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Background Guide

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Committee Overview

Introduction

The General Assembly (GA) of the United Nations (UN) is one of the six principal organs of the UN established by the Charter of the United Nations (1946) in the aftermath of the Second World War. As plenary organ with universal membership among all 193 UN members, as well as a number of Observer States and Non-Governmental Organizations. Currently, the Holy See and the State of Palestine are the only two non-Member States with permanent Observer status. All members enjoy equal voting rights (one state, one vote). The GA as the plenary organ has very broad competences, as long as the Security Council is not currently dealing with the issue. The GA has six main committees, dealing with all important global issues, ranging from topics such as fiscal responsibility over international security, development, international law to human rights. The GA is the most important forum for multilateral discussions on a range of issues outlined in the Charter, specifically within Articles 10 – 22 which detail the functions and powers of the body. Generally spoken, the GA's role is the one of a norm setter as policymaking and representative organ. This does also mean that the GA does not actually carry out the operations or tasks called for in its resolutions. This task is primarily carried out by the various agencies and offices of the UN Secretariat.

As main organ, the GA does not report to other UN bodies, but rather requests and reviews reports and resolutions by other organs and subsidiary bodies, Article 15 UN Charter. The GA can, for example, request the Secretary-General to issue a report to be presented to one of the main committees on a specified question such as the implementation of recommendations made by the GA. Additionally, non-governmental organizations, have an important relationship with the GA and can be and often are invited to speak at the GA.

For the last 29 years, since its 44th session in 1989, the GA is in session the whole year. Nevertheless, the most important aspects take place from mid-September to the end of December, comprising the famous General Debate. For the remainder of the time working group meetings take place and thematic debates are held. The vast majority of votes in the GA require a simple majority – however most resolutions are adopted by consensus without a vote. This underlines the consensual nature of the GA. Still, any decision reached within the GA is non-binding under international law – nevertheless, as the outcome often defines new norms, these can then be the basis for binding treaties or conventions.

The General Assembly is currently in its 72nd session. Delegates should have a look at the agenda for this session to see how broad the topics the GA deals with really are.

While the work in such a large body is often quite hard in order to find lasting consensus, it truly is an institution of global understanding which very much respects the sovereignty of states with equal voting power.



I. Reviewing the Second United Nations Decade for the Eradication of Poverty

“The eradication of poverty, which is the first of the Sustainable Development Goals (SDGs), is a demand and a moral imperative for our societies, especially at this time in history when the world has enough resources to satisfy the basic needs of all and to achieve adequate living standards.”¹

Introduction

Poverty eradication in all of its forms has been a primary stated goal of the United Nations (UN) for almost two decades. The UN’s continuous commitment to eradicate poverty has been present through various mechanisms, including the *Millennium Declaration (2000)*, which was signed by all Member States and led to the establishment of the *Millennium Development Goals (MDGs)*.²

The Second United Nations Decade for the Eradication of Poverty, from 2008 to 2017, was proclaimed by the General Assembly at its 62nd session³ and was aimed at supporting the achievement of the internationally agreed development goals related to poverty eradication, including the Millennium Development Goals (MDGs).

Poverty reduction and eradication has long been endorsed by the international community as an overarching goal of development. In order to grasp the topic as a whole one needs to look at the different ways poverty can be understood and measured. One commonly applied definition of poverty in the context of the UN was adopted by the international community at the World Summit on Social Development in Copenhagen 1995, defining absolute poverty as *“a condition characterized by severe deprivation of basic human needs, including food, safe drinking water, sanitation facilities, health, shelter, education and information. It depends not only on income but also on access to social services.”*⁴ Following this definition, overall poverty may take various forms, such as the *“lack of income and productive resources to ensure sustainable livelihoods; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increased morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments and social discrimination and exclusion. It is also characterised by lack of participation in decision - making and in civil, social and cultural life. It occurs in all countries: as mass poverty in many developing countries, pockets of poverty amid wealth in developed countries, loss of livelihoods as a result of economic recession, sudden poverty as a result of disaster or conflict, the poverty of low social institutions and safety nets.”*⁵ In a “Statement of Commitment for Action to Eradicate Poverty”, issued by the Administrative Committee on Coordination (ACC) and signed by the heads of all UN agencies in 1998, it is recognized that *“fundamentally, poverty is a denial of choices and opportunities, a violation of human dignity. It means lack of basic*

¹ Alicia Bárcena, Executive Secretary of the Economic Commission for Latin America and the Caribbean (ECLAC), on 20 September 2017, at a high-level roundtable in New York in the framework of the 72nd session of the United Nations General Assembly.

² UN General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

³ UN General Assembly, *Second United Nations Decade for the Eradication of Poverty (2008–2017) (A/RES/62/205)*, 2007

⁴ Report of the World Summit for Social Development, A/CONF.166/9, 1995.

⁵ Report of the World Summit for Social Development, A/CONF.166/9, 1995.



capacity to participate effectively in society. It means not having enough to feed and cloth a family, not having a school or clinic to go to, not having the land on which to grow one's food or a job to earn one's living, not having access to credit. It means insecurity, powerlessness and exclusion of individuals, households and communities. It means susceptibility to violence, and it often implies living on marginal or fragile environments, without access to clean water or sanitation.”⁶

The World Bank's “absolute” international poverty level is based on minimum incomes needed for basic necessities in a number of low-income developing countries. It is equivalent to 1.90 USD per day.⁷ In contrast to this, “relative” poverty lines are defined in relation to the overall distribution of income in a country. Another option to measure poverty is through defining a “subjective” poverty line which is set on the basis of what people perceive as the minimum income that a person, family or household needs in a specific society to not be considered poor.⁸ The United Nations Development Programme champions the concept of eradicating poverty as an expansion of “the richness of human life, rather than simply the richness of the economy in which human beings live“, recognizing income only as a means.⁹

Although the number of people in poverty has considerably decreased, from 1.7 billion in 2000 to 767 million in 2013, there still is a strong need for augmented efforts and strengthened multi-stakeholder partnerships in order to create more jobs, boost the economy, and provide better social protection systems, especially for those who live under the international poverty line of 1.90 USD per day.¹⁰ 1 in 10 people in the world still live under this international poverty line while eight persons in the world have as much wealth as half of the world population.¹¹

It will lie at the heart of your research to include more far-reaching and especially more recent figures and facts on the eradication of poverty in different regions of the world.

“[The Second Decade] stresses the importance of reinforcing the positive trends in poverty reduction in some countries and extend such trends to benefit people worldwide. The proclamation recognizes the importance of mobilizing financial resources for development at national and international levels and acknowledges that sustained economic growth, supported by rising productivity and a favourable environment, including private investment and entrepreneurship is vital for rising living standards.”¹²

The Second Decade focused political attention on poverty eradication, which is a key challenge to development, and ensured that the issue remained at the core of social, economic and environmental policies. It also served as a platform for the mobilization of resources, the establishment of stronger partnerships for development and the enhancement of United Nations system-wide coherence for poverty eradication.¹³

⁶ ECOSOC, *Statement Of Commitment For Action To Eradicate Poverty Adopted By Administrative Committee On Coordination, (ECOSOC/5759)*, 1998.

⁷ The World Bank, *Poverty*.

⁸ UNESCO, *Poverty*.

⁹ UNDP, *Eradicate Poverty Everywhere*.

¹⁰ UN ECOSOC, *Progress towards the Sustainable Development Goals: Report of the Secretary-General (E/2017/66)*, 2017.

¹¹ UNDP, *Eradicate Poverty Everywhere*.

¹² <https://www.un.org/development/desa/socialperspectiveondevelopment/united-nations-decade-for-the-eradication-of-poverty/second-united-nations-decade-for-the-eradication-of-poverty.html>

¹³ UN Secretary General, *Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017)*, (A/72/283), 2017.



