DIMUN 25

Dr.İlhamiTankut Anatolian High School Model United Nations Conference

LEGAL

Agenda Item:

Preparing a legislation in order to prevent smuggling of lethal autonomous weapons and specifying the limits in usage of autonomous weapons in MENA (Middle East And North Africa) region.

Under Secretary General: Hüseyin Demirel

Academic Assistant: Kuzey Karlık

DIMUN'25 LEGAL STUDY GUIDE

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Usg Hüseyin Demirel

Acas Kuzey Karlık

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1. Letter From the Secretary General

Greetings Esteemed Attendees,

As the secretary general of the conference. It is with great pleasure that I extend gracious hospitality and welcome you all, participants of DiMUN'25, which will be held in Antalya from June 27th to 29th.

As we gather for this Model United Nations conference, we look forward to thought-provoking debates, insightful dialogues, and meaningful opportunities for collaboration. The delegates of this conference may have enlightening discussions and foster their diplomatic skills. With committees exploring a wide array of historical topics, delegates are sure to be both challenged and inspired, cultivating their critical thinking and diplomacy throughout the experience.

I would like to express my sincere appreciation to the organizing team and academic team for their dedication and hard work in order to raise DiMUN'25 to the pinnacle!

Furthermore, it is important not to place undue pressure on yourself before or during the conference. All participants are here to enhance their personal and academic growth while engaging with new peers in that kind of conference, so please be reminded of that. Therefore, remember to enjoy the experience and make the most of your time. Stay tuned for an enriching and memorable event.

Sincerely,

Erdem Demirci

Secretary-General

2. Letter From the Under Secretary General

Dear Participants,

It gives me the utmost pleasure to serve as the Under-Secretary-General of the **United Nations General Assembly Sixth Committee** (LEGAL) at this prestigious conference.

One of the largest problems in the usage of autonomous weapons is the detection and the limits of them; the transparency and trustability of these processes. That's why, as the LEGAL committee, we must take action and find various solutions.

Every single delegate is encouraged to read this study guide carefully, conduct further and extra research specifically on their country, and come prepared for the committee. I sincerely hope that this committee will be an unforgettable experience for all of you.

For my closing remarks, I would like to express my thanks to the hardworking Executive Team . I also want to welcome each and every one of my delegates.

Last but not least, I would like to thank my handsome academic assistant, Kuzey Karlık, for helping to create such an enjoyable committee.

King Regards

Under-Secretary General of the LEGAL
Hüseyin Demirel

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3. Letter From the Academic Assistant

Dear Delegates,

I would like to welcome you all to the LEGAL committee! I am Kuzey Karlık and it is my utmost pleasure to serve you as the Academic Assistant of this committee.

First, I would like to thank the executive team for granting me this opportunity in this marvelous conference. And I would like to thank my Under Secretary General Hüseyin, For supporting me all the way through.

The study guide we wrote contains crucial information for this committee. Yet as its name states it's only a guide for you, so I am highly encouraging you to do your research both about the topic and your country allocation and don't forget to answer the questions in the questions to be addressed part.

I am sure this committee will be a blast, and I am looking forward to meeting you all on 25-27 June. If you have any questions you can always contact me through direct messages or mail.

Sincerely,

Kuzey, Academic Assistant of LEGAL.

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4. Introduction

4.1. Introduction to the Committee

The Legal Committee, also known as the sixth committee of the United Nations General Assembly, is the primary forum for the consideration of international law and other legal matters concerning the UN. The highlight of the Sixth Committee's work is the "International Law Week" beginning at the end of October, when top Legal Advisers from Member States' capitals meet in New York to consider the report of the International Law Commission. All United Nations member states are entitled to representation in the committee. Issues allocated to the Legal Committee include the promotion of justice and international law, accountability and internal UN justice matters, drug control, crime prevention and combating international terrorism.

The Committee meets for about six weeks during the regular session of the General Assembly (GA), usually beginning its work after the general debate and finishing in mid-November. After the regular session, the bodies dealing with legal matters under the Committee's charge meet and report back at the next session. Occasionally, on the decision of the GA, legal Committee reconvenes to address a substantive question, and it reconvenes for elections.

The following subsidiary bodies report through the Sixth Committee:

·   Committee on Relations with the Host Country

- International Law Commission

- Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

- United Nations Commission on International Trade Law

- United Nations Programme of Assistance in the Teaching, Study, Dissemination, and Wider Appreciation of International Law

- Ad hoc Committees established by the GA in the context of the work of C6, such as the Ad Hoc Committee on measures to eliminate international terrorism.

The legal Committee plays a vital role in formulating internal rules and laws for the United Nations and is the foremost organ for such consideration. Apart from its policy functions, the Legal Committee carries out certain quasi-legislative functions in two broad senses. First, it is the foremost organ to which internal legal issues are referred for advice. It also makes proposals for amendments of the internal rules of the United Nations. In the second sense, the Legal Committee actively participates in the process of international lawmaking as it administers submissions and recommendations of subsidiary bodies in light of the mandate prescribed under Article 13 of the Charter. Additionally, it is on the advice of the Legal Committee that major diplomatic conferences are held for negotiating and adopting multilateral treaties.

4.2. Introduction to the Agenda Item

4.2.1. What are Lethal Autonomous Weapons?

Lethal autonomous weapons (LAWS) are systems which leverage advanced artificial intelligence (AI) systems to eliminate targets without human intervention. It holds a great potential to completely alter the way our military works, from active combat to defence with their rapid decision making ability, elevated target identification, high precision and lower human casualties due to LAWS reducing the need for human soldiers on the battlefield. Yet the usage of LAWS is still debated heavily in the international scene. There has been increasing pressure for international regulation or even a ban on the development and use of these technologies, since they raise significant legal, ethical and safety concerns such as loss of human control, malfunctions during missions, and risk of a global arms race leading for the exacarbation of military inequality.

