**Topic 1: Addressing Issues Surrounding Automation of War**

Technology has suddenly become involved in almost every aspect of our lives. It has allowed for a more convenient and efficient quality of life. However, what happens when this convenience is used for purposes other than making life easier? This is the current issue revolving the military and the production of Lethal Autonomous Weapon Systems, or LAWS for short. So what are LAWS and why are they sparking such a heated debate? LAWS are autonomous machinery designed primarily for war and have been called by the UN chief as “politically unacceptable and morally repugnant.” These “killer robots” have been pushed by the military as a means of reducing civilian and military death counts and eliminating the enemy more efficiently.

In order to be autonomous, however, these weapons need an interface to refer back to, or rather a mind. Fiction has portrayed Artificial Intelligence (AI) as a revolutionary means to progress humanity by facilitating tasks and making them easier for people to do. This fiction has quickly become a reality as AI has been used in phones and devices mainly targeted for the general public to speed up your daily tasks and relieve you of extra work by storing, accessing and displaying the content you look at. Since its inception, AI has evolved and has been an interest for militaries around the world. The appearance of AI has made LAWS a feasible step towards warfare. The US military has already deployed unmanned aerial vehicles (UAVs) to places like Pakistan, Iraq and Afghanistan that have the capacity to surveil, identify and kill threats as the military sees fit.
This leads back to us. As a member of DISEC your duty lies on identifying the leading issues with automated warfare, and repercussions if this is left untouched. Remember that it is our responsibility to ensure the peace of nations by withholding security above all. LAWS have created a rift between nations as powerhouses like the United States, China and Russia seek to leave LAWS out of international affairs while countries such as Argentina, Brazil and Chile attempt to ban LAWS to avoid encouraging military actions due to the lack of human lives lost. Issues you may wish to explore is the possibility of an arms race for the best LAWS, what an automated war might cause for civilians and, last but not least, what would a world with detached, lethal and dehumanized wars turn into?

**Recommended sources for reading:**

http://www.cba.org/Sections/International-Law/Articles/2019/Autonomous-weapons-systems-how-to-work-towards-a
https://spectrum.ieee.org/automaton/robotics/military-robots/why-should-we-ban-autonomous-weapons-to-survive

**List for countries currently for and against LAWS (use along with your FPD):**


**Extra - Countries looking for accountability and control with these weapons (not necessarily in connected with ban or ‘leave alone’ stances, but alternative stance on LAWS):**

- Germany
- France
- Spain
- Sri Lanka
- Ireland
- Poland
Topic 2: The Question of Regulating the Privatization of War

Defining Privatization

“As long as humanity has waged war, there have been mercenaries.” The history of private militaries can be traced back at least 3,000 years, when Numidian mercenaries played a large role in Ramses II’s attack on Kadesh (1294 B.C.), and biblical King David’s mercenaries drove the Philistines from Israel (1000 B.C.). [1] The ancient Greeks and Romans also relied heavily upon mercenaries, as did Emperor Justinian and William the Conqueror. The use of mercenaries continued unabated through the modern era. In the Middle Ages, companies of fighting men offered their collective skills to whomever would hire them. [1] During the Renaissance, Italy’s city-states contracted with freelance military commanders, or condottieri, so as to deny military power to potential domestic rivals and to avoid disrupting “the productive economy by forcing normal citizens into military service.” Most of the forces used in the Thirty Years’ War (1618–1648) were privately contracted, and the British Crown famously hired Hessian soldiers to fight against George Washington’s troops in the American Revolutionary War. [1] “Not until the Franco-German War of 1870 did the ‘nation-in-arms’ concept gain predominance in the world’s militaries,” after which armies built upon national loyalties quickly became the international norm. [1] Throughout the twentieth century, the international community further curtailed organized private armies. [1] In particular, there was an extraordinary backlash against the individual, ad-hoc mercenaries, commonly known as les affreux (“the dreaded ones”), who threatened the stability of many mineral-rich, post-Colonial African regimes. [1] During the 1960s and 70s, the governments of Zaire, Nigeria, Sudan, Guinea, Angola, Benin, the Comoro Islands, and the Seychelles were all seriously threatened by such mercenaries who usually hailed from these countries’ previous colonial occupiers. [1] It is largely because of the abuses committed by these mercenaries and the significant threat they posed to post-Colonial independence that an international consensus developed condemning mercenarism. [1]

Since the end of the Cold War, there has been an abundance of unemployed, highly-trained soldiers in the Developed World. [2] Recently, the market has seen an increasing demand for
such soldiers to support Developing World regimes that had hitherto relied upon their Cold War sponsors for military support. [2] A similar demand also exists among Developed World armies, who now look to outsource many of their training and support needs. Private Military Firms (PMFs) AKA Private Military Corporations (PMCs), are “profit driven organizations that trade in professional services intricately linked to warfare,” that have stepped in to fill these demands in the global security market. [3]

**Issues with PMFs**

The issue with PMFs is the fact that they fall within a gap in international law. Therefore, there is very little legal protection for the victims of PMF human rights abuses.

