, ALBA BENITO MIRANDA, under the auspices of the Collaboration Agreement between the Universidad Pontificia Comillas, Madrid, and the Spanish Institute of Strategic Studies.

SPAIN IN THE SECURITY COUNCIL. THOUGHTS ON THE UNITED NATIONS ORGANISATION IN THE 21ST CENTURY. FAILED STATES, ORGANISED CRIME AND TERRORISM (II)

Abstract:

The return of Spain to the Security Council makes it appropriate to reassess the role of the UN in this century's geopolitical context, mainly focused on failed states, organized crime, and terrorism, pondering what the UN has done so far, the scenario to be found by Spain, and how Spain may contribute to International Security in said context. Due to its length this work is divided into two parts, the first focusing on failed states and organised crime, and the second addressing the issue of terrorism.

Keywords:

UN, Terrorism, Security Council, Counter-Terrorism Committee, CTITF.

Federico Aznar Fernández-Montesinos

Spain's election to one of the 10 non-permanent chairs of the Security Council since the 1st of January places it at the forefront of the international community for the 2015-2016 period. It is a fair result if we consider the commitments the country has taken on over the past decade.

Spain reaches the UN at an important moment. 25 Years have passed since the falling of Berlin Wall, and the international community has completed a full transition phase that aims to find its institutional reflection. The world, with Spain in direct threat, faces the challenges of global terrorism that strives to settle on our European borders and penetrate them. The Middle East is in crisis in various areas. Asia-Pacific to highlight its economic and demographic weight. Meanwhile, old conflicts - e.g. Cuba, Colombia - are starting to be contained.

In the globalisation era, it is not possible to remain detached from the 21st century or events taking place in the world, which makes it convenient to be able to have an influence in their development – especially if we have the capacity to do so. Our country must claim the position that belongs to it due to its historical, political and economic condition, and its contribution to the international community. On this line, the election of Spain to the Security Council is normal.

Over the next two years, Spain will preside over the Security Council on two occasions – October 2015 and December 2016. As a non-permanent Member, it will preside over three committees: the 1540 Committee on non-proliferation of weapons of mass destruction – a recognition for its implication in it –, the 1718 Committee on sanctions to North Korea, and the 1737 Committee on sanctions to Iran¹.

In the first part of this article, we addressed the issue of failed States and organised crime, assessing the role played by the UN in this context. In the second part, the role of the UN in the fight against terrorism will be assessed according to what will have already been explained, thereby reaching conclusions of the study of all these phenomena that will become contextual to the actions of Spain in the Security Council.

¹ www.lamoncloa.gob.es

TERRORISM AND THE UN

Terrorism has become the greatest risk of this century. According to the 2012 Global Terrorism Index, only 10 countries out of the 158 listed escaped its actions. However, terrorism has always been a concern for the international community. As early as 1934, the League of Nations started elaborating a project focused on its prohibition, which never came into force despite having been passed in 1937.

Terrorism is a dynamic, vague and non-specific phenomenon, part of a battle for legitimacy. Authority is strength with legitimacy, and violence is strength without it. As a consequence, the international community has not reached an agreement on an established definition of terrorism. This could be thought as the equivalent of placing the pointer of the weighing scale and letting the latter act on its own, speaking its mind about current conflicts in an autonomous and uncontrolled way. Nevertheless, the UN did manage to produce a definition of terrorist acts:

“Criminal offences with political ends conceived or planned to induce a state of terror on the general population, on a group of people or on specific persons are unjustifiable in every circumstance, no matter the political, philosophical, ideological, racial, ethnic, religious or any other kind of considerations that may be enforced to justify them.”

The word “terrorist” assembles very heterogeneous realities in such a way that its definition determines the result; whereas the desired result – approval or condemnation – does not determine the definition. Unilateralism of the parts tends to its operational definition. Thus, terrorism is what I define as such, and terrorists are those who I include on an *ad hoc* list.

Debates on how to assess the resistance of the civil population against an occupying army, or whether the actions of some specific Armed Forces may or may not be terrorist ballasted the chance of agreeing on a definition. Another difficulty comes from the definition itself, the struggle to add – or not – counter-terrorist rules to the legislation that aims to regulate armed conflicts, and therefore make Armed Forces taking part in them comply with their dispositions.

