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General Assembly First Committee
Background Guide 2024

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NATIONAL MODEL UNITED NATIONS

Dear Delegates,

Welcome to the 2024 National Model United Nations Conference in Washington, DC (NMUN•DC)! We are pleased to introduce you to our committee, the General Assembly First Committee. This year's staff is: Director Kaytlyn Marcotte and Assistant Director Elias "Eli" Sepulveda. Kaytlyn holds a Bachelor of Arts in International Political Economy from the College of Idaho. She currently works as a Customer Success Manager with Milk Specialties Global. Elias is a third-year student studying Philosophy and International Development Studies at the University of California, Los Angeles.

The topics under discussion for the General Assembly First Committee are:

1. Developments in the Field of Information and Telecommunications in the Context of International Security
2. Addressing Lethal Autonomous Weapon Systems (LAWS)

As a plenary body of the United Nations, the General Assembly First Committee serves as a global forum to address topics surrounding international peace and security. The First Committee engages in thematic discussion and general debate on issues of disarmament and threats to peace and provides policy recommendations to promote international cooperation. The mandate of the First Committee calls for bodies such as the Security Council and the Economic and Social Council (ECOSOC) to report to the General Assembly throughout the year, such as the United Nations Environment Assembly (UNEA). Presently the General Assembly has continued to foster discussions focused on achieving the 17 Sustainable Development Goals (SDGs) in the 2030 Agenda for Sustainable Development (2030 Agenda) (2015), aiming to advance the promotion of international peace and security.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to conduct additional research, explore your Member State's policies in-depth, and examine the policies of other Member States to improve your ability to negotiate and reach consensus. In preparation for the conference, each delegation will use their research to draft and submit a position paper. Guidelines are available in the NMUN Position Paper Guide.

The NMUN website has many additional resources, including two that are essential both in preparation for the conference and as a resource during the conference. They are:

1. The NMUN Delegate Preparation Guide, which explains each step in the delegate process, from pre-conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism and the prohibition on pre-written working papers and resolutions. Delegates should not discuss the topics or agenda with other members of their committee until the first committee session.
2. The NMUN Rules of Procedure, which include the long and short form of the rules as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory NMUN Conduct Expectations on the NMUN website. They include the conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the conference itself, please contact the Under-Secretary-General Ashlee Rolheiser at usgashlee.dc@nmun.org or Secretary-General Chris Duggan at secgen.dc@nmun.org.

We wish you all the best in your preparations and look forward to seeing you at the conference!

Sincerely,
Kaytlyn Marcotte, Director
Elias Sepulveda, Assistant Director

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Committee Overview

Introduction

The General Assembly is the main deliberative and policy-making body of the United Nations and one of the six principal organs established by the *Charter of the United Nations* (1945).[1] The work of the General Assembly is undertaken in subsidiary committees, each of which debates and adopts draft resolutions on their thematic areas and allocated agenda items.[2] The General Assembly First Committee considers matters relating to disarmament and international peace and security.[3] It considers agenda items under seven thematic clusters: nuclear weapons; other weapons of mass destruction; disarmament aspects of outer space; conventional weapons; regional disarmament and security; other disarmament measures and international security; and the disarmament machinery.[4]

Mandate, Function, and Powers

The General Assembly acts as a forum for dialogue and cooperation, providing general policy recommendations rather than carrying out operative tasks.[5] Its policy recommendations are non-binding and their implementation is conducted by Member States, the United Nations Secretariat, and other United Nations bodies, each of which independently aligns their work with General Assembly resolutions.[6] The *Charter of the United Nations* provides the General Assembly with a broad mandate to discuss and make recommendations on any topic within the scope of the United Nations.[7]

The General Assembly adopts resolutions, which are formal documents expressing the agreement and will of the international community.[8] The majority of these resolutions are adopted by consensus, meaning no vote is taken and no Member State has specific cause to object.[9] In line with the *Charter of the United Nations*, the mandate of the General Assembly can be summarized as:

- The General Assembly **will generally**: make recommendations to Member States, the Security Council, other United Nations bodies and organs, United Nations specialized agencies, and other international actors; initiate studies and advance efforts to promote international cooperation in the economic, social, cultural, educational, and health fields and in the realization of human rights and fundamental freedoms; consider or request reports from other United Nations bodies and specialized agencies; establish United Nations observance days, create expert groups or commissions, formulate mechanisms for treaty negotiation, or refer an issue to the International Court of Justice.[10]

- The General Assembly **will not generally**: dictate the specific actions required for the implementation of policies it recommends, allowing Member States and other bodies to determine operational details; create new bodies, except for in those rare instances where ubiquitous international demand requires the consolidation of existing bodies or a concept and mandate have been fully developed, typically through years of negotiations; make

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[1] United Nations Conference on International Organization. *Charter of the United Nations*. 1945.
[2] Permanent Mission of Switzerland to the UN. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 68.
[3] Ibid. p. 69.
[4] Ibid. pp. 69-70.
[5] Ibid. p. 36.
[6] Ibid. p. 52.
[7] United Nations Conference on International Organization. *Charter of the United Nations*. 1945.
[8] Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 52.
[9] Ibid. pp. 37, 52.
[10] Ibid. p. 36; United Nations Conference on International Organization. *Charter of the United Nations*.1945; UNFOLD ZERO. *UN Bodies*. N.d.

recommendations on situations under consideration by the United Nations Security Council.[11]

The First Committee's mandate is based on that provided to the General Assembly by the *Charter of the United Nations*.[12] The First Committee adopts around 50-70 resolutions each year, around half of which are adopted by consensus, after which they are sent to the General Assembly Plenary.[13]

Governance, Funding, and Structure

The General Assembly meets annually and comprises all 193 United Nations Member States.[14] It may also convene special sessions on a particular topic at the request of the Secretary-General, Security Council, or a majority of Member States.[15] Observer status can be granted to intergovernmental organizations and states without full United Nations membership.[16] In the General Assembly, each Member State has one equal vote and most decisions require a simple majority.[17] As a principal organ of the United Nations, the General Assembly is largely self-governing, determining its agenda, procedures, officers, and subsidiary bodies.[18] General Assembly meetings and events are funded through the United Nations' regular budget.[19]

The First Committee's procedures are managed by its Secretariat and an elected Bureau.[20] The elected Bureau assists with opening and closing each meeting, managing the discussions, pronouncing decisions, assisting with drafts and documents, and ensuring compliance with the rules of procedure.[21] The United Nations Secretariat assists the First Committee by delivering substantive and logistical support.[22] The First Committee receives substantive and organizational support from three entities: the General Committee, the United Nations Office for Disarmament Affairs, and the Department for General Assembly and Conference Management.[23]

The First Committee also works in close cooperation with the Conference on Disarmament (CD) and the United Nations Disarmament Commission (UNDC).[24] The CD is an independent entity and the only