Today PMFs can be characterized as follows:

> “Today’s PMFs represent the evolution of private actors in warfare. The critical analytic factor is their modern corporate business form. PMFs are hierarchically organized into incorporated and registered businesses that trade and compete openly in the international market, link to outside financial holdings, recruit more proficiently than their predecessors, and provide a wider range of military services to a greater variety and number of clients. Corporatization not only distinguishes PMFs from mercenaries and other past private military ventures, but it also offers certain advantages in both efficiency and effectiveness.” [1]

One of the primary reasons for the modern existence/prevalence of PMFs is the growing demand for their services. While this may seem obvious, there are several key reasons for this. The world’s armies shrunk by over 6 million people in the 1990s and many countries in the developed policies of non intervention except in key areas of national interest. [1] There no longer exists the need to support a large standing army as was the case in the past.
A key reason is that PMFs can “perform services which governments approve of, but hesitate to attempt themselves because of political, military or financial costs.” [1] For example, the US uses PMFs in American proxies such as Columbia and Liberia. They also operate atypical positions such as the operators for the computer and communications systems for the U.S. nuclear response at NORAD’s Cheyenne Mountain base. The use of PMFs is not however limited to developed countries, developing countries increasingly turn to PMFs as a way to cheaply secure their interests. This highlights that PMFs do not fit the prototypical “hired gun” mold but are more diverse in function and purpose.

Though one could argue that developed countries may face larger quantities of negative outcomes if PMFs are regulated it can be noted that the quality of aid that mercenary activity gives to even developing countries is significant. That is to say PMFs are vital to the operation of both types of states.

Although it is clear that PMFs fill an important role in the global security market, it is also clear that PMFs do not always respect the international standards of armed conflict:

- In 1995, the government of Sierra Leone hired the South African PMF, Executive Outcomes (EO), to help subdue the rebellious Revolutionary United Front. EO quickly assumed control over all offensive operations and, when asked how to distinguish between civilians and rebels, EO commanders supposedly ordered their pilots to just “kill everybody”.

- DynCorp, an American PMF currently active in Iraq. While working in the Balkans, several DynCorp employees allegedly ran a prostitution ring, selling the services of girls as young as twelve years old. Despite these wide-spread accusations, none of the accused DynCorp employees were brought to trial or disciplined in any way. Rather, DynCorp has addressed the issue by firing the whistle-blower who exposed the prostitution ring.

[1]
Addressing PMFs becomes difficult due to the association with the word “mercenary”. The international community has tried to restrict private militaries by condemning mercenary activity altogether. However, different states define “mercenary” differently based their history as a client or victim of mercenaries. For this reason it is unclear if mercenary activity has been specifically defined by the international community, but it has been agreed that definitions do not encompass PMFs. [1]

**Regulations**

The two definitive documents restricting mercenary activity are the Additional Protocols to the Geneva Conventions of 12 August 1949 (Protocol I) and the International Convention against the Recruitment, Use, Financing and Training of Mercenaries (UN Mercenary Convention). [1] Protocol I’s regulatory power is largely derived from its discouragement of mercenary activity by withdrawing eligibility for prisoner of war status. [1] However, Protocol I’s definition of “mercenary” excludes military trainers, advisors, and support staff, thereby omitting the great majority of PMF activities. Furthermore, even those PMFs engaging in direct combat would likely escape Protocol I’s regulations in any one of three ways. First, if PMFs engage in combat while on a security detail, they would probably avoid the Protocol I requirement of involvement in “armed conflict.” Second, it is almost impossible to prove that a PMF employee’s motivation is financial gain, which is a requisite component of Protocol I’s definition of “mercenary.” Third, PMFs often fully integrate into a client’s armed forces, thereby avoiding mercenary classification under Protocol I. Largely due to perceived inadequacies in Protocol I’s restrictions on mercenarism, the UN Mercenary Convention extended the Protocol I definition to cover all conflicts (beyond just international armed conflicts) and also added a second, more sweeping definition of mercenary activities. [1] However, this second definition still does not apply to most PMFs since it retains both the loophole for those combatants who integrate into a client’s armed forces and the problems associated with ascertaining a combatant’s motivation for
fighting. Indeed, it is widely recognized that neither the Protocol I nor the UN Mercenary Convention’s definitions of “mercenary” cover a majority of PMF activity [1].

