

HCCRI XII STUDY GUIDE

DISEC



THE QUESTION OF THE USE
OF UNMANNED COMBAT
AERIAL VEHICLES



WELCOME LETTER

Dear Delegates,

A very warm welcome to the The Disarmament and International Security Committee. We are honoured to welcome you to this iteration of the Hwa Chong Conflict Resolution and Inquiry (HCCRI).

Delegates can expect a thrilling journey ahead of you, as you touch on a topic that is increasingly pertinent in today's world. We look forward to delegates working with one another to discover the intricacies of unmanned aerial vehicles and the impacts they pose to our world.

The chairs genuinely hope that the concept of DISEC and the topic can enthral delegates, allowing delegates to broaden their knowledge on current security issues. The Dais wishes delegates the very best, and is equally excited to embark on the journey with you.

Should delegates require any assistance at any point of time, please feel free to contact the chairs at hccri23.disec@gmail.com.

Warmest Regards,

Chen Yufan, Daniel Adam, Ryan Lim

Dais of the Disarmament and International Security Committee

Hwa Chong Conflict Resolution and Inquiry 2023

DAIS INTRODUCTION

HEAD CHAIR: CHEN YUFAN

A repetition of her several MUN introductions, Yufan attributes her biggest personality trait to her sugar and caffeine intolerance, as well as her discussions with her peers about what other commitments she should take on. Aside from that, after being in the MUN circuit for quite some time, her dedication to collect blazers in all the colours of the world seems to have finally died down. She wishes delegates the best of luck at HCCRI'23, and hopes that delegates would have an enjoyable time here!

DEPUTY CHAIR: DANIEL ADAM BIN ZULKIFLI

Some might say that Daniel is obsessed with unicorns. But no, Daniel is obsessed with playing ultimate frisbee and scrolling through his Tiktok FYP in the wee hours of the morning. Daniel loves spending quality time with people, usually on activities like cafe hopping and ice skating. Besides that, Daniel is a nice guy who wishes to radiate positive energy in photos but to no avail because his smiles always seem forced. Daniel hopes that his delegates will make new friends and gain a fruitful council experience at HCCRI 2023.

DAIS INTRODUCTION

DEPUTY CHAIR: LIM YIK SUAN, RYAN

Though with little MUN experience, Ryan has decided to try chairing for the first time to justify his reasoning for taking KILME and also after his friend's encouragement. Through this council, Ryan hopes delegates are able to leave with new insights and forge new bonds along the way. Other than that, Ryan mostly spends his time with close friends doing and playing Rainbow Six Siege. Ubisoft has actually fixed the game so he would also like to take this opportunity to ask delegates to give it a try.

I. INTRODUCTION TO COMMITTEE

The Disarmament and International Security Committee (DISEC), also known as the United Nations (UN) General Assembly First Committee (GA1), is one of the six main committees of the UN General Assembly. It addresses and draws up solutions for global challenges that threaten international security and peace, taking into account all disarmament and security issues under the UN Charter or the powers/functions of any other organ of the UN.

All UN member states can attend DISEC sessions, with member states having equal voting rights on resolutions apart from observers. Though non-legally binding, the council can come up with legally binding treaties which countries can ratify on a voluntary basis.

Notable achievements of DISEC include the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). With the Treaty extended indefinitely since 11 May 1995, a total of 191 states, including the 5 nuclear-weapon states, have signed the treaty. It has the most ratifications of any arms limitation and disarmament agreement, a clear example of this landmark treaty's significance.

DISEC also cooperates with other agencies, such as the International Atomic Energy Agency (IAEA). In the aforementioned NPT, a safeguard system is established under the IAEA. This ensures states' compliance to the NPT through inspections.

¹ "United Nations, Main Body, Main Organs, General Assembly," United Nations (United Nations), accessed 2AD, <https://www.un.org/en/ga/first/>.

² "Treaty on the Non-Proliferation of Nuclear Weapons (NPT) – UNODA." United Nations. United Nations, n.d. <https://www.un.org/disarmament/wmd/nuclear/npt/#:~:text=The%20NPT%20is%20a%20landmark.and%20general%20and%20complete%20disarmament>

II. INTRODUCTION TO TOPIC

The proliferation of unmanned combat aerial vehicles (UCAVs) has become an increasing concern over the past few years. With the advent of modern-day military technologies, the question of whether UCAVs are tipping the balance in favour of stronger countries and jeopardising global peace becomes all the more pertinent. Recently, the use of UCAVs, or combat drones, in the Russo-Ukrainian War³ and other wars such as the Azerbaijan-Armenia War in 2020,⁴ have raised concerns over how such military innovations might change what we used to perceive as conventional warfare. Unlike on-ground troops, UCAVs are unmanned and more unpredictable. Further, the use of combat drones in assassination missions, with the assassination of Iranian general Qasem Soleimani as a more renowned example, have also sparked debate on the effectiveness of international laws in dictating such state actions.⁵ To compound the issue further, with the proliferation of UCAVs, some of these lethal weapons are falling into the hands of malicious non-state actors, more specifically terrorist organisations (TOs), and this poses a huge problem to global security as evidenced by the ever-increasing aggressiveness of TOs.