International and Regional Framework

Starting with the *Universal Declaration of Human Rights (1948)*, Member States committed themselves to provide citizens access to a decent standard of living, health and housing, and education; this commitment informs much of the UN's work.¹⁴

In 1995, the General Assembly proclaimed the *First United Nations Decade for the Eradication of Poverty (1997-2006)*. This First Decade was given the theme "Eradicating poverty is an ethical, social, political and economic imperative of humankind". During this Decade, several United Nations summits and conferences resulted in negotiated outcomes that focused on national, regional and international efforts in the eradication of poverty.¹⁵

One of them, adopted by the UN at the beginning of the twenty-first century, was the *United Nations Millennium Declaration (2000)*, a high-level commitment to eradicate poverty and to improve, protect and better the global, social, economic and environmental structure.¹⁶ The *United Nations Millennium Declaration (2000)* built the foundation for the Millennium Development Goals (MDGs), a set of goals that included objectives such as poverty alleviation, access to education, and socio-economic equality.¹⁷

In 2002, the International Conference on Financing for Development in Monterrey, Mexico resulted in the *Monterrey Consensus (2002)*, marking a major shift in how the international community viewed development aid.¹⁸ Not only did donor states pledge to contribute 0.7% of their gross national income as official development assistance (ODA), which refers to funds provided by governments to promote the development and welfare of developing countries, but they also committed to adapt aid to each recipient's needs and work to improve its effectiveness.

Also in 2002, in line with the World Summit on Sustainable Development in 2002, Member States adopted the *Plan of Implementation of the World Summit on Sustainable Development* and the *Johannesburg Declaration on Sustainable Development*.¹⁹ The Plan reiterates poverty eradication goals set by the *Millennium Declaration* and *Agenda 21 (1992)*, the outcome document of the 1992 UN Conference on Environment, and Development, emphasizing the role of sustainable development in achieving these goals.

The next World Summit in 2005 brought the commitment to increase funding for the fighting of poverty by \$50 billion a year. It reaffirmed the commitment to eradicate poverty and promote sustained economic growth, sustainable development and global prosperity for all. In December 2007, the General Assembly proclaimed the *Second United Nations Decade for the Eradication of Poverty (2008-2017)* reiterating that eradicating poverty was the greatest global challenge facing the world and a core requirement for sustainable development, especially for developing countries. It was based at the outcomes of the World Summit for Social Development and the twenty-fourth special session of the General Assembly.²⁰

¹⁴ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217A (III))*, 1948.

¹⁵ UN General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

¹⁶ UN General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

¹⁷ UN General Assembly, *United Nations Millennium Declaration (A/RES/55/2)*, 2000.

¹⁸ UN DESA, *Monterrey Conference*.

¹⁹ UN World Summit on Sustainable Development, *Report of the World Summit on Sustainable Development (A/CONF.199/20)*, 2002.

²⁰ <https://www.un.org/development/desa/socialperspectiveondevelopment/united-nations-decade-for-the-eradication-of-poverty/second-united-nations-decade-for-the-eradication-of-poverty.html>



In December 2008, the General Assembly set “Full employment and decent work for all” as a theme for the Second Decade for the Eradication of Poverty, calling for a more coherent and integrated UN system-wide response to the challenges.²¹ Globally, Millennium Development Goal 1.A – to halve, between 1990 and 2015, the proportion of people whose income is less than \$1.25 a day – was attained five years ahead of schedule, in 2010.

In “The Future We Want”, the outcome document of the United Nations Conference on Sustainable Development in 2012, Member States emphasized the need to accord the highest priority to poverty eradication within the United Nations development agenda, addressing the root causes and challenges of poverty through integrated, coordinated and coherent strategies at all levels.²²

Right before the MDGs’ expiration in 2015, Member States adopted the *2030 Agenda for Sustainable Development* (2016), establishing 17 Sustainable Development Goals (SDGs) and 169 associated Targets in order to set a framework that would further enhance the work that had been made concerning current issues, including poverty eradication.²³

While the MDGs put an emphasis on the income dimension of poverty and aimed at halving the percentage of people living in extreme poverty, the objective of the *Agenda 2030* is to eradicate poverty in all its forms and dimensions by the year 2030.²⁴ One aspect worth looking into would be to analyze how the experiences made during the Second Decade for the Eradication of Poverty shaped the changes made in the SDGs in comparison to the MDGs.

Role of the International System

Countless institutions and programmes are part of this comprehensive approach to end poverty in all its aspects, including specialized agencies, UN funds and programmes and regional commissions, such as International Labour Organization (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Development Programme (UNDP), the United Nations Industrial Development Organization (UNIDO), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Population Fund, the United Nations Children’s Fund, the Economic and Social Commission for Asia and the Pacific, the Economic and Social Commission for Western Asia, the Economic Commission for Africa, the Economic Commission for Latin America and the Caribbean and the Economic Commission for Europe

At the Seventeenth Session of the Second Committee of the General Assembly held in Geneva in February 2009, the High-Level Committee on Programmes (HLCP) agreed to establish a time-bound cluster group of Committee members. This cluster which is at the core of coordinating this herculean task is co-led by the United Nations Department of Economic and Social Affairs (UN-DESA) and the ILO, to prepare a draft coordinated, substantive and coherent system-wide plan of action for poverty eradication on full employment and decent work. The eventual plan of action, endorsed by the HLCP meeting in October 2009, covers four types of joint activities: awareness raising about employment and decent work as an effective development strategy for poverty eradication; strengthening capacity-building

²¹ UN General Assembly, *Second United Nations Decade for the Eradication of Poverty* (2008–2017) (A/RES/63/230), 2008.

²² United Nations Conference on Sustainable Development, *The Future We Want*, 2012.

²³ UN General Assembly, *United Nations Millennium Declaration* (A/RES/55/2), 2000.

²⁴ *Report on United Nations Inter-Agency Expert Group Meeting on “Employment and Decent Work for Poverty Eradication, in Support of the Second UN Decade for the Eradication of Poverty (2008-2017)”*, 2016.



(training, skills development, knowledge sharing); sharing good practices in promoting employment and decent work at the national and international levels; and providing support in integrating decent work towards poverty eradication into national and international policies and programmes.²⁵

The UN system continues to support the implementation of the objectives of the Second Decade through activities under the before mentioned inter-agency, system-wide plan of action. ILO promoted adherence to core labor standards and supports more than 50 countries in the design of national public employment programmes and labor-based schemes to rehabilitate and improve physical and environmental infrastructure and services. It is also contributing to policies and strategies that are influencing labor-intensive schemes and creating better synergies between the humanitarian-development nexus. ILO, together with other development partners, has been involved in the development of various inter-agency social protection assessment tools, including a public works assessment tool.²⁶

UNIDO on the other hand investigates under which conditions technology and innovation could lead to inclusive and sustainable industrial development (ISID). In its report from 2016 UNIDO found that technology can in fact serve all three dimensions of sustainability at the same time. Rapid, inclusive and sustainable industrialization can be achieved provided that policymakers resolutely facilitate and steer the industrialization process, which requires sound policies and avoiding the mistakes other countries have made in the past.²⁷

In May 2016, the Division for Social Policy and Development (DSPD) of the United Nations Department of Economic and Social Affairs (UNDESA) organized an Inter-agency Expert Group Meeting on “Employment and decent work for poverty eradication, in support of the Second UN Decade for the Eradication of Poverty (2008 – 2017)” under the theme “Full employment and decent work for all” and the inter-agency plan of action for the decade from 4 – 6 May 2016, in Bangkok, Thailand, as part of the preparations for the 71st session of the UN General Assembly. The Inter-agency Expert Group Meeting evaluated progress made over the past decade to eradicate poverty through employment creation. The meeting examined the contributions of the UN system to implementing the objectives of the Second Decade.²⁸

You should have a look at how other institutions such as the FAO, UNDP or DESA among others have contributed during the Second Decade.

Achievements and Struggles of the Second Decade

The Second United Nations Decade for the Eradication of Poverty has seen definitely seen successes, such as the decline of unemployment or increasing equality of global income (measured by the Gini coefficient). Results, however, vary wildly between different regions – advanced economies for example show a completely different development than developing countries.²⁹ One example for this is the progress made in reducing extreme poverty – while a global decrease of people living in poverty can be found, such as the people whose daily

²⁵ UN system-wide Plan of Action on the Second United Nations Decade for the Eradication of Poverty (2008-2017).