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[11] United Nations, Dag Hammarskjöld Library. *Are UN resolutions binding?* 2023; United Nations, Office of the Secretary-General's Envoy on Youth. *UN Women: The United Nations Entity for Gender Equality and the Empowerment of Women*. N.d.; United Nations, Human Rights Council. Welcome to the Human Rights Council. 2023; United Nations Conference on International Organization. *Charter of the United Nations*. 1945.
[12] Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 70.
[13] Ibid. pp. 68-70.
[14] United Nations Conference on International Organization. *Charter of the United Nations*. 1945.
[15] Ibid.
[16] United Nations, Department of Global Communications. *About Permanent Observers*. N.d.
[17] United Nations Conference on International Organization. *Charter of the United Nations*. 1945; Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. p. 13.
[18] Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017. pp. 13, 15, 44.
[19] New Zealand Ministry of Foreign Affairs and Trade. *United Nations Handbook 2023-24. 2022*. p. 412.
[20] Permanent Mission of Switzerland to the UN. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017.
[21] United Nations, General Assembly. *Rules of Procedure of the General Assembly (A/520/Rev.19)*. 2021. pp. 30-31.
[22] Permanent Mission of Switzerland to the United Nations. *The GA Handbook: A Practical Guide to the United Nations General Assembly*. 2017.
[23] United Nations, General Assembly. *Disarmament and International Security (First Committee)*. N.d.
[24] Ibid.

recognized “multilateral disarmament negotiating forum of the international community.”[25] UNDC is a subsidiary organ of the First Committee and makes recommendations on various issues in the field of disarmament and following up on past decisions.[26] Both the CD and UNDC report to the First Committee.[27] The General Assembly also jointly oversees the Peacebuilding Commission with the Security Council and the High-Level Political Forum on Sustainable Development with the Economic and Social Council (ECOSOC).[28]

[25] United Nations Office for Disarmament Affairs. *Conference on Disarmament*. N.d.
[26] Ibid.
[27] United Nations, General Assembly. *Disarmament and International Security (First Committee)*. N.d.
[28] United Nations Conference on International Organization. *Charter of the United Nations*. 1945.

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United Nations, Human Rights Council. *Welcome to the Human Rights Council*. 2023. Retrieved 17 July 2024 from: https://www.ohchr.org/en/hr-bodies/hrc/about-council

United Nations Office for Disarmament Affairs. *Conference on Disarmament*. N.d. Retrieved 17 July 2024 from: https://www.un.org/disarmament/conference-on-disarmament/

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United Nations, Office of the Secretary-General's Envoy on Youth. *UN Women: The United Nations Entity for Gender Equality and the Empowerment of Women*. N.d. Retrieved 17 July 2024 from: https://www.un.org/youthenvoy/2013/07/un-women-the-united-nations-entity-for-gender-equality-and-the-empowerment-of-women

1. Developments in the Field of Information and Telecommunications in the Context of International Security

"Information and communications technologies continue to rapidly transform societies, offering numerous opportunities while also posing significant risks."[29]

Introduction

As information and communication technologies (ICTs) become increasingly integrated into all aspects of society, including critical infrastructure and military systems, concerns about their potential misuse or exploitation for malicious purposes have escalated.[30] As defined by the United Nations, ICTs access communications and information via telecommunication methods, which include wireless networks, phones, and other mediums.[31] Telecommunications is defined as the exchanging of messages, words, images, signals, or information via multimodal transmissions, in which these exchanges are transferred from the original form through a variety of signals and transmitters to the final recipient.[32] These technologies are used by approximately 67% of the international community, primarily via the Internet, according to the International Telecommunications Union (ITU).[33] From cyberattacks targeting government institutions and critical infrastructure to the spread of disinformation and cyber espionage, the intersection of ICTs and international security presents complex challenges that demand multilateral cooperation and innovative solutions.[34]

As Member States continue to adapt their security measures to the constantly changing advancements in ICTs, the General Assembly and other United Nations bodies are encouraged by the United Nations Office for Disarmament Affairs (UNODA) to continue discussions on the topic at the international level.[35] Report 78/268 (2023), *Current developments in science and technology and their potential impact on international security and disarmament efforts*, by the Secretary-General and published by the General Assembly acknowledges that there is no universal definition of artificial intelligence, however, there are certain characteristics by which artificial intelligence (AI) operates.[36] The 2023 report also addressed that the advancements in the realm of AI are cause for concern for Member States' security.[37] The report notes that machines that possess the capacity to acquire knowledge, resolve issues, forecast outcomes, make choices, and execute actions typically associated with human intellect.[38]

The international community is currently experiencing an increase in AI and the use of cyberwarfare tactics in current conflicts.[39] Developing Member States are at a disparity when it comes to infrastructure, funding, education, and implementation of current technologies.[40] The emergence of cyber warfare as a new domain of conflict has blurred traditional boundaries between states' military and civilian spheres,

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[29] United Nations, General Assembly. *Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security (A/RES/76/135 (2021)*. 2021. p. 4.
[30] International Telecommunications Union.*Overview of ITU's History*. 2024.
[31] United Nations, UN E-Government Knowledgebase. *Glossary*. 2024.
[32] Central Intelligence Agency. *The World Factbook. Field Listing - Telecommunication Systems*. 2024.
[33] International Telecommunications Union. *Overview of ITU's History*. 2024.
[34] United Nations Office of Counter-Terrorism. *Cybersecurity and New Technologies*. 2023.
[35] United Nations Institute for Disarmament Research. *The Role of Science and Technology in the context of International Security and Disarmament*. 2023.
[36] United Nations, General Assembly. *Current developments in science and technology and their potential impact on international security and disarmament efforts, Report of the Secretary-General*. 2023.
[37] Ibid.
[38] Ibid.
[39] Atlantic Council. *Vladimir Putin's Ukraine invasion is the world's first full-scale cyberwar*. 2022.
[40] United Nations Department on Economic and Social Affairs. *ICT and E-Government for Sustainable Development in SIDS*. 2014.

necessitating a reevaluation of existing international norms and legal frameworks.[41] In recent times, there have been significant increases in the use of AI cyber-attacks aimed at destroying the digital infrastructure of governments, their banking systems, and civil emergency networks.[42] The most common type of cyber-attacks using AI are those that create phishing emails to gain confidential information about a government, personal, or private entity.[43] General Assembly resolution 77/92 (2022), "Developments in the field of information and telecommunications in the context of international security, and advancing responsible State behavior in the use of information and communications technologies", discusses that as technology is continuously evolving, the international community must continue to implement and define guidelines in this field.[44]

International and Regional Framework

Article I of the *Charter of the United Nations* (1945) outlines the roles and responsibilities of the United Nations to preserve international peace and security.[45] Since the late 20th century, the United Nations has annually discussed by the General Assembly, UNODA, and other United Nations bodies, how the advancement in scientific and technological advancements are cause for concern in the context of international security.[46] In 1988, the General Assembly adopted resolution 43/77, "Scientific and Technological Developments and Their Impact on International Security," which created a split in conversations between advancements in scientific technologies and ICTs regarding the impact on international security.[47] The split was caused by the advancements and adoption of many computing technologies in the late 1980s by Member States.[48] In 1999, the General Assembly First Committee adopted resolution 53/70, "Developments in the field of information and telecommunications in the context of international security".[49] This resolution encouraged Member States to openly collaborate with the Secretary-General to define the characteristics of misuse and unauthorized interferences.[50] Since then, this topic has held a continuous place on the provisional agenda for the First Committee.[51] In 2023, the General Assembly adopted resolution 78/237, "Developments in the field of information and telecommunications in the context of international security", which built upon decades of work and advancements dedicated to the topic.[52] Resolution 78/237 expressed the concerns of stability for the current norms of international security concerning the use of hidden harms in ICTs.[53]

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[41] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security, and advancing responsible State behaviour in the use of information and communications technologies (A/RES/77/92 (2022))*. 2022.
[42] Atlantic Council. *Vladimir Putin's Ukraine invasion is the world's first full-scale cyberwar*. 2022.
[43] Ibid.
[44] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security, and advancing responsible State behaviour in the use of information and communications technologies (A/RES/77/92 (2022))*. 2022.
[45] United Nations Conference on International Organization. *Charter of the United Nations*. 1945.
[46] United Nations Institute for Disarmament Research. *The Role of Science and Technology in the context of International Security and Disarmament*. 2023.
[47] United Nations, General Assembly. *Scientific and Technological Developments and their Impact on International Security (A/RES/43/77 (1988))*. 1988.
[48] Ibid.
[49] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security (A/RES/53/70 (1999))*. 1999.
[50] Ibid.
[51] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security, and advancing responsible State behaviour in the use of information and communications technologies (A/RES/77/92 (2022))*. 2022.
[52] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security (A/RES/78/237 (2023))*. 2023.
[53] Ibid.