³ "How Are 'Kamikaze' Drones Being Used by Russia and Ukraine?" BBC News. BBC, January 3, 2023. <https://www.bbc.com/news/world-62225830#:~:text=Ukraine's%20government%20and%20Western%20intelligence,it%20is%20instructed%20to%20attack.>

⁴ "Drones in the Nagorno-Karabakh War: Analyzing the Data." Military Strategy Magazine, January 17, 2022. <https://www.militarystrategymagazine.com/article/drones-in-the-nagorno-karabakh-war-analyzing-the-data/#:~:text=%E2%80%9CAzerbaijan's%20UAVs%20obliterated%20Armenia's%20formidable,humiliating%20ceasefire%20imposed%20by%20Russia.>

⁵ "Qasem Soleimani: US Kills Top Iranian General in Baghdad Air Strike." BBC News. BBC, January 3, 2020. [https://www.bbc.com/news/world-middle-east-50979463.](https://www.bbc.com/news/world-middle-east-50979463)

II. INTRODUCTION TO TOPIC

Yet, not only the production, but also the export of UCAVs will foreseeably never decline in numbers. In this aspect, China has proven herself “the world’s leading exporter of combat drones”, selling her drones to countries all across the globe such as Saudi Arabia, Myanmar, Iraq, and Ethiopia.⁶ Many other countries have also started stockpiling their arsenal of armed drones in what is now newly known as the “drone race”. Notably, there is a need for the international community to discuss the threats UCAVs pose to global security and how such threats can be, as much as possible, reduced. However, keeping in mind the controversy of such a topic, existing geopolitical relations, and the nuanced stances of all individual states, whether there will be an international consensus on the solutions to the issue remains a difficult question.

⁶ Rasheed, Zaheena. “How China Became the World’s Leading Exporter of Combat Drones.” Weapons News | Al Jazeera. Al Jazeera, January 30, 2023. <https://www.aljazeera.com/news/2023/1/24/how-china-became-the-worlds-leading-exporter-of-combat-drones>.

III. BACKGROUND INFORMATION

THE INCREASING USE OF UNMANNED COMBAT AERIAL VEHICLES (UCAVS)

Today's cutting edge drones are smaller than conventional military aircraft. To effectively combat them, different kinds of air defences are required. UCAVs fly slower and closer to the ground, meaning that many air defence systems are insufficiently optimised to dismantle and knock them down.⁷ This encapsulates why countries have been aggressively using armed drones in recent combats and conflicts.

⁷ "Combat Drones: We Are in a New Era of Warfare - Here's Why." BBC News. BBC, February 4, 2022. <https://www.bbc.com/news/world-60047328>.

III. BACKGROUND INFORMATION

In recent years, the world has seen a spike in UCAV usage in armed conflicts. Due to the surreptitious and unpredictable nature of drone attacks, combat drones have been hailed as one of the most modern and effective weapons used in traditional warfare. As a result, many countries are turning to combat drones to increase their chances of victory in an armed conflict. In the Second Nagorno-Karabakh War in September 2020, Azerbaijan leveraged Turkish-produced UCAVs to gain an upper hand in her war against Armenia. Though there were many other factors that led to Azerbaijan's victory in the Karabakh region, one of the main reasons Azerbaijan won was because of Turkish military support. Turkey, a leading power in military technology, provided Azerbaijan with arms and drones that were almost unparalleled in the battlefield. As compared to the Armenian military, the more sophisticated military technology Azerbaijan forces used, in particular UCAVs, made it an easy win for Azerbaijan.⁸ The use of UCAVs can be seen in other conflicts such as the most recent Russo-Ukrainian conflict as well, with Russia reportedly using Iranian-made Shahed-136 drones against Ukrainian forces. These drones contain explosives in warheads on their noses, and are programmed to hover over a target until it is ordered to attack.⁹ This provides the Russian military with a significant advantage to target specific individuals as part of their military stratagem.

⁸ Hülya Kınık, Sinem Çelik. "The Role of Turkish Drones in Azerbaijan's Increasing Military Effectiveness: An Assessment of the Second Nagorno-Karabakh War." Insight Turkey, December 14, 2021. <https://www.insightturkey.com/articles/the-role-of-turkish-drones-in-azerbajians-increasing-military-effectiveness-an-assessment-of-the-second-nagorno-karabakh-war#:~:text=In%20addition%20to%20Turkish%20Bayraktar,designed%20and%20produced%20by%20Israel>.

⁹ "How Are 'Kamikaze' Drones Being Used by Russia and Ukraine?" BBC News. BBC, January 3, 2023. <https://www.bbc.com/news/world-62225830#:~:text=Ukraine's%20government%20and%20Western%20intelligence,it%20is%20instructed%20to%20attack>.

III. BACKGROUND INFORMATION

UCAVs are not only seen in traditional warfare– they are sometimes exploited for assassination missions as well. In January 2020, the US allegedly used reaper drones to assassinate Iranian general Qasem Soleimani, claiming that Soleimani had “planned a broad, large-scale attack against American interests, and those attacks were imminent.”¹⁰ After the drone attack, there were accusations that the attack constituted an act of aggression and a breach of Iraqi sovereignty, hence a violation of international law.¹¹ Article 51 of the UN Charter asserts that there should be no use of force against any individual unless: 1) the use of force is authorised by the Security Council, and; 2) the act of force constitutes an act of self defence. More of the legalities apropos of the use of force and arms in armed conflict will be discussed in detail in the scope of debate. For better or for worse, UCAVs are becoming a new technology that countries turn to, to carry out state missions. To ensure its responsible, measured, and justified use, the international community has to ensure that countries abide by international law and come up with a more standardised framework surrounding the legal usage of armed drones, especially as drone technology will become increasingly sophisticated in the next few years.

