



Disarmament and International Security Council

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2. Embody their assigned country's/character's position, not their mannerisms (e.g., no accents, no props)
3. Opt for diplomatic, respectful, and tactful speech and phrasing of ideas, including notes (e.g., no foul language, suggestive remarks, or obscene body language)
4. Make decisions that contribute to a professional, safe, inclusive, and educational space for debate

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If you have any equity concerns (e.g., concerns about barriers to participation) or accessibility needs now or during the conference, please do not hesitate to contact your committees' dais and/or our Director of Academics at academics@utmun.org.

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Hello everyone,

My name is Michael and I am thrilled to be your Director for DISEC at UTMUN 2021. There is no doubt that the virtual setting of this conference will be difficult to adjust to, but I believe that with some patience, technical finesse, and determination, we will have an enjoyable Model UN experience. I will work as hard as I can to provide a MUN experience that retains the same enjoyable qualities as an in-person conference provides.

I am in my second year of study at UofT, majoring in International Relations and History, with a minor in Political Science. Part of the reason I chose these majors is because they are so broad and diverse; within each discipline I have the opportunity to study such a huge variety of topics without getting bored. In this vein, if any of you are curious about what to study or need some advice on maybe coming to UofT, please get in touch, as I would love to chat.

Beyond academics, I love hockey, innertube water polo intramurals, and as of the first day of quarantine I have started learning guitar (which I highly recommend trying)! I have been doing MUN since Grade 10, competing in competitions from Montreal to Washington D.C. I know first-hand how intimidating it can be to dive in head-first as a beginner, as I went through the same thing. This conference is extremely friendly for beginners, while also offering stimulating debate for more experienced delegates. Throughout the conference, I will attempt to be as accommodating as possible in this regard. If you are feeling stressed or overwhelmed, please do contact me – we will get through this together.

Regards,
Michael Levinson
Director of DISEC at UTMUN 2021

Introduction to Committee

The topics discussed in this year's DISEC committee are extremely relevant to today's global landscape. Specifically, these topics shed light on the broad notions of the state of national security and global stability. These topics were specifically chosen to familiarize you with issues of global stability that are not just pressing today, but will only become more dire in the future. In order to create an environment of realism and create challenging yet achievable conflict, all delegates must adhere to their assigned states' foreign policy. Please keep in mind that this is a professional setting and anything less than the utmost respect for fellow delegates will not be tolerated in this committee.

I strongly urge all delegates to read widely and deeply as to your country's stances on the issues laid out, recognize the concerns of that country and implement this into your position as a delegate. For example, maybe your country actively uses drones in combat arenas and sees their use is effective. Or, maybe your country despises drone warfare as it negatively impacts the legitimacy of your government. Whatever the case, dig into what motivates your assigned country's stance. It is also important to consider how your nation's position can be reconciled with the broader mission of DISEC – international security and stability. While not impeding on a nation's stance, how can a compromise of any kind be reached?

Topic 1: Nuclear Proliferation

Nuclear proliferation is a global issue that will continue to be relevant and pressing well into the future. With nuclear challenges in North Korea, Iran, India, and Pakistan, work as delegates is cut out for you to create meaningful change in our DISEC forum. How can this General Assembly come together to address this problem? How collectively can the UN decide a criterion as to who has a legitimate claim to these weapons or can access them in the future? Given current situations in the aforementioned countries, are we seeing a rise of 'nuclear diplomacy' by which states threaten nuclear expansion or use if national demands are not met? Some states may be fearful of world stability given the rise of nuclear proliferation; others see them as a key to international security by creating an equilibrium of sorts. How can delegates reconcile the vastly different beliefs to update the Nuclear Non-Proliferation Treaty? Delegates must consider how the DISEC committee can forge a global standard on nuclear weapon use and proliferation, given the wide range of opinions.

In 2017, The Treaty on the Prohibition of Nuclear Weapons was introduced at a conference in New York. As the first legally binding resolution prohibiting any and all use of nuclear weapons, it was officially adopted by the conference. However, this treaty as of October 13, does not have enough signatures to be legally ratified.¹ Given this development, the United Nations has no nuclear ban in effect. In 1996, a similar treaty was adopted pledging to ban all nuclear explosions of any kind.² However, key nations such as the US, India, Pakistan, and China have yet to ratify it in their home countries.

¹ "Nuclear Disarmament," United Nations, Accessed November 10, <https://www.un.org/disarmament/wmd/nuclear/tpnw/>

² "The History of Nuclear Proliferation," World 101, Accessed November 10, <https://world101.cfr.org/global-era-issues/nuclear-proliferation/history-nuclear-proliferation>.

The situation of North Korea

North Korea is a country that is quite heavily involved with nuclear proliferation. North Korea has one of the world's largest military forces along with many missile and nuclear tests. Understanding North Korea's nuclear capabilities is important but it's also important to understand the history behind it. In 1994, the United States had to deal with the prospect of North Korea withdrawing from the nuclear Nonproliferation Treaty (NPT), which is an agreement that requires non-nuclear weapon states to forswear the development and acquisition of nuclear weapons.³ In order to deal with this, the United States and North Korea signed the Agreed Framework, which outlined that Pyongyang would freeze its illicit plutonium weapons program in exchange for aid.⁴ However, in 2002, North Korea betrayed the Agreed Framework and then from there in 2003 North Korea claimed it had withdrawn from the NPT⁵. With that, North Korea began operating its nuclear facilities. North Korea then said it would abandon "all nuclear weapons and existing nuclear programs"⁶ in 2005, but went back on its word in 2009 when they released their North Korean rocket launch. After that happened, Pyongyang stated it would never return to any of the international denuclearization talks and that it was no longer bound to the other countries' agreements.

