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# Regulating Irregular Actors

Conflict Risks, Due Diligence, & Risk Mitigation with Non-State & Substate Armed Groups





How do states address conflict drivers and risk of violence with supported armed groups?

# Larger study on checks and controls on supported Nonstate/Substate Armed Groups

Case study groups and time periods:

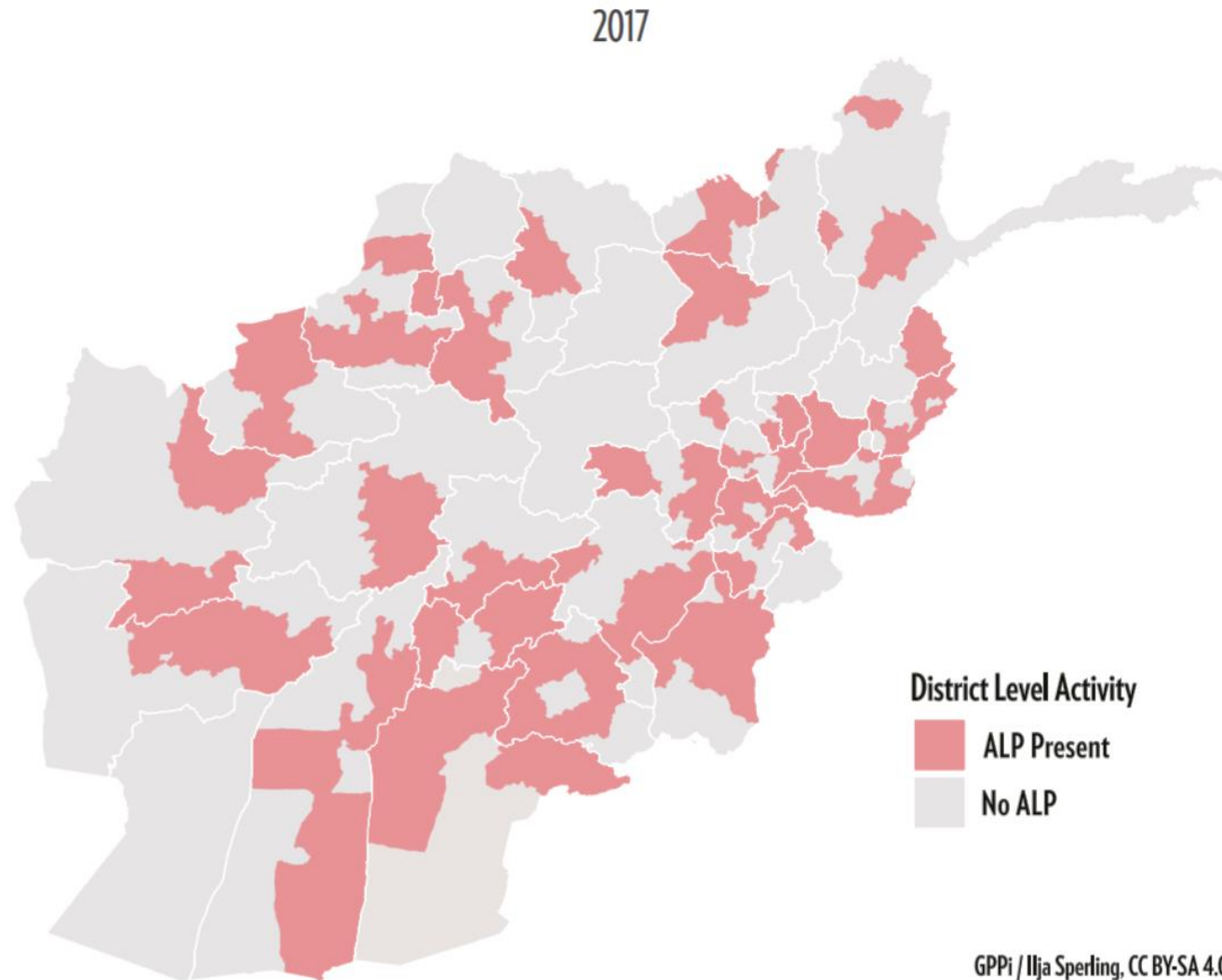
Afghanistan	Iraq	Syria
Pilot or regional local defense initiatives (2009-2012) <u>Afghan Local Police (2010-2020)</u> Afghan National Army Territorial Force (2018-2021) Counterterrorism Pursuit Teams or “campaign forces” (2002-2020)	Sons of Iraq or <i>sahwa</i> forces (2006-2009) <u>Tribal Mobilization Force (2015-2019)</u> Tribal counterterrorism auxiliaries (2014-2019) Peshmerga forces	<u>Free Syrian Army (2012-2017)</u> <u>New Syrian Force (2014-2015)</u> Northern Syrian Arab groups co-mobilized with Turkey (2015-2016) <u>Syrian Democratic Forces (2015-2019)</u>