Beginning in the early 2000s, the Group of Governmental Experts (GGE), which is composed of experts from 25 Member States including Australia, Estonia, Kenya, the Netherlands, the Russian Federation, and others, was established to study potential threats that could arise due to the advancements and use of ICTs.[54] The inclusion of these normative behaviors began in the reports of the GGE in 2013 and 2015.[55] With the adoption of resolution 70/1 (2015) "Transforming our world: the 2030 Agenda for Sustainable Development", Member States have been working to achieve many of the Sustainable Development Goals (SDGs) pertaining to digital connectivity.[56] SDGs 9 (industry, innovation, and infrastructure) and 16 (peace, justice, and strong institutions) are vital to the discussion surrounding the advancements in information and telecommunication systems.[57] In 2018, the Secretary-General published the *Strategy on New Technologies*, which outlines the specific commitments the United Nations is making in the rapidly evolving field of technology.[58] In 2018, prior to the call for the 2019-2021 GGE, the General Assembly adopted resolution 73/27, "Developments in the field of information and telecommunications in the context of international security", which standardized how the GGE reports should include the creation and call for the implementation of international normative behaviors for Member States regarding ICTs use.[59] The 2019-2021 GGE was composed of 25 Member States and was established through the adoption of General Assembly resolution 73/266 (2019).[60] General Assembly resolution 73/266 (2019) called upon the GGE to further expand their evaluation of state behaviors from prior GGE reports and hold open forum meetings with Member States to share advancements in ICTs.[61] In addition, the 2019 report encourages a series of normative behaviors to be adopted by Member States, ensuring greater levels of security, which includes protecting critical infrastructure from ICT threats, in accordance with General Assembly resolution 58/199 (2004), "Creation of a global culture of cybersecurity and the protection of critical information infrastructures", and assisting in the information sharing between Member States on methods and actions used to strengthen infrastructure against ICT threats.[62] The GGE published its formal report in 2019 with the aid of the Secretary-General, which identified key threats that have existed and emerged between 2019 and 2021, with an emphasis on how COVID-19 created a strain on combating threats.[63] During the COVID-19 pandemic, Member States experienced an increase in ICT attacks through malicious activity.[64] These malicious attempts and attacks showcased the limitations of current international security practices.[65]

Both the work of the General Assembly and the GGE reports are utilized by the United Nations Secretary-General and other United Nations bodies, primarily the Security Council, to guide the current status of the developments of ICTs, including both existing and emerging threats.[66] In 2023, the Security

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[54] United Nations Institute for Disarmament Research. *Developments in the field of information and telecommunications in the context of international security*. 2024.
[55] United Nations, General Assembly. *Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security (A/RES/73/266 (2019))*. 2019.
[56] United Nations, General Assembly. *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*. 2015.
[57] Ibid.
[58] United Nations, Secretary-General Report. *Strategy on New Technologies*. 2018.
[59] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security (A/RES/73/27 (2018))*. 2018.
[60] United Nations, General Assembly. *Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security (A/RES/73/266 (2019))*. 2019.
[61] Ibid.
[62] Ibid. pp. 13-15.
[63] Ibid.
[64] United Nations, General Assembly. *Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security (A/RES/76/135 (2021)*. 2021.
[65] Ibid.
[66] United Nations, General Assembly. *Developments in the field of information and telecommunications in the context of international security (A/RES/73/27 (2018))*. 2018.

Council began addressing how AI creates both opportunities and risks for international security.[67] Advised by the 2021 GGE report, the Security Council urged Member States to adopt the international norms and strategies for AI use and the challenges with combatting the ill-use of AI within ICTs.[68] Amongst the international community, there's been no official definition established for AI.[69]

Role of the International System

Since 1865, ITU has been a pivotal member of discussions regarding communications and ICTs.[70] ITU is one of many specialized United Nations agencies and has created a variety of programs and missions to create more access to ICT resources, such as telephones, communication, and internet access.[71] As a specialized agency, ITU works with public and private partnerships to further close the gaps in access to ICTs within Member States.[72] In conjunction with the GGE and ITU, the Open-Ended Working Group on Information and Communication Technologies (OEWG), under the guidance of the UNODA serves as an open forum for all Member States to share and discuss developments in this field.[73] UNODA has continued to serve as a platform for discussions regarding the challenges and international security concerns regarding new technological advancements in the field of telecommunications.[74] Since the 2019 launch of the UNODA initiative, Youth4Disarmament has encouraged discussions on the importance of youth meetings with United Nations and security sector leaders, specifically regarding the use of Lethal Autonomous Weapon Systems and the misuse of AI.[75]

The OEWG is the primary body in developing and refining the international norms on the use of ICTs.[76] Upon the creation of the OEWG in 2021, via the adoption of General Assembly resolution 76/135, “Cooperatives in social development”, the OEWG has created eleven voluntary normative behaviors that Member States practice.[77] The 11 normative behaviors include responding to requests for help, ensuring supply chain security, and reporting ICT vulnerabilities.[78] These behaviors ultimately serve as a series of best practices that aim at limiting the severity of potential cyberattacks on Member States.[79]

In 2023, the representative of Albania addressed the Security Council President, Alain Berset of Switzerland, via letter on “the responsibility and responsiveness of States to cyberattacks on critical infrastructure.”[80] The Albanian representative urged the Security Council to adhere to the 11 voluntary normative behaviors, adopted by General Assembly resolution 70/237 (2015), and that the rise of malicious cyberattacks is imperative to discuss.[81] These attacks aim to hinder government communications, supply chains, and critical telecommunication infrastructure.[82] Albania urged that the

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[67] United Nations, Security Council. *9381st Meeting*. 2023.
[68] Ibid.
[69] Ibid.
[70] International Telecommunications Union. *Overview of ITU’s History*. 2024.
[71] Ibid.
[72] Ibid.
[73] United Nations Institute for Disarmament Research. *Open-Ended Working Group on Information and Communication Technologies*. 2021.
[74] United Nations Institute for Disarmament Research. *Youth4Disarmament*. 2019.
[75] Ibid.
[76] United Nations Institute for Disarmament Research. *Open-Ended Working Group on Information and CommunicationTechnologies*. 2021.
[77] United Nations, General Assembly. *Group of Governmental Experts on Advancing Responsible State Behaviour in Cyberspace in the Context of International Security (A/RES/76/135 (2021)). 2021.*
[78] United Nations Institute for Disarmament Research. *The UN norms of responsible state behaviour in cyberspace*. 2022.
[79] Ibid.
[80] United Nations, Security Council. *Letter dated 19 May 2023 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council*. 2023.
[81] Ibid.
[82] Ibid.