North Korea has tested many different types of missiles including short, medium, intermediate, intercontinental, and submarine-launched ballistic missiles. North Korea has conducted six nuclear tests since October of 2006 and has also detonated weapons since February 2013.⁷ Each test has allowed North Korea's nuclear explosions to grow in power and as their power has intensified so has the pace of North Korea's nuclear tests. In fact, under Kim Jong-un, the nuclear program has accelerated like no other leader in North Korea with Jong-un directing four nuclear tests and more than one hundred missile tests.

The Situation of India

India's first Prime Minister, Jawaharlal Nehru, launched a very extensive and ambitious nuclear program in order to boost India's prestige and create an inexpensive energy source.⁸ By doing this, it also gave India the ability and capability to pursue nuclear weapons. In May 1974, India tested a fission device under orders from its at the moment current prime minister, Indira Gandhi, with this test being described as a peaceful nuclear explosion.⁹ However, India's nuclear test was condemned by many countries because they saw it as a violation of the peaceful-use agreements underlying the United States and Canadian-supplied nuclear technology. After the international alarm and reaction, India did not follow that 1974 test with any subsequent tests nor did it weaponize the device design it had tested. In 1998, under the government of Prime Minister Atal Bihari

3 "Nuclear Disarmament," United Nations, Accessed November 10, <https://www.un.org/disarmament/wmd/nuclear/tpnw/>

4 "The US-North Korean Agreed Framework at a Glance," Arms Control Association, Accessed November 10, <https://www.armscontrol.org/factsheets/agreedframework>.

5 "North Korea Proliferation Issues," Arms Control Association, Accessed November 10, <https://www.armscontrol.org/taxonomy/term/141>.

6 "Chronology of US-North Korean Nuclear and Missile Diplomacy", Arms Control Association, Accessed November 10, <https://www.armscontrol.org/factsheets/dprkchron>.

7 Eleanor Albert, "North Korea's Military Capabilities," Council on Foreign Relations, October 13, 2020, <https://www.cfr.org/background/north-koreas-military-capabilities>.

8 "Nuclear," NTI, November, 2019, <https://www.nti.org/learn/countries/india/nuclear/>.

9 "India's Nuclear Capabilities," Centre for Arms Control and Non-proliferation, August 29, 2019, <https://armscontrolcenter.org/indias-nuclear-capabilities/>.

Vajpayee, two more rounds of nuclear tests occurred, and after those occurred India officially declared itself to be a nuclear-weapon state. While India has never publicly released the size of its nuclear arsenal, various independent assessments approximate around 150 nuclear warheads. India also possesses a full nuclear triad and is currently pursuing modernization.

Today, India is a country that possesses both nuclear weapons and an extensive nuclear fuel cycle.¹⁰ India is not a part of the Nonproliferation of Nuclear Weapons Treaty (NPT) nor is it a part of the Comprehensive Nuclear Ban Treaty (CTBT). That is not to say that India does not have a facility specific safeguards agreement in place though. It has an agreement that it follows with the International Atomic Energy Agency and a waiver from the Nuclear Suppliers Group that allows it to be involved with global civilian nuclear technology commerce. Due to conflict with its nuclear-armed neighbour Pakistan, India has an increasingly large nuclear arsenal. However, while India's nuclear arsenal has traditionally been focused on deterring Pakistan, its growing nuclear posture may be taking China into account now¹¹. However, India does currently maintain a No First Use policy, though comments by officials in New Delhi indicate that they are reconsidering this policy. The No First Use Policy means that a pledging country would "commit to never being the first nation to use nuclear weapons in any conflict, a change from its current policy."¹²

The Situation of Pakistan

Starting in the 1970s, Pakistan became one of the next countries to embark on the uranium enrichment route to acquire nuclear weapons. The program itself was first established in 1972 by Zulfikar Ali Bhutto who was the country's Minister for Fuel, Power and Natural Resources at the time¹³. Pakistan first started conducting nuclear tests in May 1998, which is a bit after India's nuclear tests that occurred in 1998¹⁴. Similar to India, Pakistan is not a part of the Non-Proliferation of Nuclear Weapons Treaty (NPT) or the Comprehensive Nuclear Test Ban Treaty (CTBT). In addition, it is the only country that does not abide by the negotiations of the Fissile Material Cut-Off Treaty (FMCT). Pakistan has asserted that the reasoning for their nuclear weapons program is because of its relationship with India, as the two countries have engaged in numerous conflicts. Pakistan first began working on its nuclear program in the late 1950s when the Pakistan Atomic Energy Commission (PAEC) was established in 1956. India's first test of a nuclear bomb in May 1974 was a huge motivator for Pakistan to build its own. Pakistan began to receive assistance from other countries, one of those being China. China provided Pakistan with different pieces of equipment and various levels of nuclear and missile-related assistance including centrifuge equipment, warhead designs, and technical expertise. In addition, the 1975 arrival of Dr. Abdul Qadeer Khan greatly advanced many of their nuclear proliferation efforts. Under his direction, Pakistan employed a very extensive secretive network in order to obtain the necessary material to develop their uranium enrichment capabilities. In 1985, Pakistan had crossed the threshold for weapons grade uranium production and by 1998 Pakistan had announced that it had successfully conducted five nuclear tests (which had generated a seismic signal of 5.0 on the Richter scale).

