PacificMUN 2017

Disarmament and International Security Committee (DISEC)

Backgrounder Guide

Topic B: Drones

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Dear Delegates,

It is my honor and pleasure to invite you to the third session of Pacific Model United Nations and to serve as your Director for the First Committee of the United Nations General Assembly; the Disarmament and International Security Committee (DISEC).

Always being a avid MUNner myself, the idea of directing my own committee excites me beyond ever before. Personally, returning to General Assembly committees is very nostalgic for me, as I distinctly remember my first conference. It was a General Assembly and I was nervous beyond belief, afraid to talk in front of so many people for the first time ever. I remember being intimidated by the staff and admiring their prowess in being able to sit up there and direct a committee. Seeing now as I return to a General Assembly this time as a director myself I can recall my entire journey to be able to mold myself through all the MUN conferences I have been to. On day one of the conference when I am sitting in the dais chair and seeing all the nervous faces of first time delegates in the room, I will only be reminded of my first experience. Except this time, it will be different. It will be different because I do not want you to be intimidated or afraid of me and my fellow staff.

Instead, I encourage any delegate to think of me and my fellow staff as friends, people you can talk to about MUN and people who are happy to guide you through any question you have. When it comes down to it, everyone in MUN has had that first delegate experience, and I truly intend on making that experience an outstanding one for all first time delegates in my committee.

First time delegate or not, I encourage you to strive for your very best this conference. I know that I will and your fellow staff will as well. I entrust that you will all be well researched and eager to speak and participate in the committee. When March comes I look forward to what each of you will discuss and talk about regarding Cyberwarfare and Drones.

I hope that all delegates will be able to take something away from the DISEC delegate experience this year at PacificMUN 2017. I am extremely excited to meet all of you then! Feel free to contact me with any comments or questions or even just to say hello.

All the best,
Dunstan Wang
Director, Disarmament and International Security Committee

DISEC was created to deal with disarmament, global challenges and threats to peace. It is meant to keep the international community safe and peaceful by using solutions in the international security regime[1].

The General Assembly was formed in 1945 when the United Nation (UN) Charter was first ratified. The General Assembly is one the main 6 organs of the UN and is the main deliberative, policymaking, and representative organ of the UN[2]. Each country has one vote in any General Assembly, and will consist of every member of the UN[3]. Important matters such as those on peace and security, admission of new members, or budgetary matters, require two thirds majority.[4] Other simpler matters only require simple majority.

DISEC is considered to play a major role in the General Assembly. The phrase "international peace and security" is mentioned six times in Chapter IV of the UN Charter. DISEC however does not hold the power to impose sanctions or allow for armed intervention[5]. It does however, hold the authority to initiate studies and pass resolutions for the purpose of international political cooperation as well as "the development and codification of international law.[6]" In a quick synopsis, DISEC cannot require countries to take a specific action. It can however make recommendations to the Security Council.

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[1] http://www.un.org/en/ga/first/
[2] http://www.un.org/en/ga/about/
[3] http://www.un.org/en/sections/un-charter/chapter-iv/index.html
[4] Ibid
[5] http://www.unaslovenia.org/en/un/assembly2011
[6] Ibid

The current technological context of a drone is simply an unmanned aircraft. More formally known as unmanned aerial vehicles (UAV), a drone is a flying robot that can be remotely controlled or fly autonomously through programmed software controls in their embedded systems. Working in conjunction with Global Positioning Systems(GPS), drones can be useful in areas such as search and rescue, surveillance, traffic monitoring, recording landscape videos, taking pictures, weather monitoring and firefighting, among many others.[7] Yet the largest association of UAVs are still with military and warfare, and this is the issue surrounding drones that the UN needs to address.

A technology which has proven its benefits as well as its danger has recently risen to prominence along with the technological advancements of sensor fusions. Drone technology in war has shown its assets in decimating terrorist networks as well as monitoring suspicious identities, yet the discussion of drone warfare and surveillance is still greatly discussed to date. A large amount of the discussion surrounds the ethical and safety issues UAVs present. The lack of legislation regarding drone technology in many countries creates issues for the UN, especially with the current skyrocketing development of said technology. In addition, with the strong prevalence of UAVs in the military this greatly contributes to the growing unrest among the global community. Therefore, discussion of the rising drone warfare and surveillance is an imminent issue that requires immediate attention to the UN. Drones are current technologies that raise legal, safety and ethical issues and it is in UN's mandate to provide advice on this technology that is potentially dangerous to all global citizens.