²⁶ UN Secretary General, *Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017)*, (A/72/283), 2017.

²⁷ UNIDO, *Industrial Development Report*.

²⁸ UNIDO, *Fighting Poverty through Industrialization and Productive Activities*.

²⁹ UN Secretary General, *Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017)*, (A/72/283), 2017.



income is below \$1.25 a day, levels of inequality in income, wealth and opportunities remain high or have widened in a number of countries after being in decline for decades.³⁰ Such new problems might even arise in developed countries – particularly noteworthy are extraordinary factors such as the global recession (which began in 2008). As the majority of the Second Decade took place while the International Community still tried to reach the MDGs – and negotiate the following SDGs – you should include the outcome of those in your inquiries.

Where as rather positive advances have been made in the areas of eradication of poverty and hunger, productive employment and decent work, social policies and financing, there are also serious problems which have been encountered in the areas of corruption, gender (in)equality, global -food, -energy and -economic crises as well as global and regional differences.

Relevance of national efforts / National experiences with regard to the implementation of the Second Decade

While the UN can coordinate, and contribute its experiences, national priorities need to determine the next steps. Building national capacities in developing countries lies at the core of accelerating the eradication of poverty.³¹ Such capacity building underlines the understanding that each country must take primary responsibility for its own economic and social development through targeted and effective national policies and strategies which can then be complemented by corresponding international programmes aimed at expanding the development opportunities of developing countries.³² South-South cooperation shall supplement North-South cooperation as an effective contribution to development and as a means to share best practices and provide enhanced technical cooperation.³³

Conclusion

Despite new commitments to poverty eradication, and the stated successes in certain areas (e.g. reaching the income MDG years early), towards the implementation of the first Decade for Poverty Eradication, the progress made in reducing poverty world-wide has been uneven. In many countries poverty has been on the rise, especially among women and children.³⁴ Once you have worked through the achievements and struggles of the Second Decade in detail you will see clearer at what the main challenges for the most important global task to end poverty on a global scale are.

Additionally, recessions and environmental catastrophes present ever-changing new challenges. It is most importantly to explore whether the Second Decade as such has been an effective catalyst in reducing poverty to see its relevance as a whole in comparison to other Social Development Efforts. Which lessons have been learned from the Second Decade, e.g. would it make sense to transfer time-bound arrangements such as the cluster group into permanent institutions? The main challenge in reviewing the Second United Nations Decade for the Eradication of Poverty (2008-2017) and the Millennium Development Goals running

³⁰ UN General Assembly, *Second United Nations Decade for the Eradication of Poverty (2008–2017)* (A/RES/71/241), 2016.

³¹ UN General Assembly, *Second United Nations Decade for the Eradication of Poverty (2008–2017)* (A/RES/71/241), 2016.

³² UN General Assembly, *Second United Nations Decade for the Eradication of Poverty (2008–2017)* (A/RES/71/241), 2016.

³³ UN General Assembly, *Second United Nations Decade for the Eradication of Poverty (2008–2017)* (A/RES/71/241), 2016.

³⁴ <https://www.un.org/development/desa/socialperspectiveondevelopment/united-nations-decade-for-the-eradication-of-poverty/second-united-nations-decade-for-the-eradication-of-poverty.html>



more or less simultaneously is to gather reliable data in respect to their implementation. Such data can only be obtained from strengthened national statistical capacity and monitoring systems to ensure access to data which are of high quality, accessible, timely, reliable and disaggregated by income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts. The ultimate goal, in the words of the Secretary General must be to transfer and build momentum towards the implementation of the 2030 Agenda for Sustainable Development by through global, innovative and efficient approaches to eradicate poverty once and for all.³⁵

Further Research

While considering what policies should be pursued by the General Assembly on the topic of eradication of poverty in the aftermath of the United Nations Decade for the Eradication of Poverty, delegates should contemplate the following questions: How effective are the existing international frameworks on eradicating poverty? How can success (or lack thereof) be effectively measured? To what extent are/were international organizations, programmes, and bodies able to assist Member States in implementing the goals set forth in the Second Decade? What kind of policies should be promoted at the national, regional and global levels to address the unfinished business of the Second Decade and the Millennium Development Goals? How can the work done under the inter-agency, system-wide plan of action for poverty eradication be aligned with the implementation of the 2030 Agenda for Sustainable Development?

More specifically: What should countries do differently to eradicate poverty? What specific strategies need to be implemented differently? How can countries modify current strategies in order to speed up poverty eradication efforts? What kind of experiences has your Member State made with the Second Decade and can their experience be applied to the greater international community? Which changes are necessary? What lessons can we draw from the implementation of the MDGs that can enhance the implementation of the 2030 Agenda for Sustainable Development?

Your role as a delegate includes to analyze what the Second Decade has achieved by going through resolutions, reports respectively, dealing with the topic at hand. Additional starting points of your research apart from the bibliography below could be the Global Jobs Pact and Social Protection Floor as unique approaches to address the causes and challenges of poverty in all its multiple forms. Additionally, the Secretary General's reports composed during these ten years will help you get a more detailed look at the issue and its many facets.

Annotated Bibliography

UN, Secretary General. (2017). *Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017) (A/72/283)* [Report]. Retrieved 25 December 2017 from: <https://undocs.org/A/72/283>

This report of the Secretary-General discusses in detail the progress concerning the Second Decade of the Implementation of the Second United Nations Decade for the Eradication of Poverty. It stands at the end of the Second Decade and gives recommendations for how to further pursue the ultimate goal. This document will be useful for delegates in understanding the progress that has been made concerning the implementation of the Second Decade and also what areas need to be improved.

³⁵ UN General Assembly, *Second United Nations Decade for the Eradication of Poverty (2008–2017) (A/RES/71/241)*, 2016.



UN, Economic and Social Council. (2017). *Progress towards the Sustainable Development Goals: Report of the Secretary-General (E/2017/66)* [Report]. Retrieved 25 December 2017 from: <https://unstats.un.org/sdgs/files/report/2017/secretary-general-sdg-report-2017--EN.pdf>

This report of the Secretary-General provides a global overview of the current situation of the Goals, on the basis of the latest available data for indicators in the global indicator framework. This document will be useful for delegates in understanding the progress that has been made concerning the implementation of the Second Decade and also what areas need to be improved.

UN (2017). *UN system-wide Plan of Action on the Second United Nations Decade for the Eradication of Poverty (2008-2017)* [Action Plan]. Retrieved 25 December 2017 from: <http://www.un.org/esa/socdev/documents/poverty/seconddecadepovertyplanofaction.pdf>

This Action Plan lies down the four types of activities that shall be undertaken: Promoting of awareness, strengthening of capacity building, sharing good practices and supporting the integration of decent work. It puts down several engagement points for each goal and relevant stakeholders.

UN Secretary General (2017). *Implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017), (A/72/283)*. [Report] Retrieved 25 December 2017 from: <http://undocs.org/A/72/283>

This report provides a discussion of progress in and challenges to poverty eradication and an evaluation of the implementation of the Second United Nations Decade for the Eradication of Poverty (2008-2017). It concludes with recommendations for consideration by the Assembly to maintain the momentum generated by the implementation of the Decade in the context of the 2030 Agenda for Sustainable Development.

The World Bank (2016). *Poverty and Shared Prosperity 2016, Taking on Inequality*. [Report]. Retrieved 3 January 2018 from: <https://openknowledge.worldbank.org/bitstream/handle/10986/25078/9781464809583.pdf>

This report does not only include several case studies regarding specific countries but talks about several angles of poverty and inequality of wealth in all its aspects. This report will be very handy for delegates seeking to truly understand the economic aspects in depth including a policy perspective.