Grateful for funding and support from:



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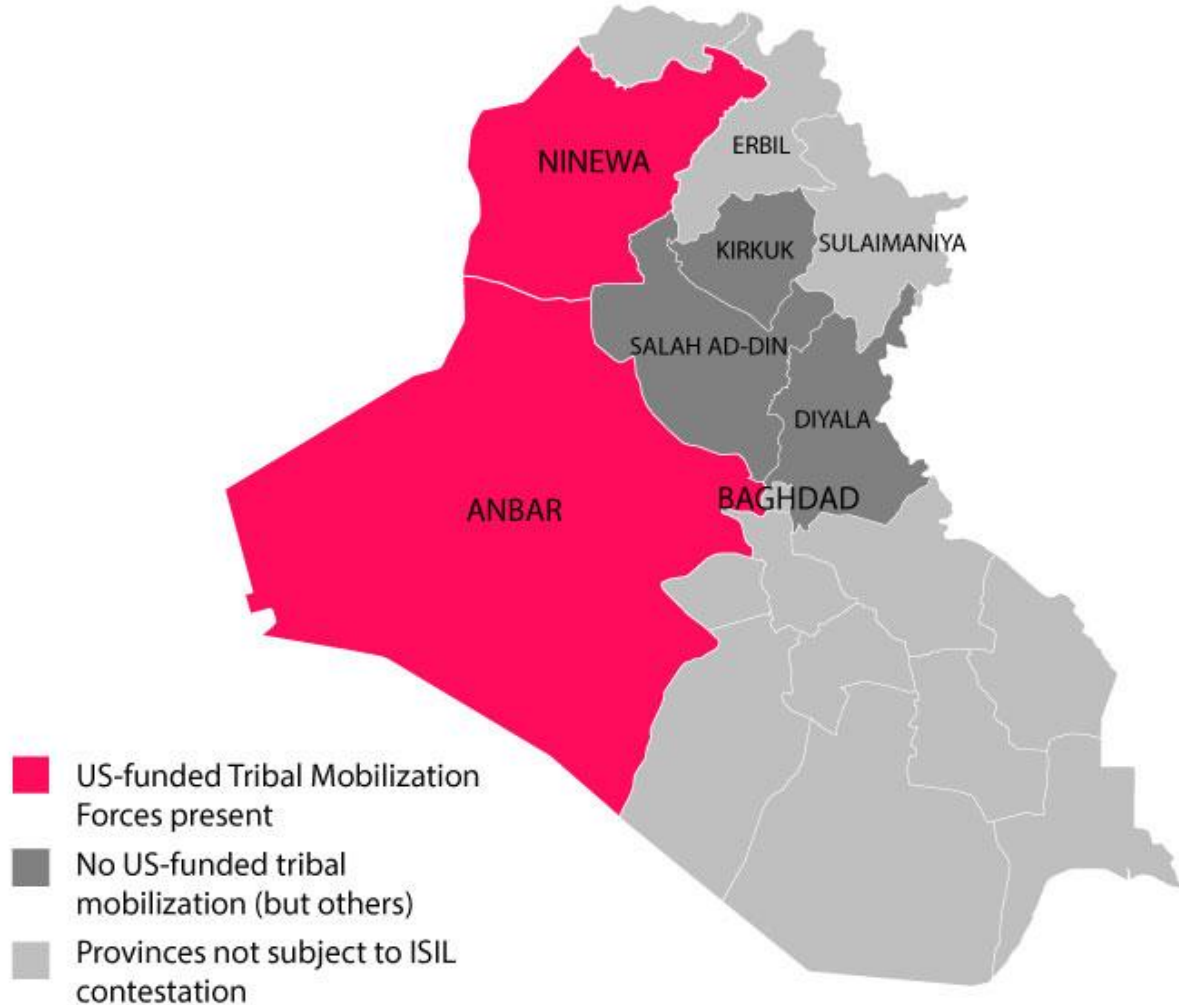
# Afghan Local Police (2010-2020)



## Quick facts:

- Started as Special Forces pilots in 2009
- Authorized as nationwide ALP, under the MoI, in August 2010
- Force strength over the years:
  - 2009: 1000
  - 2011: 11K
  - 2013: 25K
  - 2017: 29K
  - 2020: less than 20K
- US sole funder; De-funded by Congress in September 2020