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[7] http://internetofthingsagenda.techtarget.com/definition/drone

September 1782	Pioneer Drones: The Montgolfier brothers in France create the first UAV in 1782 in the form of balloons. In preparation for their manned flights they sent unmanned hot-air balloons into the sky.
February 1898	The first aerial reconnaissance photo was taken during the Spanish-American War. A camera was fitted to a kite by the U.S. military which took the photos.
1963	Drone technology became developed enough to be used for surveillance in Laos, North Vietnam, and China. The drones were called Ryan-147 Lightning Bug drones.
September 1975	After the creation of the Global Positioning System (GPS), the first contemporary drones were invented. The names of these drones were The Albatross and The Amber.
September 2001	The armed Predator program was activated in response to the 9/11 terrorist attack. Activated days after the attack, Predator drones reached Afghanistan by September 16th. US President Bush authorized the CIA to kill any individuals on a list titled "High Value Targets" (HVTs) without needing further approval by the president.
2002	US Predator drones are once again deployed, this time to Yemen. The purpose was to hunt extremist group Al Qaeda in the Arabian Peninsula.
June 2004	Predator drones patrol Federally Administered Tribal Areas (FATA) in Pakistan in order to kill militant targets. The first drone strike was in June and targeted a local commander named Nek Mohammed. There were six fatalities at least, including the targeted Mohammed and two of his children. Pakistan claims responsibility for the attack.
2010	US military fits smaller missiles to Predator drones in Pakistan. This development lowered the rate of civilian casualties.
December 2013	A drone attack goes astray. Drone strikes killed fifteen Yemeni civilians who were "on their way to a wedding." Al Qaeda militants were the original targets.
February 2014	Ben Emmerson, an UN reporter, publishes a report requesting transparency in terms of drones. He also recommends drafting a resolution to establish ethical UAV practices.
June 2014	After the Taliban attack on Jinnah International Airport, the CIA launches two drone strikes on Taliban targets in Pakistan. The Pakistani government publicly denounced these strikes as a violation to its sovereignty.

The very first aircraft without a pilot was designed and developed after World War I in 1916. Titled "Aerial Target,"[8] this aircraft was intended to take down Zeppelins, which were a type of German airship. The US Navy was also designing these type of aircrafts, based off gyroscopes used in navy battle when the waves affect the aiming of the guns.[9] Henceforth, the Hewitt-Sperry Automatic Airplane was flown in the September of 1917. While the airplane itself was a success it wasn't developed in time to be used during the war.

During the Cold War many countries began developing drone programs. NATO and the Warsaw Pact kept developing their drone programs, but only the US used their drones during the Cold War, as well as the Vietnam War. They were used for reconnaissance and surveillance purposes. In the 1973 Yom Kippur War, Israel also used reconnaissance drones. Drones continued to be used and developed for quite some time until 2001 when the USA decided to arm UAVs. The Predator program was launched in 2001 and USA's predator drones roamed the earth ever since.

A main turning point was in December 2013 when a missile fired by a drone caused 15 civilian casualties.[10] The drone mistook a wedding convoy as an Al-Qaeda militant convoy and launched four missiles at the convoy. This brings light to the possibility of drones killing innocent people and what harm these drones can cause. It shows the moral side of using UAVs in the sense of whether or not these types of killings are just, and where the responsibility of taking innocent lives lies.

A United States Predator Drone firing at a target

The use of drones is still largely present in Pakistan, Yemen, Somalia, and Afghanistan. Many that have died are civilians and children and most of these attacks were based from the USA.[11] For now the committee must take these historical events into account, and plan what the current solution should be based on the previous history of drones.

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[8] http://www.redorbit.com/reference/the-history-of-drone-technology/
[9] http://gizmodo.com/this-flying-bomb-failure-was-americas-wwi-cruise-missi-1184824802
[10] http://www.nytimes.com/2013/12/06/world/middleeast/yemen-attack.html
[11] https://www.thebureauinvestigates.com/category/projects/drones/drones-graphs/

Drones in our current society have the potential to accomplish many of tasks. Companies like Amazon plan to use them for small package delivery in the not-so distant future.[12] They have a futures ranging from campus guides to pizza delivery.[13] Drones are a technology that can change the way we live, and frankly, can change whether or not we live in the first place.