Before assessing the UN proceeding, we must start off from two basic considerations. First, UN action usually follows the events, just like law does. Second, the UN is an organ of political agreement. That is, decisions adopted by it are political, not operational. Their vagueness may portray them as low-level agreements; however, they represent the concerted willingness of thousands of millions of people – an overwhelming strength. Having

Federico Aznar Fernández-Montesinos

a common language and a permanent reunion setting is not a trivial matter – it is the first matter, key to make everything else possible.

These decisions have an effect at the strategic level, and in time they reach the tactic one, thereby giving actions implemented at the global level more coherence and sense. This is so up to the extent that we can assert the fundamental role of the UN in the elaboration of criminal and counter-terrorist legislation.

Every country has a different legal system built on different rules and inspiring principles, since Law came into existence to address the demands of each culture according to their specific core issues. Such diversity is not only inevitable, but also desirable as it entails an adaptation to the social body. In the end, reality is one and that makes reactions to it very similar, but not equal. The existence of interface mechanisms, as well as that of a common core – that is, a similar understanding of the big offences of international relevance – is also desirable.

In this sense, the UN's task is of paramount importance, since it helps to think on an international scale from the values endorsed in the Charter. Moreover, we can affirm that it has contributed to the evolution of international awareness of terrorism, even though arabesques inherent to diplomatic action and its different conception of time may portray a different image.

Its task favours a common culture as it has helped to establish a language, harmonising the meaning of words. Thanks to it, the UN has enhanced mutual understanding, which enables its adaptation to the legal framework of each country, thereby generating procedures and principles of action. At the same time, this has led to a new expansion of the regulations, since the implementation of the latter requires the elaboration of additional protocols. The UN has respected Human Rights all the way through it, thus strengthening them.

That does not imply the existence of interpretation problems arising from both, the regional and the international level. It will depend on the framework chosen, and it is one of the reasons why a definition of 'terrorism' has not been reached. The dispersion and fragmentation of UN actions constitute another problem, stemming from the numerous agencies involved in the organisation.

The UN has launched 14 conventions and 4 protocols to respond to the basic needs and concerns as they arose.² In the 1970s, hijackings; after the fall of the Berlin Wall, the issue of

² Convention on offences and certain other acts committed on board aircraft ('Tokyo Convention'), 1963 – aviation security. Convention for the Suppression of Unlawful Seizure of Aircraft – ('Hague Convention'), 1970 –

Federico Aznar Fernández-Montesinos

the proliferation of weapons of mass destruction, and since year 2000, global terrorism. The development of Conventions can be attributed to the evolution of these circumstances.

Among the different organisms and agencies in charge of fighting against terrorism, the Security Council is the most important one as it is the main organ responsible for the maintenance of international peace and security, and for harmonising the efforts of the other organs. Furthermore, every UN Member commits to accept and apply the Security Council's decisions. While other UN organs only make recommendations to Member States, the Security Council has the power to adopt decisions that Member States are compelled to apply.

The General Assembly gathers 193 members and 4 observers. Even though its resolutions are not binding, they have political relevance, visibility and legitimating character. However, the action of the General Assembly does not take place aside of the Security Council. The Assembly acts as a deliberative organ to a certain extent, whereas the Council does so in an executive manner. Many texts approved by the Security Council come from others approved at the Assembly. Resolutions by both organisms have gone in parallel, thereby making counter-terrorist awareness evolve. As a result, since 1972 the UN has approved different Resolutions and two Conventions, as well as the Global Strategy against Terrorism.

History of the UN's fight against terrorism starts from the very creation of the organisation, despite the fact that the avatars of the Cold War unsurprisingly affected it. The end of this period allowed for the development of basic agreements on common problems.

aircraft hijacking. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation ('Montreal Convention'), 1971 – relative to acts of air sabotage, such as explosion of bombs on board a flying aircraft. Protocol unlawful acts repression Violence at Airports Serving International Civil Aviation, complementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done in Montreal on the 23rd September 1971. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, 1973 – relative to attacks against high government officials and diplomats. International Convention against the Taking of Hostages ('Hostages Convention'), 1979. Convention on the Physical Protection of Nuclear Material ('Convention on Nuclear Material'), 1980 – relative to the illicit appropriation and use of nuclear materials. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 – ships. Protocol security crackdown wrongdoing fixed platforms emplaced continental shelf, 1988 – relative to terrorist activities in fixed platforms facing the coasts. International Convention on the Marking of Plastic Explosives for the Purpose of Detection, 1991 – it displays the chemical branding to facilitate the detection of plastic explosives to fight against air sabotage, for example. International Convention for the Suppression of Terrorist Bombings, 1997. International Convention for the Suppression of the Financing of Terrorism, 1999.