10 Nuclear," NTI, November, 2019, <https://www.nti.org/learn/countries/india/nuclear/>.

11 India's Nuclear Capabilities," Centre for Arms Control and Non-proliferation, August 29, 2019, <https://armscontrolcenter.org/indias-nuclear-capabilities/>.

12 "No-First-Use-Policy Explained," Union of Concerned Scientists, May 7, 2020, <https://www.ucsusa.org/resources/no-first-use-explained>.

13 "Pakistan Nuclear Weapons," Federation of American Scientists, December 11, 2002, <https://fas.org/nuke/guide/pakistan/nuke/>.

14 "Nuclear," NTI, November, 2019, [https://www.nti.org/learn/countries/pakistan/nuclear/#:~:text=Pakistan%20conducted%20nuclear%20tests%20in,Test%20Ban%20Treaty%20\(CTBT\)](https://www.nti.org/learn/countries/pakistan/nuclear/#:~:text=Pakistan%20conducted%20nuclear%20tests%20in,Test%20Ban%20Treaty%20(CTBT).).

Pakistan does not abide by a No First Use Doctrine, and it was stated that should war come between India and Pakistan, Pakistan would respond with full might.¹⁵ Subsequently, Pakistan was deemed a crucial role in the US-India cooperation agreement of 2008.¹⁶ As a result of this deal, Pakistan came to the table for nuclear cooperation with China.¹⁷ Pakistan has also made improvements to its personnel reliability program (PRP) that seeks to prevent rogue individuals from interfering with the nuclear program.¹⁸ Currently, Pakistan's nuclear disarmament policy is such that they will only give up weapons so long as India does the same first.¹⁹

The Situation of Iran

Iran's first interest in nuclear technology started back in the 1950s when the United States Atoms for Peace program. The United States supplied the Tehran Nuclear Research Centre (TNRC) with a research reactor that was fueled by highly enriched uranium in 1967. Then, in 1973 the Shah of Iran unveiled a plan to install 23,000 MWe of nuclear power in Iran by the end of the century. Although the United States stopped helped them after the 1979 Iranian Revolution, Iran still was intrigued by nuclear technology and developed an extensive nuclear fuel cycle²⁰. However, much of Iran's nuclear talent left the country during the Iranian Revolution. This along with Ayatollah Ruhollah Khomeini's opposition to nuclear technology, resulted in the near disintegration of Iran's nuclear program post 1979. However, in 1984 Khomeini expressed a renewed Iranian interest in nuclear power, seeking cooperation and assistance from international partners.²¹ Since that point, the Khomeinii has sought international partners to continue building Bushehr reactors.²²

In 2005, the International Atomic Energy Agency found that Iran was not complying with its Comprehensive Safeguards Agreement and then the UN Security Council stepped in and passed 7 resolutions demanding that Iran halt its enrichment activities.²³ Soon various countries came together to negotiate a settlement to the dispute, namely France, Germany, United Kingdom, China, Russia, and the United States (nicknamed the P5+1).²⁴ Negotiations occurred between this coalition of countries and Iran to yield the joint Comprehensive Plan of Action, which is a 25 year nuclear agreement limiting Iran's nuclear capacity in exchange for sanctions relief.²⁵ Currently Iran has nuclear fuel cycle capabilities, some of which include uranium mining, milling, conversion, and enrichment facilities. It hit its peak in nuclear capabilities in 2015 when the program had nearly 20,000 gas centrifuges at 3 major facilities.²⁶

15 "Pakistan Nuclear Weapons," Federation of American Scientists, December 11, 2002, <https://fas.org/nuke/guide/pakistan/nuke/>.

16 "Pakistan," accessed November 10, 2020, <https://www.nti.org/learn/countries/pakistan/nuclear/>.

17 Ibid.

18 "Pakistan," accessed November 10, 2020, <https://www.nti.org/learn/countries/pakistan/nuclear/>.

19 Ibid.

20 "Nuclear," NTI, November, 2019, [https://www.nti.org/learn/countries/pakistan/nuclear/#:~:text=Pakistan%20conducted%20nuclear%20tests%20in,Test%20Ban%20Treaty%20\(CTBT\)](https://www.nti.org/learn/countries/pakistan/nuclear/#:~:text=Pakistan%20conducted%20nuclear%20tests%20in,Test%20Ban%20Treaty%20(CTBT).).

21 "Pakistan," accessed November 10, 2020, <https://www.nti.org/learn/countries/pakistan/nuclear/>.

22 Ibid.

23 Ibid.

24 Ibid.

25 Ibid.

26 Ibid.

Conclusion

These case studies represent a world of dilemmas facing nuclear disarmament negotiations. As a committee, we have a responsibility to solve many of the complex issues that face nuclear disarmament. A lack of formal negotiating forms presents problems to avenues of diplomacy for the committee. The existing agreements demonstrate a motivation of the majority of countries' willingness to negotiate into a more concrete agreement. Future agreements will require new parameters and methods of enforcement. In your resolutions, it is essential that the question of accountability is adopted.

Further, look for things provided in past nuclear arrangements that have been the source of controversy or backlash; what can you learn and implement based on these findings? Is one nuclear policy even sufficient for all the General Assembly members, or do multiple resolutions need to be implemented based on a variety of concerns and practices? !

Questions to Consider

1. How should DISEC address historical deviance to past and existing agreements on nuclear disarmament?
2. Can the DISEC committee prepare for the future acquisition of nuclear weapons by non-state actors?
3. Is it possible to recreate the success of the Iran Nuclear Agreement Review Act on an increased international scale?
4. How can the international community enforce the Nuclear Non-Proliferation Treaty to non-signatory nations?