¹⁰ Schlein, Lisa. “Un Investigator: Drone Killing of Top Iranian General Unlawful.” VOA. Voice of America (VOA News), July 9, 2020. https://www.voanews.com/a/middle-east_un-investigator-drone-killing-top-iranian-general-unlawful/6192521.html.

¹¹ Gabrielle Wast | U. Pittsburgh School of Law, US. “The Killing of General Soleimani – a Blatant Violation of International Laws.” Jurist. - JURIST - Commentary - Legal News & Commentary, November 4, 2020. <https://www.jurist.org/commentary/2020/04/archit-shukla-general-soleimani-international-law/>.

III. BACKGROUND INFORMATION

INCREASE IN USE OF UCAVS BY TERRORIST ORGANISATIONS (TOS)

The rapid increase in the use of UCAVs by terrorist organisations (TOs) have also become a risk attributed to the use of UCAVs. TOs have manipulated UCAVs to aid their attacks to various societies, resulting in widespread damage and collateral destruction to the daily lives of many.

Since the Islamic state used drones to detonate bombs on Mosul in January 2017,¹² UCAVs have become a growing concern for security forces around the world. Terrorist groups have used or attempted to use aerial drones for a variety of operations, including intelligence gathering, explosive delivery¹³ — either by dropping explosives like bombs, using the vehicle as the impactor, or using a drone equipped with some sort of rocket-launching system— and chemical weapon delivery. Some have even pointed out that TOs could possibly harness drones as a means to spread chemical or biological agents such as infectious diseases to cause panic. As the technology becomes more readily available and affordable, the threat posed by TOs using UCAVs is also likely to increase.

¹²Warrick, Joby. "Use of Weaponized Drones by Isis Spurs Terrorism Fears." The Washington Post. WP Company, February 21, 2017. https://www.washingtonpost.com/world/national-security/use-of-weaponized-drones-by-isis-spurs-terrorism-fears/2017/02/21/9d83d51e-f382-11e6-8d72-263470bf0401_story.html.

¹³ Savage, Charlie, Eric Schmitt, Azmat Khan, Evan Hill, and Christoph Koettl. "Newly Declassified Video Shows U.S. Killing of 10 Civilians in Drone Strike." The New York Times. The New York Times, January 19, 2022. <https://www.nytimes.com/2022/01/19/us/politics/afghanistan-drone-strike-video.html>.

III. BACKGROUND INFORMATION

In order to counter these threats, it is of great exigence for security forces to improve their abilities to detect, neutralise and track UCAVs used by TOs. These can range from radio frequency, laser technology to even acoustic sensors.¹⁴ Nonetheless, terrorism is a worldwide issue and the use of UCAVs by TOs can only be curbed with multilateral cooperation. Only when cross-border cooperation is harnessed can countries effectively regulate the sale and transfer of UCAV technology to prevent it from falling into the wrong hands, which ultimately, can prevent the use of UCAVs by TOs.

HUMANITARIAN CONCERNS

Drone usage has raised many concerns due to its many humanitarian risks involved. Contrary to popular belief, it does not guarantee higher accuracy and less collateral damage. On August 29 2022, a botched drone strike in Kabul killed 10 civilians. Intended to kill an ISIS-K terrorist who was about to detonate a bomb in Kabul Airport, 25 minutes of silent footage from the drones showed that 7 of the 10 dead were children. Drones might be unmanned, but are still managed by operators from a far-away control room, with their only information on the ground through grainy, blurry camera footage. This is not to mention the controversial targeting criteria utilised to hunt threats – all men of age in the vicinity of where it was suspected to have enemy activities were deemed to be automatically targetable.¹⁵

¹⁴ "An Overview of Drone Defense and Detection: Easypsim™." easypsim, February 1, 2021. <https://easypsim.com/2021/02/01/an-overview-of-drone-defense-and-detection/#:~:text=For%20reliable%20detection%2C%20identification%20and,acoustic%20detection%20is%20often%20used.>

¹⁵ Savage, Charlie, Eric Schmitt, Azmat Khan, Evan Hill, and Christoph Koettl. "Newly Declassified Video Shows U.S. Killing of 10 Civilians in Drone Strike." The New York Times. The New York Times, January 19, 2022. <https://www.nytimes.com/2022/01/19/us/politics/afghanistan-drone-strike-video.html>.

III. BACKGROUND INFORMATION

This is fuelled by the nature of UCAVs. It lowers the risks involved for the attacking party due to the lack of need for on-ground personnel, distancing the party from the conflict itself. According to a report by a British barrister Ben Emmerson KC, up to 58 civilians might have been killed in attacks by UCAVs In Yemen. This brings to question the transparency and accountability of UCAV usage in war; which are further exemplified by its legal concerns, especially under the International Human Rights Law (IHRL)– if drone strikes are carried out in violation of these laws in a way that discriminates against certain individuals (as previously mentioned), this will violate the principle of being against adverse distinction under the IHRL.¹⁶

Most importantly, drone usage has long lasting negative impacts on the local affected communities. Besides death and injuries of innocent individuals, it might also cause mental trauma. This is due to the sheer minuscule size of drones and their unmanned nature, together with its increased capacity to carry out attacks. Over time, this might instil fear into the hearts and minds of civilians, which is further exacerbated by the weaponisation of civilian drones. In addition, the counter-measures and technologies used to combat drones might interfere with civilian lives and infrastructure, such as rockets, drones or jammers.¹⁷

¹⁶ “Drone Strikes by US May Violate International Law, Says UN.” The Guardian. Guardian News and Media, October 18, 2013. <https://www.theguardian.com/world/2013/oct/18/drone-strikes-us-violate-law-un>.