UN Department of Economic and Social Affairs, Division for Social Policy and Development, *Report on United Nations Inter-Agency Expert Group Meeting on “Employment and Decent Work for Poverty Eradication, in Support of the Second UN Decade for the Eradication of Poverty (2008-2017)”*, (2016). Retrieved 25 December 2017 from: <http://www.un.org/esa/socdev/egms/docs/2016/AideMemoire.pdf>

This Aide-Mémoire is aimed to record in writing how the expert group tries to measure success, make out problems and so forth. This document will give delegates further ideas on what aspects they could focus on. It is also a good example for how such an expert groups does work in reality.

UN Industrial Development Organization, *Industrial Development Report 2016 The Role of Technology and Innovation in Inclusive and Sustainable Industrial Development*,



Retrieved 5 January 2018 from: https://www.unido.org/sites/default/files/2015-12/EBOOK_IDR2016_FULLREPORT_0.pdf

This report aims at showing how technology can serve all three pillars of ISID while showing the necessary requirements for this to realistically happen, especially the necessary policies.

UN Industrial Development Organization, *Inter-Agency EGM on Employment and Decent Work for Poverty Eradication, in Support of the Second UN Decade for the Eradication of Poverty (2008-2017) 4-6 May 2016; Bangkok, Thailand, Review of progress made by UN system in implementing the Second Decade - II and alignment of inter-agency work with the implementation of the 2030 Agenda for Sustainable Development "Fighting Poverty through Industrialization and Productive Activities"*, Retrieved 7 January 2018 from: <http://www.un.org/esa/socdev/egms/docs/2016/BPbyUNIDO.pdf>

This document is a review in itself – looking at the Second Decade for the Eradication of Poverty. It specifically targets the question of aligning the work of the inter-agency expert group meetings with the implementation of the SDGs and progress made by the UN in this regard.

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UN World Summit on Sustainable Development, *Report of the World Summit on Sustainable Development (A/CONF.199/20)*. (2002). Retrieved 25 December 2017 from: <http://www.un-documents.net/aconf199-20.pdf>

UN General Assembly, *Second United Nations Decade for the Eradication of Poverty* (2008–2017) (*A/RES/63/230*), 2008. Retrieved 25 December 2017 from: <https://undocs.org/A/RES/63/230>

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II. Strengthening the Coordination of Humanitarian and Disaster Relief Assistance of the United Nations

“Disaster risk reduction is in everybody’s interest – and it is everybody’s business.”
– Ban-Ki Moon

Introduction

An ongoing row of natural disasters and conflicts in the world are alarming the international community. The effective response to those disasters and conflicts must be improved.³⁶ The United Nations Office for Disaster Risk Reduction (UNISDR) defines disasters as “serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources.”³⁷ Earthquakes, floods, tsunamis and droughts which are categorized as natural disasters resolve from natural processes whereas humanitarian crises are often caused by armed conflicts or health crises.³⁸ In the first half of 2017, 149 disasters occurred in 73 countries, claiming more than 3,000 lives, affecting 80,6 million people, and causing damages amounting to \$32.4 billion.³⁹ Moreover, there have been 3455 floods, 2689 storms, 470 droughts and 395 extreme temperature in 2017.⁴⁰ As set out in General Assembly resolution 46/182 of 1991 and resolution 58/114 of 2003, the provision of aid in these situations needs to be in accordance with humanitarian principles of humanity, impartiality, neutrality, and independence.⁴¹ The UN Office for the Coordination of Humanitarian Affairs (OCHA) defines humanitarian coordination as “bringing together humanitarian actors to ensure a coherent and principled response to emergencies [...] to assist people when they most need relief or protection.”⁴² Planning capability, accountability and partnership across the humanitarian landscape are core elements of efficient coordination.⁴³ The gaps in the efficient coordination must be identified. Therefore, the UN Emergency Relief Coordinator and the Inter-Agency Standing Committee (IASC) have reviewed the international humanitarian response system in 2005.⁴⁴ This review has led to a reform of the humanitarian landscape.⁴⁵ In 2011, further improvements were required when the world was shaken by the earthquake in Haiti and by the massive flood which had hit Pakistan.⁴⁶ Better leadership, improved accountability to all stakeholders, and improved coordination are prioritized areas which shall be addressed.⁴⁷ The Cluster Approach connected to the international and regional framework documents on humanitarian responses and disaster risk reduction can play an important role in this progress.⁴⁸

³⁶ UN, *Humanitarian Assistance*, 2016.

³⁷ UNISDR, *2009 UNISDR Terminology on Disaster Risk Reduction*, 2009, p. 9.

³⁸ UNISDR, *2009 UNISDR Terminology on Disaster Risk Reduction*, 2009, p. 20.

³⁹ UNISDR, *PreventionWeb Disaster Statistics*, 2017.

⁴⁰ UNISDR, *Disaster Statistics*, 2017.

⁴¹ UN OCHA, *OCHA on Message: Humanitarian Principles*, 2002.

⁴² Humanitarian Response, *Coordination*.

⁴³ Humanitarian Response, *Coordination*.

⁴⁴ IASC, *Humanitarian Response Review*, 2005.

⁴⁵ IASC, *IASC Transformative Agenda*, 2016.

⁴⁶ IASC, *IASC Transformative Agenda*, 2016.

⁴⁷ IASC, *IASC Transformative Agenda*, 2016.

⁴⁸ Humanitarian Response, *Clusters*.



International and Regional Framework

The Humanitarian Charter and Minimum Standards in Humanitarian Response was developed by the network of the Sphere Project which aim was “to improve the quality of humanitarian assistance and the accountability of humanitarian actors to their constituents, donors and affected populations.”⁴⁹ This handbook on humanitarian assistance gives several norms in humanitarian aid, advocates obligations of governments, supports intergovernmental and non-governmental organizations to provide humanitarian relief, and is highly recognized in the international community.⁵⁰ One core statement of the Charter is that “all people affected by disaster or conflict have a right to receive protection and assistance to ensure the basic conditions for life with dignity.”⁵¹ Further it highlights the importance of collaborating with those affected. It stresses that their involvement can improve successful disaster response efforts.⁵² Guidance on coordinated responses, efficient data sharing, common coordination mechanisms and the involvement of military and private sectors are promoted as important standards within the humanitarian system.⁵³

There were three *World Conferences on Disaster Risk Reduction* by now. The first one was held in May 1994 in Yokohama, Japan.⁵⁴ The result was the Yokohama Strategy and Plan of Action for a Safer World which highlights the importance of fostering longer-term development that address vulnerabilities of certain populations and which calls Member States to strengthen financial commitments.⁵⁵ In January 2005, the second conference was held in Kobe, Japan and was led by UNISDR. The outcome document was the Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters.⁵⁶ This document has been later endorsed by the General Assembly resolution 60/196 of 2005.⁵⁷ Addressing the need for coordinated and effective humanitarian relief connected to disaster prevention and preparedness the International Recovery Platform has been created.⁵⁸ This platform shall be used to share experience learned among humanitarian actors. In March, the Sendai Framework for Disaster Risk Reduction 2015-2030 replaced the Hyogo Framework as the outcome of the Third UN World Conference on Disaster Risk Reduction. This framework was endorsed in the General Assembly resolution 69/283 of 2015.⁵⁹ Connecting disaster risk management and humanitarian response, recovery, rehabilitation, and reconstruction efforts is from utmost importance and therefore the Sendai Framework stresses these four priorities of action.⁶⁰

⁴⁹ The Sphere Project, *What is Sphere?*

⁵⁰ The Sphere Project, *What is Sphere?*

⁵¹ The Sphere Project, *The Sphere Handbook*, 2011, p.20.

⁵² The Sphere Project, *The Sphere Handbook*, 2011, p. 24.

⁵³ The Sphere Project, *The Sphere Handbook*, 2011, p. 58.

⁵⁴ UNISDR, *Yokohama Strategy and Plan of Action for a Safer World*, 1994.

⁵⁵ UNISDR, *Yokohama Strategy and Plan of Action for a Safer World*, 1994.

⁵⁶ UNISDR, *Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters*, 2005.

⁵⁷ UNISDR, *Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters*, 2005.

⁵⁸ UN General Assembly, *International Strategy for Disaster Reduction (A/RES/60/195)*, 2005.