Key Resources

Treaty on the prohibition of nuclear weapons - <https://www.un.org/disarmament/wmd/nuclear/tpnw/>

Treaty on the non-proliferation of nuclear weapons (NPT) - <https://www.un.org/disarmament/wmd/nuclear/npt/>

Global nuclear non-proliferation regime - <https://www.cfr.org/report/global-nuclear-nonproliferation-regime>

Nuclear Disarmament Resource Collection - <https://www.nti.org/analysis/reports/nuclear-disarmament/>

Nuclear Weapons - <https://www.un.org/disarmament/wmd/nuclear/>

International campaign to abolish nuclear weapons - <https://www.icanw.org>

Topic 2: Private Military Contractors

Private Military Contractors (PMCs) are similar, yet different from mercenaries, who take part in warfare for personal profit. PMCs often rely on ex-military officers and law enforcement personnel.²⁷ PMCs assist in services such as: personal guards, risk management and security training, security assessments, and anti-piracy.²⁸ PMCs are part of a growing international market for contractors specializing in the use of force; the existence of these companies is not new.²⁹ The increasing use of PMCs have raised ethical concerns and many are wary of its potential to privatize the industry of war. PMCs are currently involved in many conflicts around the globe. The largest US PMC, Academi, received a staggering \$600 million dollars in 2006.³⁰ These Academi fighters are controversial, as there are many instances of these private soldiers being implicated in the deaths of civilians in Baghdad.³¹ The rise of PMCs pose many questions for you delegates to consider. Should states be allowed to adopt PMCs? What benefits to PMCs provide? Is the use of PMCs ethical? Can DISEC regulate the use of PMCs? There is also some great scholarly work on this topic that I would recommend delegates take a look at for a deep dive of its effectiveness and shortcomings.

Black Water Incident:

In 2007, a number of Blackwater Private Military Fighters entered a crowded district in Baghdad, Iraq.³² Some claim that these operatives received fire prior to shooting themselves, while others claim a far more sinister story. Witnesses claim that these PMCs opened fire on a car carrying the child first, where a battle soon ensued.³³ It was later reported that 20 civilians died during this incident, sparking mass anger and protest in Iraq.³⁴ Following the incident, both Iraq and the United States opened a separate investigation into the matter.³⁵ The matter sparked turmoil in Washington with questions being raised regarding oversight, management, and the ethicacy of PMCs.³⁶ One investigator commented that "Blackwater contractors saw themselves as above the law."³⁷ One striking downside of the use of PMCs is that these 'soldiers' do not swear allegiance to the flag, but rather, a company.³⁸ Many of those involved were simply not charged, given the Justice Department's reluctance

27 "UN Use of Private Military and Security Companies: Practices and Policies," DCAF, Accessed November 10, https://www.dcaf.ch/sites/default/files/publications/documents/SSR_PAPER3.pdf.

28 Ibid.

29 Ibid.

30 Kemeroff, Alex, "War for money. Leading private military companies of the world," Medium, February 16, 2018. <https://medium.com/smartaim-tech/war-for-money-leading-private-military-companies-of-the-world-eab9f9fe2de8>.

31 Ibid.

32 Singer, Peter, "The Dark Truth About Blackwater," Brookings, October 2, 2007, <https://www.brookings.edu/articles/the-dark-truth-about-blackwater/>.

33 Ibid.

34 Ibid.

35 Ibid.

36 Ibid.

37 Carasick, Lauren, "4 Blackwater Contractors Found Guilty in Iraq Massacre -- A Verdict Long Overdue," Occupy.com, November 23, 2014, <http://occupy.com/article/4-blackwater-contractors-found-guilty-iraq-massacre-%E2%80%93-verdict-long-overdue#sthash.7lFeGypt.dpbs>.

38 Ibid.

to touch such a politically charged matter.³⁹

International Regulation of PMCs:

Some efforts to regulate the use and efficacy of PMCs have been attempted at the international level.⁴⁰ The International Code of Conduct for Private Security Service Providers (ICOC) of 2010 “established standards that comport with human rights and humanitarian principles.”⁴¹ The code contains directives as to how to properly use force and outlaws activities such as torture by PMCs.⁴²

Currently the UN holds the use of PMCs to the same legal standard as mercenaries. Given this, it was attempted to apply the UN mercenary framework, *International Convention against the Recruitment, Use, Financing and Training of Mercenaries*, to PMCs. This application, however, has logistical complications, as the two are inherently different. Essentially, mercenaries are self-enterprising, while PMCs are corporate entities that deal with all facets of security and defence, not just soldiers.

There is a lack of agreement in the international community as to how PMCs should be regulated, leading to regulations being applied at the national level.⁴³ For example, the U.K and U.S do not subscribe to applying the *International Convention against the Recruitment, Use, Financing and Training of Mercenaries* to PMCs, while Angola and Nigeria, still users of PMCs, do respect its use.

A 2017 study on regulation of PMCs discovered that they were insufficient in enabling good military practice. “The global study shows that States approach regulation of these private firms in an inconsistent and patchy manner.”⁴⁴ The UN is not concerned with the legality or usage of PMCs, but rather in ensuring that if they are used, human rights law remains a priority and that violations do not go unnoticed.⁴⁵

Creating an accountability framework remains a strong priority for the international community. The UN working group associated with regulation of PMCs has begun to engage with the UN Safety and Security in ensuring that no violations to human right law were committed in its use of PMC, from there it is a swift transition into legislating onto states and foreign fighters. While still in discussion for international legislation, the working group has expressed openness to both protection of human right law and accountability to victims is priority for

39 Ibid.

40 Carasick, Lauren, “4 Blackwater Contractors Found Guilty in Iraq Massacre -- A Verdict Long Overdue,” Occupy.com, November 23, 2014, <http://occupy.com/article/4-blackwater-contractors-found-guilty-iraq-massacre-%E2%80%93-verdict-long-overdue#sthash.71FeGypt.dpbs>.