¹⁷ “Humanitarian Concerns Raised by the Use of Armed Drones - World.” ReliefWeb, November 6, 2020. <https://reliefweb.int/report/world/humanitarian-concerns-raised-use-armed-drones>.

IV. KEY TERMS

Unmanned Combat Aerial Vehicles

An unmanned military aircraft of any size that can use onboard technology to guide a weapon to a target, carry a weapon, and launch it.¹⁸

Non-State Actors (NSAs)

Organisations or individuals who are not allied to any country's or state's stance.¹⁹

¹⁸ "Unmanned Combat Aerial Vehicle (UCAV) Definition." Law Insider. Accessed February 18, 2023.

<https://www.lawinsider.com/dictionary/unmanned-combat-aerial-vehicle-ucav>.

¹⁹ "Non-State Actors." ESCR. Accessed February 18, 2023. <https://www.escr-net.org/resources/non-state-actors#:~:text=Non%2Dstate%20actors%20include%20organizations,paramilitary%20and%20armed%20resistance%20groups>.

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V. SCOPE OF DEBATE

DEVELOPMENT OF UCAVS BY NON-STATE ACTORS

The use of UAVs by non-state actors (NSAs) have become increasingly prevalent, with case studies like the Revolutionary Armed Forces of Colombia using UAVs for its own military operations exemplifying the severity of the issue.²⁰ The wider access to such devices no doubt poses a greater security threat to countries, especially those without the necessary resources to combat security threats brought about by NSAs. Especially for Less Developed Countries (LDCs), ANSAs could potentially bring about widespread harm. One example of the LDCs would be Yemen, which had a total of 156 drone strikes within 2002 and 2016.²¹ These drone strikes had extensive impacts on Yemeni society, including panic among citizens, destruction of society and even deaths. Moreover, the remote nature of UAVs, as well as their ability to conduct 24-7 surveillance, make UAVs devices that intensify the usual effects of war.

²⁰ “Non\$State)Actors)and) Unmanned)Aerial)Vehicles - Arms Control.” Accessed February 18, 2023. <https://armscontrol.ru/pubs/en/Miasnikov-UAV-130108.pdf>.

²¹ “The Drone Paradox - JSTOR.” Accessed March 14, 2023. <https://www.jstor.org/stable/26591799>.

V. SCOPE OF DEBATE

Although these Armed Non-State Actors (ANSAs) continue to have limited access to high-tech military armed drones, the weaponisation of civilian drone technology to conduct armed attacks gives ANSAs some minimal air-based military capability.²² During armed confrontations, ANSAs more frequently include modified civilian drones in its tactical arsenal. For example, the Houthi Rebels in Yemen utilised drones to launch attacks on Saudi Arabia, including strikes on oil refineries and airports.²³ The Houthi rebels in Yemen have used drones to carry out attacks on Saudi Arabia, including strikes on oil refineries and airports.

Delegates should consider how Less Developed Countries (LDCs), without the resources for investment, can combat the threat of UCAVs by non-state actors. At the basis of this issue, delegates should also consider whether there is still relevance in combating this threat, since the degree of attack is usually negligible. Aside from combating the threat, would it also be of relevance for countries to, as much as possible, prevent UCAVs from falling into the arms of non-state actors, more specifically terrorist organisations? One prevention method could be to limit the development of drones by non-state actors, but delegates would need to specify the solutions to achieve this. Other countries are also looking into prevention and detection methods to reduce the threat of UCAV usage by ANSAs, such as the US and its decision to prioritise the investment in the development of more advanced air defence systems that can reduce the risk presented by UAVs.²⁴ Delegates would have to look into these solutions and consider their feasibility and areas of improvement.

²² "Humanitarian Concerns Raised by the Use of Armed Drones - World." ReliefWeb, November 6, 2020. <https://reliefweb.int/report/world/humanitarian-concerns-raised-use-armed-drones>.

²³ Holleis, Jennifer, and Kersten Knipp. "Houthi Drones Make Saudi Arabia an Easy Target - DW - 03/30/2022." dw.com. Deutsche Welle, March 30, 2022. <https://www.dw.com/en/houthi-attacks-expose-saudi-arabias-defense-weakness/a-61294825>.

²⁴ MaxEditor. "Use of Uavs by Non-State Actors to Grow in Scope, Potentially Pose Greater Risk to Civilian Infrastructure in Coming Year: Mena Analysis." Max Security, July 16, 2021. <https://www.max-security.com/geopolitical-analysis/use-of-uavs-by-non-state-actors-to-grow-in-scope-potentially-pose-greater-risk-to-civilian-infrastructure-in-coming-year/>.

