



Disarmament and International Security Committee

Establishing an ethical legal framework for fully autonomous weapon systems

Committee introduction

The committee on Disarmament and International Security is the main committee of the General Assembly (GA).

As its name suggests, it deals with disarmament in all fields and attempts to ensure security and stability on an international level.

Its role is specified in the United Nations Charter, Chapter IV, Article 11. This article states that:

“The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.”

Therefore, in DISEC, measures to prevent and reduce international hostilities on items that are not discussed by the UN Security Council are taken. The committee further distinguishes itself from the UNSC by not having the power to authorize military interventions in conflicts, which includes the deployment of UN peacekeeping forces and decisions about sanctions. This is also due to fact that resolutions from DISEC are only recommendations, which are then submitted to the Secretariat or the UNSC.

Being one of the main committees of the General Assembly, all member states as well as observers of the United Nations are represented. To pass a resolution, it requires a simple majority, where all member states have equal votes. Even though DISEC can only recommend, what measures should be taken, DISEC did support the creation of a wide range of disarmament treaties and conventions. A well-known example of that is the Non-Proliferation Treaty (NPT), which deals with the usage of nuclear weapons.

Introduction of the topic

Rapid changes in international relations, warfare and the development of new technologies alter the situation in the world dramatically. Unmanned aerial vehicles (The UAV) lead to a set of complex legal, financial and ethical issues, not to mention questions regarding security all over the world. UAV is an aircraft controlled by a team of pilots from the ground or one that follows a pre-programmed mission.

Between the development of UAVs for civil, commercial and humanitarian purposes, their role in modern warfare is largely intertwined with wider technological and political processes.

These rapid and swift development has generated and enhanced asymmetrical power relations between states, non-state actors and UAV technology. This relationship between technology and relevant stakeholders remains to be a fragile issue. Acquisition, access, development, further research and the usage of UAVs in modern combat are disputed topics.

Usage of UAVs in combat operations remains controversial with regards to the standards of the various international laws. UAVs fall under legal frameworks such as International Humanitarian Law or International Human Rights. Debates regarding state sovereignty, civilian casualties, non-state stakeholders and accountability for human rights breach. Such moral, ethical and legal inconsistency must be resolved to make sure those conventions are not undermined.

The Human Rights Council has stated that usage of one country's drones to kill people in another country is quickly emerging as an international human rights issue of serious public concern. In order to completely understand this topic, delegates must take into consideration the current status of human rights, international law and how drones have become more than an object of warfare.

Discussion of the problem

After the terrorist attack on 11th September, drones became the main weapon in the war against terrorists. They are frequently used in countries such as Pakistan and Afghanistan and have most recently also been used in Somalia and Yemen. Their military prominence is a consequence of their combat dominance, technological advantages, accurate intelligence of a region and their ability to pinpoint a target over a long distance. Advocates of drones stress the fact that drone attacks are much more precise, while less damage is caused and less casualties are taken.

UAVs are considered to be both cost-efficient and time-efficient. Another advantage is that it also brings minimal risks to the pilot.

In contrast, adversaries state that the usage of drones is unlawful and too many civilians are being killed. "Living under drones", a report about their deployment in Pakistan, revealed that amongst the 2500 people killed in 2012 by drones are up to 800 civilians. Anti-drone advocates also estimate that drones cause considerable psychological harm to both the pilot and the civilian population. Analysts often claim that the usage of drones leads to desensitized targeted killings and dehumanizes the conflict.

One can also talk about the moral and ethical questions regarding drones.

The question of drones occurs quite often in international law. By international law, UCAVs are not explicitly prohibited. Unarmed drones are very useful for areas hit by natural disasters and the working personnel needs information about the situation on the ground or for other civilian purposes.

Their use might be considered unlawful if civilians are killed by drones. The United states of America for example use drones without having declared war. Consequently, the principles of international law such as the Geneva Conventions are not always respected, when drones are being used.