LAWS can have varying autonomy levels. No universal definition of "autonomous" exists. Autonomous and semi-autonomous systems are usually categorized with respect to the degree of human intervention required for their operation. "Human in the loop," or semi-autonomous weapons systems, require a human operator to identify targets or target groups, and cannot function without human intervention. Autonomous, "human on the loop" weapons systems do not require direct human intervention, but do allow a human operator to monitor the weapon's target identification and engagement, and to stop it if necessary. Fully autonomous weapons systems - "human out of the loop" systems - function entirely independently of human intervention, once activated.

Usage of LAWS in battlefield is currently uncommon, most are still in development. Yet with how fast technology advance (especially AI systems) there needs to be a proper framework put in place in order to prevent malovelent usage and define the limits of usage.

Vast potential the technology holds also makes it a great target for weapon traffickers. Due to the nature of the technology, it can pose great danger when unlawfuly attained by groups of interests. Smugglers worldwide are trafficking LAWS to conflict zones globally which grants a very unequal advantage to acquirers due to the lack of required frameworks that may help preventing the trafficking in first place or stratigize against unlawfully attained LAWS.

4.2.2. The MENA (Middle East And North Africa) Region

The Middle East and North Africa (MENA), also referred to as is a geographic region which comprises the Middle East (also called West Asia) and North Africa together. The region includes Algeria, Armenia*, Azerbaijan*, Bahrain, Djibouti*, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania*, Morocco, Oman, Qatar, Saudi Arabia, Somalia*, Palestine, Sudan*, Syria, Tunisia, Turkey*, United Arab Emirates, Yemen, Western Sahara*. (asterisked countries are not always included in the region)

The Middle East was a Eurocentric term coined sometime during the 19th century, referring to a trans-continental area between North Africa (Egypt) and South West Asia. Over time, its use has become commonplace among both Europeans and non-Europeans, however the ambiguity of what countries the geographical region actually includes remains an issue today. To this end, international organizations such as the World Bank and UNICEF have started using more specific terms such as MENA to refer to the region spanning horizontally from Morocco to Iran. The acronym is sometimes analogous to the term "Greater Middle East" to refer to the area of the Middle East and also other Muslim majority countries such as Iran, Turkey, and Pakistan. However, while the term MENA is almost always inclusive of Iran, it is typically not inclusive of Turkey, Afghanistan, or Pakistan and is strictly geographically defined, rather than religiously or socially.

Many countries in the Middle East, South and Central Asia, and Africa have common linking factors, such as use of the Arabic language, the practice of Islam, or geographical proximity to the core of the Middle East in the Gulf region.

Nearly a decade ago, citizens across the Middle East and North Africa (MENA) region rose up in protest during the so-called Arab Spring, triggering a number of political and economic shifts, the effects of which are still being felt today. In the years since, the region has been subject to proliferating conflicts, heightened economic pressures, increased repression, and the up-ending of long-standing geopolitical dynamics.

Over the past decade, the poor economic and political conditions that sparked the Arab Spring have not only continued, but also worsened, driving the recent return of large-scale protests across the MENA region, including in countries that were previously spared. There is growing evidence, for example, suggesting that the size of the poor and especially the vulnerable populations in non-oil exporting countries has risen significantly in the past decade. The heightened economic vulnerability of the middle class—due to failing social protection systems and emphasis on selective and targeted subsidies—together with rising income inequality and limited intergenerational mobility, is contributing to the spread of political discontent and even militancy. Meanwhile, public perception of the quality of public services, including health and education, especially in rural areas, has become increasingly unfavorable. Furthermore, the region's regulatory practices continue to be the least transparent and inclusive in the world.

The region has significant political instability issues due to all the ongoing conflicts and continual issues. With the quick development of technology in the past decades, some technologies have raised even more questions for the already existing problems in the region. For example, the development and usage of lethal autonomous weapons have caused significant power imbalances causing severe violations of human rights, and brand new problems with the LAWS' such as the illegal smuggling of LAWS.

5. Illicit Arms Trafficking

The Small Arms Survey defines illicit firearms as 'weapons that are produced, transferred, held or used in violation of national or international law'. Although simple, this definition

acknowledges the many possible use cases, trajectories and sources of illicit arms. The term 'used' might also refer to legally owned firearms which, after being used to commit a crime, are classified as illicit weapons. However, the definition overlooks the inclusion of firearm parts, accessories and ammunition, which are crucial elements of the illicit arms market.

Illicit trafficking in firearms can occur for several reasons and in various formats. Organized crime groups can engage in this activity for the pursuit of profit or to defend their territory, routes and goods from other groups or the state. For example, criminal organizations in Mexico have historically had access to illicit firearms and thus have been well armed, but the expiration of the US federal assault weapon ban in 2004 greatly facilitated the supply of assault weapons south of the border and contributed to the increase of violence and the fragmentation of criminal organizations from a handful in the 1990s to 37 by 2019. In Brazil, the relaxation of the 2003 gun control laws in 2019 have resulted in 78% of intentional homicides being committed with a firearm, an increase in gender-based violence and double the number of arrests of possession of arms, ammunition or explosives between 2016 and 2021. Well over 1,000 companies manufacture light weapons and ammunition in nearly 100 countries. More than half of what is manufactured, $4 billion-worth, is transferred legally across national borders, while as much as $1 billion-worth presumably enters the international black market.

Weapons are not only assets smuggled or exchanged for money or to control a territory through violence, but also tools used to protect many illicit activities. A positive link has been found between arms trafficking and violence, as well as with other criminal markets, such as human smuggling, human trafficking and non-renewable resource crimes. Furthermore, violent crime in the Middle East and North Africa region and drug trafficking in Europe have often been observed in association with vibrant illicit firearms markets.

As economic commodities, firearms are subject to the forces of demand and supply and are actively traded on legal and illicit markets. Almost all firearms in the black market were originally manufactured under government control, came from military stockpiles, or were bought from licensed gun dealers. Manufacturing is conducted by many producing countries and factories across the globe. However, initially legally produced firearms can become illicit through many instances of diversion, grey (unclear) and black (illicit) transfers, theft or loss and falsification of end-user certificates. The black market is ultimately sustained by the relatively easy access to legal weapons. Small arms such as assault rifles and pistols are particularly attractive tools of violence for rebel groups and terrorists who can only acquire weapons through illegal channels. They are widely available, low in cost, extremely lethal, simple to use, durable, highly portable, easily concealed, and possess legitimate military, police, and civilian uses.