⁵⁹ UN General Assembly, *Sendai Declaration and Framework for Disaster Risk Reduction 2015-2030 (A/RES/69/283)*, 2015.

⁶⁰ UN General Assembly, *Sendai Declaration and Framework for Disaster Risk Reduction 2015-2030 (A/RES/69/283)*, 2015.



In September 2015, the *2030 Agenda for Sustainable Development* has recognized the need to address natural disasters and other humanitarian crises and made references to the protection of vulnerable people affected by disasters in its 17 Sustainable Development Goals.⁶¹

Role of the International System

In 1991, the *United Nations General Assembly* has established a comprehensive framework for humanitarian relief in crises with its adoption of the resolution 46/182 on “Strengthening of the coordination of humanitarian emergency assistance of the UN”.⁶² This resolution has nominated an Emergency Relief Coordinator (ERC), created the Inter-Agency Standing Committee (IASC) and set up the Central Emergency Revolving Fund which was replaced in 2005 by the creation of the UN Central Emergency Response Fund (CERF).⁶³ CERF is an outcome of the General Assembly resolution 60/124 and is believed to be “one of the fastest and most effective ways to support rapid humanitarian response for people affected by natural disasters and armed conflict.”⁶⁴ In 2015, the General Assembly resolutions 70/106 and 70/107 on “Strengthening of the coordination of humanitarian emergency assistance of the UN” and “International cooperation on humanitarian assistance in the field of natural disasters, from relief to development” expanded the field of focus from solely humanitarian relief towards rehabilitation and long-term sustainable development.⁶⁵

Cluster Coordination

The cluster approach is a coordination instrument whose aim it is to reduce gaps, strengthen system-wide preparedness and capacity to respond to humanitarian emergencies and to identify overlaps in delivered assistance.⁶⁶ OCHA defines clusters as “groups of humanitarian organizations, both UN and non-UN, in each of the main sectors of humanitarian action, [which] [...] have clear responsibilities for coordination.” There are 11 pre-established clusters to address an emergency: food security; water, sanitation and hygiene (WASH); health; protection; education; nutrition; shelter; emergency telecommunication; logistics; camp coordination/management; and early recovery.⁶⁷ The cluster coordination does not act automatically in the event of an emergency.⁶⁸ The locally deployed Humanitarian Coordinator needs to submit a proposal to the ERC and IASC to activate clusters if local capacities are limited and cannot provide the necessary humanitarian assistance.⁶⁹

⁶¹ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

⁶² UN General Assembly, *Strengthening of the coordination of humanitarian emergency assistance of the United Nations (A/RES/46/182)*, 1991.

⁶³ UN General Assembly, *Strengthening of the coordination of humanitarian emergency assistance of the United Nations (A/RES/46/182)*, 1991.

⁶⁴ UN CERF, *Who we are*.

⁶⁵ UN General Assembly, *Strengthening of the coordination of humanitarian emergency assistance of the United Nations (A/RES/70/106)*, 2015; UN General Assembly, *International cooperation on humanitarian assistance in the field of natural disasters, from relief to development (A/RES/70/107)*, 2015.

⁶⁶ Humanitarian Response, *What is the Cluster Approach?*

⁶⁷ Humanitarian Response, *What is the Cluster Approach?*

⁶⁸ IASC, *Reference Module for Cluster Coordination at Country Level*, 2015, p. 10.

⁶⁹ IASC, *Reference Module for Cluster Coordination at Country Level*, 2015, p. 13.



Conclusion

Although there have been several mechanisms and instruments created those existing ones need to be revised. The coordination of relief and recovery efforts still requires improvement as it is the most important mechanism in an immediate response to a natural disaster or emergency.⁷⁰ Facing lacks of funding, the severity and frequency of humanitarian crises and the difficulties in bringing the resources to the most vulnerable populations, the achievement of a longer-term sustainable development seems to be a goal which cannot be reached in the next time without improvements.⁷¹ More targeted actions and more comprehensive monitoring of the progress are needed to tackle these issues. Therefore, the improvement of coordinated collection and sharing of disaggregated data in the clusters is required.⁷²

Challenges of Complex Global Crises and Further Research

2017 have shown several efforts done according to tackle the issue of disaster risk reduction. All over the world countries have implemented the Sendai Framework as well as working on different early warning systems for tsunamis, hazards and extreme weather situations. Moreover, the world has dealt with the aftermath of Hurricane Matthew in Haiti. Therefore, a three-year recovery plan has been made which requires \$2.72 billion. The funding gap of 2015, with almost an additional \$10 billion which were required for adequate assistance provision, was the largest ever funding gap. In 2017, lack of adequate funding continued. In March 2017, enormous flooding took dozens of lives in Peru, showing that the warning systems are still lacking. In May 2017, it was confirmed at the Global Platform for Disaster Risk Reduction in Cancun, Mexico, that the Sendai Framework monitoring will start in early 2018. In August 2017, Hurricane Harvey has hit the State of Texas in the United States, affecting millions of people and taking dozens of lives. In September 2017, the UN Secretary-General's Special Representative for Disaster Risk Reduction, Mr. Robert Glasser, expressed his deep concern by stating that "the floods and monsoon rains across South Asia, deadly landslides and drought in Africa, the impact of four major Atlantic hurricanes, a major earthquake in Mexico with a tsunami threat to central America vividly demonstrate that we need to redouble our efforts to reduce the impact of such events in the future. They are a reminder to us all that the worst disasters which could happen have not happened yet."⁷³

The latest situations in the year 2017 although showing improvements in the systems, pointed out the successful efforts which were made but also areas which are still lacking and need to be addressed. Renewals of global frameworks have improved the adaptation of humanitarian efforts in areas such as disaster risk reduction, sustainable development, climate change and peace building. Bearing in mind all efforts, improvements and the disasters and emergencies of 2017, delegates can use the following questions as starting point for their further research: How can the role of women in disaster risk reduction be empowered? How can the funding gaps be closed? How can countries increase their contribution to disaster risk preparedness? What can collaborations of countries with their regional office of the UNISDR implement? How can coordination for effective action be streamlined and simplified? How can Regional Conferences lead by UNISDR improve early warning systems? How to make sure that

⁷⁰ UN OCHA, *Leaving No One Behind: Humanitarian Effectiveness in the Age of the Sustainable Development Goals*, 2016.

⁷¹ UN OCHA, *Leaving No One Behind: Humanitarian Effectiveness in the Age of the Sustainable Development Goals*, 2016.

⁷² World Humanitarian Summit, *Standing up for Humanity: Committing to Action*, 2016.

⁷³ UNISDR, *News Archive*, 2017.



marginalized populations do not get left behind? How can disaster risk reduction and prevention be implemented in countries or island without infrastructure and network availability? What mechanisms and instruments should be improved or created to enhance the preparedness for a longer-term crisis? Delegates should review the actions taken in the last years and their success and difficulties to enhance them. This does of course also include national or regional efforts that could be transferred to a regional or global level.

