



NHSMUN

**OSCE**

**BACKGROUND GUIDE**

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**Terry Wang**

**Director-General**  
**Jordan Baker**

**Delegate Experience**  
**Nastasja Vásquez**

**Global Partnerships**  
**Daniela Maciel**  
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**Under-Secretaries-General**

**Nachiketh Anand**  
**Alina Castillo**  
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**Grace Harb**  
**Adiva Ara Khan**  
**Anshul Magal**  
**Analucia Tello**  
**Sofia Velasco**  
**Renata Venzor**

Dear Delegates,

Welcome to NHSMUN 2025! My name is Tom Scheer, and I am thrilled to be your director for the OSCE committee along with my Co-director, Diego!

I am from Luxembourg (a tiny country, I know) and am a second year at the University of Amsterdam. I study Politics, Psychology, Law and Economics (PPLE), majoring in Politics and minoring in Russian. Next to my involvement in NHSMUN, I am involved in the Dutch United Nations Student Association as a board member. Outside of that, I am very interested in languages (speaking six!), music, and traveling. My dream destinations are Mongolia and the Central Asian Republics!

I know it can be scary to be a first-time delegate. This is my first year as a NHSMUN Director, so I too am new to the NHSMUN experience. I have an extensive MUN career, and I love debating. I love MUNs because they always fill me with a rush of excitement to talk in front of hundreds of people. Ironically, when I first started MUN, I was a shy, not so eloquent delegate—but MUNs turned me into an extroverted and self-confident person, bold enough to try and eventually become a director.

As your director, I will guide you through the OSCE committee and the topic of your choosing. We'll explore your limitations and strengths, leaving room for error and improvement. The OSCE is a complex and difficult organization, but is smaller in scale than, say, the UN. This will make the discussions more heated, more direct and hopefully more fast paced. Read this background guide carefully, prepare accordingly, and be ready to take a leading role in NHSMUN 2025! You got this!

We are so excited to see and meet you all.

Sincerely yours,

Tom Scheer

Director, Organization for Security and Co-operation in Europe (OSCE)

Session I

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Dear Delegates,

I welcome you to the Organization for Security and Co-operation in Europe for NHSMUN 2025! I am Diego Aranda, and I will be your Director for Session II this year. Alongside my co-director Tom, we hope to support you as much as possible! This is my second year as a NHSMUN staff member, but I've attended the conference twice as a delegate and have directed for other conferences. In my two times as a delegate at NHSMUN, I participated at the United Nations Environment Assembly committee and United Nations Conference for Trade and Development Committee, respectively. Feel free to ask any questions about NHSMUN or MUN. I will be glad to help!

I was born and raised in Mexico City and still live here. I am a sophomore majoring in Computer Engineering at Universidad Tecnológico de Monterrey. I recently moved to Monterrey with two of my closest childhood friends. I am also working as a junior developer for a company in Mexico. I love to hike everywhere I can, my favorite being the Camino de Santiago, which I did for five days. After discovering how much I loved hiking, I began rock climbing, which I do both indoors and outdoors. I also love football. I have been a huge fan of the Steelers since I was four. I also enjoy video games and anime, with my favorites from The Legend of Zelda: Tears of The Kingdom, and FullMetal Alchemist Brotherhood. More recently, I've become a huge fan of reading, and my favorite book is The Goldfinch by Donna Tart.

When I first arrived at NHSMUN, I was nervous. I know it must be the same for some of you but worry not. NHSMUN was a wonderful experience and one of the most memorable ones I have had in my life. I assure you that all the effort you have put into this conference will be worth it. MUN is amazing, as it allows people to connect and engage with others from all over the world and rewards the knowledge of global issues around us daily. It can be a nerve-racking experience, but it helps you grow so much as an individual and maybe learn new passions you did not know you had before. This year, we hope to transmit the same to you and that you have a wonderful experience at NHSMUN 2025. In this background guide we focus on both current human rights and arms control related issues. The information on the background guide attempts to address all the critical points relating to both topics. We fully understand the difficulty of both topics, so we encourage you to ask any question you have; we would be glad to answer them.

Diego Aranda Lopez

Director, Organization for Security and Co-operation in Europe (OSCE)

Session II

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## A Note on the NHSMUN Difference

Esteemed Faculty and Delegates,

Welcome to NHSMUN 2025! We are Terry Wang and Jordan Baker, and we are this year's Secretary-General and Director-General. Thank you for choosing to attend NHSMUN, the world's largest and most diverse Model United Nations conference for secondary school students. We are thrilled to welcome you to New York City in March.

As a space for collaboration, consensus, and compromise, NHSMUN strives to transform today's brightest thinkers, speakers, and collaborators into tomorrow's leaders. Our organization provides a uniquely tailored experience for all through innovative and accessible programming. We believe that an emphasis on education through simulation is paramount to the Model UN experience, and this idea permeates throughout numerous aspects of the conference:

**Realism and accuracy:** Although a perfect simulation of the UN is never possible, we believe that one of the core educational responsibilities of MUN conferences is to educate students about how the UN System works. Each NHSMUN committee is a simulation of a real deliberative body so that delegates can research what their country has said in the committee. Our topics are chosen from the issues currently on the agenda of that committee (except historical committees, which take topics from the appropriate time period). We also strive to invite real UN, NGO, and field experts into each committee through our committee speakers program. Moreover, we arrange meetings between students and the actual UN Permanent Mission of the country they are representing. Our delegates have the incredible opportunity to conduct first-hand research, asking thought-provoking questions to current UN representatives and experts in their respective fields of study. These exclusive resources are only available due to IMUNA's formal association with the United Nations Department of Global Communications and consultative status with the Economic and Social Council. No other conference goes so far to deeply immerse students into the UN System.

**Educational emphasis, even for awards:** At the heart of NHSMUN lies education and compromise. Part of what makes NHSMUN so special is its diverse delegate base. As such, when NHSMUN distributes awards, we strongly de-emphasize their importance in comparison to the educational value of Model UN as an activity. NHSMUN seeks to reward students who excel in the arts of compromise and diplomacy. More importantly, we seek to develop an environment in which delegates can employ their critical thought processes and share ideas with their counterparts from around the world. Given our delegates' plurality of perspectives and experiences, we center our programming around the values of diplomacy and teamwork. In particular, our daises look for and promote constructive leadership that strives towards consensus, as real ambassadors do in the United Nations.

**Debate founded on strong knowledge and accessibility:** With knowledgeable staff members and delegates from over 70 countries, NHSMUN can facilitate an enriching experience reliant on substantively rigorous debate. To ensure this high quality of debate, our staff members produce detailed, accessible, and comprehensive topic guides (like the one below) to prepare delegates for the nuances inherent in each global issue. This process takes over six months, during which the Directors who lead our committees develop their topics with the valuable input of expert contributors. Because these topics are always changing and evolving, NHSMUN also produces update papers intended to bridge the gap of time between when the background guides are published and when committee starts in March. As such, this guide is designed to be a launching point from which delegates should delve further into their topics. The detailed knowledge that our Directors provide in this background guide through diligent research aims to increase critical thinking within delegates at NHSMUN.

**Extremely engaged staff:** At NHSMUN, our staffers care deeply about delegates' experiences and what they take away from their time at NHSMUN. Before the conference, our Directors and Assistant Directors are trained rigorously through hours of workshops and exercises both virtual and in-person to provide the best conference experience possible. At the conference,

delegates will have the opportunity to meet their dais members prior to the first committee session, where they may engage one-on-one to discuss their committees and topics. Our Directors and Assistant Directors are trained and empowered to be experts on their topics and they are always available to rapidly answer any questions delegates may have prior to the conference. Our Directors and Assistant Directors read every position paper submitted to NHSMUN and provide thoughtful comments on those submitted by the feedback deadline. Our staff aims not only to tailor the committee experience to delegates' reflections and research but also to facilitate an environment where all delegates' thoughts can be heard.

**Empowering participation:** The UN relies on the voices of all of its member states to create resolutions most likely to make a meaningful impact on the world. That is our philosophy at NHSMUN too. We believe that to properly delve into an issue and produce fruitful debate, it is crucial to focus the entire energy and attention of the room on the topic at hand. Our Rules of Procedure and our staff focus on making every voice in the committee heard, regardless of each delegate's country assignment or skill level. Additionally, unlike many other conferences, we also emphasize delegate participation after the conference. MUN delegates are well researched and aware of the UN's priorities, and they can serve as the vanguard for action on the Sustainable Development Goals (SDGs). Therefore, we are proud to connect students with other action-oriented organizations to encourage further work on the topics.

**Focused committee time:** We feel strongly that face-to-face interpersonal connections during debate are critical to producing superior committee experiences and allow for the free flow of ideas. Ensuring policies based on equality and inclusion is one way in which NHSMUN guarantees that every delegate has an equal opportunity to succeed in committee. In order to allow communication and collaboration to be maximized during committee, we have a very dedicated administrative team who work throughout the conference to type up, format, and print draft resolutions and working papers.

As always, we welcome any questions or concerns about the substantive program at NHSMUN 2025 and would be happy to discuss NHSMUN pedagogy with faculty or delegates.

Delegates, it is our sincerest hope that your time at NHSMUN will be thought-provoking and stimulating. NHSMUN is an incredible time to learn, grow, and embrace new opportunities. We look forward to seeing you work both as students and global citizens at the conference.

Best,

Terry Wang  
Secretary-General

Jordan Baker  
Director-General

## A Note on Research and Preparation

Delegate research and preparation is a critical element of attending NHSMUN and enjoying the debate experience. We have provided this Background Guide to introduce the topics that will be discussed in your committee. We encourage and expect each of you to critically explore the selected topics and be able to identify and analyze their intricacies upon arrival to NHSMUN in March.

