**DISEC Topic One: Addressing Issues Surrounding Automation of War**

In order to engage in debate over the issues of automation of war, it is essential to define the following terms:

- **Autonomous weapons systems**: the Canadian Bar Association acknowledges that there is no internationally recognized definition of autonomous weapons systems. However, the Canadian Bar Association adopts the definition of “any weapon system with autonomy in its critical functions - that is, a weapon system that can select (search for, detect, identify, track or select) and attack (use force against, neutralize, damage or destroy) targets without human intervention.”
  

- **Military technology**: the Encyclopedia Britannica defines military technology as the “range of weapons, equipment, structures, and vehicles used specifically for the purpose of warfare.” In addition to the physical structures, it includes the knowledge of how to construct, repair, and use such technology.
  
  [https://www.britannica.com/technology/military-technology](https://www.britannica.com/technology/military-technology)

It is important to acknowledge both sides of the debate, and the extent to which the development of autonomous weapons and their engagement should take place. As part of the debate, the dominant perspectives in support of the development of autonomous weapons include its advantages in military technology and moral justifications of preventing human casualties. Positions of those against the development of autonomous weapons include the concern over human dignity, potential of violating international humanitarian law, and effects of autonomous weapons on global stability. Furthermore, notable non-state figures who are against the development of autonomous weapons believe that development may cause an arms race of
autonomous weapons. Autonomous weapons are a pressing concern for the international community as they are a revolutionary new technology with great impact, as well as the concern that they may fall into the hands of terrorists, dictators, or warlords.

Presented below are the arguments for the development and against the development of autonomous weapons, including both sides claim of moral superiority when considering the use of autonomous weapons. Please consider that these lists present only a few points to the debate, and that your own research should be done in order to present a more comprehensive argument for debate.

**Autonomous Weapons should be developed:**

➢ Military advantages
   - Force multiplier, fewer soldiers are needed for missions in active combat
   - Expanded battlefield, autonomous weapons can reach areas unreachable to soldiers
   - Reduce casualties, fewer soldiers to engage in combat and risk their lives

➢ Moral justifications
   - Autonomous weapons can be programmed to respond more “humanely” during war as they would lack a self-preservation instinct
   - Autonomous weapons would be more reliable to report ethical infractions during war

**Autonomous Weapons should NOT be developed:**

➢ Moral grounds
   - Autonomous weapons can be considered destabilizing as they can trigger new arms races threatening international security
   - Autonomous weapons have the potential of high levels of collateral damage, as technology may inaccurately identify targets, have limited situational awareness, or use a disproportionate amount of force
Autonomous weapons do not provide for accountability, which is particularly concerning in regards to international humanitarian law which require accountability in the case of civilian deaths.

**Position of Countries:**

Countries who favour positions of sovereignty over internal affairs are considerably more likely to support the development of autonomous weapons. Liberal democratic countries will tend to opt for diplomatic solutions to conflict when possible, and have historically shown a willingness to pursue non-proliferation which can translate to autonomous weapons. On the other hand, countries who are rapidly establishing themselves as rising powers regionally or globally tend to at least support the development and research of autonomous weapons, if not their use. This propensity increases with the power gains to be had (or lost by not developing them in the face of rivals), as such, superpowers are especially motivated to develop these weapons.

It should also be noted that a coalition of countries has begun to form their policies regarding the development of autonomous weapons, such as the 11 Principles on Lethal Autonomous Weapons Systems (LAWS). While there is no official international laws regarding the development and use of autonomous weapons, many democratic countries view the cost of development as too large of a risk to the safety of their civilians.
**Recommended Sources:**

**Essays/Books:**


**Websites:**

https://futureoflife.org/open-letter-autonomous-weapons/?cn-reloaded=1


https://www.diplomatie.gouv.fr/en/french-foreign-policy/united-nations/alliance-for-multilaterali

sm-63158/article/11-principles-on-lethal-autonomous-weapons-systems-laws


**Videos:**

https://www.youtube.com/watch?v=2NXKTnQtyDM

https://www.youtube.com/watch?v=XAgXwUwQoPA
DISEC Topic Two: The Question of Regulating the Privatization of War

Important Terms to Aid Discussion

➢ Private Military and Security Companies: according to the HRC Special Procedures group, private military and security companies (PMSCs) are “a corporate entity which provides […] military and/or security services by physical persons and/or legal entities to aid in combat.”