41 Ibid.

42 “International Code of Conduct for Private Security Service Providers,” Federal Department of Foreign Affairs, Accessed November 10, <https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/international-code-conduct.html>.

43 “Regulating Private Military Contractors: Legal Frameworks, Political Hurdles.” 2020. Worldpoliticsreview.com. 2020. <https://www.worldpoliticsreview.com/articles/9157/regulating-private-military-contractors-legal-frameworks-political-hurdles>.

44 “UN panel calls for new international security standards on private military and security companies,” United Nations Human Rights, September 15, 2017, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22081&LangID=E>.

45 “UN panel calls for new international security standards on private military and security companies,” United Nations Human Rights, September 15, 2017, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22081&LangID=E>.

the working group.

Conclusion:

PMCs are heavily unregulated at the international level. While they are relatively unknown in public spheres, they are heavily used by many nations at a frequent rate. The Blackwater incident has helped bring this lack of regulation and oversight to light in the United States and around the world, however, more can be done in this regard. I urge delegates to look further beyond the background guide to familiarize yourself with the complex nature of PMCs.

In terms of resolutions, the below listed 'Questions to consider' should guide your suggestions and policy implementation. Focusing on regulation is key, be specific as to these regulations, prohibitions, or caveats would like. Use specific language in your resolutions. Don't focus on length, but rather, content. PMCs pose a complicated issue, how can this committee draft resolutions that can be adopted by the majority of states present?

Questions to Consider:

1. What benefits to PMCs provide?
2. Is the use of PMCs ethical?
3. Can DISEC regulate the use of PMCs?
4. Should states be allowed to utilize PMCs?
5. Is a corporation even allowed to profit on warfare in such a direct way? In this regard, should a corporation be able to fight wars at the behest of the state?

Key Resources:

Kemeroff, Alex. "War for Money. Leading Private Military Companies of the World." Medium, February 16, 2018, <https://medium.com/smartaim-tech/war-for-money-leading-private-military-companies-of-the-world-eab9f9fe2de8>.

Mcfate, Sean. "America's Addiction to Mercenaries." The Atlantic, August 12, 2016 <https://www.theatlantic.com/international/archive/2016/08/iraq-afghanistan-contractor-pentagon-obama/495731/>

Cimini, Tea. "The invisible army: explaining private military and security companies." E-International Relations, August 2, 2018. <https://www.e-ir.info/2018/08/02/the-invisible-army-explaining-private-military-and-security-companies/>

Makuch, Ben. "Mercenaries and defense contractors are as Canadian as Maple Syrup." Vice News, N.D, <https://www.vice.com/en/article/paxzm8/mercenaries-and-defence-contractors-are-as-canadian-as-maple-syrup>.

Swed, Ori. "Who are the private military contractors in Iraq and Afghanistan?" Military Times, March 14, 2019. <https://www.militarytimes.com/news/your-navy/2019/03/14/who-are-the-private-contractors-in-iraq-and-afghanistan/>

Topic 3: Regulating Drone Warfare

Since 2001, the use of drones has changed from a tool used almost exclusively for surveillance to a mechanism for targeted killing of suspected terrorists. Drone use in both combat and non-combat arenas has increased significantly over the past 2 decades; following 2009, President Obama issued 550 drone strikes in conventional non-combat arenas while Bush only authorized 49 during his Presidential tenure.⁴⁶ Drone use is seen by both members of the executive Branch in the United States as well in other countries as a tool that limits 'collateral damage,' saves soldiers' lives, and is a cheaper alternative to physical combat operations. This reasoning has led US drones to become commonplace in the campaign against ISIS in the Middle East.

However, drone use by the United States remains shrouded in secrecy. Further, as this technology is proliferating, the consequences of rapid proliferation remain unknown. Considering this, most states regard this proliferation as 'inevitable'; how do we regulate military drones given this consensus? There is also no binding international agreement regulating the use of drones. The United States' MTCR agreement does not sufficiently regulate their use as Israel and China (the two leading exporters of military drone technologies) are not signatories on the agreement. Further, terrorist groups are increasingly gaining access to this technology; reports of Hezbollah obtaining armed UAVs has been widely reported. Can this committee determine proper guidelines for drone use if the technologies spread is indeed inevitable? How does a nation distribute drones to international buyers ethically? Do we differentiate use in combat and non-combat arenas? Can this committee determine a binding set of rules of engagement that the international community must follow? Further, what are the ethical implications of drone proliferation?

Proliferation of Drones

The utilization of drones has increased dramatically since the start of the Cold War, when they were used by the United States against China and Cuba. However, they have only been widely used since the 1990s due to the maturation of drone technology.⁴⁷ At present, it is estimated that there are over 80,000 surveillance and 2000 attack drones in active service, with the number expected to dramatically increase in the coming years, with 1000 combat drones to be purchased by the US in the next 10 years.⁴⁸ The amount of spending is estimated to be 8 billion in 2019, with a projected 98 billion spent on research in the coming decade.⁴⁹ Leading drivers are the gradual access to such technologies by smaller nations, and the desire to develop and refine existing technologies. The types of drones range from small UAVs, which account for the majority of produced

46 Wolfgang, Ben. 2018. "Donald Trump Outpacing Barack Obama in Drone Strikes; 80 in First Year: Report." The Washington Times. The Washington Times. June 7, 2018. <https://www.washingtontimes.com/news/2018/jun/7/donald-trump-outpacing-barack-obama-drone-strikes/>.