Firearms are also a durable good. A well-maintained assault rifle (e.g. an AK-pattern rifle) can keep on working for many decades. Some estimates show that the number of new small arms purchased each year is only about 1% of those already in circulation. Stockpiles can be fairly stable around the world, and weapons can move from one stockpile to another, rather than high volumes of new weapons being acquired. However, the Arab Spring and subsequent uprisings and civil wars also showed that severe instability generates demand for new weapons, first among soldiers and later by organized crime groups in search of profit, as has been seen in the conflict in Syria and the situation in Afghanistan after 2021.

However, it is difficult to establish the proportion of these weapons classified as illicit. For example, firearms can travel back and forth between the legal and illicit space, as guerrillas and gangs

capture government or civilian stockpiles of weapons and may later surrender them during a disarmament process. Data on national estimates of illicit weapons is scarce and shaky at best.

State and private security groups have also become illicit suppliers of firearms. Weak or inadequate registration of state-owned or seized weapons has resulted in firearms being sold or rented illegally to criminal actors. For example, in South Africa, about 30 000 police-issued firearms have been reported lost or stolen in the period 2003 to 2023, and private security companies have been known to be involved in illicit operations, such as illicit procurement of licenses in collaboration with high-ranking police officers.

The globalization of financial, commercial, transportation and communications networks has enabled buyers and sellers to locate each other, identify points of common interest, and establish terms of cooperation. Still, organizing illegal arms sales involves a large amount of skill, organization, preparation, and financial resources. Documents need to be forged, officials bribed, legitimate arms companies persuaded to sell their weapons, money laundered, and aircrews recruited. As this process is illegal, there is no way that the knowledge and contacts required can be easily obtained. Arms brokers provide an essential role in supplying illegal groups with weapons – without their activities, this supply would be much more difficult.

There are a lot of things that get illicitly trafficked when it comes to illicit arms trafficking; small arms and light weapons (SALW), ammunition, explosives, accessories, attachments, autonomous weapons, support equipment. Even though the general effects are similar, there can be varying supply and demand as well as different causes and effects depending on the use cases, use places and the type of good that is being trafficked.

The trade has the capacity to rapidly create new power asymmetries. The existing global supply consists of over 500 million small arms and light weapons circulating in over 70 countries. The annual small arms trade is valued at $4 billion, with the illicit small arms trade equaling between ten and twenty percent of the legal trade – thus amounting to a $1 billion illicit global industry. Given the vast quantity of small arms in circulation and the ability to meet demand globally, the illicit trade has the capacity to alter the capability of organized groups. Illicit arms transfers empower armed groups.

Because the illicit trade circumvents or breaks national laws, it is a challenge to state legitimacy where it occurs. Internal wars have become the dominant form of violent conflict since World War II and have produced five times more casualties than interstate war during this period. Violent internal conflict of this type includes civil war, insurgency, sectarian conflict, ethnic conflict, terrorism, genocide, and irregular wars. These internal conflicts mostly occur in developing countries where simple access and availability of small arms has a great destabilizing effect.

From 1998 until 2005, over 66 percent of arms transfers went to developing countries. The UN has already concluded that illicit small arms transfers directly contribute to increased incidence of internal violent conflict. Small arms currently account for 90% of combat-related casualties. These weapons provide individuals and organized groups of non-state actors the tools to increase the intensity of violent internal conflict. Small arms and light weapons destabilize regions; spark, fuel and prolong conflicts; obstruct relief programmes; undermine peace initiatives; exacerbate human rights abuses; hamper development; and foster a culture of violence. In short, arms trafficking is associated with changing the power dynamics in developing countries or other fragile areas.

# 5.1. The Current Situation in MENA and Routes of Illicit Arms Trafficking

In the MENA region, illicit arms transfer is both a cause and effect of the unfolding armed conflicts that continue to rage on. While arms trafficking had been always around the corner before the Arab Uprisings in 2011, and mostly related to the state-softness and the states' clientelist political structure, the disintegration of the Arab states in Iraq, Syria, Yemen, and Libya gave rise to illicit arms trafficking and other criminal activities. Moreover, the rise of violent non-state actors and their trans-border networks, and the intensification of the regional geopolitical rivalries, namely between Russia, Turkey, Iran, Saudi Arabia, the UAE, and Egypt in addition to the EU and USA, turned the conflict into prolonged proxy wars where local and national warring parties are provided with arms and funds to gain political ground.

Setting aside direct military intervention by some of these powers in the conflicts of the four war-ridden countries, these interventions were in violation of the UN-imposed embargo designed to disarm the national conflict parties, be it national parties such as the Government of National Accord (GNA) and Libyan National Army (LNA) in Libya, the Assad Regime in Syria, or terrorist groups such as ISIS and Al Qaeda across the region. On the other hand, the proliferation of arms, especially SALW, is perpetuating conflicts in many ways. It sustains the power balance between conflicting parties; and it entrenches war economy activities, such as human trafficking, drugs, and goods allowing local criminal organizations to become armed to the teeth. Additionally, it deteriorates social stability since it fuels communal and social strife, especially in sectarian, tribal, or ethnic conflicts, which is an underlying cause for most of the Arab civil wars. For these socio-economic and political reasons, disarmament and arms control is integral to post-conflict stabilization and regional security.