The task of preparing for the conference can be challenging, but to assist delegates, we have updated our [Beginner Delegate Guide](#) and [Advanced Delegate Guide](#). In particular, these guides contain more detailed instructions on how to prepare a position paper and excellent sources that delegates can use for research. Use these resources to your advantage. They can help transform a sometimes overwhelming task into what it should be: an engaging, interesting, and rewarding experience.

To accurately represent a country, delegates must be able to articulate its policies. Accordingly, NHSMUN requires each delegation (the one or two delegates representing a country in a committee) to write a position paper for each topic on the committee's agenda. In delegations with two students, we strongly encourage each student to research each topic to ensure that they are prepared to debate no matter which topic is selected first. More information about how to write and format position papers can be found in the NHSMUN Research Guide. To summarize, position papers should be structured into three sections:

**I: Topic Background** – This section should describe the history of the topic as it would be described by the delegate's country. Delegates do not need to give an exhaustive account of the topic, but rather focus on the details that are most important to the delegation's policy and proposed solutions.

**II: Country Policy** – This section should discuss the delegation's policy regarding the topic. Each paper should state the policy in plain terms and include the relevant statements, statistics, and research that support the effectiveness of the policy. Comparisons with other global issues are also appropriate here.

**III. Proposed Solutions** – This section should detail the delegation's proposed solutions to address the topic. Descriptions of each solution should be thorough. Each idea should clearly connect to the specific problem it aims to solve and identify potential obstacles to implementation and how they can be avoided. The solution should be a natural extension of the country's policy.

Each topic's position paper should be **no more than 10 pages** long double-spaced with standard margins and font size. **We recommend 3–5 pages per topic as a suitable length.** The paper must be written from the perspective of your assigned country and should articulate the policies you will espouse at the conference.

Each delegation is responsible for sending a copy of its papers to their committee Directors via [myDais](#) on or before **February 21, 2025**. If a delegate wishes to receive detailed feedback from the committee's dais, a position must be submitted on or before **January 31, 2025**. The papers received by this earlier deadline will be reviewed by the dais of each committee and returned prior to your arrival at the conference.

Complete instructions for how to submit position papers will be sent to faculty advisers via email. If delegations are unable to submit their position papers on time, please contact us at [info@imuna.org](mailto:info@imuna.org).

**Delegations that do not submit position papers will be ineligible for awards.**

## Committee History

The Organization for Security and Co-operation in Europe (OSCE)'s establishment as an inter-governmental organization lasted several decades, beginning during the Cold War and coming to full fruition after the Soviet Union's collapse. The beginnings of the OSCE started in the early 1970s, when hostility between the Communist bloc of Eastern Europe and Western countries was transitioning into what became known as the *détente*, or "cooling," period of Cold War tensions. The arrival of the *détente* phase made Western leaders more open to the concept of negotiations with the Soviet bloc, inspiring the countries of Europe to meet, first in the Helsinki Consultations of 1972 and again at the formal opening of the Conference on Security and Cooperation in Europe (CSCE) in the summer of 1973.<sup>1</sup>

After meeting for two years in Geneva and Helsinki, all countries of Europe (except for Albania), as well as Canada and the United States, came to agreement on the Helsinki Final Act, which was signed two years later in August 1975. The Act contained a series of commitments to dealing with military, economic, environmental, and human rights issues across Europe, as well as "the Helsinki Decalogue." This Decalogue introduced a series of 10 principles by which all the states agreed to abide, centered on state sovereignty and universal equality and emphasized the importance of peace and compliance with international law.<sup>2</sup> 35 initial states signed the Helsinki Final Act. The CSCE continued to meet throughout the 1970s and '80s. These meetings served, though limited in scope, as a place where the divided blocs of the Warsaw Pact and the North Atlantic Treaty Organization could meet and foster dialogue with non-affiliated states in the OSCE effectively acting as intermediaries.<sup>3</sup>

The importance of the CSCE, grew as tensions cooled and the Soviet Union gradually collapsed. Prior to the Paris Summit of November 1990, the CSCE had functioned as a series of conferences wherein member states would further their established commitments and examine these commitments' implementation in various regions.<sup>4</sup> By 1990, however, with a newly democratic Russia coming into fruition, the CSCE took on a much larger role in international affairs. The Charter of Paris for a New Europe, established the CSCE as a permanent regional body of Europe. The principles of maintaining peace and security in Europe would shape the dynamic of European relations in decades to come.<sup>5</sup> The body was further legitimized from 1990 through 1994. The organization would contain a parliament, a secretary, and various other internal offices as well as having its name changed from the CSCE to the Organization for Security and Cooperation in Europe, or the OSCE, in late 1994.<sup>6</sup>

The OSCE became increasingly tied with the United Nations. It came to recognize itself as a regional arrangement of the U.N. in 1992, and developed a framework for cooperation and coordination between the two bodies the following year.<sup>7</sup> Recognizing the UN Security Council (UNSC) as the primary body for the preservation of peace and security internationally, the OSCE views the UNSC as its primary partner body and has assisted the UNSC since the 1990s in various efforts, including peacekeeping, free and fair elections, and counterterrorism.<sup>8</sup>

1 "Helsinki Final Act, 1975 - 1969-1976 - Milestones - Office of the Historian," Helsinki Final Act, 1975 - 1969-1976 - Milestones - Office of the Historian, accessed 13 June 2024, <http://history.state.gov/milestones/1969-1976/helsinki>.

2 "OSCE," Signing of the Helsinki Final Act, accessed 13 June 2024, <http://www.osce.org/who/43960>.

3 "Helsinki Final Act, 1975 - 1969-1976 - Milestones - Office of the Historian."

4 "Charter of Paris for a New Europe," U.S. Department of State, accessed 13 June 2024, <http://www.state.gov/t/isn/4721.htm>.

5 "Charter of Paris for a New Europe,"

6 "Helsinki Final Act, 1975 - 1969-1976 - Milestones - Office of the Historian."

7 "Factsheet: What Is the OSCE?" Organization for Security and Co-operation in Europe, accessed 13 June 2024, <http://www.osce.org/secretariat/35775>.

8 "Factsheet: What Is the OSCE?"





**TOPIC A:**  
**PROTECTING HUMAN RIGHTS OF DISPLACED PERSONS IN UKRAINE**

Photo Credit: OSCE Special Monitoring Mission to Ukraine

## Introduction

On February 22, 2022, the Russian Federation launched an invasion on the country of Ukraine.<sup>1</sup> The world was shocked by videos and pictures of tanks and soldiers crossing the Belarussian border with Ukraine. This invasion caught many off guard, alarming governments around the world by the sudden military buildup. The signs, however, had been showing for years. Since the dissolution of the Soviet Union, Ukraine was in a vulnerable position. The country sought to have closer ties with Western Europe and implemented a variety of reforms that pushed it closer to the European Union (EU). Yet, the reform was slow, with Ukrainian President Victor Yanukovich pushing the country more towards Russia and aligning with Russian President Vladimir Putin.<sup>2</sup> These back-and-forth shifts between Russia and the EU have created a deeply divided country. Looking at a political map of Ukraine, the eastern part of Ukraine supports much closer Russian ties, while the western part of the country favors more support for the EU.

Following the Euromaidan uprising in 2014, Russia annexed Crimea and occupied parts of Eastern Ukraine in a swift three-week military operation.<sup>3</sup> In Eastern Ukraine, the Donbas region has seen some of the worst fighting, with Russia-backed militant groups facing off against the Ukrainian military. The fighting has led to a stalemate, with both sides being unable to push the other back. Since then, human rights violations have surged. Homes have been destroyed, civilians have been forcefully relocated, and no aid has been able to reach those affected.<sup>4</sup> Millions of Ukrainians on both sides of the Donbas region have been displaced or killed.<sup>5</sup> Those who have been displaced or sought refuge in different countries still face many difficulties. Visas and refugee status are hard to obtain in neighboring countries since many Eastern European countries have become less open to refugees after past migrant crises. Those that have been unable to relocate to neighboring countries have been stuck in Ukraine with little to no resources, having to fend for themselves.

The exact reasons behind Russia's invasion of Ukraine are still unknown. However, it is undeniable that the Ukrainians living in Eastern Ukraine have suffered some of the worst

effects of the war. Cities like Kharkiv and Dnipro have become well known internationally for the destruction they suffered. Russian artillery continues to target civilian homes and displace civilians. Cities have been gutted of their infrastructure, and recovery is unlikely soon. However, no progress can be made towards reconstruction without first finding a solution for those that are displaced.

As the Organization for Security and Cooperation in Europe, the committee will need to identify what steps it must take to address the displacement of civilians in Eastern Europe. Security and safety for these civilians will be crucial when looking at the uncertainty of the war. This will involve short-term and long-term solutions focused on providing displaced civilians with stable housing, access to employment, and other necessities for peaceful living. Additionally, the committee will need to look at how the rights of displaced civilians can be preserved in other countries that they have fled to. This issue is not just restricted to the Eastern Ukrainian region, but impacts Ukrainians displaced within their country and across the entire world.

1 Jonathan Masters, "Ukraine: Conflict at the Crossroads of Europe and Russia," Council on Foreign Relations, last modified February 14, 2023, <https://www.cfr.org/background/ukraine-conflict-crossroads-europe-and-russia>.

2 Anton Bebler, "Crimea and the Russian-Ukrainian Conflict," *Romanian Journal of European Affairs* 15, no. 1 (March 2015): 35–54, [https://www.researchgate.net/publication/297774543\\_Crimea\\_and\\_the\\_Russian-Ukrainian\\_Conflict](https://www.researchgate.net/publication/297774543_Crimea_and_the_Russian-Ukrainian_Conflict).