47 "Drone Proliferation - Proliferated Drones." 2015. Proliferated Drones. 2015. <http://drones.cnas.org/reports/drone-proliferation/>.

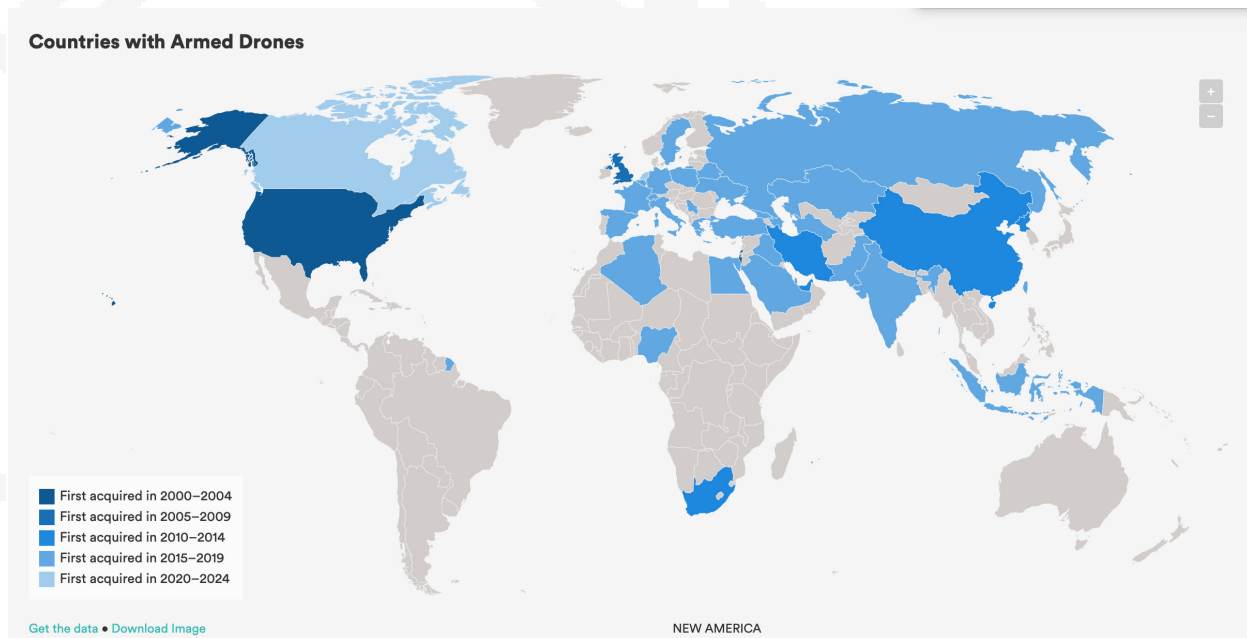
48 Sabbagh, Dan. 2019. "Killer Drones: How Many Are There and Who Do They Kill?" The Guardian. The Guardian. November 18, 2019. <https://www.theguardian.com/news/2019/nov/18/killer-drones-how-many-uav-predator-reaper>.

49 Sabbagh, Dan. 2019. "Killer Drones: How Many Are There and Who Do They Kill?" The Guardian. The Guardian. November 18, 2019. <https://www.theguardian.com/news/2019/nov/18/killer-drones-how-many-uav-predator-reaper>.

units, to larger drones like MQ-9 Reaper, which will make up a large part of the anticipated spending.⁵⁰

Equally dangerous is the fact that the users of such drones have increased significantly, largely due to the distribution of such weapons by producers. The largest exporter of drones are US, China, and Israel, while India and UK are the leading buyers.⁵¹ For example, China has delivered drones to UAE, used in Libya, and to Egypt, Nigeria, Saudi Arabia, and Iraq.⁵² Recently, the US has approved a \$600 million drone sale to Taiwan (R.O.C.), which has added more tension to the Taiwan-Mainland China conflict.⁵³

The following map shows the spread of drone use over time:



International Drone Legislation or Lack Thereof

While drones are indeed capable of creating destruction, nothing in their nature prohibits their use under international law.⁵⁴ Current legislation against drone use or production is weak or non-existing. The Missile Technology Control Regime (MTCR) is an informal agreement between 35 UN-member states to regulate the

50 2020. Nationaldefensemagazine.org. 2020. <https://www.nationaldefensemagazine.org/articles/2020/1/6/98-billion-expected-for-military-drone-market>.

51 "World of Drones." 2019. New America. 2019. <https://www.newamerica.org/international-security/reports/world-drones/introduction-how-we-became-a-world-of-drones/>.

52 Sabbagh, Dan. 2019. "Killer Drones: How Many Are There and Who Do They Kill?" The Guardian. The Guardian. November 18, 2019. <https://www.theguardian.com/news/2019/nov/18/killer-drones-how-many-uav-predator-reaper>.

53 Jazeera, Al. 2020. "United States Approves \$600m Sale of Armed Drones to Taiwan." Aljazeera.com. Al Jazeera. November 4, 2020. <https://www.aljazeera.com/news/2020/11/4/united-states-approves-600m-sale-of-armed-drones-to-taiwan>.

