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Research Report

Pro-government militias, human rights abuses and the ambiguous role of foreign aid

Briefing Paper, No. 4/2016

Provided in Cooperation with:

German Institute of Development and Sustainability (IDOS), Bonn

Suggested Citation: Carey, Sabine C.; Mitchell, Neil J. (2016) : Pro-government militias, human rights abuses and the ambiguous role of foreign aid, Briefing Paper, No. 4/2016, Deutsches Institut für Entwicklungspolitik (DIE), Bonn

This Version is available at:

<https://hdl.handle.net/10419/199768>

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Pro-Government Militias, Human Rights Abuses and the Ambiguous Role of Foreign Aid

Summary

Many governments worldwide make use of unofficial armed groups. This practice substantially increases the risks for civilians, as the activities of such pro-government militias (PGMs) are usually accompanied by a higher level of human rights violations, including killings, torture and disappearances. Examples are the Shia militias in Iraq, the Shabiha militia in Syria and the Imbonerakure in Burundi.

Better knowledge about these groups is essential, given the extreme suffering, violence and instability they are linked to. This briefing paper shows that PGMs exist not only in failed states, poor countries or those engulfed in civil war and armed conflict. They can also be found in more or less democratic governments and are most common in semi-democracies.

Governments outsource security tasks to irregular forces because they provide efficiency gains when leaders perceive themselves to be under threat in an uncertain environment. PGMs are attractive to governments because they are cheaper, more flexible and often better informed than regular forces. They complicate lines of accountability for the violence committed, and therefore lower the political costs for governments when there is a controversial use of violence. These aspects make PGMs particularly attractive to governments that intend to use

violence against a domestic opponent but fear national and international repercussions for excessive human rights violations. Although these groups make conflict more feasible financially and are perceived to lower political costs, they may bring – sometimes unintended – consequences, such as increased suffering and violence for civilians, as well as greater instability and crime in the medium- and long term.

The risks that PGMs bring for peace, security and stability can only be reduced if the international community knows how governments delegate security tasks and holds governments responsible for the violence that their various state and non-state agents commit.

- The international community needs to pay attention to unintended consequences when promoting democracy. When incentivised to limit repression, governments in target countries might distance themselves from the violence rather than seek to reduce it.
- Aid decisions should be informed by a thorough assessment of the security sector, which should include regular as well as irregular forces.
- Governments are responsible for protecting the lives of their citizens. If civilians are targeted by militias, a government has failed in this task and should therefore be held accountable for such violence.

Governments across the globe rely on irregular forces to address domestic threats. PGMs are armed groups that have links to the state – for example, because they receive weapons or training from the government – but are not part of the formal security apparatus. Prominent examples are the Shia militias in Iraq, the Shabiha militia in Syria and the Imbonerakure in Burundi. All three have been associated with excessive violence against civilians. Amnesty International reported on Shia militias being linked to abductions and ruthless killings; the Shabiha militia is known for executions and drive-by shootings; and the Imbonerakure has been accused of a campaign of intimidation and violence. All three groups have contributed to the massive numbers of refugees fleeing from violence and destruction. The violence of these three groups is not exceptional. PGMs are linked to systematically higher levels of torture, killings and disappearances. They may even contribute to genocide, such as in the cases of the Interahamwe in Rwanda and the Janjaweed in Darfur.

Where do we find pro-government militias?

PGMs are not confined to failed or failing states, where outside actors may have little hope of substantially improving the situation anyway. We have identified more than 200 PGMs across the globe that were operating in the period from 1981 to 2007. This number will increase when taking into account the developments over the past few years in Libya and Syria. Although most civil wars feature PGMs, most PGMs operate outside of civil war contexts. They are present in poor states, such as Sudan and Haiti, but also in more developed states, such as Colombia and Russia. It is not simply a lack of state capacity or the absence of a functioning formal security apparatus that explains these groups. The most repressive regimes may choose not to

align with PGMs because they do not want to take the risks in arming groups that may have private goals and that they do not fully control. Instead, PGMs are most commonly found in semi-democracies facing security threats – often where governments have an incentive to use repression to remain in power, yet at the same time are keen to distance themselves from violence. Even established democracies have used PGMs against domestic threats, such as Spain against ETA, Colombia against FARC and India against Maoist rebels.