3 Peter Dickinson, "How Ukraine's Orange Revolution Shaped Twenty-First Century Geopolitics," Atlantic Council, November 22, 2020, <https://www.atlanticcouncil.org/blogs/ukrainealert/how-ukraines-orange-revolution-shaped-twenty-first-century-geopolitics/>.

4 Peter Dickinson, "How Ukraine's Orange Revolution Shaped Twenty-First Century Geopolitics,"

5 Olga Zelinska, "Ukrainian Euromaidan Protest: Dynamics, Causes, and Aftermath," *Sociology Compass* 11, no. 9 (August 4, 2017): 1–12, <https://doi.org/10.1111/soc4.12502>.

## History and Description of the Issue

### Post-Soviet Ukraine and the Russo-Ukrainian Conflict

On February 22, 2022, the Russian Federation launched a “special military operation” in Ukraine.<sup>6</sup> Russia claimed it would free its people from the Nazi oppression of the Ukrainian regime.<sup>7</sup> This, however, raises some questions: What are Russians doing in Ukraine? Why is Ukraine considered a Nazi regime? Why did Russia choose a violent answer to the apparent conflict? The answer lies in the past. The standard history of the Russian and Ukrainian people is centuries old and characterized by conflict and war. The ties between the two countries and its people go back to ancient times. The central conflict regions were Crimea and Eastern Ukraine.

The Crimean Peninsula used to be populated by various ethnicities and citizens of multiple countries, such as Greeks, Bulgars, citizens of the Soviet Union, Ukrainians, and many more. Crimea has factually belonged to the Russian Federation longer than Ukraine (160 vs. 60 years, in approximation). Before Crimea belonged to the Soviet Union from 1922 until 1991, it belonged to the Russian Empire.<sup>8</sup> In the meantime, it changed the republic to which it belonged. In 1954, Nikita Khrushchev, secretary of the Communist Party of the Soviet Union, offered Crimea to the Ukrainian Socialist Soviet Republic to strengthen the ties between the Russian and the Ukrainian Soviet Socialist Republic.<sup>9</sup> This transfer between countries, the previous russification of the Ukrainian people during Soviet rule, and the immense communities of ethnic Russians now living in Crimea lead to a Russian-speaking majority. However, this was not only the case in Crimea but also in southern and eastern Ukraine, where most Ukrainians speak Russian.<sup>10</sup>

The Donbas region (Eastern Ukraine) received an ever-increasing Russian population after a vast metallurgical industry (heavy industry dealing with metals) appeared in the area in the 19th century. A third of the Donbas’ population were Russians, and only half were Ukrainian. By 1900, roughly 70 percent of the Russian Empire’s coal was extracted in the Donbas region. It hence received the nickname “furnace of the Soviet Union.” Over the years, the Donbas region turned into a breeding ground for “working class propaganda.” In the 1930s, in the spirit of unification of the Soviet Union, the Donbas had become russified. This means that the Soviet Union imposed and promoted the Russian language and culture, suppressing the Ukrainian language and culture.<sup>11</sup>

Consequently, Donbas remained dominantly Russian. In 1991, however, a referendum (poll based on the people’s choice) decided that Donbas should be part of the now-independent Ukraine. This notwithstanding, the citizens of the Donbas region have long voted for parties closer to Russia, wishing for a return to the “great” Soviet Union.<sup>12</sup> This further explains the eastern Ukrainian desire to reunite with Russia. This cultural, linguistic, and historical divide has been the core of the modern-day conflict that first emerged with the illegal annexation of Crimea and the following invasion of Ukraine in 2022.

Another factor explaining the tensions between Russia and Ukraine is the growing ties with the West, the European Union, and its values. This manifests in the Orange Revolution and the Euromaidan uprising, also known as the Revolution of Dignity. The Orange Revolution resulted from mass falsifications in the 2004 presidential election, which led to a societal explosion. It created a unique Ukrainian identity, which took pride in sovereignty and independence from

6 BBC, “Ukraine Conflict: What We Know about the Invasion,” BBC News, February 24, 2022, <https://www.bbc.com/news/world-europe-60504334>.

7 Jonathan Masters, “Ukraine: Conflict at the Crossroads of Europe and Russia,”

8 Mark Kramer, “Why Did Russia Give Away Crimea Sixty Years Ago?,” Wilson Center, accessed July 22, 2024, <https://www.wilsoncenter.org/publication/why-did-russia-give-away-crimea-sixty-years-ago>.

9 Bebler, “Crimea and the Russian-Ukrainian Conflict,” 35–54.

10 Bebler, “Crimea and the Russian-Ukrainian Conflict,” 35–54.

11 Petr Dostál and Hans Knippenberg, “THE ‘RUSSIFICATION’ of ETHNIC MINORITIES in the USSR,” *Soviet Geography* 20, no. 4 (April 1979): 197–219, <https://doi.org/10.1080/00385417.1979.10640287>; David Gormezano, “Au Donbass, Dix Ans de Guerre et de Russification,” *France 24*, April 7, 2024, <https://www.france24.com/fr/europe/20240407-au-donbass-dix-ans-de-guerre-et-de-russification>.

12 Gormezano, “Au Donbass, Dix Ans De Guerre Et De Russification;” BBC, “The Russification of National Minorities - Imperial Russia - Government and People - National 5 History Revision,” BBC Bitesize, accessed September 15, 2024, <https://www.bbc.co.uk/bitesize/guides/z6rjy9q/revision/7#:~:text=Russification%20was%20the%20policy%20of>.

Russian influence. This revolution ended the already unstable relationship between Russia and Ukraine. Afterwards, Russia took an intensely patriotic stand in its internal affairs.<sup>13</sup> On the other hand, it took an aggressive stance in its foreign policy.<sup>14</sup> Russia had been waging an information warfare, changing its foreign and internal policies, and moving into a more authoritarian system. For the last sixteen years, it has been constantly concerned about the possibility of a similar color revolution occurring within its borders.<sup>15</sup> Color revolutions (like the Orange Revolution in Ukraine) are mostly peaceful uprisings in post-Soviet states advocating for a western democracy.<sup>16</sup>

Furthermore, in November 2013, hundreds of activists gathered at Independence Square (Maidan Nezalezhnosti) in central Kyiv after the national government announced that it would no longer continue discussions over the long-planned Association Agreement with the European Union. The Ukrainian government, the political opposition, EU officials, and academics were shocked by the Euromaidan demonstration. A small-scale demonstration against a trade

agreement became a national movement opposing President Yanukovich's autocratic rule. A media spectacle was produced as hundreds of thousands marched to the streets, occupied squares, set up tent camps, and lit tires on fire. Mass protests and clashes arose, including the seizure of Kyiv City Hall and an attack on the presidential administration by radical nationalist groups, such as the Right Sector. Attempts to disperse protesters and imposing restrictive laws further intensified the conflict. In January, the Right Sector attacked parliament, leading to a violent standoff. Russia seized Crimea and sparked a military conflict in eastern Ukraine after the demonstrators were seen to have won, sinking the country into conflict. With Maidan, Ukraine found itself in a great position to implement reforms.<sup>17</sup>

The violence of the Euromaidan protests caused more harm than good, dividing the nation and allowing Russia to intervene. Ukraine was split both ideologically and linguistically. The western part of Ukraine has more pro-European tendencies and speaks Ukrainian. The Eastern part of Ukraine—also named “Novorossyia,” or New Russia, by Putin—is ideologically

13 Lili Bivings, “Ukraine’s Orange Revolution,” *Kyiv Independent*, August 24, 2022, <https://kyivindependent.com/ukraines-orange-revolution/>.

14 Ivan Katchanovski, “The Separatist War in Donbas: A Violent Break-up of Ukraine?” *European Politics and Society* 17, no. 4 (March 15, 2016): 473–89, <https://doi.org/10.1080/23745118.2016.1154131>.

15 Peter Dickinson, “How Ukraine’s Orange Revolution Shaped Twenty-First Century Geopolitics,”

16 Poh Phaik Thien, “Explaining the Color Revolutions,” *E-International Relations*, July 31, 2009, [https://www.e-ir.info/2009/07/31/explaining-the-color-revolutions/#google\\_vignette](https://www.e-ir.info/2009/07/31/explaining-the-color-revolutions/#google_vignette).

17 Olga Zelinska, “Ukrainian Euromaidan Protest: Dynamics, Causes, and Aftermath,”



Ukrainian Soldiers lined up at Ceremony

Credit: President Of Ukraine

more aligned with Communism and speaks Russian. This part of Ukraine includes Donetsk, Luhansk, and South Crimea. Eastern Ukraine and Crimea's history is deeply entangled with Russia's history, and their separation is only recent. Because of these dividing lines, many eastern Ukrainians saw Euromaidan as an unlawful coup and the new government as illegitimate. Many anti-Maidan protests broke out because of this perception. This happened mainly in Eastern Ukraine and the Donbas region. These anti-maidan protestors were referred to as pro-Russian separatists. Before October 2014, no pro-Russian organized separatist movement had existed. There was only a nostalgic desire to return to Soviet times. Kyiv referred to these protestors as terrorists, whereas Russia was praising the new "Russian Spring" in Ukraine. The "coup" then escalated the tension, and separatists, with Russian support, took control of the Donbas and declared the Donetsk and Luhansk People's Republics. This escalation and the annexation of Crimea is what is known as the war in the Donbas, or more broadly, the beginning of the Russo-Ukrainian war. This war has already displaced millions of people.<sup>18</sup> The war in the Donbas is severely imbalanced, with Ukrainians firing up to 60,000 artillery shells per month versus the average 450,000 shells fired by the Russian Federation in a battle reminiscent of the trench warfare of the First World War.<sup>19</sup>