V. SCOPE OF DEBATE

LIMITING THE TRADE AND EXPORT OF ARMED DRONES

In recent years, the world has seen a drastic increase in countries being involved in the trade and export of armed drones. To wit, China has been mass producing and exporting UCAVs in the past few years, and is now labelled as the world's leading exporter of UCAVs. Between 2011 and 2019, aerospace and defence firms owned by the state have exported UCAVs to more than 11 countries.²⁵ As a result, international agreements and guidelines were formed to limit drone trade and exports. The Missile Technology Control Regime (MTCR) was a multilateral agreement by 35 nation-states formed in 1987 that aimed to limit drone exports in a bid to achieve non-proliferation of drones.²⁶ However, there lies a few limitations with regards to what the MTCR can do on a global scale. For instance, the US reinterpreted the rules in MTCR in order to expedite exports of more advanced missiles and drones and expand its share in the global UAV market.²⁷ This shows that multilateral agreements such as the MTCR are not completely foolproof to reinterpretations and readjustments that further the interests of certain countries. In addition, MTCR is non-legally binding in nature, hence countries can still disregard the restrictions imposed by the agreement. Hence, with reference to the MTCR, delegates have to consider the effectiveness of international agreements or regimes in limiting the trade of armed drones. Delegates should also consider how manipulations of such agreements can be prevented and how compliance with international guidelines can be ensured.

²⁵ "Why China's Armed Uavs Are a Global Export Success, and Its Fighter Jets, Not so Much." Youtube. Accessed February 18, 2023.

<https://www.defenceprocurementinternational.com/features/air/china-has-disrupted-the-military-drone-market>.

²⁶ Finnerty, Ryan. "Restrictions on Drone Exports Hamper American Foreign Policy: Mitchell Institute." Flight Global. Flight Global, April 19, 2022.

<https://www.flightglobal.com/military-uavs/restrictions-on-drone-exports-hamper-american-foreign-policy-mitchell-institute/148300.article>.

²⁷ "Arms Control Today." U.S. Reinterprets MTCR Rules | Arms Control Association. Accessed March 14, 2023. <https://www.armscontrol.org/act/2020-09/news/us-reinterprets-mtcr-rules>.

V. SCOPE OF DEBATE

The increase in demand for UCAVs is also one of the main reasons the international community has long struggled to limit the trade and export of armed drones. To date, more countries continue to seek trade deals with prominent defence firms from overseas. Recently, Malaysia and Indonesia have expressed a keen interest in purchasing armed drones from Baykar, a Turkish defence firm which produces UCAVs that have proven successful in border conflicts.²⁸ Such a phenomenon is not unexpected, for many countries have been purchasing UCAVs in the name of national defence. For example, the fear of being attacked by Iranian-backed militias and Iranian armed drones have prompted Arab countries such as the United Arab Emirates, Saudi Arabia, Egypt, Iraq, and Jordan to turn to China for more drone support, exacerbating the proliferation of drones and marking the start of a drone race.²⁹ As time passes, more countries will only participate in this race as they stockpile their own arsenals of drones in anticipation of potential aggression from neighbour states. Since competition among countries' militaries to exploit new technologies is fierce, this makes it difficult to implement and establish binding international treaties that restrict the proliferation of certain weapons.³⁰

²⁸ Agencies, Daily Sabah with. "Türkiye Says Malaysia, Indonesia Interested in Buying Its Armed Drones." Daily Sabah. Daily Sabah, September 26, 2022. <https://www.dailysabah.com/business/defense/turkiye-says-malaysia-indonesia-interested-in-buying-its-armed-drones>.

²⁹ Bradley Bowman, Maj. Jared Thompson. "China's Surprising Drone Sales in the Middle East." Defense News. Defense News, August 18, 2022. <https://www.defensenews.com/opinion/2021/04/23/chinas-surprising-drone-sales-in-the-middle-east/>.

³⁰ Ibrahim, Sara. "Swiss Army Uses Drone Technology. Should We Worry?" SWI swissinfo.ch. swissinfo.ch, September 21, 2022. <https://www.swissinfo.ch/eng/business/swiss-drone-technology-used-in-military--should-we-be-concerned--/47681636>.

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But the main issue is not merely the trade and export of UCAVs. More importantly, there are countries that have been accused for furnishing perpetrator states with armed drones, exacerbating an already ongoing conflict. Most of the UCAVs controlled by Iranian proxy militias recently were supplied from China.³¹ And just recently in 2021, Iran was condemned for launching a drone strike on an Israeli oil tanker off the coasts of Oman, allegedly using suicide drones which exploded on impact.³² Hence, accusations have been made that China is being a “partner of chaos” by supplying Iran with drones, escalating tensions between Middle East countries. Besides that, a more prominent example would be Iran exporting drones to Russia, worsening the Russo-Ukrainian war.³³ Notably, the trade and export of armed drones do not guarantee them being used for defence purposes only. Evidence has shown that sometimes, it may be quite the opposite.

³¹ al-Omran, Faris. “Partner in Chaos’: China Sells Drones to All Buyers in the Middle East.” Al. Al-Mashareq, August 24, 2022. https://almashareq.com/en_GB/articles/cnmi_am/features/2022/08/24/feature-02.

³² AFP, Al-Mashareq and. “Iran Accused of Drone Attack on Vessel off Oman; World Powers Vow Response.” Al. Al-Mashareq, August 2, 2021. https://almashareq.com/en_GB/articles/cnmi_am/features/2021/08/02/feature-01.

³³ “Drone Analysis in Ukraine Suggests Iran Has Supplied Russia since War Began.” The Guardian. Guardian News and Media, November 10, 2022. <https://www.theguardian.com/world/2022/nov/10/iranian-made-drones-supplied-to-russia-after-february-invasion-says-ukraine>.