Why do governments use militias?

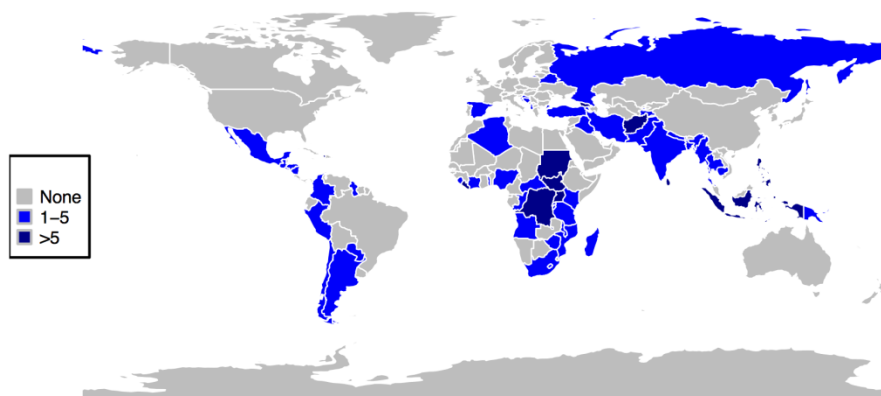
Given the risks involved in nurturing an armed force that is not under direct state control, why do governments rely on them, particularly when they have regular forces at their disposal? The answer is that these groups provide a range of benefits that are particularly valuable when the government perceives itself to be under threat.

First, they complement regular forces as cheap force multipliers because they are less costly to recruit, train, arm and maintain than regular forces.

Second, governments gain access to local information and intelligence, which is critical in counterinsurgency campaigns and often difficult for regular forces to obtain. In Kashmir, Syria and Iraq, these forces produce intelligence and mobilise civilian populations in counter-insurgency efforts. They are often drawn from the local population. As a result, they often have better intelligence on the identities of insurgents and potential targets than regular forces.

Third, PGMs can be mobilised more quickly and deployed in more flexible ways than the police or military, who need to operate within a strict chain of command.

Figure 1: Informal pro-government militias between 1981 and 2007



Group presence 1981–2007, excluding Yugoslavia, Czechoslovakia, Lebanon and Somalia

Source: The Pro-Government Militias Database, <http://www.sabinecarey.com/militias/>

Fourth, a key motivation for governments to use PGMs is to avoid accountability for violence and establish plausible deniability. PGMs appear to establish some distance between controversial violence and the government because they are outside the chain of command. The benefit of reducing accountability for violence by outsourcing repression is not lost on Syria's president, Bashar al-Assad. In 2011 the Assad government recruited the Shabiha militia from its prisons to take the blame for atrocities (Mitchell, Carey, & Butler, 2014).

The perverse effect of foreign aid from democracies

Given the serious impact of PGMs on stability, human rights and the security of people, what can the international community do to prevent governments from creating and using militias?

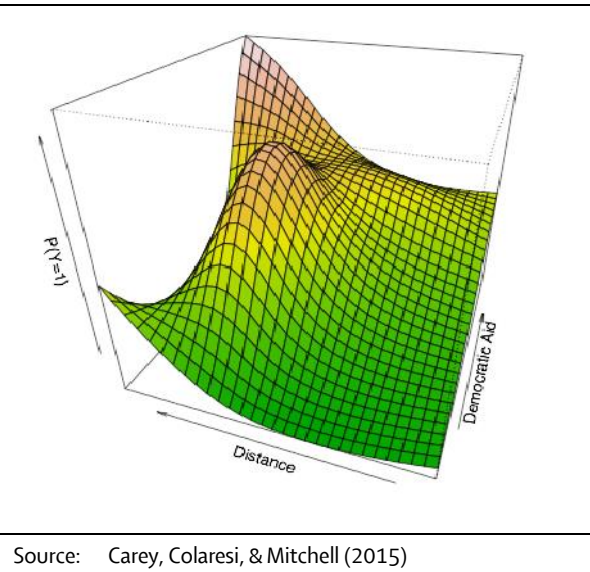
Governments use PGMs if they intend to use excessive violence, while at the same time they have an incentive to distance themselves from such atrocities and assume that they can get away with it. Governments faced with internal opposition and civil violence are more likely to make use of PGMs. Additionally, leaders who worry about the international costs of being associated with violence and who assume that they can get away with denying responsibility for outsourcing violence are the ones most likely to align with armed non-state actors.