To understand Russia's decision to go to war in 2022, it is essential to consider the developments in Donbas and the dominant policy options for resolving the conflict. The breakaway territories struggled to become important economic and political entities. The conflict continued in 2021, and corruption was rampant. At the same time, professionalizing the self-defense forces remained challenging. Deindustrialization, food insecurity, and population flight left these areas dependent on Russian support. All parts of life in the Donbas were controlled by Oligarchs or Russian Separatists. Continuous hostilities and economic sanctions by the Ukrainian government weakened support for Ukrainian unity. These factors and COVID-19 movement restrictions

pushed the population toward seeking integration with Russia. Ultimately, recognizing and incorporating Donbas into Russia emerged as the only remaining option.<sup>20</sup>

The UN refrained from direct interference in the Ukraine conflict, delegating the issue to the Organization for Security and Co-operation in Europe (OSCE). The OSCE, which includes 57 participating states, reflects the Cold War battle lines and is primarily responsible for European security issues, including the Ukraine conflict. Despite monitoring efforts, the OSCE failed to defuse the military conflict. During the fragile ceasefire of the "Minsk I Protocol" starting in September 2014, 1,300 combatants and civilians died within four months. The renewed ceasefire agreement in February 2015, known as Minsk II, also did not stop the fighting, which continued for years. In 2017 alone, the OSCE recorded over 400,000 ceasefire violations. Despite having over 700 observers documenting the situation daily, these efforts did not relieve the affected regions.<sup>21</sup>

## The Humanitarian Crisis in Ukraine

The Russo-Ukrainian war and the Russian invasion of 2022 have led to a humanitarian crisis in Ukraine. The consequences of the Russo-Ukrainian conflict are manifold: limited access to health care, damage to medical infrastructure and institutions, mental and physical health issues, and poverty.

The World Health Organization (WHO) estimates that there is a total of 14.6 million people in need of humanitarian aid, whereas only 8.6 million can be reached by the WHO measures in their current implementation. The WHO also reported over 1,365 attacks on medical institutions, such as hospitals and pharmacies. These attacks brought about many casualties and made the hospital a dangerous place, both for civilians and medical staff. Nevertheless, 92 percent of medical facilities work at full capacity. This share of functional medical facilities decreases significantly for regions under Russian control and for regions close to the conflict zone.<sup>22</sup> Additionally, the

18 Ivan Katchanovski, "The Separatist War in Donbas: A Violent Break-up of Ukraine?" 473–89.

19 Gormezano, "Au Donbass, Dix Ans De Guerre Et De Russification."

20 Anna Matveeva, "Donbas: The Post-Soviet Conflict That Changed Europe," *European Politics and Society* 23, no. 3 (May 17, 2022): 410–41, <https://doi.org/10.1080/23745118.2022.2074398>.

21 Eve Conant, "Russia and Ukraine: The Tangled History That Connects—and Divides—Them," *National Geographic*, February 24, 2023, <https://www.nationalgeographic.com/history/article/russia-and-ukraine-the-tangled-history-that-connects-and-divides-them>.

22 World Health Organization, WHO 2024 Emergency Appeal: Ukraine (Geneva: World Health Organization, January 2024), <https://>



Tribute to the victims of a Russian drone strike  
Credit: President Of Ukraine

Russian Federation is reported to have damaged more than 600 hospitals, and damaged over a hundred medical institutions and facilities beyond repair.<sup>23</sup> Russia’s disinformation warfare has also harmed the medical infrastructure.<sup>24</sup> The state of the medical infrastructure is fragile and poor.

The humanitarian situation is further exacerbated by the inadequate access to medical resources. First, medical staff are limited and aging. Over 60 percent of the primary physicians are in preretirement or retirement age, leaving the Ukrainian population without a young medical workforce for years to come. Medical supplies, too, are limited. The elderly and those with chronic disabilities are not taken care of properly.<sup>25</sup> Similarly, a quarter of all households (25 percent) do not seek immediate medical assistance due to bound medical supplies in hospitals and pharmacies.<sup>26</sup> This substandard medical supply can partly be explained by the Russian’s blocking supply chains to occupied or conflict regions, worsening the already poor health care supply in eastern Ukraine, the region

which is now under occupation.<sup>27</sup> To put it differently, both the medical infrastructure and the poor medical supply worsen the humanitarian crisis in Ukraine.

Particularly, physical and mental health conditions and their respective treatments have worsened for the population. Long-term conditions like diabetes, heart disease, and cancer won’t receive the attention they need in the short term. Overcrowding in refugee camps and interrupted immunization programs would facilitate the spread of infectious illnesses like COVID-19, TB, polio, and measles, making outbreaks more difficult to contain.<sup>28</sup> Many generations to come will be impacted by the recent Russian invasion’s serious long-term repercussions on mental health, including depression, separation anxiety, and posttraumatic stress disorder (PTSD). The COVID-19 pandemic had made these mental health issues worse. As a result of the violence, more people are turning to unhealthy coping strategies including substance and alcohol abuse disorders to manage the trauma they have

[www.who.int/publications/m/item/ukraine-who-health-emergency-appeal-2024](http://www.who.int/publications/m/item/ukraine-who-health-emergency-appeal-2024).

23 Marta Dzhus and Iryna Golovach, “Impact Of Ukrainian- Russian War On Health Care And Humanitarian Crisis”, *Disaster Medicine And Public Health Preparedness* 17, no. e340 (December 2022): 1-3, <https://doi.org/10.1017/dmp.2022.265>.

24 Sonny S. Patel et al., “Emerging Technologies and Medical Countermeasures to Chemical, Biological, Radiological, and Nuclear (CBRN) Agents in East Ukraine,” *Conflict and Health* 14, no. 24 (May 2020): 1-4, <https://doi.org/10.1186/s13031-020-00279-9>.

25 Dzhus and Golovach, “Impact Of Ukrainian- Russian War On Health Care And Humanitarian Crisis.”

26 World Health Organization, WHO Health Emergency Appeal 2024: Ukraine.

27 Kerry Cullinan, “Inside The Desperate Effort To Keep Healthcare Alive On Ukraine’s Front Line - Health Policy Watch,” *Health Policy Watch*, August 15, 2023, <https://healthpolicy-watch.news/inside-the-desperate-effort-to-keep-healthcare-alive-on-ukraines-front-line/>; Dzhus and Golovach, “Impact Of Ukrainian- Russian War On Health Care And Humanitarian Crisis”.

28 Patel et al., “Emerging Technologies And Medical Countermeasures To Chemical, Biological, Radiological, And Nuclear (CBRN) Agents in East Ukraine.”

suffered. Millions of Ukrainians now face serious threats to their mental health because of the war. Nearly 10 million individuals are either at risk of developing mental disorders or already have them, with 3.9 million exhibiting moderate to severe symptoms, according to the World Health Organization. With over 1.5 million in urgent need of assistance to deal with stress, anxiety, and other mental health issues, children are disproportionately affected. These problems have been made worse by the attacks' constant disruption of the educational process. A 2019 study of 2,203 internally displaced persons who were escaping Russian-occupied territory after an earlier invasion found that a significant proportion of them suffered from PTSD (32 percent), anxiety (17 percent), and depression (22 percent). Despite these enormous requirements, complex humanitarian relief operations and post-conflict reconstruction initiatives sometimes place insufficient emphasis on mental health and psychosocial support.<sup>29</sup> These physical and mental problems are only made worse by the economic hardship that the people endure.

Moreover, the war has worsened the already fragile economic situation. Ukraine's economy was weak even prior to the invasion, with comparatively low living standards and little savings among the populace. Due to this economic vulnerability, many people—including those who had been middle class—were thrown into poverty as soon as the war began. Many people have lost their homes because of the war, and rapid recovery is still unachievable given the current situation. The refugees have settled in various communal and religious locations. While these shelters provide some comfort, they fall short in meeting the diverse needs of the displaced individuals. In the long term, significant challenges related to organizing living spaces have arisen, especially for those with specific requirements such as physical impairments or

psychological trauma. Many immigrants remain uncertain about their future stability due to miscommunications and heightened anxiety. In addition, many residents now lack a source of income due to the demolition of retail centers, highways, and industrial facilities. Furthermore, the economy of the country has suffered greatly because of Russia's attacks on the country's energy infrastructure, notably the electrical sector. The devastation of energy infrastructure has far-reaching effects on long-term recovery as well as short-term economic activity.<sup>30</sup>

In short, Ukraine's GDP dropped by a third, a lot of businesses are destroyed or unable to continue because of limited production and destroyed ways and means of transportation, and many people are on the brink of poverty.<sup>31</sup>

### Past Humanitarian Efforts in Ukraine

Considering the intensity of past conflicts in Ukraine and the effects they have had on the population; it is vital to consider past humanitarian efforts and their effects in alleviating the struggles of civilians. Taking the 2014 annexation of Crimea as the focal example, millions of civilians suffered humanitarian consequences due to the fighting.<sup>32</sup> These struggles were also amplified by the de facto separation of regions in eastern Ukraine. The international community, aware of the detrimental effects of such conflicts, was active in providing support in several different ways to minimize the fighting's strain on the people.

The European Union serves as a prime example of a support provider over the course of the humanitarian crisis that stemmed from the violence. Despite Ukraine not being a member of the EU, the organization's Directorate-General for European Civil Protection and Humanitarian Aid Operations

29 Patel et al., "Emerging Technologies And Medical Countermeasures To Chemical, Biological, Radiological, And Nuclear (CBRN) Agents in East Ukraine;" Wei Shi, Peter Navario, and Brian J Hall, "Prioritising Mental Health And Psychosocial Services in Relief And Recovery Efforts in Ukraine", *The Lancet Psychiatry* 9, no. 6 (June 2022): e27, [https://doi.org/10.1016/S2215-0366\(22\)00114-6](https://doi.org/10.1016/S2215-0366(22)00114-6); WHO, "Ukraine: WHO Health Emergency Appeal 2024".