more interconnected Member States become through the use and advancements of ICTs, the greater responsibility the United Nations and Security Council have in discussing the topic.[83] In October 2023, the United Nations Institute for Disarmament Research (UNIDIR), published "*AI and International Security: Understanding the Risks and Paving the Path for Confidence-Building Measures*".[84] This report focused on the risks surrounding the rapid advancements in AI, and the necessary confidence-building measures, which Member States are encouraged to adopt.[85] A 2022 UNIDIR report, *Confidence-building Measures for Artificial Intelligence*, identified key confidence-building measures (CBMs) that Member States can utilize such as establishing national AI standards and education, conducting surveys of weaknesses for AI use, and multilateral education partnerships.[86] The report also discusses a variety of potential scenarios of events that could harm international security, such as rogue drones deployed by AI algorithms during reconnaissance missions in areas of crisis.[87]

On a regional level, various entities are working to implement the normative behaviors, in addition to combating potential international security threats using ICT measures.[88] One of the more robust of these organizations is the North Atlantic Treaty Organization (NATO) and the NATO Communications and Information Agency (NCI Agency), which aims to collaborate and implement security measures among NATO members.[89] Another significant regional effort was made in 2023 by the African Telecommunications Union (ATU), in which they announced marking a milestone in satellite connectivity and communications in rural areas and further decreasing barriers to accessing affordable phones and internet connection.[90] The ATU has placed significant priority on expanding access to ICTs throughout African Member States including those in rural areas.[91] The ATU aims to increase digital education and connectedness by holding education sessions in rural areas and increasing access to affordable telephone and internet services.[92] As of 3 June 2024, the European Union (EU), established new regulations surrounding the uses of AI.[93] These new regulations for the EU prohibit the use of real-time biometric surveillance, as well as strict rules for the use of AI in high-security settings.[94]

Regulation and Guidelines for Innovative Technologies

In the rapidly evolving landscape of ICTs, the integration and advancements of AI introduces new ethical considerations and challenges.[95] In October 2023, the General Assembly First Committee met to discuss the current lack of safety parameters to protect Member States against AI threats, during this meeting, Member States expressed their concerns regarding the use and threats of AI.[96] Building upon the

[83] Ibid.
[84] United Nations, Institute for Disarmament Research, *AI and International Security: Understanding the Risks and Paving the Path for Confidence-Building Measures*. 2023.
[85] Ibid.
[86] United Nations, Institute for Disarmament Research, *Confidence-building Measures for Artificial Intelligence*. 2022.
[87] United Nations, Institute for Disarmament Research, *AI and International Security: Understanding the Risks and Paving the Path for Confidence-Building Measures*. 2023.
[88] North Atlantic Treaty Organization. *NATO Communication and Information Agency (NCI Agency)*. 2022.
[89] Ibid.
[90] African Telecommunications Union. *ATU Newsletter May 2023 – Africa Marking a Milestone in Satellite Broadcasting*. 2023.
[91] Ibid.
[92] Ibid.
[93] The World Economic Forum. *EU's new AI rules set to enter into force, and other digital tech stories to read*. 2024.
[94] Ibid.
[95] United Nations, Department of Global Communications. *Without Adequate Guardrails, Artificial Intelligence Threatens Global Security in Evolution from Algorithms to Armaments, Speaker Tells First Committee*. 2023.
[96] Ibid.

discussion earlier this year, the United Nations Educational, Scientific and Cultural Organization (UNESCO) met for the second annual Global Forum on the Ethics of AI.[97]

The 2021 Global Forum on the Ethics of AI resulted in the adoption and publication of the *Recommendation on the Ethics of Artificial Intelligence*, which was adopted by all Member States of UNESCO, and focuses on 11 policy areas with calls to action.[98] The guiding recommendation proposed by UNESCO is to ensure the dignity, rights, and freedoms of all individuals.[99] These recommendations provide Member States with a robust framework to ensure that AI systems used in the public and private sectors work for the betterment of humanity in a peaceful way.[100] In 2023, the ITUs Global Symposium for Regulators met to discuss the current best practices for AI and all ICTs.[101] The best practices aim to ensure market access for all persons, including access to services, universal service funding, and digital skills and education programs.[102] To date, the implementation of regulation and guidelines has been left at the discretion of Member States, this leaves a wide variety of recommendations on how to regulate ICTs, AI, and many additional areas of telecommunications.[103]

Creating and implementing access to digital education and inclusion is imperative for Member States' societal and economic advancement in the rapidly expanding digital world.[104] In 2021, ITU published a report on the advancements Rwanda has accomplished by focusing on digital equity.[105] Through a multifaceted approach with public and private collaboration, Rwanda has seen an increase in access to ICTs, primarily through cellular and broadband usage.[106] These programs were implemented at the local schools and community centers to promote education on how to use and connect to these services.[107] Rwanda credits its success to the proper use and implementation of ITUs best practices for ICTs.[108]

Another Member State highlighted by the ITU is Mexico and its commitment to fostering collaboration, innovation, and regulatory coherence in its digital transformation journey.[109] By adopting these practices in collaborative regulation in specific areas such as e-commerce, fintech, data protection, and digital infrastructure development.[110] Regulators can effectively navigate the complexities of the digital sector while promoting competition, protecting consumer rights, and driving sustainable economic growth.[111]

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[97] United Nations Educational, Scientific and Cultural Organization. *Global Forum on the Ethics of AI 2024*. 2024.
[98] United Nations Educational, Scientific and Cultural Organization. *Recommendation on the Ethics of Artificial Intelligence*. 2021.
[99] Ibid. p. 18.
[100] Ibid.
[101] International Telecommunication Union. *Global Symposium for Regulators Best Practice Guidelines Regulatory and economic incentives for an inclusive sustainable digital future*. 2023.
[102] Ibid.
[103] Ibid.
[104] United Nations, Department of Global Communications. *Without Adequate Guardrails, Artificial Intelligence Threatens Global Security in Evolution from Algorithms to Armaments, Speaker Tells First Committee. 2023.*
[105] International Telecommunication Union Publications. *Switching on Smart Rwanda: Digital inclusion, collaboration and a G5 mindset*. 2021.
[106] Ibid.
[107] Ibid.
[108] Ibid.
[109] International Telecommunication Union Publications. *Collaborative regulation for digital transformation in Mexico*. 2022.
[110] Ibid.
[111] Ibid.

Through discussions with UNIDIR, UNODA, ITU, and the General Assembly, Member States have been able to gather and propose multiple guides of best practices.[112]

Global Implementation of International Telecoms Guidelines

In the current digital age, the ITU stresses that it is imperative to continue developing and implementing guidelines on International Telecoms, which can be defined as the systems in which phone, message, and internet communication takes place across Member States.[113] One of the most critical areas for guidelines to be implemented is national emergency telecommunication sectors (NETP).[114] NETPs are vital in the digital age, as many individuals do not have access to traditional media sources, such as radio, television, or newspaper, which were historically utilized to relay reports of disasters.[115] The digital age refers to the rapid acceleration and advancements in information and telecommunication systems and began in the mid-20th century through the present.[116] The 2020 report, *ITU Guidelines for national emergency telecommunication plans*, from the ITU urges Member States to conduct comprehensive risk assessments and planning for the ability to cope with natural and humanitarian disasters.[117] One of the many recommendations from the 2020 report encourages Member States to create and implement early warning systems for multi-hazard events and deploying across multiple ICTs.[118] These early warning systems aim to provide broad alerts to all persons connected and can be used to alert citizens to a variety of issues, crises, or data breaches through most telecommunication systems.[119]