➢ Mercenary: defined as “a soldier who fights for a foreign country or group for pay.”

https://dictionary.cambridge.org/dictionary/english/mercenary

➢ International Law: defined as “the body of legal rules, norms, and standards that apply between sovereign states and other entities that are legally recognized as international actors.”

https://www.britannica.com/topic/international-law

➢ Human Rights Abuse: defined as the “violation of the basic rights of people by treating them wrongly.”


Views Surrounding Mercenaries

Depending on whether a country has historically worked with or fallen victim to mercenaries, the international community holds diverse opinions and definitions in regards to them. Unless under the control of their own armed forces, countries like Austria, France, Germany, South Africa, United Kingdom and United States forbid their citizens to fight in foreign wars. However, the UK bans their own citizens from fighting foreign wars but they employ Gurkhas (originally Nepalese nationals) as regiments in the British Army. It is also important to keep in mind that many countries, including the United States and the United Kingdom, are not signatories to the 1989 United Nations Mercenary Convention banning the use of mercenaries. Due to the Geneva Conventions declaring that mercenaries are not recognized as
legitimate combatants, it is rare to see countries publicize their involvement with mercenary fighters.

Top Ten Global Justice Law Review Articles 2008 by Amos N. Guiora

Perspectives Against the Use of Mercenaries

➢ Additional Protocols to the Geneva Conventions of 12 August 1949 (Protocol I)
  International Convention against the Recruitment, Use, Financing and Training of Mercenaries (UN Mercenary Convention).

https://www.bc.edu/content/dam/files/schools/law/lawreviews/journals/bciclr/28_1/07_FMS.htm

Arguments for PMSCs

PMSCs are often praised for their efficiency, their rapid mobilization capacity, and the apparent low-costs of their employment as compared to national armed forces and international peacekeeping operations. It is also important to note that while the UN disapproves of the use of PMSCs, it has been active in their use. Almost all peacekeeping operation since the 1990s has seen the involvement of PMSCs. In May 2014, the UN employed 30 PMSCs. They used unarmed security personnel in 11 peacekeeping operations and in one support mission. There is also a growing need for inexpensive, specialized military expertise in both the developed and developing parts of the world. The PMSCs have been the only firms to adequately fulfill those needs better than standing armies.

https://voelkerrechtsblog.org/multi-stakeholder-self-regulation-mechanisms-for-pmscs-good-enough-for-the-united-nations/

Argument against PMSCs

There has been growing critique of the engagement of private military companies and security companies (PMSCs) in combat due to the questions surrounding the legality of mercenaries. The issue of accountability of PMSC corporations and their employees is raised often. The concerns lie surrounding the notion that PMSCs operate in a legal vacuum. The key
question regarding such private firms remain of whether and how existing laws can be effectively applied and whether they need to be supplemented with new rules and regulations.

https://www.eui.eu/DepartmentsAndCentres/AcademyEuropeanLaw/Projects/PrivatisationWar

A key point of discussion can arise from whether or not foreign policies of different countries compel delegates to strongly condemn or turn a blind eye when such private firms skirt around international laws.

If your country would like to regulate PMSCs

➢ Multi-stakeholder self-regulation mechanisms for Private Military and Security Companies

  ○ setting out basic requirements for certification of PMSCs and provide oversight of this process, and
  ○ providing effective remedies for victims.

https://voelkerrechtsblog.org/multi-stakeholder-self-regulation-mechanisms-for-pmscs-good-enough-for-the-united-nations

➢ Alien Torts Claims Act

  ○ An interesting development has been the recent efforts to use ATCA to sue transnational corporations for violations of international law in countries outside the US. If these suits are allowed to proceed, then ATCA could become a powerful tool to increase corporate accountability.

https://www.globalpolicy.org/international-justice/alien-tort-claims-act-6-30.html

  ○ This is not an internationally recognized regulation but could play a significant role if co-opted by the international community to regulate PMSCs

➢ Domestic and International Regulatory Systems

  ○ A mix of domestic and international policies could also possibly prove to be effective in regulating PMSCs

https://www.bc.edu/content/dam/files/schools/law/lawreviews/journals/beiclr/28_1/07_FMS.htm

Within the link: No. II, Section C
Additional Sources

https://theglobalobservatory.org/2019/10/privatization-of-war-new-challenge-for-women-peace-security-agenda/