Donors that link good governance to providing aid may unwittingly incentivise governments in potential recipient countries to be "discrete" about the use of violence. Aid dependence, fear of legal liability or the prospect of international sanctions may encourage governments to outsource violence to PGMs (Kirschke, 2000).

In a recent study, we analyse in which circumstances PGMs are most likely to be found. The vertical arrow in Figure 2 represents the increasing probabilities of observing a PGM in a given country. These probabilities are plotted against the foreign aid from democracies received by this country, measured as the logged proportion of its gross domestic product ("Democratic Aid"). The further one moves along this arrow, the more the country is dependent on aid from a democracy. "Distance" captures how far away the recipient country is from the nearest democracy. This indicator captures how much attention the democracy is likely to pay to the internal politics of the recipient country, since countries that are geographically closer are easier to monitor, and their internal affairs are also more likely to affect the politics of the donor country. The graph shows that the more dependent a country is on aid from democracies and the further away it is from the nearest democracy, the higher the risk of having a pro-government militia.

The research also reveals that the regime type of the host country significantly influences the likelihood of PGMs. For instance, an autocracy with civil violence and average levels

Figure 2: Unintended consequences of aid from democracies



of development that receives aid from another autocracy but none from a democracy has about a 1 per cent risk of having a PGM. A weak democracy (with the same levels of development and civil violence) that depends on "Democratic Aid" and is far from the nearest democracy has an 80 per cent risk of having a PGM. Hence, in these circumstances, actors providing external support should be particularly sensitive to the problem of PGMs.

Linking international aid to good governance is not enough. In some cases, such as in Kenya and Rwanda, making aid payments conditional on the recipient government refraining from repressing its own people has led governments to outsource repression.

One might question the likely success of governments trying to distance themselves from their proxy's violence, particularly when there is an abundance of media reports revealing support to the contrary. Yet, even flimsy denials of responsibility may be sufficient to create doubt about the government's accountability. In 2013 two Serbian officials were acquitted by the International Tribunal for the former Yugoslavia in a case involving Arkan's Tigers, a notorious militia active in Bosnia in the 1990s, despite evidence that they and other irregular units were supplied and supported by Slobodan Milošević's government. The International Criminal Court judge claimed that the prosecutors had not proved "beyond reasonable doubt" that the violations had been ordered by the officials. The question is whether a government, such as in Syria or Iraq for example, cannot control or will not control irregular armed groups.

Recommendations for the international community

Based on what we know about why governments use (and create) PGMs and the impact these groups have on stability

and security, several conclusions for international actors can be drawn:

- **Accountability:** Governments should be held accountable for the violence that citizens suffer at the hands of irregular forces, and not just their regular forces. Clearly, governments fail in their duty to protect the lives of their citizens if these are targeted by militias. It is the responsibility of governments to control their agents and to hold accountable those who carry out violence, even while (officially) not acting under government orders.
- **Awareness of unintended consequences:** Efforts by the international community to promote democracy and good governance, for example by linking foreign aid to multiparty elections and reduced levels of (formal) repression, might have unintended consequences. Governments in target states not only have the option

to continue with or to cease the repression. Leaders can also use other measures to distance themselves from repression, for example by outsourcing violence to militias, or by switching to less visible forms of repression.

- **Collecting detailed information when analysing potential aid recipients:** It is important to collect good information about the actors and their sponsors that use violence and that might be involved in conflict. Aid decisions could include a thorough assessment of the recipient's security sector and the current or past use of PGMs. Knowing how the respective governments delegate security tasks is necessary to hold them responsible for – and get them to react to – the violence their various state and non-state agents commit. Joint analysis and exchange with other donors or international organisations can help to facilitate this task.

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