30 Ruslan M. Kliuchnyk, "THE PROBLEM OF POVERTY IN THE CONDITIONS OF AN ARMED CONFLICT: THE UKRAINIAN CASE," *European Vector Of Economic Development* 1, no. 34 (2023): 21–32, <https://doi.org/10.32342/2074-5362-2023-1-34-2>; Oleksandr Kolomyichuk, "Living Conditions of Internally Displaced Persons in the Ciscarpathian Region in Context of the Russian War Against Ukraine," *Folk Art and Ethnology* 3, no. 399 (September 2023): 7–15, <https://doi.org/10.15407/nte2023.03.007>.

31 Justin-Damien Guénette, Philip Kenworthy, and Collette Wheeler, "Implications Of The War in Ukraine For The Global Economy," *Equitable Growth, Finance, and Institutions Policy Notes* (Washington D.C.: World Bank, 2022), <https://thedocs.worldbank.org/en/doc/5d903e848db1d1b83e0ec8f744e55570-0350012021/related/Implications-of-the-War-in-Ukraine-for-the-Global-Economy.pdf>.

32 Gwendolyn Sasse, "Revisiting the 2014 Annexation of Crimea," *Carnegie Europe*, March 15, 2017, <https://carnegieendowment.org/posts/2017/03/revisiting-the-2014-annexation-of-crimea?lang=en>.

(DG ECHO) played a major role in alleviating the strain on affected people.<sup>33</sup> The operation was active in Ukraine for a five-year period, spanning from the start of the situation in 2014 until 2018. Over the course of its activity, DG ECHO provided EUR 118.4 million to the cause, single-handedly representing 16.5 percent of the humanitarian support received at the time. This contribution was also supplemented by EUR 81 million from the EU's instrument contributing to Stability and Peace (IcSP), as well as EUR 75 million from the European Neighbourhood Instrument (ENI). This funding was praised for being significantly high, however, many stakeholders believed the application of these funds was not proportionate to civilians' needs.<sup>34</sup>

DG ECHO's Ukraine Humanitarian Implementation Plans (HIPs) adapted to the needs brought up by the conflict. Their help was needed urgently in the Donetsk and Luhansk regions, before moving to better support the civilians' situations.<sup>35</sup> Still, these plans did not always adapt as efficiently as was required. This was especially the case for the elderly involved in the conflict, who made up 30 percent of the people in need at the time; many received support, but that aid often failed to account for bedridden or socially isolated civilians.<sup>36</sup> As a result, a significant portion of the affected elderly population did not receive the assistance they actually required or could have benefited from. The same unfortunate trend was observed towards civilians in Non-Government-Controlled Areas (NGCAs). Needs assessment was improved towards 2019, however, the full potential of the operation in these regards was never realized.

Nonetheless, DG ECHO's presence in the region was vital, especially in the earlier stages of the crisis, as very few other

humanitarian agencies were present to address the issue. Supported by EU Member State information sharing, the operation also gained unique access to the NGCAs, playing an important role in aiding the people. Observing DG ECHO's work in numbers, the operation's target of 400,000 people a year was often met, allowing these many civilians access to their basic needs. It is also crucial to note that the operation's scope reached significantly into the most isolated areas and "dark corners" of the crisis, extending support to even the hardest-to-reach people.<sup>37</sup>

Several other international bodies have lent support to the Ukrainian cause. The World Health Organization (WHO) led the health response in Ukraine since the initial blows of the Crimea crisis.<sup>38</sup> As an organization, it promotes access to healthcare to all and works to detect and prevent emergencies.<sup>39</sup> With that in mind, the organization's activities in the region focused on supplying medicines and equipment, improving infection prevention, and improving access to mental health services. For example, in 2019, the organization's Humanitarian Response Plan requested approximately USD 6.5 million to fulfill these goals.<sup>40</sup> This is only one of the many calls for support that the WHO has put out since 2014. The organization has also made significant progress in delivering emergency healthcare services to NGCAs in 2018.<sup>41</sup> Much of this was funded by the United Nations Central Emergency Response Fund (CERF).

Despite the WHO's efforts, funding often fell short of their set targets, limiting their plans' success. Ultimately, additional funding was required to truly improve public health surveillance and access to healthcare services for many vulnerable groups. It is also vital to note that the percentage

33 Publications Office of the European Union, Evaluation of the European Union's humanitarian assistance in Ukraine, 2014-2018 (Brussels: European Commission, 2020), [https://civil-protection-humanitarian-aid.ec.europa.eu/system/files/2020-11/evaluation\\_eu\\_humanitarian\\_assistance\\_ukraine\\_2014-2018\\_exec\\_summary.pdf](https://civil-protection-humanitarian-aid.ec.europa.eu/system/files/2020-11/evaluation_eu_humanitarian_assistance_ukraine_2014-2018_exec_summary.pdf).

34 European Court of Auditors, EuropeAid's evaluation and results-oriented monitoring systems (Luxembourg: European Commission, 2014), [https://www.eca.europa.eu/Lists/ECADocuments/SR14\\_18/SR14\\_18\\_EN.pdf](https://www.eca.europa.eu/Lists/ECADocuments/SR14_18/SR14_18_EN.pdf).

35 "World Report 2015: Ukraine," Human Rights Watch, accessed August 21, 2024, <https://www.hrw.org/world-report/2015/country-chapters/ukraine>.

36 Publications Office of the European Union, Evaluation of the European Union's humanitarian assistance in Ukraine, 2014-2018.

37 Publications Office of the European Union, Evaluation of the European Union's humanitarian assistance in Ukraine, 2014-2018.

38 "Ukraine's humanitarian crisis 2014-2022," World Health Organization, accessed August 21, 2024, <https://www.who.int/europe/emergencies/situations/ukraine-s-humanitarian-crisis-2014-2022>.

39 "What we do," World Health Organization, accessed August 22, 2024, <https://www.who.int/about/what-we-do>.

40 World Health Emergencies Programme (WHE), Ukraine situation report: January-March 2019 (Ukraine: World Health Organization, 2019), <https://www.who.int/europe/publications/m/item/ukraine-situation-report-january-march-2019>.

41 World Health Emergencies Programme (WHE), Ukraine situation report: April-June 2018 (Ukraine: World Health Organization, 2018), <https://www.who.int/europe/publications/m/item/ukraine-situation-report-april-june-2018>.



of WHO operations in Ukraine that received the necessary funding dropped from 65 percent in 2017 to a mere 12.5 in 2019, pointing to a greater insufficiency.<sup>42</sup>

Furthermore, the International Organization for Migration (IOM) played an important role in assisting internally displaced persons (IDPs). Essentially, the IOM works to promote humane and safe migration for all.<sup>43</sup> As of November 18, 2014, the organization had assisted nearly 6,000 of the then 464,000 IDPs.<sup>44</sup> By March 3, 2015, that number had spiked to 900,000, with the IOM extending support to nearly 40,000 IDPs directly, and an additional 22,000 through an EU-funded IOM project.<sup>45</sup> As the crisis progressed, the organization continued to provide IDPs with clothes, medicine, and household items. This support was funded primarily by Germany, Norway, Switzerland, the United Nations, and the United States. Additionally, Japan contributed USD 1.4 million to these efforts to provide access to social and public infrastructure for communities in the Donbas region.<sup>46</sup> Despite this support, crisis response remained underfunded. More specifically, the IOM's Humanitarian Response Plan for 2017 only received about 37 percent of its required funding.<sup>47</sup> The 2018 plan received even less, with funding only amounting to 17 percent of its goal.

The UN Office for the Coordination of Humanitarian Affairs (OCHA) also added to the support of affected civilians. Much of the office's work focuses on joining donors and humanitarian actors under a single umbrella to provide more coordinated responses to crises. To fulfill this goal, in 2019, OCHA established the Ukraine Humanitarian Fund (UHF). This initiative united many donors' contributions into a single pool of funds. This allowed for a more efficient response, as all

the resources were available in one place. It also made it easier to reallocate funds in the case of unforeseen circumstances. A similar plan was established on February 11, 2022. The revised mission considered new factors that impacted the crisis, such as the Covid-19 pandemic, the increased number of people requiring aid, and the need to incorporate more areas of support into such plans. The 2022 plan called for USD 190 million to assist nearly two million affected persons. The plan intended to cover education, food security, health, shelter, and water, among other necessities.

While these plans had a positive influence on the crisis, many complications limited its reach. Ambitious funding goals, paired with the unforeseen effects of the pandemic and unexpected Russian aggression in late February 2022 diminished the responses' overall capacities.

Additionally, the UN Children's Fund (UNICEF) was active in combating water insecurity in the region. In 2019 alone, a plan to provide nearly 2.5 million people with adequate water and sanitation was put in place. The USD 14.3 million plan was directed at communities living along the contact line (areas immediately affected by the fighting) in Donetsk, Luhansk, and a plethora of other affected towns. The body continued with such provisions for years after in areas that continued to suffer.

UNICEF's Ukraine Humanitarian Situation Report no.12, published in December 2019, outlined the successes of their missions in more detail. Firstly, the organization made great accomplishments with immunization. Opening a cold chain room in Donetsk allowed 1.5 million people to receive different vaccines, 300,000 of which went to children.<sup>48</sup> Additionally, UNICEF provided immunization training to

42 World Health Emergencies Programme (WHE), Ukraine situation report: October-December 2017 (Ukraine: World Health Organization, 2017), <https://www.who.int/europe/publications/m/item/ukraine-situation-report-october-december-2017>; World Health Emergencies Programme (WHE), Ukraine situation report: January-March 2019.