36 US states have introduced legislation to protect civilians from privacy invasions in the case of drones. Yet at this point, only 17 states actually passed laws restricting drone usage. This becomes worrisome because of the lack of legislation regarding UAVs. There are two main types of UAVs in military circumstances. There are those used for reconnaissance and surveillance purposes and those that are armed with missiles and bombs intended to kill people.[14] These two categories serve many different roles and both must be considered in coming to a resolution.

The benefits of drones in military can also be seen very easily. With drones it is much easier to gather intelligence as they can access areas that are otherwise impossible to access. As they are also smaller than manned aircraft, they become harder to shoot down and tracked by radars. They can cross borders without detecting and can provide information without needing to rest or sleep.

Drones are more accurate as well if the algorithms are designed well. A manned jet bombing a target can be inaccurate and misplaced, while a drone can make more calculations based on metadata. They can adjust their fire and cause less civilian damage and casualties. UAVs are better for dull long term missions as well. Pilots tend to lose focus and get distracted from a task in the flight is too long. Missions that take 30 hours can be tiresome to be focused on all the time, so drones are a good replacement. Drones are also significantly cheaper without needing to employ soldiers and train them. They take less material and do not have to be as sturdy as something that hold a person inside and has to keep them alive. Manned fighter jets are very expensive compared to drones.

The biggest advantage of using drones in military situations would be the lack of exposure for the pilots. This means that drones can put soldiers and pilots outside the risk of being killed in war. This technology saves the lives of soldiers who could have been killed if they were piloting an aircraft. This also means that the tasks assigned to drones will not be affected by their own safety, and the task could be carried out with a "cool-headed" solution.[15] This advantage of using drones is the major moral argument supporting the usage of drones. It can save many lives and put soldiers out of danger.

However, of course there are cons surrounding the usage of drone technology as well. The ability to automatically identify and eliminate targets without actually having to make a human decision has been brought up to be a concern by many nations. The ethical concerns are the main problem as there have been problems in the past with civilian casualties. If a drone kills someone, who takes responsibility for the drones action? There are many issues surrounding this topic that need to be filtered through by the committee. More ethical issues can be found in the Discussion Questions section of this backgrounder.

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[12] http://www.cbsnews.com/media/5-issues-drones-will-have-to-navigate/
[13] http://www.cnn.com/2013/11/03/business/meet-your-friendly-neighborhood-drones/
[14] https://dronewars.net/aboutdrone/
[15] https://auimun.wordpress.com/2015/04/30/military-drones/

Only recently has the international community begun discussing the issue of UAVs. The issue itself is complex especially considering the unwillingness of major countries to cooperate in sorting out this problem. Because of this, very little of UAV discussion has circled in the UN so far.

The world's first primary authority on air navigation was the International Civil Aviation Organization (ICAO).[16] Established in 1944 through the Chicago Convention, this organization recognizes the right of a state in international commerce and transit through air, also recognizing the country to be responsible of safeguarding air space under authority of ICAO. This expanded on the Paris Convention in 1919 which was the first binding document to state that each country has complete and exclusive sovereignty over the airspace above its territory. The important part of the statement from ICAO was in Article 6, where it declared that foreign civil aircrafts are only allowed to fly above territory where formal agreements existed between both parties. ICAO also exempted itself from responsibility of regulating such flights carried out by these states because of the controversial nature of air traffic and national police forces, which it all states in Article 3(a).[17] The Chicago Convention has specific guidelines regarding UAVs in Article 8. The article states that no pilotless aircraft can enter foreign airspace without the authorization from the foreign authorities.[18]

In 2013, the United Nations Human Rights Council (UNHRC) released a report about UAVs, titled "Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions". Section III begins addressing UAVs, except only the lethal types, also known as lethal autonomous robots (LARs). Section III states the emergence of such technology, and the background surrounding it. It addresses the legal responsibility of using LARs and many other topics. It addresses taking humans out of the decision-making of taking a life. It addresses implications for states without LARs and many other concerns the international community might have.

Section IV of the report explains the conclusion of the UNHRC which calls for action. They explain that the international community needs to monitor the situation in article 112. Section 111 states that transparency and accountability should be in place with LARs. Section V of the report is about recommendations to the UN, as the Human Rights Council does not actually hold the authority to carry out military enforcement. The most significant recommendation was placing a temporary ban on drones. This will ban testing, production, assembly, transfer, acquisition, and deployment of LARs. It will be up the delegates of DISEC to decide whether or not they support the recommendation of the UNHRC, and if yes, then how the international community can expand and solidify it.