The new flows of arms trafficking in the MENA need to factor in the spike of "legal" arms flows into the region. Whether to meet the worsening security environment or to channel arms and military resources to proxies, the region's powers have increased their military purchase exponentially. The Stockholm International Peace Research Institute, in its annual report released March 2020, claimed that Qatar increased its arms import by 631%, Egypt by 212%, Saudi Arabia by 130%, and imports increased by 61% across the region between 2015 and 2019

Illicit arms trade in the MENA before 2011 was limited in scope and channelled into specific conflict zones via state-sponsored routes. For example, Iranian arms were smuggled across the Iraqi-Iranian borders to militias and groups resisting the US occupation. In addition, arms and fighters smuggled into Iraq under the Assad regime watch; Iran and Syria collaborated in efforts to enhance the Lebanese Hizbollah's strategic arsenal and to support Hamas in its several military confrontations with Israel. The scope and methods of arms trafficking have dramatically changed where routes and channels now extend from Libya to the Levant eastward, the West of Africa westward, and from Yemen to the African Horn. While smuggling across unguarded borders remains, maritime lanes are commonly used to channel Iranian arms into Yemen across the Arabian Sea. Additionally, the Mediterranean has been overtly used to pour Turkish arms and mercenaries into the Libyan conflict. Furthermore, it is worth noting that MENA's conflict zones are not only receiving smuggled arms, but they also turned into a source of illicit arms and focal points of smuggling activities.

Figure 7. Trans-Sahara Smuggling and Trafficking Routes and Militant-Controlled Areas
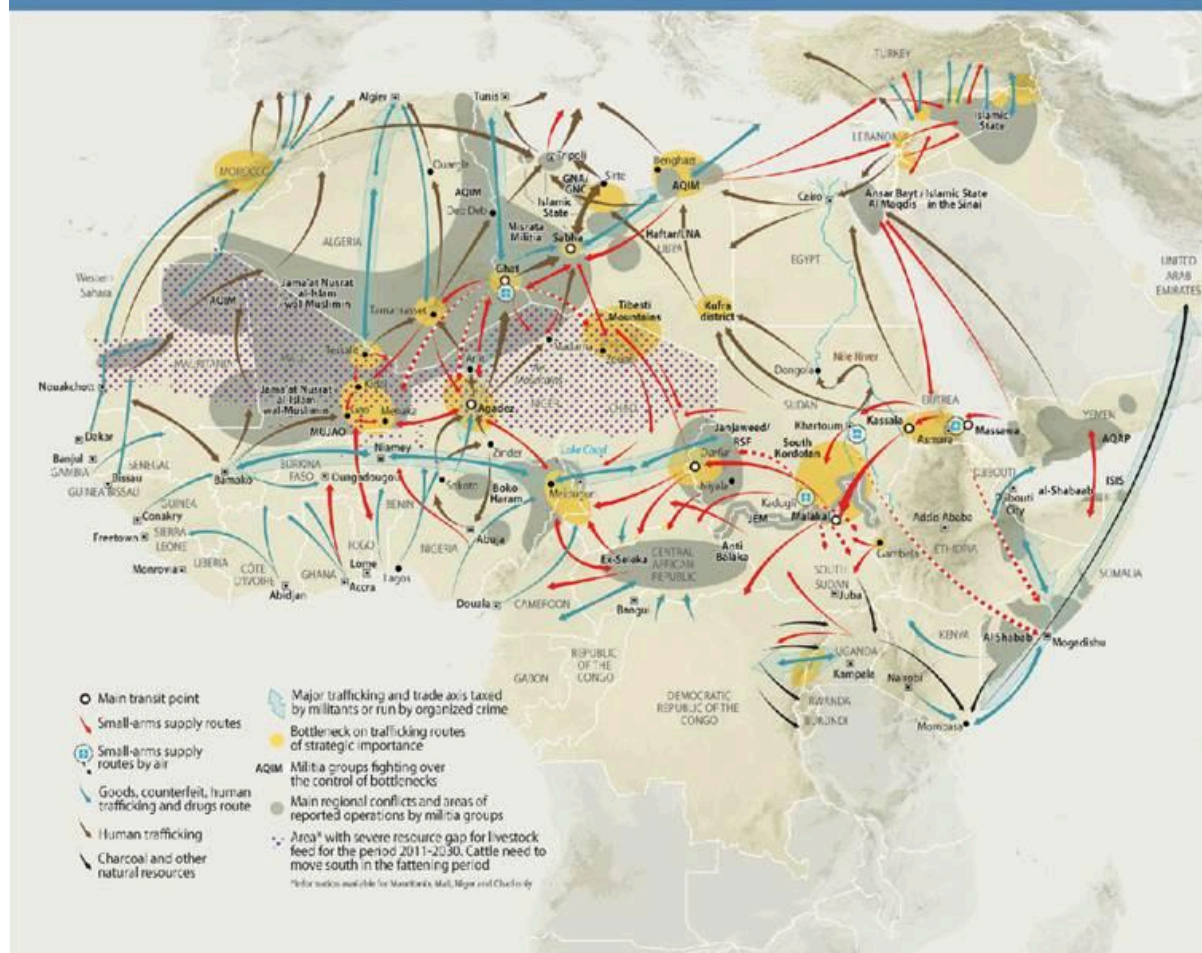
5.2. Countries Heavily Involved in Illicit Arms Trafficking in MENA Region

Before the conflict in Libya 2011, the country was one of the largest and most diverse owners of conventional weapons in Africa and had one of the world's highest rates of civilian gun ownership. Even before 2011, Libya was one of the main sources of illicit arms transfer to its neighbouring states. This trade was largely controlled by the groups operating under the consent and the oversight of the Gaddafi regime. While this trend complicated political and societal tensions, it also integrated the private arms culture within Libyan people. During the civil war between Ghaddafi's regime and the rebels, and under the NATO operation's watch, countries like UAE and Qatar provided the necessary arms to the rebels to topple the regime without observing end-user protocols. The deteriorating security situation after the defeat of the regime was enough of an incentive for the ordinary citizen to pile up arms under the pretext of defending their homes. The situation on the ground now is no different from 2011.