Federico Aznar Fernández-Montesinos

In 1988, an attack against a Pan Am plane that fell on the Scottish town of Lockerbie killed 270 people; in 1989, another attack against a plane of the French company UTA killed another 171 in France. Libyan agents were blamed for both, thus giving birth to Resolutions 883/1993 and 1192/1998, which include sanctions against Libya in accordance with Chapter VII (measures for peace enforcement). These would be lifted after the trial held against the perpetrators in 1999.³

In 1995, Egyptian president Hosni Mubarak was attacked while at Addis Ababa. As Sudan's participation was proved, the Security Council passed Resolutions 1054/1995 and 1070/1996, in accordance with Chapter VII. Said resolutions would be lifted in 2001 after the country proved a change in attitude. In 1998, attacks against US embassies in Kenya and Tanzania left 263 deaths. Sanctions were imposed to the Taliban regime through Resolution 1189, as they were accused of having been involved. A monitoring committee dependant on the Security Council was created.

However, only the 11-S attacks would be the decisive issue to invoke article 51 of the Charter, which affirms legitimacy of individual defence and establishes a cooperation obligation for Member States. On 28th September, the Security Council invoked again Chapter VII to pass Resolution 1373, which imposes political, legal and financial obligations to states and calls for ratification of conventions and Protocols.⁴

The Resolution imposes legal obligations to every State for the first time, instead of sanctions to the ones to blame. States must consider terrorism a crime, since this is a legal and political requirement. The debate in structural causes is left aside, as it is terrorist methodology that must be fought no matter the cause.⁵

Every country affected by terrorism, Spain included, profited from the measure.

At the same time, the Committee Against Terrorism (CAT) is set up with the aim to *"strengthen the capacities of Member States of the United Nations in order to fight terrorist activities within their borders and in every region"*. It does so through the reports submitted by Member States in special meetings, through technical assistance or recommended practices. This Committee is dependent on the Security Council and formed by 15 Members. In April 2004, after the 11-M attacks and under Ambassador Inocencio Arias' presidency the

³ Rupérez, Javier. *"The UN in the Fight against Terrorism". Initial assessment.* Journal of political Thought. January/March 2005.

⁴ IBIDEM

⁵ IBIDEM.

Federico Aznar Fernández-Montesinos

Terrorism Executive Directorate was created (TED). It aimed at strengthening the Committee, with Ambassador Javier Rupérez as president.

Other Committees dependent on the Security Council: Committee 1267 was formed through the Resolution of the same number and it monitors sanctions against Al-Qaeda members; Working Group 1566 includes practical measures against terrorists not included in the former group; Committee 1540 deals with the issue of weapons of mass destruction. Spain has committed to the daily developments of the latter, which has led the country to preside it after its incorporation to the Security Council.

All three Committees (CCT, 1267 and 1540) and their groups act co-ordinately and keep close collaboration. Furthermore, the Presidents of the Committees inform the Security Council orally about their activities in joint meetings whenever it is possible.

In 2006, aware of the weakness of the system the General Assembly approved the Global Strategy Against Terrorism, which aims at achieving an agreement at the national, regional, and international level in the fight against this weakness. For this purpose, it looks for a coordinated and coherent multidimensional answer that involves every participating agency and gives a unitary solution, inherent to one single UN.

The strategy is an inclusive and equilibrated approach that goes from the structural causes – which belong to the UN archive – to aspects of the operational fight, working on the grounds of the UN Security and Development doctrine. It is structured in four pillars: measures to prevent the expansion of terrorism; measures to prevent and fight it; measures to strengthen the States' ability to prevent and fight terrorism, as well as strengthen the role of the UN on this matter, and measures to assure respect of human rights. Furthermore, it foresees the biannual assessment of what has been done. The last one took place in June 2014.