43 "International Organization for Migration (IOM)," Migration Data Portal, last modified September 20, 2019, <https://www.migrationdataportal.org/institute/international-organization-migration-iom#:~:text=With%2017%20member%20states%2C%20a,advice%20to%20governments%20and%20migrants>.

44 International Organization for Migration, IOM's Assistance to Internally Displaced Persons in Ukraine (Switzerland: International Organization for Migration, 2014), [https://www.iom.int/sites/g/files/tmzbd486/files/migrated\\_files/Country/docs/IOM-Report-on-IDPs-Assistance-in-Ukraine-18-Nov-2014.pdf](https://www.iom.int/sites/g/files/tmzbd486/files/migrated_files/Country/docs/IOM-Report-on-IDPs-Assistance-in-Ukraine-18-Nov-2014.pdf).

45 Varvara Zhluktenko, "IOM Aids Vulnerable Displaced People in Ukraine," International Organization for Migration, March 3, 2015, <https://www.iom.int/news/iom-aids-vulnerable-displaced-people-ukraine>.

46 Zhluktenko, "IOM Aids Vulnerable Displaced People in Ukraine."

47 Joe Lowry, "Ukraine 'Europe's Largest Crisis': IOM Regional Director on Visit to Eastern Ukraine," International Organization for Migration, June 12, 2018, <https://www.iom.int/news/ukraine-europes-largest-crisis-iom-regional-director-visit-eastern-ukraine>.

48 UN Children's Fund, Ukraine Humanitarian Situation Report no.12 (Ukraine: UNICEF, 2019), <https://www.unicef.org/media/76336/file/Ukraine-SitRep-Dec-2019.pdf>.

200 health professionals in the region. This also allowed a polio vaccination campaign to finally launch in the region. As for water, sanitation, and hygiene (known as WASH), UNICEF provided nearly 1.5 million people with access to safe drinking water in 2019. This was done through treatments to water systems in affected regions. The organization also restored water networks, heating systems, and toilets in 26 schools and healthcare facilities.<sup>49</sup> This allowed 9,500 patients, teachers, and children to access decent sanitary facilities. Their efforts also minimized disruptions in water supply in the region, assisting approximately 22,000 more children and patients. Moreover, UNICEF also focused on child protection and domestic safety. The organization cooperated with international partners to provide community-based psychological support to 40,000 children and their caregivers in Donetsk and Luhansk. Also, 12 UNICEF-supported teams responded to nearly 4,000 cases of gender-based violence and first aid to over 500 children affected by violence.<sup>50</sup> In total, 1,350 individuals received case-specific mitigation activities to reduce violence. Education was also a crucial part of this mission, as the organization's Education in Emergency (EiE) initiative reached just under 40,000 vulnerable children along the conflict line.<sup>51</sup> Ultimately, UNICEF conducted emergency repairs on 22 educational facilities in affected areas, directly aiding 9,600 children. 17,400 more children benefited from individual education kits. Aside from direct aid, UNICEF was also active in providing regularly updated reports on the situation. Support for the people of Ukraine continued beyond the 2019 plan.

Overall, while many of the efforts in place at the time did not attain their highest potentials, their presence in the region was surely felt. Access to healthcare, education, and even the most basic of necessities increased dramatically through the operations of these organizations in the region. Financial setbacks and the unexpected Covid-19 pandemic did stunt the growth of many initiatives; however, the long-term positive

influence of these efforts remain visible.

## Human Rights Law, Humanitarian Law, and Ukraine

According to the United Nations, “human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination.”<sup>52</sup>

Human rights underline International Human Rights law. This law is the legal framework which sets the official and specific guidelines for states and governments to follow to conform with the vague notion of human rights. Human rights and its respective laws are epitomized by the Universal Declaration of Human Rights, one of the most important documents created in the history of the UN. It represents the common ground, a common denominator, among all nations and cultures for the worth of human life and the way it deserved to be treated. The Universal Declaration of Human Rights was passed in 1948, motivated by the atrocities that occurred under many regimes, especially that of the Nazis in World War II.<sup>53</sup>

While the importance of the Universal Declaration is not to be underestimated, it is not the only important document. The Declaration is coupled with the International Covenant on Civil and Political rights and its optional protocols form the International Bill of Human Rights.<sup>54</sup> This Bill protects various rights and freedoms, including, but not limited to: freedom from discrimination, right to life, freedom from torture, right to equality between men and women, right to strike and right to social security.<sup>55</sup> The International Bill of Human Rights subjects the states which have ratified or signed the bill to its laws. Every signatory state must respect the bill and pledges to act towards the fulfillment of said human rights. In the case a state does not fulfill its duty to respect the

<sup>49</sup> UN Children's Fund, Ukraine Humanitarian Situation Report no.12.

<sup>50</sup> UN Children's Fund, Ukraine Humanitarian Situation Report no.12.

<sup>51</sup> UN Children's Fund, Ukraine Humanitarian Situation Report no.12.

<sup>52</sup> “Human Rights | United Nations,” United Nations, accessed August 11, 2024, <https://www.un.org/en/global-issues/human-rights>.

<sup>53</sup> United Nations, “Human Rights | United Nations.”

<sup>54</sup> United Nations, “Human Rights | United Nations.”

<sup>55</sup> “International Bill of Human Rights,” Office of the United Nations High Commissioner for Human Rights, accessed August 11, 2024, <https://www.ohchr.org/en/what-are-human-rights/international-bill-human-rights>.

bill, and national or domestic means have failed to improve the situation, it is possible as an individual to rely on the bill's mechanisms for protection and demand help at higher levels of scale.<sup>56</sup> Additionally, humanitarian law, also known as the laws of war, is independent from the fact of whether a war was legal in the first place or not. It is vital to note that it applies to both Russia and Ukraine.

The Helsinki Final Act is the OSCE's founding document. However, this act is not granted treaty status and is not legally binding, even though it might be so politically. Various states participate ("participating states") in the OSCE but do not have a legal obligation to anything regarding the organization. The OSCE draws its human rights responsibility from the Basket III of the Helsinki Final Act. Nevertheless, the OSCE and its existence as a Human Rights Organization remains difficult. Human Rights, primarily concern a people and its own government, and not one government inflicting damage on another's people.

Notable, therefore, is that OSCE participating states, despite the organization not having a strong legal foundation, are subject to binding obligations. All member states are urged to keep their human rights commitments under the legal obligation of International Humanitarian Law and the Geneva Conventions. By extension, when analyzing human rights violations, it is important to consider the law violated, and whether the violator is signatory to a relevant treaty or convention on said act. This is especially relevant for more specific violations.<sup>57</sup> Still, a bill was approved by the Russian Federation declaring that it will not abide by rulings issued after March 15, 2022, by the European Court of Human Rights (ECtHR). As a result, it is highly doubtful that Russia will be able to be held accountable for violating human rights.<sup>58</sup>

The main tools to overview the human rights situations in member states are the Vienna Mechanism and the Moscow

Mechanism. The Vienna Mechanism allows states to ask other OSCE participating states questions pertinent to the human dimension, which includes human rights and its affiliated topics. The Moscow Mechanism allows participating member states to organize an ad hoc (created for a particular case) verification or fact-finding mission relating to the human dimension of the OSCE. The Moscow Mechanism has been utilized many times. The most relevant utilizations were in March 2022, when 45 participating States wanted to investigate the human rights and humanitarian situation in Ukraine following the launch of the military attack by Russia. Since then, five more activations of the Moscow Mechanism have been made, all surrounding the Ukraine war, and its participants—the Russian Federation, Belarus, and Ukraine.<sup>59</sup>

The main organ within the OSCE which is responsible for Human rights is the OSCE Office For Democratic Institutions and Human Rights (ODIHR). The ODIHR helps states fulfill their human rights duties. The ODIHR has three components, the first being human rights monitoring. This entails independently observing and reporting human rights situations in OSCE participating states. Based on the situation, the ODIHR will make recommendations. The second is the "expert advice" component, through which experts from the OSCE are responsible for making international human rights standards uniform across the participating states and ensure that these states live up to their commitments. Finally, capacity building measures aim to teach and instill human rights positive attitudes in civilian and non-civilian populations to ensure application of international human rights standards.<sup>60</sup>

Having explained human rights and the legal framework of the OSCE, the legal framework for the conflict in Ukraine include the four Geneva Conventions (GC I - IV), the Additional Protocol I, and customary international law, "which binds every State regardless of their treaty commitments."<sup>61</sup> Furthermore,

<sup>56</sup> Office of the United Nations High Commissioner for Human Rights, "International Human Rights Law."

<sup>57</sup> "Budapest Document 1994," Organization for Security and Co-operation in Europe, accessed July 22, 2024, <https://www.osce.org/files/f/documents/5/1/39554.pdf>.

<sup>58</sup> Christina Binder, "Chapter 10: The Russian War of Aggression Against Ukraine: A Classification Under International and Human Rights Law," in Nomos Verlagsgesellschaft mbH & Co. KG eBooks, 2023, 231–32, <https://doi.org/10.5771/9783748917205-223>.

<sup>59</sup> "Human Dimension Mechanisms," Organization for Security and Co-operation in Europe, accessed July 22, 2024, <https://www.osce.org/odihr/human-dimension-mechanisms>.

<sup>60</sup> Organization for Security and Co-operation in Europe, What is ODIHR? (Warsaw: OSCE Office for Democratic Institutions and Human Rights), [osce.org/files/f/documents/2/8/521239\\_0.pdf](https://www.osce.org/files/f/documents/2/8/521239_0.pdf); Organization for Security and Co-operation in Europe, ODIHR and Human Rights (Warsaw: OSCE Office for Democratic Institutions and Human Rights), [osce.org/files/f/documents/e/7/297046.pdf](https://www.osce.org/files/f/documents/e/7/297046.pdf).