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Yet, delegates will have to reach a compromise since many countries will be against over-stringent regulations on the trade of UCAVs. This stems from a myriad of reasons. Firstly, too much regulation will go against the national interests of certain mass drone producers, such as China, and Turkey, who have been making several trade deals with other countries. Besides that, countries also have to factor in the fact that UCAVs can be used for defence or retaliation purposes as well (if the principle of proportionality is met and a retaliation is considered legal under international laws). In some cases, the export of armed drones is instrumental for defence purposes, such as how the US and Turkey have been exporting UCAVs to Ukraine to provide the victim state with the means to protect itself.³⁴ ³⁵ Hence, a balance still has to be struck between limiting the export of combat drones and ensuring that weaker countries have the necessary defence capabilities to protect themselves in case of an armed conflict. Coupled with the nuanced stances of drone producers and countries interested in purchasing drones, the question of limiting the trade and export of UCAVs becomes all the more contentious and difficult to solve.

³⁴ “U.S. Senators Push to Send Armed Drones to Ukraine.” GovTech. GovTech, November 23, 2022.

<https://www.govtech.com/products/u-s-senators-push-to-send-armed-drones-to-ukraine>.

³⁵ Writer, Staff. “With Drone Gift to Ukraine, Turkey’s Baykar Wins Fans and Clients.” Nikkei Asia. Nikkei Asia, June 29, 2022. <https://asia.nikkei.com/Politics/Ukraine-war/With-drone-gift-to-Ukraine-Turkey-s-Baykar-wins-fans-and-clients#:~:text=The%20company%20was%20responding%20to,to%20the%20Ukrainian%20war%20front>.

V. SCOPE OF DEBATE

THE LEGALITY OF DRONE ATTACKS AGAINST TERRORISTS

UCAVs have been often used to conduct strikes to eliminate suspected military targets and leaders, especially by the Americans. These targeted killings have mostly been popularised since the 9/11 attacks of September 2001, whereby a law was passed to authorise the use of military attacks against those responsible for the attacks. Since then, these attacks under the “War on Terror” have expanded beyond this purpose, simply targeting terrorists in general that may or may not be relate/d to the 9/11 attacks, drawing debate over its legality. There are 3 main issues regarding this: the government’s consistency with domestic and international law, the rights of the targeted and affected individuals and the sovereignty of the country where the attack was conducted.

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The debate over consistency is largely due to the issue of “war” between a state and a non-state actor. For example, America’s frequent suage of drones for targets from ISIS raises the question whether wartime or peacetime laws should be applied in these cases as the line between what is war or an act of self-defence becomes unclear – war typically implies an armed conflict between parties but self-defence refers to the inherent right of a nation to use force in response to an armed attack. Wartime laws are much more harsh, which might allow the usage of curfews, martial law etc. Attacks on means of production, like power supplies, that might have military purposes for terrorists, are more likely to be allowed and carried out, hence justifying drone attacks that are near civilian infrastructure as hostile entities lurk nearby. In the case of self-defence, such laws thus cannot be used. In addition, should international or domestic law take precedence with regards to such targeted killings, and to what extent is a country allowed to carry out attacks under the pretext of domestic safety or other purposes? If Yemen provides military supplies to Syrian terrorists, and shelters Syrian wanted terrorists, would it be legal for an attack to be carried out in Syria? Such grey areas blur the scope of the conflict, making the task of delineating jus ad bellum when dealing with multinational TOs.³⁶

³⁶ “Drone Strikes and Targeted Killings: Domestic and International Perspectives,” n.d.
https://www.ca2.uscourts.gov/docs/jc_reports/2014/4_Drone_Strikes.pdf.

V. SCOPE OF DEBATE

Furthermore, if such a “war” is legal, it is not specified which members can be targeted. Ranging from mere personnel or to leaders, it is not clearly stipulated which members can be involved in such hostilities. There are also huge humanitarian concerns due to the fact that such attacks typically take place near civilians and civilian infrastructure, putting many innocent lives at risk. A most recent case would be the previously mentioned botched drone strike in Kabul which killed 10 Afghan civilians thought to be ISIS-K terrorists.³⁷

Most importantly, UCAV attacks against terrorists are typically carried out on foreign soil, which might in fact be a violation of the foreign nation’s sovereignty. Though often claimed as necessary precautions to safeguard national security, there has been much protest, even from the UN. A 2013 British investigation into the targeted killings by American unmanned drones on Pakistani territory found that “its use of force” on Pakistani soil “without its consent” was “a violation of Pakistan’s sovereignty”. The attacks had provoked angry demonstrations in Pakistan, and it was in fact Pakistan together with Russia and China that requested an investigation into the matter. Though Washington refrained from commenting on the report, retired U.S. General Stanley McChrystal, creator of the U.S. counterinsurgency strategy for Afghanistan, had warned earlier against overuse of drones.³⁸

³⁷ “Drone Strikes by US May Violate International Law, Says UN.” The Guardian. Guardian News and Media, October 18, 2013. <https://www.theguardian.com/world/2013/oct/18/drone-strikes-us-violate-law-un>.

³⁸ Charbonneau, Louis. “U.S. Drone Strikes Violate Pakistan’s Sovereignty: U.N.” Reuters. Thomson Reuters. Accessed February 18, 2023. <https://www.reuters.com/article/us-un-drones-idUSBRE92EOY32O130316>.

VI. KEY STAKEHOLDERS

COUNTRIES THAT HAVE MOBILISED THEIR UCAVS

These are countries that have used UCAVs in past battles, military operations, or assassination attempts. Amongst them is the USA, which conducted the state's first drone strike in Afghanistan in 2001.³⁹ Azerbaijan was also proven to have used UCAVs in the Azerbaijan-Armenian War, with footage showing Bayraktar TB2s striking Armenian targets.⁴⁰ These countries have used and will most likely use combat drones in future conflicts, and hence are the most likely to frown upon too many limitations on the use of UCAVs.