After Muammar al-Gaddafi's overthrow in 2011, looting of weapons stockpiles led to a spread of arms within the country. Particularly Small Arms and Light Weapons (SALW) proliferated to West African conflict zones and terrorist groups. The country also witnessed competition between militias over the seizure of the stockpiles, which led to catastrophic consequences. A large number of SALW were diverted to terrorist groups such as Ansar Al-Shari'a. In addition to the weapons looted from Gaddafi's stockpiles, further weapons deliveries entered Libya, equipping the two major factions of the ongoing conflict, the UN-recognized Government of National Accord (GNA) and the Libyan National Army (LNA). The concurrent support of both – and several smaller and allied – factions mirrors the complicated and internationalized status quo of the conflict. In addition to these power competitions, some commentators have assessed that "Libya also became a kind of testing ground for foreign military equipment." Although an arms embargo was imposed in 2011, which is meant to be enforced by the 2020 weapons continue to flow into the North African State. While it is known that Unmanned Arial Vehicles (UAVs), Vehicles and other material have illegally entered Libya, the current status of SALW influxes remains more obscure.

In addition to the chaotic situation, the online market introduced a new platform for trading leaked Libyan arms. According to the Small Arms Survey report (2016), SALW manufactured in 26 countries were offered for sale or trade-in on the illicit online market in Libya. Most of these arms had been imported by the Gaddafi regime and were listed as part of its arsenal.

Simultaneously, the security and social situation in the country has deteriorated since April 2019, a trend accompanied by the growing numbers of external fighters in Libya. The ones who suffer the most are the Libyan citizens, who have expressed their frustration and demands for political and socioeconomic change in increasing protest since the summer.
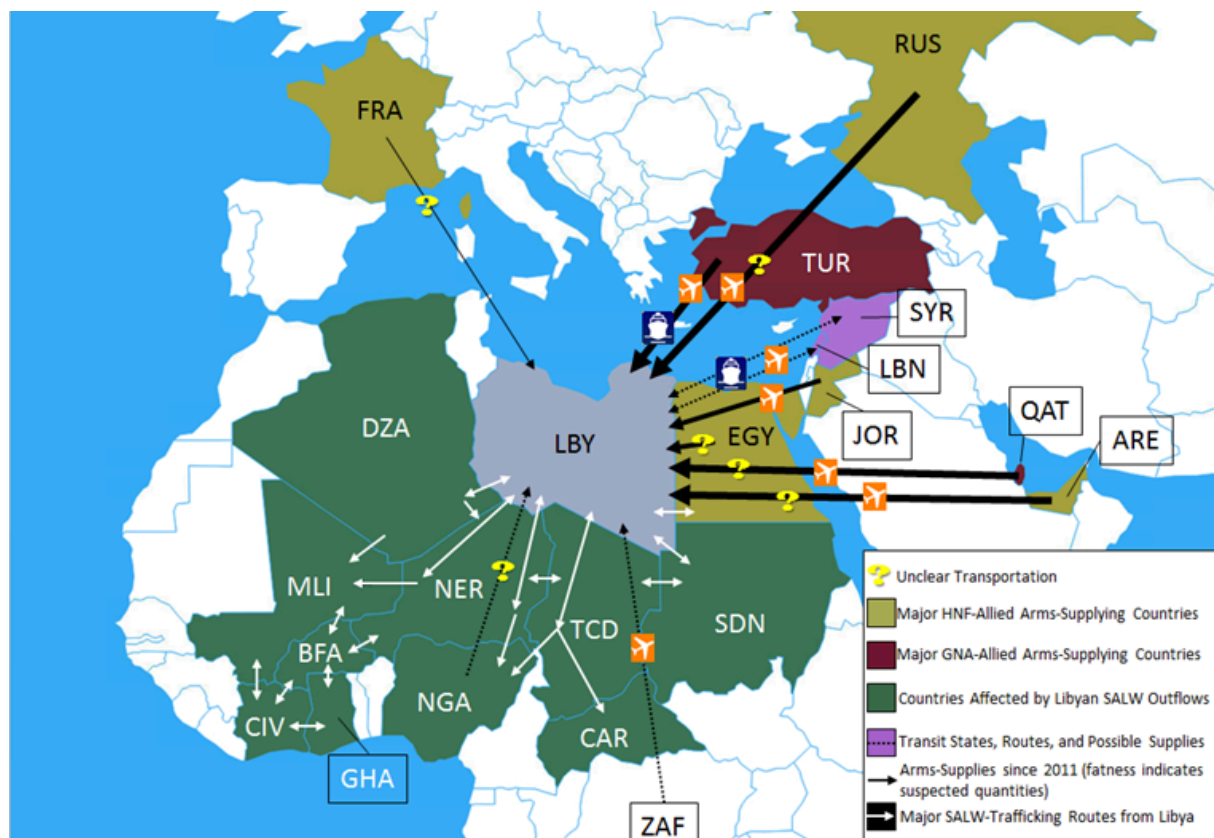
Arms flows from and to Libya.

In March 2015, Saudi Arabia teamed up with its Arab allies to launch a military coalition in Yemen. Operation Decisive Storm, as it was called, included several airstrikes against the Iran-backed Houthis who had taken over the capital, Sana'a, along with the Houthi's old foe, the late former president Ali Abdullah Saleh. As the conflict in Yemen rages on, Yemenis continue to be dragged through a proxy war fuelled by Iran and Gulf states. In just over five years, Yemen has seen government officials and their family members assassinated, the death of thousands of innocent civilians, and undoubtedly the most pressing humanitarian crisis in the past decade.

Much of this suffering is due to the 40-60 million weapons possessed by inhabitants, according to a 2018 UN estimate (DW, 2018); that figure makes Yemen the world's second most heavily armed country after the United States (Horton, 2017). However, arms trafficking is hardly new to Yemen. Long before Operation Decisive Storm and even before the uprising that led to President Saleh's resignation in 2011, Yemen was already an arms-trafficking hub with well-established smuggling networks. What is new, however, is the types and quantities of weapons now being discovered across the country. Arms markets flood the streets of Yemen— from the Houthi-controlled capital of Sana'a to the provisional capital of Aden in an area now controlled by the Emirati-backed Southern Transitional Council.