# Tribal Mobilization Forces (2015-2019)

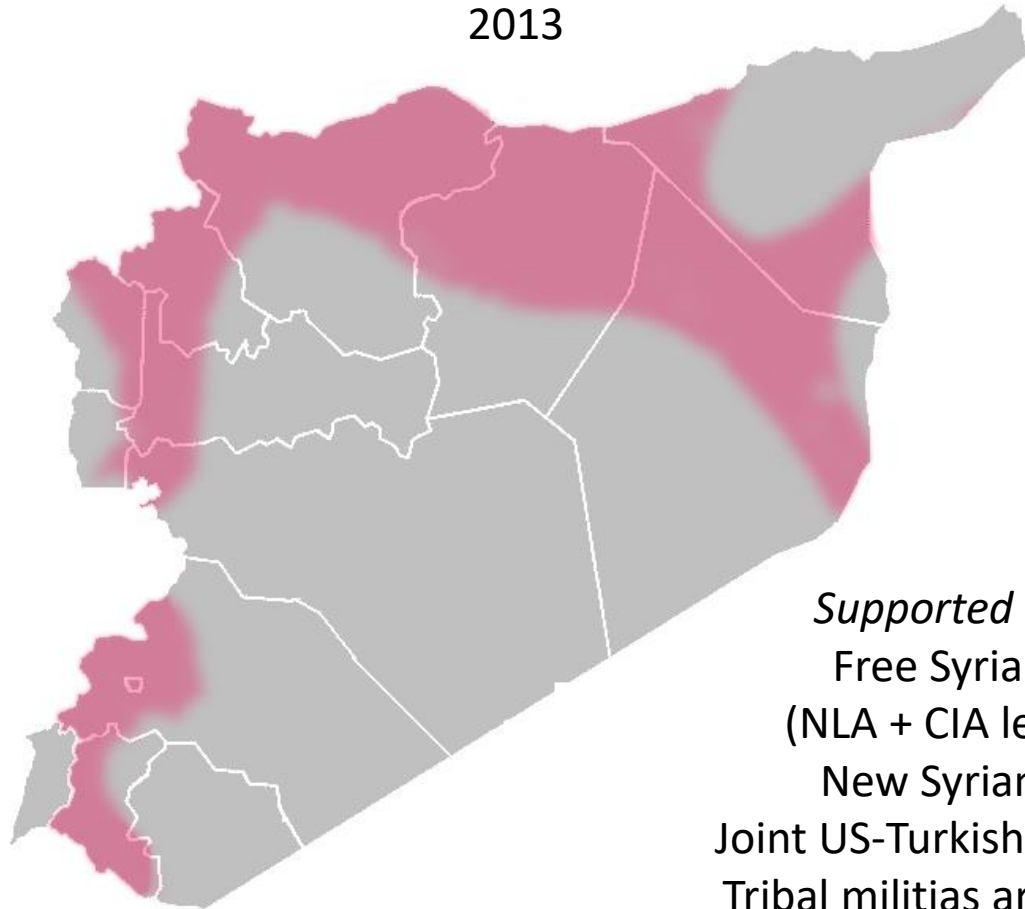


## Quick facts:

- Started in 2015
- Envisioned as Iraqi National Guard, but folded into Popular Mobilization Force (Hashd) after passage of PMF law (Nov 2016)
- Only allowed in Anbar and Ninewa Provinces
- 50K forces initially on salary, down to 32K by 2017, and 15k by 2019