The Association for Southeast Asian Nations (ASEAN) has successfully worked towards implementing NETPs for their Member States.[120] In 2023, the International Institute for Strategic Studies published a report on the efforts in cyber-security cooperation.[121] The cooperative aims to share information and best practices, and to institute ICT norms to protect the cyber infrastructure of ASEAN states.[122] Some of the most imperative outcomes of these efforts are the ASEAN Ministerial Conference on Cybersecurity (AMCC) and the ASEAN CERT Incident Drill.[123]

One of the most alarming threats to cybersecurity, in addition to international security, is the vast spread of misinformation and the use of AI.[124] The increase of misinformation and the use of AI to spread false information regarding politics, crises, and many other events are continuing to create long-standing tensions.[125] In a 2023 evaluation of the use of technology within the EU, it was found that the use of AI in diplomatic practices has a multitude of benefits, including, but not limited to, streamlining processes and streamlining data reports.[126] However, this report cautioned that the use of AI could create data breaches and weaken cybersecurity enforcement in Member States' governments, creating easy access points for

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[112] United Nations, Department of Global Communications. *Without Adequate Guardrails, Artificial Intelligence Threatens Global Security in Evolution from Algorithms to Armaments, Speaker Tells First Committee*. 2023.
[113] International Telecommunication Union Publications. *ITU Guidelines for national emergency telecommunication plans*. 2020.
[114] Ibid.
[115] Ibid.
[116] Ibid.
[117] Ibid.
[118] Ibid. p. 3.
[119] Ibid. p. 3.
[120] Tay. The International Institute for Strategic Studies. *ASEAN Cyber-security Cooperation: Towards a Regional Emergency response Framework*. 2023.
[121] Ibid.
[122] Ibid.
[123] Ibid.
[124] Barrinha. Taylor and Francis Online. *Strategic narratives and the multilateral governance of cyberspace: The cases of European Union, Russia, and India*. 2023.
[125] Ibid.
[126] Ibid.

terrorist and other non-state actor groups.[127] The concern with AI data breaches is that Member States, or personnel, who access AI technology often are unaware of non-state actors utilizing code chains embedded into the AI software for malicious intent.[128] These malicious attempts to hack into governments aim to weaken cybersecurity measures or obtain confidential information about key governmental persons.[129]

Though some Member States have the economic infrastructure to create and implement many of the regulations and behavioral norms recommended by the ITU and United Nations bodies, least-developed states and small island developing states (SIDs) are at a significant disadvantage.[130] One example of these disadvantages is the lack of used satellite capacity, especially in the SIDs regions.[131] Due to limited funding and infrastructure, SIDs must often utilize private partnerships to launch satellites.[132] Though there have been past endeavors to utilize external aid to develop necessary infrastructure, it was not until 2014 that access to satellites was used for socioeconomic development.[133] Following the end of the project in 2017, SIDs saw an increased level of access to ICTs, e-commerce, and telecommunication networks.[134]

Conclusion

The rapid evolution of ICTs continues to affect Member States, the global economy, and the international security norms.[135]As Member States grapple with the integration of ICTs into critical infrastructure and military systems, collaborative efforts at the international, regional, and national levels are essential to address emerging threats and safeguard against potential threats.[136] The United Nations plays a crucial role in facilitating dialogue, sharing best practices, and developing normative behaviors for Member States to implement.[137] However, challenges remain, particularly for least developed states and SIDs, which face economic and infrastructural barriers to implementing robust cybersecurity measures.[138] Nonetheless, with continued collaboration and commitment to international telecoms guidelines, Member States can collectively navigate the complexities of the digital age and foster a safer and more secure cyberspace for all.[139]

Further Research

As delegates conduct further research and consider how to address this topic, they should consider: How do the SDGs further the advancement and call to action for best practices for ICTs and AI? How can the spread of misinformation create an increase in conflicts without the implementation of global telecom

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[127] Ibid.
[128] Ibid.
[129] Ibid.
[130] United Nations Department on Economic and Social Affairs. *Addressing Connectivity for the Sustainable Development of SIDS*. 2017.
[131] United Nations Department on Economic and Social Affairs. *ICT and E-Government for Sustainable Development in SIDS*. 2014.
[132] Ibid.
[133] Ibid.
[134] United Nations Department on Economic and Social Affairs. *Addressing Connectivity for the Sustainable Development of SIDS*. 2017.
[135] United Nations, Department of Global Communications. *Without Adequate Guardrails, Artificial Intelligence Threatens Global Security in Evolution from Algorithms to Armaments, Speaker Tells First Committee*. 2023.
[136] Ibid.
[137] United Nations, Security Council. *Letter dated 19 May 2023 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council*. 2023.
[138] United Nations Department on Economic and Social Affairs. *ICT and E-Government for Sustainable Development in SIDS*. 2014.
[139] United Nations, Security Council. *Letter dated 19 May 2023 from the Permanent Representative of Albania to the United Nations addressed to the President of the Security Council*. 2023.

guidelines? What programs or partnerships can be implemented to ensure equitable access to ICTs? What are some shortcomings of the voluntary international norms? How can ICT and AI best practices be implemented in regions of development?

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2. Addressing Lethal Autonomous Weapon Systems (LAWS)

"Human life must not be reduced to sensor data and machine calculations."[140]

Introduction

Lethal Autonomous Weapon Systems (LAWS) are characterized as weapons that can select and engage targets without completely needing a human operator.[141] They are considered conventional weapons, which are all forms of weaponry other than weapons of mass destruction.[142] LAWS can be fully or partially autonomous, meaning they may require varying levels of human involvement to operate.[143] Characterizations of LAWS have prioritized the technology's functions and technology-neutral language rather than establishing a static definition, accepted by the international community, to account for future developments in LAWS technology.[144] These characterizations facilitate international discussion on LAWS, however, Member States view the establishment of an internationally recognized definition for LAWS as an important step towards regulation.[145] Currently, over 100 Member States are in support of creating a legally binding instrument to limit the use of LAWS.[146] Discussion on the extent of these limits is divided between setting regulations or fully banning LAWS.[147] Since 2013, 30 Member States have called for a complete ban on fully autonomous LAWS, however, other Member States prefer regulation over a ban due to the strategic military advantages gained from using LAWS.[148]

LAWS originate from remotely controlled weapons and the development of computer-aided target detection, which offers greater military capabilities while reducing risks to military personnel.[149] LAWS is the current name for autonomous weapons, but they are also commonly referred to as autonomous weapon systems (AWS), and lethal autonomous robots (LARs), with these name variations originating from advancements in LAWS autonomy over time.[150] Due to the military advantage they provide, LAWS have become increasingly sophisticated over time, and some types can detect and engage targets without needing human control due to artificial intelligence (AI).[151] As a result, LAWS can lower the barrier to engaging in conflict because of the decreased risk to military personnel.[152] Common applications of LAWS are in missile defense and sentry systems that automatically engage targets when triggered, and in unmanned aerial vehicles, such as drones.[153] While AI can allow LAWS to independently take actions based on data, not all LAWS use AI.[154] LAWS that do not use AI may function based on the programming