Recent reports reveals the overwhelming presence of European weapons—also meant for Saudi Arabia and the UAE—in Yemen (DW, 2018). The report highlighted that Al Qaeda acquired German-made MG3 machine guns. Rocket launchers (RPG-32), which were assembled in Jordan in partnership with Russia and intended for use by the UAE, have also appeared in videos published by Al Qaeda. The Abu Al Abbas Brigade fighters are armed with HG 85 hand grenades made by Swiss producer RUAG Ammotec for the UAE. Austrian assault rifles (Steyr AUG) intended for Saudi Arabia have ended up in the hands of the Al-Islah Party, which has ties to the Muslim Brotherhood. The Belgian machine gun FN MINIMI has appeared among several factions. Interestingly, even the Houthi rebels had gained access to G3 assault rifles made by Saudi Arabia with a special license from German manufacturer Heckler & Koch. Saudi Arabia had airdropped these rifles into Yemen to support the ongoing battles. Sources from within the Yemeni Resistance Forces said that they would often sell their weapons when short on cash, since it was common for them not to receive their salaries.

These reports are worrisome for several reasons; they are responsible for prolonging the conflict in Yemen, and there are the obvious repercussions of these weapons falling into the wrong hands. They also show some of the GCC countries' indifference when it comes to international law. International arms transfers are traditionally bound by end-user certificates, which certify that the buyer is the sole user of the weapons and materials purchased. The transfer of any item within an agreement to third parties is categorically prohibited. Saudi Arabia and the United Arab Emirates (UAE) have been repeatedly accused of violating their enduser certificates by providing material and financial support—including U.S. and European military hardware—to members of their military coalition, previous president 'Abd Rabbo Mansour Hadi's forces, and more notably the National Resistance Forces (NRF).

On the other hand, Iran did not hold back any effort to pour arms into Yemen supporting the Houthis. Iranian arms were being transferred through Omani borders according to US sources. These

shipments included anti-ship missiles, explosives, surface-to-surface short-range missiles and small arms, in addition to money and personnel. Iranian missiles were effective in giving the Houthis the upper hand against Riyadh and its allies. The Houthi movement used the missiles and drones to fire against some sensitive Saudi facilities such as Riyadh Airport in 2018 and claimed the responsibility for the Aramco Attack the following year. According to the Saudi-led coalition, Iran is accused of smuggling arms to the Houthis using the Hodeida port by the IRGC (Naar, 2020). Saudi media outlets accused Iran's major ally, the Lebanese Hizbollah, of trafficking Iranian arms to the Houthis mainly via maritime routes. There was no proof, however, to this accusation. However, Hizbollah rhetorically supports the Houthis and operationally provides train-assist-missions on a small scale, due to the limited needs of the already battle-hardened Houthis, who already have access to weaponry and expertise from the Yemeni military units that joined them.

5.3. Actions Taken Against Illicit Arms Trafficking

Governments and international organizations have attempted to restrict the supply of arms via black markets. Since 2001, there have been two major UN processes, and several regional and multilateral agreements, aimed at improving control and regulation over arms transfers to prevent the diversion of weapons into illegal hands, and to restrict black markets. These include: the UN Program of Action on the illicit trade in small arms and light weapons; the "firearms protocol" of the UN Convention on Transnational Organized Crime; the EU Joint Action on small arms; the OSCE best-practice guidelines on small arms; the Nairobi Protocol on small arms and light weapons; and the Inter-American Convention concerning illicit small arms.

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Firearms Protocol) is the only legally binding instrument to counter the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition at the global level. It was adopted by resolution 55/255 of 31 May 2001 at the fifty-fifth session of the General Assembly of the United Nations and it entered into force on 3 July 2005. The Firearms Protocol supplements the United Nations Convention against Transnational Organized Crime (Organized Crime Convention) and together with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air, represents the commitment of the international community to counter transnational organized crime.

The Firearms Protocol provides for a framework for States to control and regulate licit arms and arms flows, prevent their diversion into the illegal circuit, facilitate the investigation and prosecution of related offences without hampering legitimate transfers.

The Firearms Protocol aims at promoting and strengthening international cooperation and developing cohesive mechanisms to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition (firearms). By ratifying or acceding to the Firearms Protocol, States make a commitment to adopt and implement a series of crime-control measures that aim at:

(a) establishing as criminal offence the illicit manufacturing of and trafficking in firearms in line with the Protocol's requirements and definitions; (b) adopting effective control and security measures, including the disposal of firearms, in order to prevent their theft and diversion into the illicit circuit (c) establishing a system of government authorizations or licensing intending to ensure legitimate manufacturing of, and trafficking in, firearms; (d) ensuring adequate marking, recording and tracing of firearms and effective international cooperation for this purpose.

While the Organized Crime Convention provides for basic measures to prevent and combat transnational organized crime, its Protocols provide for specific measures to deal with specific crimes. As such, the Protocols should be interpreted together with the Organized Crime Convention. Parties to the Firearms Protocol undertake to adopt, and implement the strongest possible legislation consistent with their national legal system, to prevent, investigate and prosecute the offences stemming from the illicit manufacturing of and trafficking in firearms. Specific measures include the confiscation, seizure and destruction of firearms illicitly manufactured or trafficked; the maintenance of records for at least 10 years in order to identify and trace firearms; the issuance of licences for the import and export of firearms and transit authorization prior to their actual transfers; and the marking of firearms permitting identification of the manufacturer of the firearm, and the country of and year of import.

Parties undertake to cooperate extensively at the bilateral, regional and international levels in order to achieve the Firearms Protocol's objectives including providing training and technical assistance to other Parties. Finally, Parties undertake to exchange relevant case-specific information on matters such as authorized producers, dealers, importers, exporters and carriers of firearms as well as information on organized criminal groups known to take part in the illicit manufacture and trafficking of such items.

The UN Programme of Action to Prevent, Combat, and Eradicate the Illicit Trade in Small Arms and Light Weapons (PoA) is a globally agreed framework established in 2001 to address the negative impact of small arms and light weapons (SALW). Since its adoption, the PoA has guided UN member states in implementing measures at national, regional, and international levels to curb the illicit trade of SALW and mitigate their harmful consequences.