54 Heyns, Christof, Dapo Akande, Lawrence Hill-Cawthorne, and Thompson Chengeta. 2016. "THE INTERNATIONAL LAW FRAMEWORK REGULATING THE USE OF ARMED DRONES." *International and Comparative Law Quarterly* 65 (4): 791–827. <https://doi.org/10.1017/s0020589316000385>.

delivery systems of nuclear weapons, which was later extended to missile delivery.⁵⁵ However, key military superpowers Russia and China are not part of this accord. MTCR is also not legally binding, and subject to individual interpretations of the deal. In 2014, a UNHCR resolution was passed affirming the commitment of states to comply with international law while operating these weapons, but faced opposition from the US.⁵⁶ In UNSG's 2018 Disarmament Agenda the dangers of drones were noted, in stating that "armed drones have unique characteristics that make them particularly susceptible to misuse in comparison to other technologies", with the promise of pushing for greater transparency, regulation and monitor of transfers of such vehicles.⁵⁷ The Arms Trade Treaty (ATT), passed in 2014, indirectly regulates drones, in its references to combat aircraft, which extended to unmanned combat aircraft. Therefore, parties are required to report the import of such weapons⁵⁸. However, till now, there have been no legal, binding, treaties directly involving the regulation of drones.

In 2016, the US state department published a "Joint Declaration for the Export and Subsequent Use of Armed or Strike-Enabled Unmanned Aerial Vehicles (UAVs)" which was signed by 48 countries, but did not include China or users France and UAE.⁵⁹ The declaration reiterates the commitment to international law while using these weapons, and pushes for greater transparency, and dialogue.⁶⁰ However, the plan for additional talks did not come to fruition, perhaps due to the change in Administration. In fact, the US, under the Trump Administration, has made it easier for drones to be exported with a hard-line reinterpretation of the Missile Technology Control Regime, which makes it now possible for private contractors to sell armed drones to countries, many of including those involved in controversial wars.⁶¹

Current use of Drones in Combat and non-Combat arenas

With drones becoming more widespread, the number of civilian and military casualties have increased. Under Trump, the US has committed 2243 drone strikes, compared to 1878 under Obama. The amount of strikes is at minimum confirmed to be 14000, with 8000-16000 soldiers killed, 910-2200 civilians killed.⁶² The US has decided to refrain from reporting drone casualties, making the figure inaccurate.⁶³

55 "Frequently Asked Questions (FAQs)." 2016. MTCR. April 19, 2016. <https://mtcr.info/frequently-asked-questions-faqs/>.

56 Tribune. 2014. "Pakistan Sponsored Resolution on Drones Adopted in UNHCR." The Express Tribune. Tribune. March 28, 2014. <https://tribune.com.pk/story/688448/pakistan-sponsored-resolution-on-drones-adopted-in-unhcr>.

57 "SECURING OUR COMMON FUTURE An Agenda for Disarmament." n.d. Accessed November 15, 2020. https://front.un-arm.org/documents/SG+disarmament+agenda_1.pdf.

58 "The Arms Trade Treaty and Drones," accessed November 10, 2020, https://www.stimson.org/wp-content/files/file-attachments/Stimson_The%20Arms%20Trade%20Treaty%20and%20Drones_August%202018.pdf.

59 "Frequently Asked Questions (FAQs)." 2016. MTCR. April 19, 2016. <https://mtcr.info/frequently-asked-questions-faqs/>.

60 "U.S. Seeks Rules for Armed Drones Trade | Arms Control Association." 2016. Armscontrol.org. 2016. <https://www.armscontrol.org/act/2016-10/news/us-seeks-rules-armed-drones-trade>.

61 Mehta, Aaron, and Valerie Insinna. 2020. "Trump Admin Officially Makes It Easier to Export Military Drones." Defense News. Defense News. July 24, 2020. <https://www.defensenews.com/industry/2020/07/24/us-state-department-officially-makes-it-easier-to-export-military-drones/>.

62 "Drone Warfare — The Bureau of Investigative Journalism." 2010. The Bureau of Investigative Journalism. 2010. <https://www.thebureauinvestigates.com/projects/drone-war>.

63 "Trump Revokes Obama Rule on Reporting Drone Strike Deaths." BBC News. BBC News. March 7, 2019. <https://www.bbc.com/news/world-us-canada-47480207>.

While drones are susceptible to large rate of equipment losses,⁶⁴ their relatively inexpensive nature and the fact that there is no risk to the operators' life have made them decisive to the outcome of many conflicts. While drones have not been employed between two major military powers, the use of drones against non-state actors or against older technologies have proved to be pivotal.

Recent usages of drones shows the powerful nature of this technology. France employed drones in Mali, in which 40 terrorists were killed in the first strike.⁶⁵ Drones provided Azerbaijan with a decisive victory over Armenia in the Nagorno-Karabakh conflict (2020), in which Turkish Bayraktar TB-2 were used against Armenia artillery, SAMs.⁶⁶ Next, drones have been used in the Turkish invasion of Syria against the Damascus government, with Russian aerial superiority diminished by the arrival of drones.⁶⁷ The Government suffered large casualties in armour, troops, and artillery, putting an end to their advances in Idlib. Turkey's use of drones stopped Haftar's advance in Tripoli, leading to a stalemate in the Libyan Civil War, proving to be a powerful adversary to antiquated fighter aircraft.⁶⁸

Drones have also been recently used by non-state actors. Daesh has used inexpensive UAVs against Coalition troops, strapping grenades on modified civilian drones.⁶⁹ ISIL was responsible for a drone attack against the Russian base of Khmeimim and Tartus.⁷⁰ Non-lethal drones have to be a reliable tool to create propaganda.⁷¹

UAVs have been used extensively in the US-Iran Conflict. Iranian drone shot down an unmanned US plane.⁷² Drone strikes were responsible for the attack on two major Saudi oil installations, leading to tensions in the region.⁷³ Drones were used to kill influential Iranian General Qassem Soleimani, heightening tensions between the United States and Iran.⁷⁴

64 "Libyan War Sees Record Number of Drones Brought down to Earth." 2020. Drone Wars UK. July 2020. <https://dronewars.net/2020/07/01/libyan-war-sees-record-number-of-drones-brought-down-to-earth/>.