The Counter-terrorism Implementation Task Force (CTITF) was established in 2005. In line with the Global Strategy, it aims at strengthening coordination and coherence among UN activities against terrorism and adjusting it to the interests of the countries it serves. It involves 34 multilateral organisations – IMF, World Bank... –, which contribute in accordance with their specific mandate. Their objective is to achieve a comprehensive and coherent single answer from the UN system. According to some analysts⁶, it must find balance

⁶ Chowdhury Fink, Naureen; Romaniuk, Peter; Millar Alistair; Ipe, Jason; “Blue Sky II. Progress and Opportunities in Implementing the UN Global Counter-Terrorism Strategy” Global Center on Cooperative Security, Abril 2014.

Federico Aznar Fernández-Montesinos

between coordination tasks and generation of capabilities. However, the institutions it coordinates do not make the task easy.

Dependent on the latter is the UN Counter-terrorism Centre, created in 2011 with Saudi funds. It counts on 30 institutions belonging to the CTITF and 22 big actors in the counter-terrorist fight. Its creation aspires to developing the 4 pillars of the global strategy, fostering collaboration among centres and counter-terrorist organisations at the international, regional and national level.

The Global Forum against Terrorism was also created in 2011 by 29 States – Spain included – and the EU, with UN participation. It was conceived as an informal institution for debate, analysis, advice exchange and good practices, identification of priorities and mobilisation of resources for the provision of technical assistance in the fight against terrorism.

The forum falls within the UN Global Strategy. Nevertheless, some authors such as Fernando Reinares⁷ portray it as a confirmation of the Global Strategy's inefficiency, since internal coordination and coherence problems weaken the progress made by the current UN counter-terrorist architecture.

Spain has contributed to it, namely concerning victims. The country organised a High-Level Conference on the Victims of Terrorism (VT) in 2012. Said Conference led to the adoption of a "Madrid Declaration", which helped to improve sensitivity towards victims. The Conference also gave birth to the bedrock of the "Action Plan on the Victims of Terrorism", which was endorsed by member States in the Ministerial Meeting that took place in December 2012 in Abu Dhabi. In 2013, also as a Spanish initiative every member country of the GCTF adopted the "Memorandum of good practices on the assistance to victims of terrorism immediately after the attack and during the criminal proceeding", known as Madrid Memorandum.⁸

As an EU Member, Spain takes part in the "Counter-Terrorism Strategy", approved in 2005. The country is also involved in the Strategy against Radicalisation, hence collaborating in three working groups. It is also present in the Committee of Experts on Terrorism (CODEXTER) – embedded in the Council of Europe –, where it coordinates the "Group of Dialogue" described in the Council of Europe Convention for the Prevention of Terrorism.

⁷ Reinares, Fernando. "Global Strategy against Terrorism: what is its use?" <http://www.blog.rielcano.org/estrategia-global-contra-el-terrorismo-de-que-sirve/>

⁸ www.maec.es

Federico Aznar Fernández-Montesinos

Furthermore, Spain cooperates with the Inter-American Committee against Terrorism, which was created under the wing of the OAS and the OSCE and has a Counter-terrorism Unit.⁹

SPAIN IN THE SECURITY COUNCIL

Spain gives the Security Council the sum of the country's identities: it is European, Ibero-American, African, the origins of globalisation – it started with the discovery and conquest of America. It has therefore an assembling vocation, which facts have confirmed and which will become necessary for the many challenges it faces.

This vocation or political waist can be very useful in the construction of balances within the Council, for suitable relationships between the Assembly and the Council, or for the Organization's complex reconfiguration process to adjust to the 21st century reality.

The good performance of its Armed Forces, which have not made much use of violence in any of the settings where they have been deployed have made their involvement very demanded, due to their expertise and credited professionalism. The presence of Spain in the Council, and the commitments and responsibilities it entails may involve the country in new challenges benefitting the international community.

Spain's credited commitment with Latin America – because of shared heritage, but especially in terms of political realism, since it is the second global investor and the first European one in the region – will not allow it to be absent from the great transformations that are about to take place in the continent: the peace process in Colombia, the political relay in Cuba, the decrease in levels of violence in Central America, Venezuela, Haiti...