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[140] International Committee of the Red Cross. *Peter Maurer: "We must decide what role we want human beings to play in life-and-death decisions during armed conflicts"*. 2021.
[141] United Nations, Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons System. *Non-exhaustive Compilation of Definitions and Characterizations (CCW/GGE.1/2023/CRP.1 (2023))*. 2023.
[142] United Nations Office for Disarmament Affairs. *Conventional Weapons*. N.d.
[143] United Nations, Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons System. *Non-exhaustive Compilation of Definitions and Characterizations (CCW/GGE.1/2023/CRP.1 (2023))*. 2023.
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[153] Ibid.
[154] United Nations Office for Disarmament Affairs. *Lethal Autonomous Weapon Systems (LAWS)*. N.d.

of predefined tasks or a series of actions based on given parameters.[155] The first instance of fully autonomous action from LAWS is believed to have occurred in 2020 by the STM Kargu-2 drone against fleeing soldiers in the Libyan civil war, and since then, have seen increased use globally.[156]

LAWS pose accountability and security challenges for the international community.[157] Currently, International Humanitarian Law (IHL) limits the way that all weapons may be used and holds weapon operators accountable for intentionally harming civilians.[158] However, since there are currently no binding limits on LAWS, the application of IHL is up to Member States' interpretations if violated by LAWS malfunction.[159] Furthermore, LAWS that do not require a human operator have no clear actor that can be held accountable if the LAWS malfunction or violate IHL, making it difficult to enforce IHL when using LAWS.[160] In addition to accountability challenges, the readily accessible technology to create LAWS also poses a security challenge if Non-State Armed Groups (NSAGs) acquire LAWS.[161] NSAGs are groups that are not under the control of the state(s) they operate in and use force to achieve political, ideological, or economic objectives.[162] The potential for NSAGs to use LAWS in conflicts to forcefully advance their messages and objectives is a key security concern for Member States.[163] Given the increased availability of AI, there is concern that NSAGs may be able to build their own LAWS using dual-use products and open-source AI.[164] Dual-use products are goods that meet commercial uses and can also be used to harm others.[165] Current export controls are in place to limit NSAGs from accessing dual-use products, however, given the new development of LAWS, the effectiveness of current export controls has yet to be seen.[166] Furthermore, the lack of accountability and potential for NSAGs to use LAWS threaten progress on the *2030 Agenda for Sustainable Development* (2030 Agenda) (2015), particularly Sustainable Development Goal (SDG) 16 (peace, justice, and strong institutions).[167] Additionally, not all Member States are equally affected by LAWS developments, which can cause further imbalances in the international community.[168] Notably, Member States affected by armed violence are more likely to be impacted by LAWS as they become more commonly used in conflict.[169]

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[155] United Nations Office for Disarmament Affairs. *Lethal Autonomous Weapon Systems (LAWS)*. N.d.
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[169] Ibid; Automated Decision Research. *State positions*. N.d.

International and Regional Framework

In 1977, the United Nations General Assembly adopted resolution 32/152, "Incendiary and Other Specific Conventional Weapons Which May be the Subject of Prohibitions or Restrictions of use for Humanitarian Reasons."[170] This resolution established the United Nations *Convention on Prohibitions or Restrictions of the Use of Certain Conventional Weapons Which May Be Deemed Excessively Injurious or to Have Indiscriminate Effects*.[171] This conference adopted the *Convention on Certain Conventional Weapons* (CCW) in 1980 to address weapons that were deemed to harm indiscriminately, cause excessive injury, or operate against IHL.[172] This would apply to all conventional weapons, including LAWS.[173] One of the first calls to action regarding LAWS occurred in 2013 in a report to the General Assembly by Special Rapporteur, Christof Heyns.[174] The report recommended that Member States temporarily prohibit the use of LARs (now called LAWS) and that the United Nations assess the effectiveness of existing frameworks given the new technology.[175]

Following this, in 2016, the CCW established the Group of Governmental Experts (GGE) on LAWS that provided 11 guiding principles that were supported by the CCW in 2019.[176] The first four principles outline that IHL will apply fully to LAWS, and that clear human accountability is needed to ensure IHL compliance.[177] The fifth principle is that Member States should be obligated to determine if the use of LAWS would violate IHL.[178] The sixth and seventh principles highlight the need for safeguards to prevent NSAGs from acquiring LAWS and the need for risk assessments in LAWS development.[179] Principles eight and nine emphasize that new technologies in LAWS should uphold IHL and not be given human characteristics.[180] Finally, principles ten and eleven of the CCW are to not limit peaceful uses of autonomous technology and to promote a framework to address emerging technologies of LAWS as they pertain to military and humanitarian concerns.[181]

Beyond the CCW's guiding principles, in 2021, the United Nations Educational, Scientific and Cultural Organization (UNESCO) established the *Recommendation on the Ethics of Artificial Intelligence* which was adopted by all 193 Member States.[182] The recommendations address the use of AI in various policy areas, and emphasize that AI should not be used to violate or abuse human rights, suggesting limitations on the use of AI in LAWS.[183] Most recently, in 2023, the United Nations General Assembly adopted resolution 78/241 "Lethal Autonomous Weapons," the first specifically addressing LAWS.[184] This

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[170] United Nations Treaty Collection. *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects*. N.d.
[171] Ibid.
[172] United Nations, Convention on Certain Conventional Weapons. *Introduction to CCW*. N.d.
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[178] Ibid.
[179] Ibid.
[180] Ibid.
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[182] United Nations Educational, Scientific and Cultural Organization. *Recommendation on the Ethics of Artificial Intelligence*. 2021.
[183] Ibid.
[184] United Nations, General Assembly. *Lethal Autonomous Weapons Systems (A/RES/78/241 (2023))*. 2023.

resolution highlights the risks of NSAGs, the need for civil society discussion, and the lowered barrier for engaging in conflict due to LAWS.[185] Another concern with LAWS is the potential for NSAGs to build their own LAWS using dual-use products.[186] Currently, the United Nations Office on Drugs and Crime (UNODC) addresses the risks of dual-use products through its Container Control Program (CCP) which provides strategic trade and export control training to Member States to intercept shipments of dual-use products.[187] Attempts to limit the misuse of dual-use products beyond the United Nations include the Wassenaar agreement, an arrangement between 41 Member States to promote transparency and monitor exports of sensitive goods to improve security.[188] These controls can limit the ability of civilians or NSAGs to build LAWS out of commercially available goods and are based on Member State self-reporting.[189] Despite the CCP and the Wassenaar Agreement's export controls, the rapid developments in LAWS technology and the accessibility of open-source AI have allowed for gaps that limit their effectiveness.[190]

Role of the International System

CCW addresses weapons that inflict excessive harm or act indiscriminately, and works with the United Nations Institute for Disarmament Research (UNIDIR), which has been researching LAWS since 2013 and supporting the GGE on LAWS by developing research-based recommendations.[191] Some of UNIDIR's key findings on LAWS include the assessment that all LAWS are prone to unpredictable behavior, and risk assessments cannot guarantee how LAWS will act in new environments.[192] Additionally, the General Assembly established the United Nations Office for Disarmament Affairs (UNODA) in 1998 to foster dialogue, encourage disarmament, and address the humanitarian impacts of emerging weapon technologies, such as LAWS.[193] UNODA provides support to the CCW through an Implementation Support Unit to help implement CCW decisions through administrative and communication assistance.[194] The collaboration between UNIDIR, UNODA, and the GGE on LAWS supports the SDGs, such as SDG 16, which aims to promote peaceful societies, access to justice, and accountability at all institutional levels.[195] Current challenges within this system are Member State disagreements on the extent of regulation for LAWS.[196] Currently, 125 Member States have called for legally binding regulations on LAWS.[197] However, some Member States who support banning the use of LAWS still want to be able to build and develop their own LAWS, leading to ambiguity among Member States who support banning LAWS use.[198]