65 Paris, in. 2019. "French Army Deploys Drone Strike for First Time in Mali Operation." The Guardian. The Guardian. December 23, 2019. <https://www.theguardian.com/world/2019/dec/23/french-forces-kill-40-jihadists-during-operation-in-mali>.

66 Hambling, David. 2020. "The 'Magic Bullet' Drones Behind Azerbaijan's Victory Over Armenia." *Forbes*, November 11, 2020. <https://www.forbes.com/sites/davidhambling/2020/11/10/the-magic-bullet-drones-behind-azerbaijans-victory-over-armenia/?sh=28d89b7d5e57>.

67 The fight for Syria's skies: Turkey challenges Russia with new drone doctrine. 2020. "The Fight for Syria's Skies: Turkey Challenges Russia with New Drone Doctrine." Middle East Institute. 2020. <https://www.mei.edu/publications/fight-syrias-skies-turkey-challenges-russia-new-drone-doctrine>.

68 Gatopoulos, Alex. 2020. "'Largest Drone War in the World': How Airpower Saved Tripoli." Aljazeera.com. Al Jazeera. May 28, 2020. <https://www.aljazeera.com/news/2020/5/28/largest-drone-war-in-the-world-how-airpower-saved-tripoli>.

69 Watson, Ben. 2017. "The Drones of ISIS." Defense One. Defense One. January 12, 2017. <https://www.defenseone.com/technology/2017/01/drones-isis/134542/>.

70 Ware, Jacob. 2019. "Terrorist Groups, Artificial Intelligence, and Killer Drones - War on the Rocks." War on the Rocks. September 24, 2019. <https://warontherocks.com/2019/09/terrorist-groups-artificial-intelligence-and-killer-drones/>.

71 Archambault, Emil, and Yannick Veilleux-Lepage. 2020. "Drone Imagery in Islamic State Propaganda: Flying like a State." *International Affairs* 96 (4): 955-73. <https://doi.org/10.1093/ia/iaa014>.

72 Berlinger, Joshua. 2019. "US: Iran Shot down American Drone." CNN. June 20, 2019. <https://www.cnn.com/2019/06/20/middleeast/iran-drone-claim-hnk-intl/index.html>.

73 The New York Times. 2020. "Two Major Saudi Oil Installations Hit by Drone Strike, and U.S. Blames Iran (Published 2019)," 2020. <https://www.nytimes.com/2019/09/14/world/middleeast/saudi-arabia-refineries-drone-attack.html>.

74 "Qasem Soleimani: US Strike on Iran General Was Unlawful, UN Expert Says." BBC News. BBC News. July 9, 2020. <https://www.bbc.com/news/world-middle-east-53345885>.

In addition to combat drones, surveillance drones have also been used extensively and have proved to be a reliable asset. Israel monitors its borders with Syria and Lebanon in the disputed Golan and Bekaa, respectively, using drones, which provided them with key information in the conflict of 1982.⁷⁵ A \$174 million Afghan drone program is in place, a large part of which is monitoring the Taliban's activities in the country.⁷⁶

Conclusion

Due to the ubiquitous nature of drones in modern-day conflict and military operations, it can be seen that the lack of direct regulation against their operations is particularly concerning. The rapid integration of such technologies, being sold at mass amounts to numerous militaries around the world, many of which are involved in tense conflicts, pose great threat to international peace. Moreover, the loss of civilian life, and the related lack of accountability towards operators who disregard the rules of international law is alarming, and steps should be taken to provide a robust foundation in which these technologies can be used, while respecting existing and future human rights and security Conventions.

Considering the nearly complete lack of international regulation of drone warfare, resolutions for this topic should be quite comprehensive. Several resolutions may need to be passed, one for target guides and best practices, one for proliferation, etc. The guiding principle for these resolutions should be depth. Given that this is largely untouched by the UN, a resolution that aims to encompass and resolve various challenging areas of international drone warfare should be attempted.

Questions to Consider

1. Should there be international or local regulation of drones?
2. How could regulations be enforced at an international level?
3. How can the interests of nations to not lose human lives be compared to a common interest to abide by international law?
4. How can the issue of civilian casualties be addressed, and what should the response of the international community be to those responsible?
5. In DISEC, how can common ground be found between drone exporters, users, operators, and countries at the receiving end of their use?

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⁷⁵ Bowden, Mark. "How the Predator Drone Changed the Character of War." Smithsonian Magazine. Smithsonian Magazine. November 2013. <https://www.smithsonianmag.com/history/how-the-predator-drone-changed-the-character-of-war-3794671/>.

⁷⁶ The New York Times. 2020. "\$174 Million Afghan Drone Program Is Riddled With Problems, U.S. Report Says," 2020. <https://www.nytimes.com/2020/07/16/world/asia/afghan-drone-program.html>.

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