The Geneva conventions state that civilians must be protected and collateral damage must be limited to a minimum/avoided. Drones violate this principle of international law. Stakeholders also hold a discussion about the accountability of drone strikes, as they become much more likely, because they seem easier and less risky. More and more countries acquire the technology, accountability is in question as we do not know when, where and why are drones used. Their tracking is also much more difficult.

Most of the accounted drones are used in attack against rebels and terrorists by the USA.

Most of the reports on drone usage concern the US actions in Pakistan. Since 2014, the US uses drones in their War against Terror to kill suspected terrorists that the CIA identified beforehand. These actions are secret and Barack Obama has only confirmed this practice in 2012. The targets are members of al-Qaida, Taliban etc. These attacks, however, are not always lawful and many civilians have been killed, among them more than 300 children.

In Yemen, the US also attacks al-Qaida suspects and training camps. Recently, a camp in the southern province of Abjan has been fully destroyed by an American drone attack. Many civilians

have also been killed during the Yemen attacks. One example dates back to 2013, when the CIA has accidentally bombed a family on their way to the wedding instead of terrorists. 16 people died in this tragedy.

Up to ten drone attacks have been undertaken in Somalia until now. An interesting fact is that the attacks are being planned and executed from the German soil (US bases in Stuttgart and Ramstein) which causes more problems for the accounting of drone attacks and the limits within international law. Most of the people that died from US drone usage in Somalian airspace are from the Shabaab-militia which aim to make their country an Islamic state.

Most recently, drones are being used in Iraq and Syria to attack positions of the so called Islamic State/Daesh. Armed US PREDATOR drones were used two months before Obama even initiated air strikes in Iraq. Around 800 air strikes have taken place in Iraq and Syria over the past three months. The vast majority was undertaken by the US. The British observatory for human rights estimates that more than 550 have been killed in the airstrikes in Syria including at least 32 civilians.

Efforts to address the issue

There has been only little discussion on drone strikes in the last decade in the UN. Security Council action is prevented by the US veto. Countries that are hit by drone strikes called upon the UN to take action. Pakistan is the leading international critic of drone warfare. They call upon international community to establish a legally binding framework on drones. Pakistan claims that the usage of drones violate their national sovereignty. UN High Commissioner for Human Rights condemned the usage of drones in her opening statement on the 20th human rights council. Special rapporteur on extra-judicial, summary or arbitrary executions Christof Heyns stressed in a report in 2013 that the use of armed drones in countries is highly problematic if there is not a recognized armed conflict. He added: "Armed drones may fall into the hands of non-state actors and may also be hacked by enemies or other entities. In sum, the number of states with the capacity to use drones is likely to increase significantly in the near future, underscoring the need for greater consensus on the terms of their use." Therefore, strikes outside the combat zone constitute a war crime. Without a legal framework on the usage of drones, we are creating a precedent for remote and unrestrained warfare.

The UN needs to formulate a resolution, which is legally binding to the major drone possessing countries. The first step was made by the Human rights council in March 2014. However, this resolution was objected by the USA, UK and France. The main criticism was based on the fact that the Human Rights council may not have enough expertise to tackle the issue of drones.

The General Assembly already stated that the usage of drones needs to comply with the international law, international humanitarian law, in particular the principles of distinction and proportionality.

Its up to you delegates to tackle the issue.

Questions to answer

- Should drone usage be restricted by the international community?
- What could the UN do to restrict the use of UAVs? Should they only be employed during UN mandated operations?
- What can be done to prevent accidental deaths of civilians?
- How can a country operating a drone strike be made legally responsible?
- How to cope with drone strikes outside of legally declared war zones?

- How can the usage of drones be made more accountable and transparent?
- How can the peaceful usage of drones be protected while at the same time the unlawful usage limited?
- Are drones lawful? Do they comply with the obligation to take care of civilians?

Sources and links:

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