Regional stances regarding LAWS have also formed amidst uncertainty about the future of LAWS.[199] Among Latin American and Caribbean States, 33 Member States have called for an urgent and legally

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[185] Ibid.
[186] Russell. World Economic Forum. *Why We Need to Regulate Non-State Use of Arms*. 2022.
[187] United Nations Office on Drugs and Crime. *Strategic Trade and Export Control*. N.d.
[188] The Wassenaar Agreement. *Home*. N.d.
[189] Ibid.
[190] Chavannes. The Hague Center for Strategic Studies. *Governing autonomous weapon systems*. N.d.
[191] United Nations Institute for Disarmament Research. *UNIDIR on Lethal Autonomous Weapons*. 2021.
[192] Ibid.
[193] United Nations Office for Disarmament Affairs. *About Us*. N.d.
[194] United Nations Office for Disarmament Affairs. *Implementation Support Unit*. N.d.
[195] United Nations, General Assembly. *Transforming our World: the 2030 Agenda for Sustainable Development (A/RES/70/1 (2015))*. 2015.
[196] Human Rights Watch. *Stopping Killer Robots*. 2020.
[197] Ibid.
[198] Congressional Research Service. *International Discussions Concerning Lethal Autonomous Weapon Systems*. 2023.
[199] Human Rights Watch. *Stopping Killer Robots*. 2020.

binding framework on LAWS in 2023.[200] In the European Union (EU), measures to regulate LAWS have been taken by the EU's Global Tech Panel that outlined the EU's focus on IHL, human control, CCW's guiding principles, and commitments to not prevent civilian research.[201] Alternatively, other regions have developed regulations specific to AI, such as the African Union (AU) Development Agency's 2024 white paper *Regulation and Responsible Adoption of AI for Africa Towards Achievement of AU Agenda 2063* and the Association of Southeast Asian Nations (ASEAN) *Guide on AI Governance and Ethics*.[202] While neither addresses LAWS directly, both the AU and ASEAN's guidelines emphasize that AI should be used ethically.[203] Additionally, the North Atlantic Treaty Organization (NATO) adopted the *Autonomy Implementation Plan* in 2022, which called for the development of LAWS with varying degrees of autonomy, compliance with the CCW's 11 guiding principles and IHL, as well as NATO's principles of responsible use.[204] These principles emphasize that operating LAWS should maintain lawfulness, responsibility and accountability, explainability and traceability, reliability, governability, and bias mitigation.[205]

Furthermore, due to the humanitarian risks LAWS poses, non-governmental organizations (NGOs) such as the International Committee of the Red Cross (ICRC) and Human Rights Watch have emerged as key stakeholders in support of LAWS regulation.[206] ICRC has recommended legally binding regulations on LAWS to limit the risks of unpredictable and indiscriminate harm.[207] In 2023, the United Nations Secretary-General and ICRC President issued a joint statement that outlined how the application of IHL on LAWS is currently up to Member State interpretation and urged the international community to establish a legally binding instrument with clear limitations on LAWS by 2026.[208] Additionally, the Human Rights Watch established a campaign in 2012, *Stop Killer Robots*, to advocate for restrictions on LAWS.[209] Following the General Assembly's 2023 adoption of resolution 78/241 "Lethal Autonomous Weapons," *Stop Killer Robots* submitted recommendations to the United Nations secretary-general advocating for a full ban of LAWS, citing potential arms race, NSAGs using LAWS, and a lower barrier to conflict.[210] The campaign also highlighted that the operation of fully autonomous LAWS would not meet standards of target differentiation, proportional attack, and military necessity.[211]

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[200] Conferencia Latinoamericana y del Caribe Sobre el Impacto Social y Humanitario de las Armas Autónomas. *Latin American and Caribbean States Jointly Agree on the Urgent Need to Regulate Autonomy in Weapon Systems*. 2023.
[201] European Union. *International Security and Lethal Autonomous Weapons*. 2018.
[202] Fokane. Collaboration on International ICT Policy for East and Southern Africa. *Towards Ethical AI Regulation in Africa*. 2024; Association of Southeast Asian Nations. *ASEAN Guide on AI Governance and Ethics*. 2024.
[203] Fokane. Collaboration on International ICT Policy for East and Southern Africa. *Towards Ethical AI Regulation in Africa*. 2024; Association of Southeast Asian Nations. *ASEAN Guide on AI Governance and Ethics*. 2024.
[204] North Atlantic Treaty Organization. *Summary of NATO's Autonomy Implementation Plan*. 2022.
[205] Ibid.
[206] Wareham. Human Rights Watch. *International Committee of the Red Cross Backs Killer Robot Ban*. 2021.
[207] International Committee of the Red Cross. *Autonomous Weapon Systems*. N.d.
[208] United Nations, Office of the Secretariat. *Note to Correspondents: Joint call by the United Nations Secretary-General and the President of the International Committee of the Red Cross for States to establish new prohibitions and restrictions on Autonomous Weapon Systems*. 2023.
[209] Human Rights Watch. *Submission to the United Nations Secretary-General on Autonomous Weapons Systems*. 2024.
[210] Ibid.
[211] Human Rights Watch. *Killer Robots*. 2020.

Addressing Accountability for LAWS

LAWS are attractive due to their ability to limit risk to human operators.[212] However, the limited human control, potential for malfunctions, and hacking of LAWS make it difficult to hold individuals involved in programming or deployment accountable for IHL violations carried out by LAWS.[213] Currently, IHL and international criminal law hold individuals accountable for intentionally using weapons to harm civilians.[214] However, in situations where LAWS unintentionally harm civilians through malfunction or unpredictable activity, there is no clear operator responsible for the malfunctions, and the application of IHL is left to each Member State's interpretation.[215]

A key aspect of the CCW's 11 guiding principles is the need for human responsibility over LAWS actions for them to be IHL compliant.[216] However, LAWS algorithms risk malfunction and could behave unpredictably, which can limit the extent of human control and accountability under IHL.[217] It is difficult to hold a human operator accountable for violations of IHL caused by unpredictable technical issues.[218] UNIDIR outlines ways that LAWS algorithms may act unpredictably.[219] LAWS algorithms may be trained on inappropriate training data that differs from the exact environments they are intended to be used in or with inappropriate training focuses that may result in biases towards certain characteristics in target selection, misidentification of subjects, and inaccurate distance perception.[220] Additionally, LAWS may be deployed in different contexts than they were intended for, resulting in unpredictable behavior.[221] This can increase the risk of malfunctions due to interpretation failure, and violate IHL if civilians are misidentified as targets.[222] This unpredictable behavior makes it difficult to hold human operators, if present, accountable for LAWS actions.[223] Since LAWS can operate at high speeds, there are also concerns that when LAWS malfunction, there may not be enough time for human operators to intervene.[224]

Accountability has been a central focus in LAWS discussions, and a majority of Member States support the creation of legally binding limits on LAWS.[225] The CCW's guiding principles outline that human involvement in LAWS is necessary to maintain accountability under IHL and that risk assessments should be part of the LAWS development process.[226] In the absence of a consensus on binding LAWS regulations, NGOs such as the ICRC and the *Stop Killer Robots* campaign have been vocal in providing recommendations to the United Nations, advocating for a full ban on LAWS and a human operator.[227]