To assess and enhance the implementation of the PoA, the United Nations has convened several key meetings, including four Review Conferences (RevCon) in 2006, 2012, 2018, and most recently in 2024 (RevCon4), and eight Biennial Meetings of States (BMS), with the latest held in 2022 (BMS8). RevCon4 reinforced commitments to strengthen national regulations, improve international cooperation, and integrate gender considerations into SALW control measures. BMS8 highlighted the importance of enhanced tracing and reporting mechanisms, focusing on the need for more comprehensive data sharing among states to track the flow of weapons more effectively.

As a by-product of the PoA, the International Tracing Instrument (ITI) and recommendations from a Group of Governmental Experts on Brokering Controls have also been developed, setting standards for the marking, record-keeping, and tracing of small arms to prevent diversion and misuse.

The effectiveness of these international processes depends, however, on the policies and practices that national governments use to prevent illicit trade in small arms. According to the Small Arms Survey (2008), states have yet to demonstrate that they are fulfilling their commitment under the UN Program of Action to ensure the effective control of small arms transfers. If government or military officials are corrupt, they will divert arms and ammunition to sub-state groups, terrorist

organizations and armed criminals for personal profit, even if the basic components of systems designed to prevent illicit arms trade are in place.

6. Lethal Autonomous Weapons

Artificial intelligence (AI) is a rapidly evolving field that poses significant future impacts to global security because of the potential advantages it has. Leading nations like the United States, the United Kingdom, France, Germany, China, and Russia are currently researching AI applications for the purpose of maintaining an asymmetric advantage over competitors. The U.S. military, for example, has already incorporated AI into military operations in the Middle East via a strategy called Project Maven, which uses advanced computer algorithms to pinpoint targets from massive amounts of moving or still imagery.

Progress in military technology today is often measured by a device's ability to keep service members away from the area of conflict and its capacity for force-multiplication; these capabilities are important to reduce costs associated with waging war. Lethal Autonomous Weapon Systems (LAWS)—also known as 'killer robots'—are of particular interest. LAWS are a "special class of weapons systems that utilize sensor suites and computer algorithms to identify and engage a target without manual human control of the system"

In other words, LAWS are designed to make independent decisions regarding the use of lethal force. The transfer of decisions to automated weapons inevitably brings up several issues such as liability, proportionality, unintended escalation as a consequence of imminent accidents, ethical dilemmas, and more. Consideration of these issues imply a fundamental change in the nature of warfare when humans yield the decision to use lethal force to machines.

Owing to distinct approaches of research in AI, no universal definition of it exists. However, H.R. 5515 (115th Congress) or the FY 2019 U.S. National Defense Authorization Act (NDAA) does provide a framework for the purpose of the bill. NDAA § 238, defines artificial intelligence as:

(1) Any artificial system that performs tasks under varying and unpredictable circumstances without significant human oversight, or that can learn from experience and improve performance when exposed to data sets.

(2) An artificial system developed in computer software, physical hardware, or other context that solves tasks requiring human-like perception, cognition, planning, learning, communication, or physical action.

(3) An artificial system designed to think or act like a human, including cognitive architectures and neural networks.

(4) A set of techniques, including machine learning, that is designed to approximate a cognitive task.

(5) An artificial system designed to act rationally, including an intelligent software agent or embodied robot that achieves goals using perception, planning, reasoning, learning, communicating, decision-making, and acting.

As outlined above, AI encompasses a range of technologies with assorted capabilities, many of which have the potential to advance military operations in several areas.

6.1. Benefits and Dangers

Automation has been a help to all parts of society. It has not only made lives easier, but also opened the way for technological revolutions in both the public and private sectors. Benefits in progress related to automation are numerous. From a national security perspective, classically automated non-lethal systems have already had profound effects on the way wars are conducted. Automation provides an immediate force-multiplier effect because of the machine's ability to conduct basic tasks such as product assembly, material handling, and palletization, thereby removing the need to hire and train personnel for those duties. But the potential benefits of lethal automation are even greater.

During instances of armed conflict, complex technologies that employ intricate tools and algorithms allow for the mechanization of more numerous and difficult tasks. Using a maximally autonomous weapon in combat may also be advantageous in environments with poor or broken down communication links, since they have the capacity to continue operating on their own.

AI are generally capable of reacting faster than humans; this would ultimately suit the quickening pace of combat spurred by technological innovation. The quick reaction times of AWS may result in an overwhelming advantage in the field at the beginning of a conflict. In certain circumstances, AI may even replace the decision-making processes of humans. Owing to the absence of negative emotions related to personal gain, self-interest, and loss, AI may also make more objective choices in times of crisis that could save lives. Furthermore, machines are not subject to the same endurance limitations as people, so LAWS would have the potential to operate in combat settings for extended periods of time or until its termination.

Depending on the system's design, LAWS could replace combatants, thereby eliminating the need for human deployments in high-risk areas. In other words, it can reduce the risk to lives without diminishing a nations combat capabilities.

Future deployment of LAWS presents several security challenges such as hacking of the system or unanticipated failure, particularly if the system utilizes machine learning applications. LAWS are expected to enhance a military's lethal force, so issues following their deployment can have severe consequences. Since many AI systems are first developed in the public sphere, and then repurposed for military use, integration errors can occur once the system is transferred to a combat environment. Consequences will be dependent on the type of failure that occurs. For example, unintended escalation in a crisis may occur if LAWS engage targets other than what the human operator intended or if adversaries deliberately introduce data that produces an error in the system. Human mistakes are typically contained to a single individual. But errors in complex AI systems, especially if they are deployed at scale, risk simultaneous—perhaps even inevitable—failure. Moreover, the danger of machines producing unconventional outcomes that cannot be immediately terminated—if the outcome can be terminated at all—may result in a destabilizing effect if the system spirals out of human control.