The experience of Spain in the fight against terrorism and its involvement in different international organisations that tackle the issue render a greater implication of the country coherent. It is not trivial to remind ourselves that there is a Sub-directorate – Sub-Directorate General of International Terrorism Affairs – dependant on the "Directorate General for Foreign Policy and Multilateral, Global and Security Affairs". Moreover, the promotion "UN and Global Affairs Sub-Directorate General" is expected to become a Directorate General – as long as the Ministry of approves – and transform it into the "UN and Human Rights Directorate General".

⁹ IBIDEM.

Federico Aznar Fernández-Montesinos

Experience on victims and radicalisation processes place Spain at the forefront of knowledge. The promotion and creation of a fiduciary fund in accordance with victims' needs and generally a higher visibility of the latter is another pending issue.

Sahel is a critical region for Spain and Europe due to its role as a border. It is mandatory to strengthen the States of the region from within and support them with legitimacy given by the UN, thus getting rid of corruption that always comes with organised crime. Conflicts in the region must be dealt with in a comprehensive manner – organised crime, drug trafficking, and human trafficking –, to prevent Al-Qaeda and the Islamic State from colonising and transforming real conflicts into religious ones. We should not forget that security and development come together. Therefore, the policies to be enforced ought to be for the long long-term, comprehensive and regional. They may expand and reach the Gulf of Guinea and even Nigeria.

We must also bear in mind that the entry into the Security Council implies an obligation to give a political definition, that is, we should be ready to satisfy some and disappoint others. We need a coherent and continuous foreign policy, politically and socially backed by most, therefore able to transcend internal avatars: we need a State policy. These arguments – according to some analysts, internal contradictions – may have had an influence in Saudi Arabia's rejection to sitting at the Security Council shortly after having been selected for it, despite the formal attribution of this rejection to the Council's inefficiency in the Syrian crisis and the Palestinian problem.

The presidency of Committee 1718 on sanctions against North Korea, as well as that of Committee 1737 on sanctions against Iran will lead our country straight towards two of the most serious problems in the UN agenda.

THE CHALLENGES OF THE UN FIGHT AGAINST TERRORISM

UN's action in the counter-terrorist field involves the comparative advantage given by its legitimacy as a global actor. The moral strength brought by its advocacy of human rights and the rule of law.¹⁰ It is worth highlighting that Al-Qaeda has identified the UN as one of the most important obstacles to attaining its objectives.

¹⁰ Chowdhury Fink, Naureen; Romaniuk, Peter; Millar Alistair; Ipe, Jason; *“Blue Sky II. Progress and Opportunities in Implementing the UN Global Counter-Terrorism Strategy”* Global Center on Cooperative Security, April 2014.

Federico Aznar Fernández-Montesinos

The fight against global terrorism must cover as much of the political sphere as is available. The UN's legitimacy enables it to be the head of a movement as wide as possible to give a global response to challenges posed by terrorism. This movement must not only include States, but also other civil organisations and movements¹¹, and especially victims, who must take a leading role in the fight.

The problems raised by the UN's solution are of two types: fragmentation and implementation. The necessary performance of the CTITF has not managed to close its fragmentation completely, although it has enabled an important progress for the achievement of a single response.

In order to keep on progressing, as well as the necessary definition of the phenomenon it is also key to attain a "*Global Convention against Terrorism*", in which our country has been involved for a long time. Thus, the frayed and disperse nature of the multiple Conventions and Protocols would find an answer and solution.

In this sense, it also seems necessary to create the figure of a single coordinator that can give visibility to the solution and become the only interlocutor, in which every UN agency converges and which centralises all the available information. It would be an important step in the coherence path. Furthermore, it seems relevant to improve the information transfer among all actors involved, so as to promote agreement.

In any case, the UN must make the success of its work visible and known as a further way to give itself legitimacy and be efficient. Since the very message gives the UN new strength, the role of strategic communication must be highlighted beyond sheer rhetoric. A considerable part of success comes from its very image.

The results of the UN legislative task have been affected by the lack of means for its implementation and monitoring. Suitable indicators must be found to create awareness of the situation in the most accurate way possible, thereby allowing for its monitoring and reassessment and enabling the efficient implementation of new measures in a reasonable time to achieve results that are in accordance with the received mandate. This brings along designation of the political and operational sphere, and real assignation of an efficient specific area of deployment.

Thus, attempts to solve the terrorism funding issue – a crucial problem – have proved unsuitable. Over the three months that followed the 11-S, 112 million dollar funds that were

¹¹ IBIDEM.