³⁹ Gusterson, Hugh. "Drone Warfare." AIP Conference Proceedings, November 15, 2017.

<https://aip.scitation.org/doi/pdf/10.1063/1.5009234>

⁴⁰ Charpentreau, byClement, Clement Charpentreau, byJean Carmela Lim, Jean Carmela Lim, byValius Venckunas, and Valius Venckunas. "Footage Shows Azerbaijan Bayraktar tb2s Striking Armenian Targets in New Attack." AeroTime, September 14, 2022. <https://www.aerotime.aero/articles/32163-footage-shows-azerbaijan-tb2s-strikes-on-armenian-targets>.

VI. KEY STAKEHOLDERS

DRONE PRODUCERS AND EXPORTERS

Delegates should also consider the stances of countries that are mass producers of UCAVs. These countries may produce several models of combat drones, but may not necessarily be complicit in using these drones in warfare. A case in point is China: Chinese-manufactured drones have been exploited to combat extremism beyond the borders of China, but the Chinese military has never used their own drones for any lethal operations.⁴¹ Iran, on the other hand, has been accused of warmongering for supplying Russia with UCAVs in the recent Russo-Ukrainian war, and was condemned for violating UN Security Council Resolution 2231, though Iran herself was not involved in the conflict.⁴² Hence, such countries might not be absolutely against laws restricting the use of armed drones, but will be vehemently against regulations that threaten their export of drones. However, take note that drone producers can be countries that have used their drones to combat extremism as well, such as the USA.⁴³

⁴¹ “World of Drones.” New America. Accessed February 18, 2023. <https://www.newamerica.org/international-security/reports/world-drones/who-has-what-countries-with-armed-drones/#:~:text=Chinese%2Dmade%2Odrones%20have%20been,and%20try%20him%20in%20court>.

⁴² Iran International. “Iran Finally Admits Providing Drones to Russia.” Iran International. Iran International, November 5, 2022. <https://www.iranintl.com/en/202211059003>.

⁴³ “America’s Counterterrorism Wars.” New America. Accessed February 18, 2023.

<https://www.newamerica.org/international-security/reports/americas-counterterrorism-wars/the-drone-war-in-pakistan/>.

VI. KEY STAKEHOLDERS

COUNTRIES THAT ARE DEVELOPING THEIR OWN ARMED DRONES

There are also countries that are developing their own armed drones. Countries such as Pakistan, Turkey, Iran, Russia, Taiwan, and India have taken concrete steps towards their independent armed drone production and most of them have proven promising results.⁴⁴ Of interest is the nEUROn UCAV project, a project launched by France and undertaken by a few European countries such as Italy, Sweden, Spain, Greece, and Switzerland. The project aims to bring together multiple European countries to share technological know-how and improve on the current developing nEUROn drone.⁴⁵ In the near future, there will only be more of such projects as countries strive to produce the most capable armed drones in this newly commenced drone race. Evidently, countries that aim to develop their own UCAVs will frown upon any regulations that serve as a liability to their own national interests of upgrading their military capabilities.

⁴⁴ “World of Drones.” New America. Accessed February 18, 2023.

<https://www.newamerica.org/international-security/reports/world-drones/who-has-what-countries-developing-armed-drones/>.

⁴⁵ “Neuron, the European Combat Drone Demonstrator: Introduction.” Dassault Aviation, a major player to aeronautics, February 22, 2022. <https://www.dassault-aviation.com/en/defense/neuron/introduction/>.

VI. KEY STAKEHOLDERS

COUNTRIES VULNERABLE TO DRONE ATTACKS

These countries do not currently possess any UCAVs. To wit, there are certain countries such as Vietnam and the Philippines that have yet to own any UCAVs. These countries are more likely to suffer more damage in the case of a drone war, and hence will favour more regulations on the distribution and use of combat drones in armed conflicts. However, note that most of these countries are already bolstering their own anti-drone systems, and are not completely incapable of combatting UCAVs.⁴⁶ Further, certain countries are already considering to stockpile their own arsenal of combat drones, as substantiated by a recent deal between Malaysia and the Turkish defence firm Baykar.⁴⁷ Thus, delegates must take into account the nuanced stances of each and every country even though they might not currently possess any UCAVs.

⁴⁶ Neil. "Philippines Told to Boost Anti-Drone System ." BusinessWorld Online, September 12, 2022.

<https://www.bworldonline.com/the-nation/2022/09/12/474045/philippines-told-to-boost-anti-drone-system/>.

⁴⁷ Person. "Turkey Says Malaysia, Indonesia Interested in Buying Armed Drones." Reuters. Thomson Reuters, September 26, 2022. <https://www.reuters.com/business/aerospace-defense/turkey-says-malaysia-indonesia-interested-buying-armed-drones-2022-09-26/>.

VI. KEY STAKEHOLDERS

COUNTRIES THAT ARE LOATH TO PRODUCE OR USE ARMED DRONES

It is important to note that countries that are loath to produce or use armed drones are not necessarily countries that are against the use of armed drones—most of the time they can, and have the means to, develop UCAVs if they wanted to. These countries choose to refrain from developing UCAVs or actively using them because of two main reasons: 1) because it might put them in a geopolitically difficult situation and 2) they can always develop them when during critical circumstances, such as when threatened by foreign forces and the use of UCAVs is the best means of retaliation. Such countries include countries such as Singapore.⁴⁸ Their stance would be to tighten international laws and boost efforts to curb the proliferation of UCAVs, but they would be strongly against rules that hinder the development of UCAVs.