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[212] United Nations Office for Disarmament Affairs. *Perspectives on Lethal Autonomous Weapons*. 2017.
[213] Ibid.
[214] Ibid.
[215] Docherty. Human Rights Watch. *Killer Robots And The Laws Of Man: Who's To Blame For Mission Malfunction?*. 2015.
[216] United Nations, Convention on Certain Conventional Weapons. *Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW/MSP/2019/9 (2019))*. 2019.
[217] United Nations Office for Disarmament Affairs. *Perspectives on Lethal Autonomous Weapons*. 2017.
[218] United Nations Institute for Disarmament Research. *UNIDIR on Lethal Autonomous Weapons*. 2021.
[219] United Nations Institute for Disarmament Research. *Algorithmic Bias and the Weaponization of Increasingly Autonomous Technologies*. N.d.
[220] Ibid.
[221] Ibid.
[222] Ibid.
[223] United Nations Office for Disarmament Affairs. *Perspectives on Lethal Autonomous Weapons*. 2017.
[224] Ibid.
[225] Human Rights Watch. *Stopping Killer Robots*. 2020.
[226] United Nations, Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons System. *Non-exhaustive Compilation of Definitions and Characterizations (CCW/GGE.1/2023/CRP.1 (2023))*. 2023.
[227] Human Rights Watch. *Submission to the United Nations Secretary-General on Autonomous Weapons Systems*. 2024.

Additionally, the lack of restrictions on AI also poses challenges as AI can be readily incorporated into LAWS, allowing for greater degrees of autonomy that can further remove the human operator from decision-making.[228]

Preventing Non-State Armed Groups from Acquiring LAWS Technology

The acquisition of LAWS by NSAGs poses an international security concern for Member States.[229] While Member States seek predictability and control over LAWS actions, NSAGs benefit from the LAWS' lack of predictability because they can intimidate and promote their messages.[230] LAWS are also attractive to NSAGs because they can be affordably built using open-source AI and commercially available drones or dual-use products which can help overcome resource disadvantages.[231] The creation of LAWS using drones by NSAGs has increased in recent years and can carry out attacks on individuals and infrastructure.[232] The use of dual-use products to create weapons has been addressed by UNODC through the CCP which provides strategic trade and export control training to Member States to intercept shipments of dual-use products.[233] Additionally, the Wassenaar Agreement provides guidelines on export controls to improve international security by preventing NSAGs from stock-piling conventional arms and dual-use products.[234] However, despite these current export controls, the combination of hardware and software necessary to build LAWS allows for gaps in current regulations that limit their effectiveness.[235] Furthermore, the lack of restrictions on AI use and development in the private sector contributes to NSAGs' LAWS developments by providing easy access to low-cost AI to incorporate into their weapon systems.[236] Beyond construction, LAWS can also be acquired through hacking that could allow an NSAG to force malfunctions or seize control of the LAWS.[237] In 2011, a semi-autonomous RQ-170 drone was intercepted via its GPS and landed by a Member State that was not the main operator.[238] This was replicated by researchers in 2012 who simulated how LAWS could potentially be intercepted by NSAGs.[239]

The international community, private sector, and AI specialists have been contemplating the necessary measures to effectively address the challenges posed by LAWS.[240] In 2017, approximately 100 AI specialists signed a call to ban LAWS under the United Nations Weapons Conventions, highlighting private sector concern over this issue.[241] Since then, UNESCO has put forth *Recommendations on the Ethics of Artificial Intelligence*, outlining that AI should not be used to violate human rights.[242] Regional responses to the misuse of AI have been taken by the AU Development Agency's 2024 white paper *Regulation and Responsible Adoption of AI for Africa Towards Achievement of AU Agenda 2063* and the

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[228] Chavannes. The Hague Center for Strategic Studies. *Governing autonomous weapon systems*. N.d.
[229] United Nations, General Assembly. *Lethal Autonomous Weapons Systems (A/RES/78/241 (2023))*. 2023.
[230] Chertoff. Center for Security Studies. *Perils of Lethal Autonomous Weapons Systems Proliferation: Preventing Non-State Acquisition*. 2018.
[231] Ibid.
[232] United Nations, Office of Counter-Terrorism. *Autonomous and Remotely Operated Systems*. N.d.
[233] United Nations Office on Drugs and Crime. *Strategic Trade and Export Control*. N.d.
[234] The Wassenaar Agreement. *Home*. N.d.
[235] Chavannes. The Hague Center for Strategic Studies. *Governing autonomous weapon systems*. N.d.
[236] Ibid.
[237] Roberts. University of Cambridge. *Global AI experts sound the alarm*. N.d.
[238] BBC News. *Researchers use Spoofing to 'Hack' into a Flying Drone*. 2012.
[239] Ibid.
[240] Human Rights Watch. Stopping Killer Robots. 2020; Ackerman. Institute of Electrical and Electronics Engineers Spectrum. *Industry Urges United Nations to Ban Lethal Autonomous Weapons in New Open Letter*. 2017.
[241] Ibid.
[242] United Nations Educational, Scientific and Cultural Organization. *Recommendation on the Ethics of Artificial Intelligence*. 2021.

Association of Southeast Asian Nations (ASEAN) *Guide on AI Governance and Ethics*.[243] Despite these efforts, further regulation of AI and dual-use products by the international community and the private sector will be important for limiting LAWS proliferation by NSAGs.[244]

Conclusion

Given rapid technological advancements, the development and deployment of LAWS have emerged as a global concern, evident given that over 100 Member States support the creation of a legally binding instrument on LAWS.[245] Additionally, UNODA has highlighted compliance with IHL as a significant point of concern for LAWS use.[246] The General Assembly has made efforts to address recent developments in LAWS through the creation of the GGE on LAWS and cooperation between different United Nations bodies.[247] The 11 guiding principles on LAWS by the CCW provide a framework for Member States in LAWS development and have been referenced in regional frameworks.[248] These principles highlight the importance of human intervention over LAWS to ensure IHL compliance.[249] However, the lack of accountability in fully automatic LAWS, and access to LAWS by NSAGs pose challenges beyond the existing frameworks.[250] UNESCO has also outlined ethical guidelines for the use of AI, but its application to LAWS is unclear given the rapid developments in the field and the lack of regulation for AI in the private sector.[251] Given the emergence of new technology in the area of LAWS, the General Assembly, UNODA, and UNIDIR have been actively involved in discussions and investigations of the challenges posed by LAWS.[252] Further collaboration between NGOs, the private sector, and Member States is needed to define appropriate ways to address the use of LAWS.[253]

Further Research

Moving forward, delegates should consider the following questions: How should LAWS be regulated? What role can NGOs and the private sector play in the regulation of LAWS? Should there be different regulations for partial and fully autonomous LAWS? What regulations could improve LAWS IHL compliance? How can the international community hold accountability for LAWS actions? What role can AI play in limiting NSAGs from making LAWS? How can dual-use product export controls be used to prevent LAWS acquisition? What can the international system do to prevent NSAGs from accessing LAWS?

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[243] Fokane. Collaboration on International ICT Policy for East and Southern Africa. *Towards Ethical AI Regulation in Africa*. 2024; Association of Southeast Asian Nations. *ASEAN Guide on AI Governance and Ethics*. 2024.
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[245] Automated Decision Research. *State positions*. N.d.
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[248] United Nations Office for Disarmament Affairs. *Timeline of LAWS in the CCW*. N.d.
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