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III. Prohibiting Lethal Autonomous Weapon Systems

“Artificial intelligence is the future [...] for all humankind. [...]Whoever becomes the leader in this sphere will become ruler of the world.”⁷⁴

Introduction

Autonomous Systems are already, and will increasingly, be shaping the world we live in to an extent that only few are aware of and nobody can sufficiently predict. This development has increasingly found its way into political discussion very recently; Today, algorithms play a huge part in the content we see and consume when using the internet. How this influences our political decision making and the democratic process as a whole has dominated news and research in the past year. In the near future, autonomous machines in industrial production and mobility may endanger millions of jobs worldwide. The topic of Lethal Autonomous Weapons Systems (LAWS), where autonomous systems make decisions over life and death, has a comparatively long history of discussion within the international community, because its ethical and legal implications are more overt, though it still only stretches back around five years.⁷⁵ There are, as of yet, no binding agreements specifically targeting LAWS. International and regional frameworks regarding International Humanitarian Law (IHL) and international human rights law, such as the Geneva Conventions and their Additional Protocols, are currently the only institutions relevant to the use and development of LAWS.⁷⁶ However, in the past five years, regular meetings by experts have been held under the framework of treaty bodies such as the Convention on Certain Conventional Weapons (CCW) regarding discussions on pre-emptive moves to address LAWS.⁷⁷ Numerous Civil Society Organizations (CSOs) have begun working even longer to promote awareness of the potential impact of LAWS and to facilitate definitive action in prohibiting their manufacture and implementation.⁷⁸

Currently perhaps the most difficult issue regarding international measures on LAWS (also known as Lethal Autonomous Robotics (LARs), Fully Autonomous Weapons Systems (FAWS), remotely piloted aerial systems, or even “Killer Robots”), is a definitional one.⁷⁹ No internationally accepted definition of what constitutes LAWS exists today.⁸⁰ Many definitions are in use by governments and CSOs around the world, but they differ significantly. Each of them attending to a particular set of concerns and omitting others.⁸¹

Though automation in some form in weapons systems has been a reality of warfare for many

⁷⁴ RT News, 2017; see also Altmann & Sauer, Speed Kills, 2016.

⁷⁵ Bernard, Editorial: Science Cannot be Placed Above its Consequences, 2012, p. 464.

⁷⁶ Geneva Convention relative to the Protection of Civilian Persons in Time of War (2nd part), 1949; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977 ; Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977.

⁷⁷ UN Office at Geneva, 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/2013/10), 2013.

⁷⁸ Campaign to Stop Killer Robots, Urgent Action Needed to Ban Fully Autonomous Weapons, 2013.

⁷⁹ UN Institute for Disarmament Research, Experts Meeting on Armed Drones and Robots Under International Law, 2013, p. 1.

⁸⁰ Ibid.

⁸¹ UNIDIR, The Weaponization of Increasingly Autonomous Technologies: Concerns, Characteristics and Definitional Approaches, 2017, p. 1.



years, no state actors have implemented lethal autonomous systems, by any definition, yet.⁸² However, the degree of human involvement, or rather detachment, in certain existing weapons systems has already been a matter of concern by governments in the past, most prominently regarding drones.⁸³

The conversation around LAWS has significantly deepened and become more nuanced in the past two years. While some more general concerns, such as technical, ethical and legal ones, have been present since the beginning of the international discussion and only deepened since then,⁸⁴ others, such as risk, safety and bias, have emerged as recently as the past year.⁸⁵

International and Regional Framework

Currently, no treaties or resolutions specifically target the development and use of LAWS and international and regional agreements which would concern LAWS, such as the fourth Geneva Convention and Additional Protocols I and II, only deal with the issue indirectly, focusing on the protections afforded to combatants and civilians that LAWS may violate.⁸⁶ Of particular interest to this topic is article 36 of the 1977 Additional Protocol I of the Geneva Conventions, that requires to review new weapons, means and methods of warfare with regard to their compatibility with international law.⁸⁷ The CCW, part of the conference on Disarmament (CD), focuses among other things on banning weapons that may indiscriminately harm civilians (historically, e.g. napalm and white phosphorus have been classified as such).⁸⁸ This could theoretically be applied to LAWS, if scientists and governments cannot demonstrate LAWS ability to distinguish civilians from combatants.⁸⁹ The High Contracting Parties to the CCW began regular informal expert meetings regarding LAWS in 2013, and in 2016 mandated the establishment of a Group of Governmental Experts (GGE) to “explore and agree on possible recommendations on options related to emerging technologies in the area of [LAWS]”.⁹⁰ Among the outcomes, these meetings emphasized the necessity of achieving universal adherence to the Convention,⁹¹ identifying relevant characteristics of LAWS, elaborating a working definition, and ultimately agreeing on recommendations.⁹² The first meeting of the GGE in November 2017 was considered a failure and overshadowed by remarks made by the government of the Russian Federation, that they would ignore any UN ban on LAWS, arguing that such a move was pointless while LAWS don't yet exist.⁹³ One Russian defence contractor, Kalashnikov, is reportedly already developing a weapons system where an artificial intelligence system independently chooses

⁸² United States, Unmanned Systems Integrated Roadmap FY2011-2036, 2011; United States, Directive 3000.09: Autonomy in Weapon Systems, 2012.

⁸³ Auner, Congress Resists Pentagon Drone Oversight as U.S. and Partners Continue Targeted Killings, 2014.

⁸⁴ Altmann, Arms control for armed uninhabited vehicles: an ethical issue, 2013.

⁸⁵ UNIDIR: “The Weaponization of Increasingly Autonomous Technologies”, 2017, p. 1.

⁸⁶ Geneva Convention relative to the Protection of Civilian Persons in Time of War (2nd part), 1949.

⁸⁷ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protections of Victims of International Armed Conflicts (Protocol I), 8 June 1977.

⁸⁸ 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 as amended on 21 December 2001, 1980.

⁸⁹ Biontino, CCW Expert Meeting Lethal Autonomous Weapon Systems (LAWS): Statement on Legal Aspects, 2014, p. 2.

⁹⁰ UNIDIR: “The Weaponization of Increasingly Autonomous Technologies”, 2017, p. 1.

⁹¹ UN Office at Geneva, 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/2013/10), 2013, p. 3.

⁹² UNIDIR: “The Weaponization of Increasingly Autonomous Technologies”, 2017, p. 1.

⁹³ International Business Times, 2017.



and eliminates targets.⁹⁴

Role of the International System

The UN has initiated discussions on the topic of LAWS in the past few years.⁹⁵ Because of the abilities granted to the General Assembly (First Committee) by the Charter of the United Nations (1945), LAWS fall under its mandate not only due to their nature as weapons, but also for their potential to threaten international peace and security in certain circumstances.⁹⁶ LAWS could affect the decision-making process of whether to enter into conflicts as the risks of casualties can be reduced, thereby leading to increased violations of international laws on peace and security.⁹⁷ Thus, the GA works with the UN Disarmament Commission (UNDC) and the CD in discussing how international disarmament issues relate to LAWS.⁹⁸ Additionally, GA resolution 61/55, adopted on 6 December 2006, “[e]ncourages United Nations bodies to contribute, within existing mandates, to promoting the application of science and technology for peaceful purposes,” which is in direct opposition to the development of LAWS.⁹⁹ The UN Institute for Disarmament Research (UNIDIR) has published a series of documents alongside and in support of the CCW meetings regarding LAWS, leading up to and including the GGE meeting in 2017. A number of panel discussions on the topic have been held as part of the First Committee Side Event Series for the 72nd Session of the General Assembly in 2017.¹⁰⁰¹⁰¹ Although these UN bodies have begun to discuss LAWS within international and regional institutions, CSOs have been far more active in promoting the topic.¹⁰²

Civil Society Organizations

The majority of work done by CSOs has included calls for action from national governments and regional and international organizations to ban LAWS, as well as publishing material to explain the many complex facets of LAWS and their potential impact.¹⁰³ Many organizations active in advocating for the prohibition of LAWS operate in conjunction with other CSOs and alongside UN bodies.¹⁰⁴ Important CSOs working in this field include the International Committee for Robot Arms Control (ICRAC), Article 36, The Campaign to Stop Killer Robots and Human Rights Watch. Especially the first two have been heavily involved in raising awareness for the issue, and have been invited to speak at, give statements to, or even host CCW meetings. Even though debate on LAWS has emerged only recently at the UN in light of evolving technology, it is clear that there are many organizations interested in bringing awareness to LAWS and which have already done much study on the subject.¹⁰⁵

⁹⁴ Ibid.

⁹⁵ 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 as amended on 21 December 2001, 1980.

⁹⁶ Charter of the United Nations, 1945.

⁹⁷ Reaching Critical Will, Fully Autonomous Weapons, 2014, p. 2.

⁹⁸ UN General Assembly First Committee, Disarmament and International Security.

⁹⁹ UN General Assembly, Role of science and technology in the context of international security and disarmament (A/RES/61/55), 2007, p. 2.

¹⁰⁰ UNODA, Banning Fully Autonomous Weapons, 2017.