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[16] http://www.icao.int/publications/pages/doc7300.aspx
[17] ibid
[18] ibid

A bold but simple solution is the complete ban on UAVs, especially lethal ones. Backed by many scientists and NGOs, this solution would prevent countries from researching and constructing drones or preventing them from using them in combat. It is also meant to take drones out of the hands of terrorist organizations. This would also prevent unwanted drone accidents killing innocent people involved with the intended situation. Many countries disagree with this solution however, because they wish to continue using drones as they benefit those countries military force. If this solution is implemented, it would be necessary to have the support of all nations as if some countries do not agree they would have an advantage in battle as they are legally allowed to use drones. If any country does support this solution they must heed all this in mind, and should be prepared to have other countries against them.

Another short-term option is the temporary ban of UAVs. This would allow the international community to agree to regulations backed by many countries regarding the usage of UAVs. This would also prevent any unwanted usage of drones as a set of regulations has not yet been decided upon. It would stop the threat of UAVs on civilians and innocent people until more rules are decided upon. Negotiations would also have to be decided upon to quickly find a set of regulations on the usage of drones as the ban proceeds.

An option the international community can also take is to leave the development of UAVs be. Countries can research and develop drones as much as that country wants. This would increase the production and usage of drones and they would become a very popular form of warfare. This option could keep soldiers out of war, but it can also cause many concerns in other countries that do not have the resources to keep up with drone development. There is no guarantee that these weapons will be used morally and the international community will not be able to watch over the use of UAVs. This would address and realize that many weapon bans in the past have failed and countries might continue developing drones even with a ban in place.

Israel
A pivotal player in this controversial issue is Israel. It is exporting more drones than any other country whilst leading the development of drone technology in the past years. Not only is Israel mass exporting drones, Israel is also possessing and using UAVs in the latest Gaza conflict. Although the government of Israel has yet to clarify the specifics of their involvement in Drone warfare, they are known to use armed drones in military confrontations.

United Kingdom of Great Britain and Northern Ireland
Having acknowledged the use of armed drones in the military most prominently in the wars of Afghanistan, the United Kingdom is also a contributor to the prevalent Drone dilemma (although there are no clear figures upon what exact impact their deployment of drones had in combat). The British Ministry of Defence emphasizes that armed British drones were only deported to Afghanistan purely for self-defence purposes and not for pre-emptive motives.

United States of America
The country which has raised the most controversy in the light of the 9/11 attacks and the War on Terror, the United States of America is yet another major player in the Drone warfare issue. Equipped with readily armed UAVs - the United States of America also deployed UAVs to use in their wars in Iraq and Afghanistan. In contrary to the United Kingdom, the United States has also used Drones for attacks in Pakistan, Yemen and Somalia for pre-emptive purposes which has caused outcry in the countries concerned.

Pakistan
Pakistan, alongside other victimized countries, is fighting for stronger policies of UAV usage as the number of civilian mortality rates from collateral damage of drone attacks has terrorized their citizens. Pakistan has already proposed and passed a resolution in the Human Rights Council which urges all states to make sure that measures involving UCAVs are comply with international law. Details on this resolution can be read here: http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/25/L.32.

P5 Countries
Given the prevalence of Drones in modern military, France is evidently acquiring drones from other countries and in addition is also working on a prodigious project with other European countries (most prominently the United Kingdom) to manufacture its own drones. China has also developed a prodigious amount of their own drones for both reconnaissance as well as combat purpose. Russia is still in its primary stages of the drones arms race and is believed to have its first UCAV ready to be deployed by 2020.

1. What ethical and safety issues need to be addressed immediately in order to reduce civilian casualties?

2. Given the more covert nature of drones, how could laws be enforced?

3. Who may be targeted (criteria?); and the legal and political implications of the country conducting the attacks?

4. Under which circumstances (kind of warfare currently occurring) should this drone technology be used?

5. How can nations incorporate drone technology with minimum breaching of human rights law, domestic law, the UN Charter, the law of neutrality, and principles of non-intervention?

6. To what extent does drone warfare contributes to the dehumanization of war?

7. How can transparency of drone programs be improved internationally?

8. What moral implications are put on a machine taking a life and how can this be dealt with?

9. Who would take the responsibility of taking a life that a UAV killed?

10. Does the lack of a human conscious change the course of war and the ethics behind it in any way? How so?

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