LAWS blur the chain of accountability that traditionally accompanies military decision making. In fully autonomous, human out of the loop systems, the responsibility for selecting a

particular target cannot be traced back to a single human being. Instead, choices are made by a complex network of human and technological actors, including the technological system itself, the human engineers and programmers who created it, the humans who chose to deploy the system, other technologies or systems with which the weapons system interacts, etc. Similar questions about liability and decision-making play out on a smaller scale with other autonomous and semiautonomous systems: when a driverless car violates traffic laws, it is unclear who bears the responsibility. LAWS amplify these ethical concerns due to their heightened risk. A flawed decision taken by a fully autonomous weapons system, which may result in the unjustified loss of human life, would have no clear path to accountability.

Another conceivable risk is that LAWS might trigger an arms race among nation-states because of their immense tactical advantage. At present, global reactions to LAWS are divided, despite the fact that no such weapons have been fully developed. However, many countries currently utilize semi-autonomous weapons and continue to devote resources to the development of fully autonomous technology. For example, the U.S. has long repurposed unmanned systems like drones to target members of international terrorist organizations. In these operations, a human operator always gives the order to kill.

The United Nations Convention on Certain Conventional Weapons (CCW), which Canada signed in 1981, exists to "ban or restrict the use of specific types of weapons that are considered to cause unnecessary or unjustifiable suffering to combatants or to affect civilians indiscriminately." The CCW has convened regular meetings since 2014 on LAWS, with States Parties agreeing in 2019 to a set of eleven "guiding principles" for the development of LAWS [17]. These guiding principles include an affirmation that international humanitarian law applies to the potential development and use of LAWS, as well as a statement that "Human responsibility for decisions on the use of weapons systems must be retained since accountability cannot be transferred to machines." However, the guiding principles allow for continued development and use.

The CCW has considered proposals to ban LAWS, which have received support from numerous states and non-governmental organizations. However, pre-emptive bans have been opposed by other states, including the United States, Russia, and China. In the December 2019 mandate letter sent by the Prime Minister to former Minister of Foreign Affairs François-Philippe Champagne, Prime Minister Trudeau specified a priority to "advance international efforts to ban the development and use of fully autonomous weapons systems." This priority was not retracted or otherwise contradicted in the Prime Minister's subsequent supplementary mandate letter to incoming Minister of Foreign Affairs Marc Garneau in January 2021.

In advance of the first session of the 2021 CCW's Group of Governmental Experts on Lethal Autonomous Weapons Systems - to be held in August 2021 - Canada offered a commentary on the existing guiding principles. The commentary distinguishes between "lethal" autonomous weapons systems and "fully" autonomous weapons systems, stipulating that these are "related but distinct" concepts

Saliency of LAWS has reached a point where over 60 non-governmental organizations (NGOs) have banded together to promote a movement called Campaign to Stop Killer Robots. Advocates of this campaign have urged several governments and the United Nations (UN) to enact a global ban on lethal autonomous weapons. International stances, however, remain split.

There is the possibility that current hazards and outside pressure from NGOs to establish limits on autonomy in weapon systems will overwhelm arguments in favor of continued development of LAWS, but for the moment, the Convention on Certain Conventional Weapons (CCW) has yet to produce any specific policy recommendations for their member states about limiting the potential use or development of LAWS. This is partially due to the fact that many of their larger members opted to postpone any tangible verdicts regarding LAWS even after a discussion about the moral, political, and legal issues, as well as the prospective advantages and disadvantages of using them in combat. Regardless of whether an international agreement restricting LAWS is reached, a plan against such technology is essential.

Support	Other	Against
Algeria, Argentina ,Austria Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba Djibouti, Ecuador, Egypt, El Salvador, Ghana, Guatemala, Holy See, Iraq, Mexico, Morocco, Nicaragua, Pakistan, Panama, Peru, Uganda, Venezuela, Zimbabwe	China[ab]	Australia, Belgium, France[a] Germany, Israel[a], South Korea[a], Russia[a,] Spain, Sweden, Turkey, United States[a,] United Kingdom[a]

[a] Countries most capable of developing LAWS
[b] Supports a ban on the development, but not the use of LAWS

Rushed development of LAWS may result in failures to comply with international laws of war, since these weapons are fundamentally different from any prior form of weaponry in that they make independent decisions about how to act. The complexity of these systems may make it impossible for people to predict what they will do in every possible situation. LAWS therefore presents a gap in the existing legal order by underscoring the inadequacy of the current established means of holding an individual or state liable for actions conducted during wartime.

6.2. Smuggling of Lethal Autonomous Weapons

Smuggling of lethal autonomous weapons is not the same as traditional arms smuggling. There are a variety of ways in which they can be smuggled. These systems are typically exported in parts for example drones, targeting software, sensors, AI modules, and can subsequently be assembled to fit the purpose at hand. This makes LAWS very convenient to move across borders without arousing any suspicion.

This new threat is not limited to rogue states. Terrorist groups, criminal organizations, and non-state actors are all seriously drawn to LAWS. These weapons don't get fatigued, won't hesitate, and can be programmed to kill certain individuals or groups. In the wrong hands, they could destabilize regions, terrorize people, and carry out mass killings.

In spite of all these risks, the international community has yet to make a right decision on the topic issues. There is a vast lack of regulation which only benefits the criminal organizations smuggling LAWS. To top it all, some parts are dual-use, as they also have civilian uses, so it's easy to justify their sale. A manufacturer may state that a drone is for mapping or agricultural purposes, knowing well that it could also be weaponized.

There is still time to act. But if the world is not aware of the quiet movement of these weapons, how they are bought, sold, and smuggled, we will soon be dealing with violence that no longer needs a human face to pull the trigger.

7. Questions to be Addressed

1) What can be done in order to prevent and minimize illicit weapon trafficking?
2) On the routes of illicit weapon trafficking in the MENA region, what measures should be taken to reduce illicit smuggling?
3) What should be done for the countries in the MENA region that are exposed to illicit weapon trafficking in order to reduce the illicit weapon smuggling activity in, out and through the country?
4) How should the further development and usage of lethal autonomous weapons be regulated? Should it be encouraged and supported, or disencouraged and disallowed?
5) What specific measures can be taken to prevent the smuggling of lethal autonomous weapons?

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