¹⁰¹ UNODA, Understanding Learning Algorithms and Bias, 2017.

¹⁰² Reaching Critical Will, Fully Autonomous Robots, 2013.

¹⁰³ Article 36, Key areas for debate on autonomous weapons systems, 2014.

¹⁰⁴ Reaching Critical Will, What We Do, 2014.

¹⁰⁵ Campaign to Stop Killer Robots, About Us, 2014.



Definitional Issues and Technical Aspects

When establishing the mandate for the GGE, the High Contracting Parties to the CCW gave themselves the task of identifying characteristics of LAWS and elaborating a working definition.¹⁰⁶ The key problem one faces when trying to define LAWS is, that determining the level of autonomy of a weapons system often means considering a spectrum with remote controlled weapons systems on one side and fully autonomous systems that plan, evaluate and execute attacks on their own, on the other.¹⁰⁷ While “operational autonomy”, the capacity to maneuver autonomously along a path set by a human controller, is widely present today's weapons, “decisional autonomy”, the capability of making decisions about its actions without human input, is currently not being used on any battlefields,¹⁰⁸ but the technological advancements in this area are huge. Another, recently discussed, dimension that makes defining LAWS difficult is the question of autonomy “at rest” and “in motion”: Discussions at the CCW have, for the most part, focused on physical, “in motion” weapon systems; that is, systems that are able to act on and in their environment. However, perhaps even more important and more imminent in potential use are “at rest” systems, such as decision aids. These are not directly coupled to munition, yet are used in support of decisions to use force, such as selecting target sets and evaluating potential attacks.¹⁰⁹ It will soon be seen, that many currently used definitions of LAWS don't consider “at rest” systems at all.

In the CCW, three main approaches to the question of a definition have emerged: Firstly technology-centric approach, that describes LAWS as physical objects, similar to how conventional weapons have been described in the past, focusing on technical specifications such as range, payload, and intended operating environment.¹¹⁰ Secondly, a human-centred approach, trying to define LAWS in relation to a human user.¹¹¹ This is the most commonly used approach in laymen's discussions on the topic, with terms like “meaningful human control” being the central distinction between LAWS and conventional weapons. This term, or similar ones, have however been criticized as too broad and unprecise for a meaningful discussion. The question arises, at what stage in a weapon's operation this human control is to be exerted.¹¹² Thirdly, a task/functions approach tries to tackle the question of what constitutes autonomy by identifying which of its functions are executed autonomously and which aren't.¹¹³ From a list such as “acquisition, tracking identification, grouping, selection, prioritization, or engagement of targets”, some might be performed with human input and some without. When none require human input, a weapon would be classified as “fully autonomous.”¹¹⁴ An example of this kind is the definition currently in use by the International Committee of the Red Cross (ICRC): “Any weapon system with autonomy in its critical functions. That is, a weapon system that can select (i.e. search for or detect, identify, track, select) and attack (i.e. use force against, neutralize, damage or destroy) targets without human intervention.”. Ultimately, a satisfying definition will have to include aspects of all three of these approaches.¹¹⁵

¹⁰⁶ UNIDIR, *The Weaponization of Increasingly Autonomous Technologies*, 2017, p. 19.

¹⁰⁷ UNIDIR, *Framing Discussions on the Weaponization of Increasingly Autonomous Technologies*, 2014, p. 2.

¹⁰⁸ Chatila, *On the Concept of Autonomy*, 2014, slides 5, 8.

¹⁰⁹ UNIDIR, *The Weaponization of Increasingly Autonomous Technologies*, 2017, p. 7.

¹¹⁰ *Ibid.*, p. 19.

¹¹¹ *Ibid.*

¹¹² Article 36: “Autonomous weapon systems: Evaluating the capacity for “meaningful human control” in weapon review processes“, 2017

¹¹³ UNIDIR, *The Weaponization of Increasingly Autonomous Technologies*, 2017, p. 21.

¹¹⁴ Gubrud & Altmann, *Compliance Measures for an Autonomous Weapons Convention*, 2013, p. 4.

¹¹⁵ UNIDIR, *The Weaponization of Increasingly Autonomous Technologies*, 2017, p. 21.



Other examples of currently used definitions include the following; The Government of the Netherlands describe Autonompous Weapon Systems as: “A weapon that, without human intervention, selects and engages targets matching certain predefined criteria, following a human decision to deploy the weapon on the understanding that an attack, once launched, cannot be stopped by human intervention.”¹¹⁶ This definition is very narrow and doesn't fit modern technological advancements like machine learning. The government of the UK has been praised for its comparatively differentiated definition: “An autonomous system is capable of understanding higher-level intent and direction. From this understanding and its perception of its environment, such a system is able to take appropriate action to bring about a desired state. It is capable of deciding a course of action, from a number of alternatives, without depending on human oversight and control, although these may still be present. Although the overall activity of an autonomous unmanned aircraft will be predictable, individual actions may not be.”¹¹⁷ Its strengths lie in its consideration of capabilities of the AI at work and how it relates to human intent. However, its threshold for autonomy is quite high and the concept of a machine “understanding” human intent is hard to specify.¹¹⁸

Legal Aspects

In the absence of specific legal documents on LAWS, the most pressing question concerning the legality of LAWS is whether they will violate IHL or Human Rights Law.¹¹⁹ Critics argue that the use of LAWS would violate IHL, but others suggest existing international laws adequately cover them.¹²⁰ Article 36 points out that there is an expectation implicit in international law that humans control when, where, and how weapons are used.¹²¹ However, they advise creating, “an explicit legal requirement that there be meaningful human control over individual attacks.”¹²² The “Martens Clause”, introduced in the preamble of the 1899 Hague Convention II, states that in cases not included in law on armed conflict shall still be governed by the principles of international law, the laws of humanity and requirements of the public conscience.¹²³ This was used by Human Rights Watch, in conjunction with Harvard Law Schools International Human Rights Clinic to argue the illegality of LAWS in 2012.¹²⁴ However, there exists no widely accepted legal interpretation of the Martens clause and it is subject to widely varying interpretation.¹²⁵

Furthermore, debates on accountability furthermore permeate discussions on the legal implications of LAWS.¹²⁶ While it is true that some existing legal structures cover the use of LAWS, the ICRC claims that if manufacturers cannot guarantee the weapon system will completely comply with IHL it will be unlawful.¹²⁷ This statement correlates with the

¹¹⁶ Ibid, p.26; Government of the Netherlands, 2017, Examination of Various Dimensions of Emerging Technologies in the Area of Lethal Autonomous Weapons Systems, in the Context of the Objectives and Purposes of the Convention,

¹¹⁷ UNIDIR, The Weaponization of Increasingly Autonomous Technologies, 2017, p. 29

¹¹⁸ Ibid.

¹¹⁹ ICRC, Report of the ICRC Expert Meeting on ‘Autonomous weapon systems: technical, military, legal and humanitarian aspects’, 2014.

¹²⁰ Mezler, Legal Implications of Lethal Autonomous Weapon Systems, 2014, Slide 3.

¹²¹ Article 36, Key areas for debate on autonomous weapons systems, 2014, p. 1.

¹²² Ibid.

¹²³ Laws and Customs of War on Land.

¹²⁴ HRC. The Case against Killer Robots, p. 5.

¹²⁵ Ticehurst, The Martens Clause and Laws of Armed Conflict.

¹²⁶ Asaro, On banning autonomous weapon systems: human rights, automation, and the dehumanization of lethal decisionmaking, 2012, p. 692.

¹²⁷ ICRC, Report of the ICRC Expert Meeting on ‘Autonomous weapon systems: technical, military, legal and humanitarian aspects’, 2014, p. 14.



previously mentioned Article 36 of Protocol I Additional to the Geneva Conventions.¹²⁸ In addition to the issue of proper judgment, the use of LAWS creates the problem of where to place blame in the case of an accident or technical failure.¹²⁹ This aspect of the discussion especially has been aggravated recently by considerations about the nature of machine learning, where the criteria by which LAWS might make their decisions are not clearly decided upon by a programmer, but rather develop themselves by the artificial intelligence analyzing sets of data too big for any human to completely grasp.¹³⁰

As illustrated, there is a clear cleavage between the two sides of the legal argument on LAWS. Special Rapporteur Cristof Heyns suggests the introduction of LAWS could create international division, weaken the role of international law, and undermine international security.¹³¹ In this regard, the General Assembly offers a forum for Member States to devise the necessary framework to prevent this, including making recommendations for a complete ban on LAWS should they see fit to do so.