Although some countries restrict mercenary activity and many countries forbid their citizens to enlist in foreign armies, very few countries have laws regulating PMFs. [1] Legislation within PMF host countries usually takes one of three forms: (1) a complete ban upon any military activity other than in support of that country’s armed forces; (2) regulation or complete prohibition of mercenary activity, but no mention of PMF activity; or (3) explicit regulation of PMF activity. [1] Of the eleven currently known PMF host countries, only the United States and South Africa explicitly regulate PMF activity. [1] The U.S. Arms Export Control Act (AECA) regulates the export of both arms and military services. Under the International Transfer of Arms Regulations (ITAR is the regulatory scheme which implements the AECA), all PMFs providing strategic, training, or maintenance advice to foreign forces must register with, and obtain a license from the State Department. [1] Additionally, the State Department must individually approve (after Congressional notification) each specific PMF contract in excess of $50 million. [1] Largely in response to the alleged atrocities of Executive Outcomes in Sierra Leone, South Africa passed the Regulation of Foreign Military Assistance Act (FMAA) in September of 1998. Much like the American regulatory scheme, the FMAA establishes a licensing procedure for PMFs who wish to offer non-combat military services to foreigners. [1] South Africa also explicitly bases its licensing decisions on principles of international law (including human rights law) and prohibits PMFs from acting as combatants in armed conflict. [1] Other suggested regulatory schemes consist of everything from a laissez-faire approach to an international regulatory system and even an outright ban on PMF activity. [1] Laissez-faire proponents argue that market forces will drive PMFs to honor contracts, maintain a good reputation, and eschew human rights abuses. [1] Those arguing for international regulation call for the United Nations to regulate PMFs through a scheme similar to the American and South African models. Lastly, those who wish to completely ban PMFs fear that any legitimization of PMF activity erodes sovereignty by destroying the monopoly of force by state actors and encouraging neo-colonialist incursions into Developing World conflicts.
Note: The United States, United Kingdom, Canada, France, Israel, South Africa, Russia, Angola, Sierra Leone, Belgium, and Uganda currently host active PMFs. A handful of other countries may host PMFs, but it is undetermined whether the companies actually exist. [1]

Questions and Next Steps
In order to effectively tackle this complex topic, delegates must understand key areas of focus

What is your nation or group’s stance on PMFs? What national level legislation applies to PMFs

What activities have they sponsored or received in terms of PMF activity? That is to say, are they clients or victims.

What services do PMFs supply for your country if any? Does your country stand to gain from regulation of PMFs? Lose?

How do PMFs subvert international ideals

This is a unique topic as key actors on what could call opposite sides of the international spectrum (Russia and the US (allies)) both utilize such actors. How will one country protect their own interests without supporting the others.

Consider the key conflicts in the modern era, ISIL, Ukraine, Israel. Investigate what PMF groups were part of each conflict. What was their motive, why were PMF forces chosen as opposed to state military. A good place to get started is the “Wagner Group” that operated in Ukraine and Syria.
References

**Topic 1:**

**Surveillance from above - a critique**  

**Military and LAWS - example (Sea Hunter)**  

**UN chief against LAWS**  

**Political Developments in LAWS**  

**List for and against LAWS (Find your stance here)**  

**Potential risks for LAWS**  
**Topic 2:**


**The Wagner Group [Brief Overview]**


**Private Military Companies [Brief Overview]**

[https://en.wikipedia.org/wiki/Private_military_company](https://en.wikipedia.org/wiki/Private_military_company)

**Mercenarianism And Private Military and Security Companies:**


**UN on the Offensive Against Iraq Mercenaries**

[https://www.globalpolicy.org/component/content/article/173/30569.html](https://www.globalpolicy.org/component/content/article/173/30569.html)

**A Look At The World's Most Powerful Mercenary Armies**


**UN Efforts to Regulate PMSCs**


**Mercenaries, Private Military Contractors Can Destabilize Rule of Law, Expert Tells Third Committee, amid Calls to End Racism, Respect Migrant Rights**