<sup>61</sup> "The Geneva Conventions of 12 August 1949," ICRC, accessed July 22, 2024, <https://www.icrc.org/sites/default/files/external/doc/en/>

the ODIHR considers the de facto annexations made by the Russian federation illegal, but also under the purview of the Russian Federation. Hence, all human rights violations that occur in these occupied or annexed regions are of Russian responsibility.<sup>62</sup> The ban or restriction of some weapons is not yet a common practice, so whether they are legal depends on whether countries have signed certain agreements. The legal situation regarding human rights is simple: both countries have ratified still relevant UN human rights treaties. War allows for the suspension of certain heavily controlled human rights commitments by the state. This suspension must be brought forth to the Secretary General of the UN, which, so far, only Ukraine has done.<sup>63</sup>

The Moscow Mechanisms by the OSCE have revealed that the human rights situation in Ukraine is dire. Russian attacks have killed thousands of civilians and harmed many more. The Russian Federation's actions have violated international human rights law. Attacks on energy infrastructure causing environmental damage, illegal deportation of children,

[assets/files/publications/icrc-002-0173.pdf](https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/customary-international-humanitarian-law-i-icrc-eng.pdf).

<sup>62</sup> Jean-Marie Henckaerts and Louise Doswald-Beck, Customary International Humanitarian Law (Cambridge: University Press, 2009), <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/customary-international-humanitarian-law-i-icrc-eng.pdf>.

<sup>63</sup> "Annexe - The legal framework applicable to the armed conflict in Ukraine," Organization for Security and Co-operation in Europe, accessed July 22, 2024, [osce.org/files/f/documents/d/4/548614\\_1.pdf#page=2.00](https://www.osce.org/files/f/documents/d/4/548614_1.pdf#page=2.00).

<sup>64</sup> Binder, "Chapter 10: The Russian War of Aggression Against Ukraine: A Classification Under International and Human Rights Law;" Organization for Security and Co-operation in Europe, Fourth Interim Report on Reported Violations of International Humanitarian Law and International Human Rights Law in Ukraine (Geneva: OSCE, 2023), <https://www.osce.org/odihr/560325>.

<sup>65</sup> Organization for Security and Co-operation in Europe, "Fourth Interim Report on Reported Violations of International Humanitarian Law and International Human Rights Law in Ukraine," 9–18.

destroying culturally relevant architecture, attacks on hospitals, the use of antipersonnel mines, executions, illegal detention, torture, sexual violence. Civilians far from the front line or any relevant military objective are hit. Prisoners of war (POWs) are subjugated to ill-treatment, torture, and unfair trial. This, even if on a lesser scale, has also been done to Russian POWs. The war of aggression as initiated by Russia is a human rights violation.<sup>64</sup> Nevertheless, Ukrainians, too, have committed human rights violations by using anti-tank mines and bombing civilian areas in Russian occupied Ukraine.<sup>65</sup> Additionally, the violations do not stop at war-related rights. Ukraine, for instance, has opened over 2,000 criminal cases against Ukrainians for expressing pro-Russian attitudes. Similarly, Ukraine has closed the Ukrainian Orthodox Church and prohibits any practice of belief, which has its religious origin in Russia. Vulnerable groups, such as the elderly, women and children are disproportionately affected by the war, being increasingly injured, subjected to domestic violence and deported, respectively. The list of human rights law and humanitarian law violations is endless, on both sides.



Elderly woman protesting NATO expansion and war in Ukraine

Credit: Matt Hrkac

## Stakeholders in the Ukraine Conflict

The ongoing conflict in Ukraine involves different stakeholders, both national and international. These stakeholders each have different interests and goals. A few stakeholders are particularly important: non-state actors, the EU, the US, the UN, and the OSCE.

Non-state actors include the media, academia, non-governmental organizations (NGOs) and government-organized non-governmental organizations (GONGOs). Russia is using the media to present a one-sided narrative of the Ukraine war, and to discourage Ukrainian troops and the Ukrainian people. This was particularly seen after the MH17 incident. The MH17 incident describes the shooting down of a commercial passenger plane flying over Eastern Ukraine in 2014, amidst the fighting in the Donbas. Furthermore, Russia is seen to utilize large scale disinformation to blur truthful reporting on the conflict. Ukrainian grass-roots movements, academics and scholars actively try to pursue independent fact finding and fight against disinformation. Similarly, the Russian Federation is reported to be increasingly intrusive in the academic sector, influencing research. This means that academic institutions lose more and more independence from the state. Finally, GONGOs and NGOs in particular play a vital role in the war. In the years after the dissolution of the Soviet Union, western and European NGOs played an important role in post-Soviet countries. These organizations helped them to adapt things such as the rule of law and certain human rights standards. However, with the ongoing war of aggression, western NGOs' capacities are diminishing as they ring with Russian NGOs for influence. Furthermore, many contend that Putin utilizes GONGOs to promote Russian values, including the "New Russia" (Novorossiia) idea. Pro-Russian and pro-Western organizations work against each other.<sup>66</sup>

The EU has played tug of war with the Russian Federation since the dissolution of the Soviet Union.<sup>67</sup> The EU gradually

improved relations with Ukraine, the latter making significant efforts to adapt to EU standards. The increasingly friendly relations between the Union and Ukraine challenged the status of being a great power that Russia did not want to lose. To prevent EU-Ukraine relations, Russia urged Ukraine not to sign the Association Agreement and imposed sanctions. The failure of the Ukrainian government to sign the Association Agreement startled the Euromaidan protests. This led to the historical series of events: change of the Ukrainian government, Russia's annexation of Crimea, and the uprising in the Donbas.<sup>68</sup> Besides this historical explanation, the EU has also implemented concrete measures, further defining their stance in the conflict. The EU has implemented increasingly harsh sanctions against Russia, taking advantage of its economic strength to slow down Russian war efforts. The Union has also implemented humanitarian aid to address the large number of Ukrainian refugees arriving in the Union and help the Ukrainian government ease its wartime burdens. This aid came in the form of financial assistance and loans. Perhaps the most pertinent aid Ukraine received from the EU was the EU Military Assistance Mission in support of Ukraine (EUMAM Ukraine), a mission which actively trains Ukrainian troops on EU territory.<sup>69</sup> The EU plays an important role, and it is worthy to consider which position the EU would take in the human rights aspect of a prolonged Russo-Ukrainian war.

The United Nations (UN) has also been deeply involved in the Ukraine conflict. The United Nations Security Council met in early 2022 to discuss Russian army buildup at the Ukrainian border as a challenge to peace and security in the region. Still, it was clear from the start that no resolution would be passed by the Security Council due to the Russian veto-right. Russia is one of the five permanent members of the security council, acting as the successor state of the Soviet Union, and, therefore, can veto all and any resolutions that are introduced. This prevents any effective action of the UN in stopping the conflict. Additionally, Russia has been removed from the Human Rights Council; the latter cited

<sup>66</sup> Joshua P. Mulford, "Non-State Actors in the Russo-Ukrainian War," *Connections—The Quarterly Journal* 15, no. 2 (January 2016): 89–107, <https://doi.org/10.11610/connections.15.2.07>.

<sup>67</sup> Thomas Gehring, Kevin Urbanski, and Sebastian Oberthür, "The European Union as an Inadvertent Great Power: EU Actorness and the Ukraine Crisis," *Journal of Common Market Studies* 55, no. 4 (January 9, 2017): 727–738, <https://doi.org/10.1111/jcms.12530>.

<sup>68</sup> Gehring, Urbanski, and Oberthür, "The European Union as an Inadvertent Great Power: EU Actorness and the Ukraine Crisis," 738.

<sup>69</sup> Kristi Raik et al., "EU Policy Towards Ukraine: Entering Geopolitical Competition Over European Order," *International Spectator* 59, no. 1 (January 2024): 50–52, <https://doi.org/10.1080/03932729.2023.2296576>.



Children cheer on military personnel as they pass by  
Credit: Capt. Jim Gallagher

“gross and systematic violations and abuses of human rights” as a reason. In addition, an Independent Commission of Inquiry was formed by the UN Human Rights Council to investigate war crimes in Ukraine. The commission discovered evidence of grave transgressions, such as sexual assault and torture, and current inquiries seek to bring those responsible for these crimes to justice. The UN General Assembly, while the biggest tool of the UN, lacks the same power that makes UNSC resolutions so powerful. Furthermore, Ukraine took Russia to the International Court of Justice (ICJ), disputing the genocide allegations made against the former and used as a justification for war by the latter. After ruling in favor of Ukraine, the ICJ ordered Russia to halt its military activities. In terms of humanitarian relief, the UN has played a crucial role in supplying individuals impacted by the conflict with aid. A significant fund was created to assist millions of Ukrainians living in their own nation as well as those who are refugees in nearby states, reaching 14 million people by the end of 2023.<sup>70</sup> The UN plays an important role as a point of diplomatic contact and as representative of human rights.

<sup>70</sup> Anja Mihr and Chiara Pierobon, *Polarization, Shifting Borders and Liquid Governance* (Cham: Springer, 2024), <https://doi.org/10.1007/978-3-031-44584-2>; United Nations General Assembly, Resolution ES-11/3, Suspension of the rights of membership of the Russian Federation in the Human Rights Council, A/RES/ES-11/3, ¶ 1 (April 7 2022), <https://documents.un.org/doc/undoc/gen/n22/312/47/pdf/n2231247.pdf>.

<sup>71</sup> Farid Guliyev and Andrea Gawrich, “OSCE Mediation Strategies in Eastern Ukraine and Nagorno-Karabakh: A Comparative Analysis,” *European Security* 30, no. 4 (March 30, 2021): 576–77, <https://doi.org/10.1080/09662839.2021.1900121>; Reuters, “What Are the Minsk Agreements on the Ukraine Conflict?,” Reuters, February 21, 2022, <https://www.reuters.com/world/europe/what-are-minsk-agreements-ukraine-conflict-2022-02-21/>.