Federico Aznar Fernández-Montesinos

allegedly aimed at terrorism funding were frozen, whereas over the following two years only 24 million were frozen. The funds confiscated account only for a small part of the total available to terrorist organisations. Many States have no suitable laws against money laundering and lack the necessary technical capabilities; therefore many funds intended for the funding of terrorism are legal in origin and difficult to rule (such as *hawala* system, for example). It is vital to make progress in this fight.¹²

Moreover, there are still States that have not subscribed the International Agreements and Conventions against terrorism, or the eight Recommendations against funding issued by FATF. Some States have even been delayed in the implementation of the measures adopted by the Committee Against Terrorism, thereby harming the fight against Al-Qaeda and global terrorism. In fact, we can affirm that sanctions issued by the Council against Al-Qaida and the Taliban have not been sufficiently supported and fulfilled by Member States.¹³ If it is so in such a critical subject that raises great unanimity such as the fight against terrorism, we must expect much more in other fields. The organisation's ability to legislate is not in accordance with the means it has to implement the rules it passes and monitor what has been done by those responsible for doing it.

We should consider the opportunity of giving the UN greater operational capabilities, even though in some groups it is not believed to be a suitable institution for this kind of activities, whereas others considered that it would not make an efficient use of resources. Were it so, it would not be necessary to resort to bilateral agreements for its attainment. At the same time, it seems convenient to boost assistance to countries that do not have enough capabilities and ensure that States with the means to enforce their rules do so.

Fernando Reinares finds a relationship between terrorism and organised crime, particularly that related to drug trafficking. This is due to three main reasons. The first one involves the similarities between the organising styles – clandestine, intimidating and against the established power – that foster the connection.¹⁴ The second involves the fact that illegal trade of narcotic substances provides resources with which the organisation can be sustained. This is the case of FARC, but also that of some Palestinian terrorist groups in the 1970s or that of IRA, which associated with Detroit mafia. The third reason refers to the structure of the international arms black market, which tends to prevent every kind of

¹² <http://www.un.org/es/terrorism/highlevelpanel.shtml>

¹³ IBIDEM.

¹⁴ Reinares Nestares, Fernando. Terrorismo Global. Editorial Taurus, Madrid 2003, pp. 28 y 29.

Federico Aznar Fernández-Montesinos

transferences that do not rely on the same logistic, informative and financial infrastructures.¹⁵

The treatment against these evils must be comprehensive; it is impossible to define them individually. Terrorism is a phenomenon that parasites other conflicts. The Mandate of the international community in Mali and Libya already incorporates a counter-terrorist component in its comprehensive approach. It is necessary to progress along this line with offices on the ground for a comprehensive treatment of conflicts, and involve the local population as a way to empower and legitimise.

In this fight, it is necessary to proceed with public exemplarity. We must be generous and act according to our own principles, making reviews in every case and scenario in which we get involved. This should also be done when it comes to including groups or people in the lists kept by the CCT whenever its lack may cause undesirable reviews.¹⁶ Preserving our own gravity centre, i.e. legitimacy, is critical in the fight against terrorism.

THE UN'S SHORT TERM AGENDA IN RELATION WITH ORGANISED CRIME AND TERRORISM

The UN agenda in the short term will be implicitly or explicitly shown in Ukraine, Irak-Syria, Korea, Iran, Palestine, Lebanon... If we stick to the organised crime and terrorism issue, and the commitments assumed by our country, there is no doubt that Afghanistan, Irak, and the problem with Daesh are to be among the first positions in the agenda.

An insurgent jihadist group – a group with around 30 000 - 60 000 members according to experts and provided with heavy weapons cannot be called any other way – can make use of terrorist strategies to control a 6-million people population that is spread through a territory equivalent to that of an average European country. Furthermore, it has been done with great financial resources -kidnappings, oil trade...- and weaponry, thereby becoming a substitute of the State. Even worse, it calls for confrontation and aims at leading and invigorating groups that directly threaten our borders, such as *Al Morabitun*.

As a result and at Iraq's request, a coalition has been formed that brings together Western, Muslim, regional and Arab countries, that assist Iraq in its fight against terrorism. This effort is also supported by Resolutions 2169, 2170 and 2178. However, it would be interesting to

¹⁵ Ibidem, pp. 28 y 29.