⁴⁸ "A Perspective on Singapore." Proliferated Drones, June 2, 2016.
<https://drones.cnas.org/reports/a-perspective-on-singapore/>.

VII. POTENTIAL SOLUTIONS

ENHANCED EXPORT REGULATIONS

Globalisation, on one hand has boosted trade and economic opportunities, but on the other hand, has also made it far easier for UCAVs to fall into the wrong hands. Enhancing export regulations would then be crucial in order to solve the root cause of the misuse of UCAVs. Delegates should consider what the specific frameworks of enhancing such regulations are. The United Nations Register for Conventional Arms (UNROCA), for example, works to enhance such regulations and prevent the accumulation of arms, which could serve as a precedent.⁴⁹ UNROCA functions by requiring countries to provide data on the arms traded with other countries, and delegates could consider whether such a mechanism can be targeted to the trade of armed drones instead. However, an issue with UNROCA is the reduced transparency of the register based on under-reporting of arms - 27 states under the UNROCA had not reported to the register for more than 3 years as of 2017. Delegates should consider how to resolve this to ensure more transparency. To expand on this, more data could be collected to ensure transparency and prevent drones from falling into the hands of terrorist organisations or other NSAs that could potentially pose a threat to the security of countries. However, the willingness of the countries to reveal these data still remains an issue.

Delegates could also decide whether there is a need to limit the sales of armed drones only to countries not involved in ongoing conflicts. On one hand, this could prevent any accumulation of devices that can threaten other countries, but on the other hand, there could be economic repercussions to countries exporting such weapons, hence delegates do have to make a balanced decision.

⁴⁹ "Reporting to the United Nations Register of Conventional Arms for 2017." SIPRI. Accessed February 18, 2023. <https://www.sipri.org/publications/2019/sipri-background-papers/reporting-united-nations-register-conventional-arms-2017>.

VII. POTENTIAL SOLUTIONS

DEFEAT SYSTEMS AND COUNTERMEASURES

Should UCAVs indeed land in the wrong hands, defeat systems and countermeasures could be utilised. Delegates can look into the different defence mechanisms, such as geofencing, RF jamming or nets.⁵⁰ However, there can still be issues that arise from utilising such systems and measures. For example, should RF jamming be used to defeat UCAVs, it would also interfere with any technology operating inside the standard 2.4 to 5.0MHz range in which RF jammers work. This, for example, can then pose a serious disturbance to day-to-day communications, which can ultimately become a problem to society.⁵¹ Delegates would therefore have to consider whether such anti-UAV systems are feasible, or propose solutions that can address the loopholes and better tackle the threats of UCAVs.

STRATEGIC PLANNING AND PREPAREDNESS

With more UCAVs falling into the hands of terrorist organisations, strategic planning measures to incorporate a sense of preparedness amongst people become increasingly paramount for countries to understand how to properly respond to terrorist attacks with the usage of UCAVs. Delegates can consider how exactly to implement such preparedness measures and how these measures could be spread and educated to the general public.

⁵⁰ “The Role of Drones in Future Terrorist Attacks | AUSA.” Accessed February 18, 2023.

<https://www.ausa.org/publications/role-drones-future-terrorist-attacks>.

⁵¹ “The Problems and Limitations of RF Jammers for Stopping Rogue Drones.” Fortem Technologies, March 26, 2019. <https://fortemtech.com/blog/discussions/2019/03/26/problems-and-limitations-of-rf-jammers.html>.

VII. POTENTIAL SOLUTIONS

LEGAL FRAMEWORKS REGARDING THE USAGE OF UCAVS

Under the United Nations (UN) Charter, the use of UCAVs for military purposes must be in accordance with international law and the principles of the UN Charter, which focuses primarily on the prohibition of the use of force by one state against another except in cases of self-defence or with permission from the UN Security Council.⁵² However, many countries have launched UCAV attacks on other states, which are considered violations of international law. Despite the violation of the UN Charter, these countries generally do not face any penalties for their actions, and hence the safe usage of UCAVs has not been suitably enforced. Delegates could consider if a legally binding framework is necessary regarding the usage of UCAVs or UAVs, and the type of penalties incurred should the framework be breached.

⁵² “UN Charter.” United Nations. United Nations. Accessed March 14, 2023. <https://www.un.org/en/about-us/un-charter>.

QUESTIONS A RESOLUTION MUST ANSWER (QARMA)

1. How can DISEC discourage the illegal use of UCAVs both in general and during an armed attack? What constitutes the legal usage of UCAVs?
2. How can countries ensure that UCAVs are used reasonably and under critical circumstances only?
3. Should the international community limit the trade of armed drones? If so, how can this be done without worsening the defence inequality between countries with different defence capabilities?
4. How can countries prevent combat drones from falling into the hands of terrorist organisations or malicious non-state actors?
5. How should those prone to or affected by drone attacks be protected?

CONCLUSION

UCAVs in recent years have become more and more prevalent, starting from a tool to hunt terrorists to a weapon utilised in armed conflicts like the Russo-Ukrainian War. However, there has been a lack of legal and international/government action on what constitutes proper drone usage while mitigating its side effects. It is thus very crucial to formulate concrete, realistic solutions and guidelines to prevent its misuse.

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