Ethical and Humanitarian Aspects

The debate on LAWS also considers ethical and humanitarian concerns alongside the existing legal framework as illustrated by a remark from the Women's International League for Peace and Freedom to the CCW: "[b]eyond the law, giving machines power to target and kill human beings crosses a moral line."¹³² Bernard adds, "[h]aving machines commit programmed acts of violence means delegating our capacity for judgment, the key element in the attribution of responsibility."¹³³ In addition to the issue of proper judgment, the use of LAWS creates the problem of where to place blame in the case of an accident or technical failure an issue that is relevant in many areas where autonomous systems play a role, for example self-driving cars.¹³⁴

Another concern in the debate on ethics is that while unmanned weapons open the possibility to attack an enemy who cannot fight back, the enemy will often compensate their inability to attack appropriate targets by attacking innocent people as has been seen with drone attacks, which many scholars claim to be a leading cause for the radicalization of civil populations, ultimately leading to terrorism.¹³⁵ Additionally, the possibility of terrorist organizations obtaining the technology poses a threat to international peace and security, thus highlighting humanitarian aspect of LAWS.¹³⁶ Because legislation most often develops in response to new technology, it is important to create an ethical structure on which to base the legal framework now, while the use of unmanned robots is still nascent and their implications are uncertain.¹³⁷ The International Covenant on Civil and Political Rights states, "[e]very human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived

¹²⁸ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977 Article 36.

¹²⁹ Asaro, On banning autonomous weapon systems: human rights, automation, and the dehumanization of lethal decisionmaking, 2012, p. 688.

¹³⁰ UNODA, Pathways to Banning Fully Autonomous Weapons, 2017.

¹³¹ UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, 2013, p. 6.

¹³² Women's International League for Peace and Freedom, Statement to the CCW Meeting of Experts on Lethal Autonomous Weapon Systems, 2014, p. 1.

¹³³ Bernard, Editorial: Science Cannot be Placed Above its Consequences, 2012, p. 459.

¹³⁴ *Ibid.*, p. 460

¹³⁵ *Ibid.*

¹³⁶ Biontino, CCW Expert Meeting Lethal Autonomous Weapons Systems (LAWS), 2014, p. 3.

¹³⁷ PAX, Does Unmanned Make Unacceptable? Exploring the Debate on using Drones and Robots in Warfare, 2011, p. 24.



of his life.”¹³⁸ Allowing robots to make the decision to kill makes those deaths arbitrary because robots lack the capacity to judge and interpret their targets the way humans can interpret and review subjects in consideration of existing laws.¹³⁹

In a panel discussion on LAWS as part of the First Committee Side Event Series for the 72nd session of the General Assembly in 2017, the issue of “bias” was addressed: As machine learning algorithms learn from giant amounts of data generated by human behaviour, they often attribute discriminatory policies based on gender, race etc. This is evident in areas where algorithms already evaluate humans, with regards for example to their financial responsibility. Similar discriminatory decisions when a machine decides whether to kill a human is considered ethically unacceptable.¹⁴⁰

Challenges to Prohibition

Proponents of LAWS proclaim the beneficial nature of LAWS, suggesting they will protect civilians from the harmful effects of war.¹⁴¹ Some experts argue that proper design and use of LAWS could potentially prevent loss of life to civilians, questioning the assumption that a human's decision in violent situations are necessarily better than a machine's.¹⁴² However, the CSO PAX counters the argument, reiterating that the same was said of smart bombs in the past, and the reality now is that locations and targets of smart bombs have become closer to civilians, leading to a possible increase in civilian casualties.¹⁴³

Official statements from governments with the capability to manufacture LAWS indicate their implementation is not currently envisioned and rather the choice to apply lethal force through unmanned weapons will remain with humans.¹⁴⁴ The United States Department of Defense has stated that “public opinion demands that soldiers avoid dangerous situations (...) Allowing robots to do the most dangerous work helps keep Western soldiers out of harm's way.”¹⁴⁵ Some experts propose alternatives to a complete ban on LAWS, such as proposing a moratorium on LAWS, suggesting, “a ban ignores the moral imperative to use technology to reduce the persistent atrocities and mistakes that human warfighters make.”¹⁴⁶

Another source of opposition is the nature of robotics as a dual-use technology, useful in both peaceful and warring endeavours. Some governments have already articulated their concern that regulation of LAWS means that they will be denied technologies and locked out of extremely important high-tech sectors, or that development of civilian applications of increasing autonomy will be harmed. Together these factors make traditional responses, such as control regimes, less likely to succeed.¹⁴⁷

¹³⁸ United Nations General Assembly, International Covenant on Civil and Political Rights (A/RES/2200 (XXI)), 1966, art. 6(1).

¹³⁹ Asaro, On banning autonomous weapon systems: human rights, automation, and the dehumanization of lethal decisionmaking, 2012, p. 700.

¹⁴⁰ <https://www.un.org/disarmament/update/pathways-to-banning-fully-autonomous-weapons/>, 2017

¹⁴¹ Altmann, Arms control for uninhabited vehicles: an ethical issue, 2013, p. 141.

¹⁴² Arkin, Lethal Autonomous Weapons Systems and the Plight of the Noncombatant, 2014, p. 4.

¹⁴³ PAX, Does Unmanned Make Unacceptable? Exploring the Debate on using Drones and Robots in Warfare, 2011, p. 27.

¹⁴⁴ United States, Unmanned Systems Integrated Roadmap FY2011-2036, 2011, p. 50.

¹⁴⁵ PAX, Does Unmanned Make Unacceptable? Exploring the Debate on using Drones and Robots in Warfare, 2011, p. 24.

¹⁴⁶ Arkin, Lethal Autonomous Weapons Systems and the Plight of the Noncombatant, 2014, p. 5.

¹⁴⁷ UNIDIR, The Weaponization of Increasingly Autonomous Technologies, 2017, p. 6.



Conclusion

While the discussion on LAWS is no longer in complete infancy, with many complexities and different cleavages having by now emerged, solutions are still not present at any level. With the current rate of technological progress in robotics, it is only a matter of time until some form of LAWS makes its appearance on a battlefield. If, by then, no specific language regarding LAWS has appeared in international treaties and agreements, the current framework considering humanitarian law and human rights will hardly be sufficient to address the new challenges. It must now be the goal of the international community to take the many points of discussion and research to establish a working definition of LAWS and, based on that, establish measures to at least, if not outright ban them, control and clear up the legality of LAWS.

Further Research

Because this is a new topic, and relevant data might be scarce, it will be helpful to understand the different stances on drones and other unmanned vehicles to understand the potential for action surrounding LAWS. During their research, delegates should consider the following questions: Can LAWS be considered legal? In what manner do LAWS fit current legal and ethical frameworks? How should LAWS be utilized? What constitutes autonomy in weapon systems? Becoming familiar with the legality of LAWS, as well as other implications of their development and utilization, will aid delegates in developing realistic and feasible recommendations. Further, delegates should consider their Member State's position on the use of LAWS. Seeking statements from states capable of manufacturing LAWS, as well as those lacking the capability, will also provide insight and detail on arguments for and against LAWS, as well as providing further knowledge of the legal, ethical, and humanitarian aspects in respect to individual Member States. Although the topic is the prohibition of LAWS, delegates should also research alternatives to prohibition, such as a moratorium as has been suggested by some experts.¹⁶⁸ Finally, delegates should consider the role of the UN. How might the UN incorporate the control of LAWS into existing frameworks? What role can the General Assembly play in moving the discussion of LAWS at the UN forward?

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