¹⁶ Chowdhury Fink, Naureen; Romaniuk, Peter; Millar Alistair; Ipe, Jason; *"Blue Sky II. Progress and Opportunities in Implementing the UN Global Counter-Terrorism Strategy"* Global Center on Cooperative Security, Abril 2014.

Federico Aznar Fernández-Montesinos

find a Resolution that would give UN Charter to the coalition's proceeding, adding the legitimacy of the Organisation to a State's legitimate demand. A veto is something highly undesirable, whereas consensus among the great powers is a guarantee for success.

Spain, thanks to its high parliamentary consensus, will send 300 soldiers to deal with the Iraqi Army's training. The key to new wars is not to win them – the military problem is solved beforehand by an overwhelming difference in strength, in case the situation became serious–, but to make peace, which is much more complex and difficult. In order to do that, society must be recomposed through strengthening the State, which is the actual gravity centre of the problem.

This circumstance does not happen in Syria, which despite not having opposed the Coalition's intervention so far – it even switches off air radars – it has not asked for it, thereby tacitly legitimating this proceeding. Moreover, DAESH crimes cannot darken or sacrifice those committed by other actors, even if they are in power. The UN is called to this conflict, and Humanity must figure out what happened.

The State is a reflection of the fragility of the society that hosts it. It is therefore necessary to strengthen the State as a way to strengthen society. Every case is not unique, although each of them has its peculiarities. It must be addressed in a comprehensive way; as we have seen, it is difficult to classify organised crime, terrorism, religious conflicts... these are different types of violence that add to one another until they make a whole.

This strengthening must be done from within whenever the solutions, even though its universal principles are universal, must adapt to the cultural and institutional framework in which they will be implemented and which they cannot ignore no matter how much they postulate their transformation. They need time, pedagogy and realism. It must be done at the local level, on the terrain. And it must be the very national citizens who do it as a way to empower and support the development of a real citizenship.

CONCLUSIONS

Certainly, the UN must adapt to the 21st century geopolitical scenario, but despite its faults it is a key political element in coordination of the fight against terrorism and organised crime. Good is not always the best, and the international system must work in order to be fair, which is also always convenient.

Federico Aznar Fernández-Montesinos

We must not mistake reality for our own desires. We must accept some delay in the ruling of events that Law tries to control, although Law has not been able to follow globalisation at the speed it should.

Judgements about organisations such as the UN, which have faults that are inherent to its gigantism – self-justification and interests – must be done with a suitable perspective and in a suitable period. The UN is an undoubtedly useful organisation, even though it could be improved. This approach should make us reflect on the need to potentiate the organisation's strategic communication – not only the communication involving terrorism – in a world in which the image is a critical factor.

Its task involves the consent of thousands of millions of people, therefore its role has been, is and will be relevant. In order to fight against these 21st century plagues, a common language is needed, together with a framework that allows for its liberalisation, a common legal basis on the essentials and within the necessary diversity, and established efficient cooperation and exchange mechanisms.

Deepening the consensus at the operational and tactical level is the next step. Thus, it is essential to bring technical assistance to States which do not have the necessary capacities. The effective implementation of the necessary measures must also be monitored, so as to guarantee the fulfilment of Conventions and Resolutions of the Security Council.

The first step in the conclusion – the solution – is, as in many other cases the strengthening of the State, no matter how much we try to support its transformation or a change of authorities. As if it was a wrecked boat damaged in its structure during a violent storm, it is better to close the water leak before taking the lifeboat; that is, we must strengthen the State to strengthen the society.

The return of Spain to the Security Council places it again on the first line, at a moment where International Relations are being reorganised at the political level – the Middle East, the awakening of Asia-Pacific... –, which can bring great unrest. Furthermore, two terrorist movements are fighting between themselves and against the West, which might translate into big attacks at home.

It seems convenient that Spain continues giving coherence to the path it has already taken, getting to finish it and accepting the challenges without ignoring its areas of interest. That is, Spain must contribute to global security through its areas of interest, working on its fields of

Federico Aznar Fernández-Montesinos

expertise and taking advantage of its comparative advantages. Spain must show the rest it is a trustworthy partner, as is stated in the program for the Spanish candidature to the Council.

Federico Aznar Fernández-Montesinos
IEEE Analyst