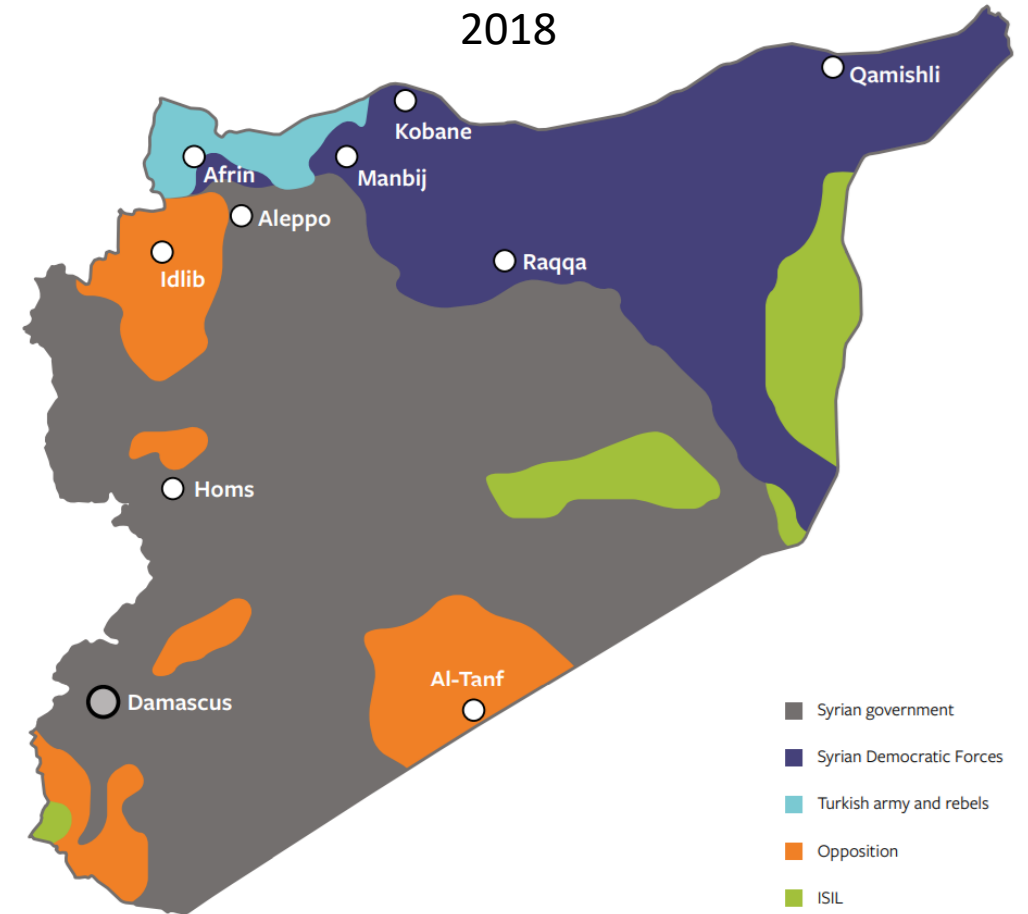
# Syrian Armed Group Dynamics 2013-2018

2013



*Supported groups:*  
Free Syrian Army  
(NLA + CIA lethal support)  
New Syrian Forces  
Joint US-Turkish groups in NE  
Tribal militias around al-Tanf  
Syrian Democratic Forces

2018



- Syrian government
- Syrian Democratic Forces
- Turkish army and rebels
- Opposition
- ISIL

# New Syrian Forces (2014-2015) Oath

“ I will treat humanely all who surrender or are captured. I understand all detainees must receive medical treatment, food, water, shelter, basic hygiene, basic clothing, and adequate conditions. I will treat women and children with respect. ”

“ I will destroy no more than the mission requires. ”

“ I will report violations to my chain of command. If in command, I will investigate all credible complaints regarding violations and take all necessary measures to prevent violations and to discipline those responsible for any violations. ”

*Excerpts from Office of Inspector General, (U) Evaluation of Combined Joint Interagency Task Force-Syria Vetting Process for New Syrian Forces (DoDIG-2015-175)(Redacted)*

# Potential Policy and Research Implications

- What are the prospects for reducing extralegal violence or threats by (partner) armed groups?
- How do these mobilization or control processes affect other state-building goals or state control dynamics?
- What does this suggest about external engagement with nonstate / substate armed groups? (proxy relationships & P-A dynamics)
- What are the implications for international law compliance (i.e. state responsibility, IHL due diligence obligations)?





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# Questions? Comments?



# Common types of controls

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**Vetting mechanism** – security or political risk factors; Conduct (human rights)

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**Rules, standards or codes of conduct** – instilled through training, mentoring, pledges, etc

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**Monitoring and oversight structures** – donor, community-based, or (host state) institutional oversight; reporting and remote tracking (i.e. for equipment)

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**Institutionalization\*** – degree of legal designation; integration in security sector or plan for long-term absorption

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**Sanctions** – cut-offs or temporary halts in funding when redlines crossed / rules broken

# For further reading...

Working paper 608

## Regulating irregular actors

Can due diligence checks mitigate the risks of working with non-state and substate forces?

Erica L. Gaston  
May 2021

### Abstract

In the last two decades, Western states have frequently worked with non-state groups to confront security threats, whether as part of global counter-terrorism or as de facto security providers in stabilisation and peacebuilding contexts. But while they may be quick and easy to mobilise, they often come with substantial risks or drawbacks. Some have a reputation for abuses, may be linked to warlords, criminal networks, or terrorist groups, or present other political conflicts of interest. The greater frequency of such partnerships has sparked interest in how states might mitigate some of these risks, and what due diligence measures or accountability mechanisms should be adopted in dealings with nonstate or substate partners. To

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