Finally, the Organization for Security and Cooperation in Europe (OSCE) had not been as initially impactful in the conflict as other bodies. It had predicted a war or escalation culminating in a war already in 2013. However, legal mechanisms, or the lack thereof, failed to materialize a response. The OSCE suggested measures “to assist in disarmament, ceasing violence, promoting a national dialogue, and de-escalating the crisis.” The OSCE mainly chaired the Trilateral Contact Group, a point of contact for the three parties. With the help of this point of contact and discussion, the OSCE adopted the Minsk Agreements (ceasefire agreements). To monitor the effectiveness and violations of these agreements, the OSCE created and deployed the OSCE Special Monitoring Mission. These missions, while particularly useful in reporting the plethora of agreement violations—including civilian casualties, breaches of ceasefire, and heavy weaponry—its original mandate was not that of ceasefire monitoring but of information gathering. Additionally, the OSCE staff of the Monitoring mission were merely civilians working in a conflict.<sup>71</sup>

## Case Study: The Kosovo Conflict and the Kosovo Verification Mission

The Kosovo Verification Mission (KVM) was one of the largest OSCE operations ever; it was 1,350 individuals strong. While this subtopic will describe the KVM, its successors, and the immediate context of the Kosovo conflict, it will not give a detailed historical analysis of the happenings in the Federal Republic of Yugoslavia. The inclusion of this case study intends to draw similarities between past missions and their applicability to the context of the issue at hand.

The death of Tito and the dissolution of the Soviet Union brought war and nationalism to the Second Yugoslavian Republic. Four out of the six former Yugoslav Republics declared independence. The two remnants founded the Third Yugoslav State. In the same vein and spirit of independence Kosovo, decided in a referendum, declared independence. However, the small state was not recognized by any other than Albania (with a large Albanian community there and not a part of Yugoslavia), and so was still formally part of the Federal Republic. Kosovar Albanians ran elections and started establishing their own state, though the Serbs did not interfere. Their newly elected president was moderate, and therefore accepted by Serbia. On the other hand, however, was the radicalized Kosovo Liberation Army (KLA), fighting for its own state—a secession from its former colonizer. The Serbs struck the KLA preemptively and took over Kosovo.<sup>72</sup> After years of oppression, ethnic violence and police and state brutality, the Kosovar Albanians (constituting the KLA) struck back.

From June 1998 onwards, diplomatic observers were deployed on occasional missions (called Kosovo Diplomatic Observer Missions) to maintain a clear picture of the situation in Kosovo. In September of the same year, the UN expressed its concern and sent Richard Holbrooke to arrange a ceasefire agreement between the FRY and the KLA, which would

be observed by the Kosovo Verification Mission, led and established by the OSCE. This agreement was purely verbal and was substantiated in October later that year by the UNSC resolution 1203, mandating the KVM to supervise the implementation of the resolution 1199. The agreement struck by Holbrooke was further supported by references to the Helsinki Final Act (1975), the Paris Charter (1990), and the global perception of the conflict in Kosovo as a humanitarian crisis. Specifically, this meant that the KVM was asked to “verify the cease-fire, monitor movements of forces, look for and report unsanctioned roadblocks, monitor border control activities, and promote human rights and democracy-building.” The KVM had a particular focus on human rights, and commonly referred to human rights law and humanitarian law, including the convention against torture and other cruel inhuman or degrading treatment or punishment. On June 9, 1999, the KVM was dissolved and replaced by the Task Force for Kosovo, which also had a human rights monitoring component to it.<sup>73</sup>

The withdrawal of the KVM, however, started earlier, on March 20. This withdrawal was of fatal consequence for the local population. The Human Rights Watch contends in their report of the conflict, that with the withdrawal of the KVM, Kosovar Albanians not only lost any protection that was assured by the presence of international workers, but also the witnesses to the horrific things that were happening to them. Their suffering would not be recognized or be known. Reports indicate that violence skyrocketed after the withdrawal of the OSCE-KVM.<sup>74</sup>

Practically, the KVM was a significant organizational challenge. The KVM was at the time the largest and most complex mission it had ever been assigned. Everything had to be done from scratch. Furthermore, the KVM and its mandate were constantly interrupted. Initially, the KVM was supposed to be a verification mission. However, and perhaps for the better, the mission reacted and re-established the

72 László Gulyás, “A Brief History of the Kosovo Conflict With Special Emphasis on the Period 1988-2008,” DOAJ 0, no. 27 (February 2012): 144–46, <https://doaj.org/article/87061c13d2ec45859f25c2ec9f2ee321>.

73 “Kosovo Verification Mission (KVM),” Government of Canada, December 11, 2018, <https://www.canada.ca/en/department-national-defence/services/military-history/history-heritage/past-operations/europe/kimono.html>; Office for Democratic Institutions and Human Rights and Aleje Ujazdowski, “Human Rights in Kosovo: As Seen, as Told,” OSCE 1 (OSCE/ODIHR, 1999), <https://www.osce.org/odihr/17772>.

74 “UNDER ORDERS: War Crimes in Kosovo - 4. March-June 1999: An Overview,” Human Rights Watch, accessed July 5, 2024, <https://www.hrw.org/reports/2001/kosovo/undword-03.htm>.

ceasefire agreements, rather than doing its originally intended investigative work. The KVM acted like police, patrolling the same area repeatedly, allowing them to build relationships with the local population. The KVM became very familiar with the terrain and was very susceptible to change and could therefore investigate and react immediately. It is reported that in some cases, the presence of the KVM prevented aggression and conflict.<sup>75</sup>

The KVM, however, was far from perfect. It faced significant challenges. First, the OSCE's mandate was limited to material verification of the UNSC Resolution 1199. That is, the OSCE was given no political role. The political role, though, was what had made previous OSCE missions so effective: mediation and facilitation was key for peacekeeping operations. Second, the agreement principle of the OSCE made it difficult for the mission leadership to conduct this operation. Some member states of the OSCE did not want a human dimension to be part of the mission mandate. The KVM leadership finally succeeded in introducing the human dimension through the human rights violations report "As Seen, As Told," but the autonomous decision by KVM leadership led to long-term issues of control and direction in the OSCE. Finally, the OSCE had been criticized for not fulfilling its mandate. However, the situation simply did not allow the KVM to deal with all the mandates it was assigned, and it had to tackle issues for which the KVM was not structured nor equipped. The OSCE is built around fostering relationships of mutual trust and focuses less on the material and tangible aspect of security issues. The OSCE's main tools are those of dialogue, monitoring and promotion of human rights and humanitarian law.<sup>76</sup>

## Current Status

### Vulnerable Populations

Human rights apply to all. However, some populations have a harder time defending themselves from human rights violations. These populations are called vulnerable populations and typically include women, children, elderly people, people with disabilities and minorities.<sup>77</sup> Particularly when displaced, these vulnerable populations are prone to food insecurity, human trafficking, reduced access to reproductive healthcare, but also infringements upon access to education and economic opportunities. In addition, people with different needs quickly see their access to shelter and evacuations undermined, affecting them disproportionately.<sup>78</sup>

Women and children are particularly vulnerable to human trafficking in conflict situations. They make up roughly 90 percent of the refugee population. They also make up a third of all the victims of human trafficking, and 95 percent of all the victims of sexual violence.<sup>79</sup> Young girls in single-parent households, pregnant women, single women, and women from minorities are particularly vulnerable.<sup>80</sup> An ODIHR survey reports that a high number of women had been victims of sexual exploitation, including sexual harassment and sexual violence. At the same time, refugee children experience a significant amount of bullying and discrimination in new schools. Both populations indicate fear of human trafficking, whilst hinting at lacking information to protect oneself from it.<sup>81</sup> With the men at the frontline, women often assume the responsibility of being the sole breadwinner for an entire

75 Michel Maisonneuve, "THE OSCE KOSOVO VERIFICATION MISSION," Canadian Military Journal, 2000, <https://www.journal.forces.gc.ca/vo1/no1/doc/49-54-eng.pdf>.

76 Alex J. Bellamy and Stuart Griffin, "OSCE Peacekeeping: Lessons From the Kosovo Verification Mission," European Security 11, no. 1 (March 1, 2002): 16–18, <https://doi.org/10.1080/09662830208407522>; Office for Democratic Institutions and Human Rights and Ujzdzdskie, Human Rights in Kosovo: As Seen, as Told, Volume I, October 1998 - June 1999.

77 "About Minorities and Human Rights: OHCHR and Minorities," Office of the United Nations High Commissioner for Human Rights, accessed August 10, 2024, <https://www.ohchr.org/en/minorities/about-minorities-and-human-rights#:~:text=Minorities%20are%20understood%20to%20enjoy,nine%20core%20human%20rights%20treaties>; "Human Rights and Vulnerable Groups," The Federal Institute for Human Rights, accessed on August 10, 2024, <https://institutfederaaldroitshumains.be/en/human-rights-and-vulnerable-groups>.  
78 Sarah E. DeYoung, *Vulnerable Groups During Crisis*, (Oxford: Oxford Research Encyclopedia Of Politics, 2021), <https://doi.org/10.1093/acrefore/9780190228637.013.1565>.

79 "Ukraine," UN Women, accessed on 11 August 2024, <https://eca.unwomen.org/en/where-we-are/ukraine>; OSCE Office for Democratic Institutions and Human Rights, ODIHR Survey On The Safety And Security Of Women Refugees From Ukraine (Warsaw: OSCE/ODIHR, 2022), [https://www.osce.org/files/f/documents/b/a/535383\\_0.pdf](https://www.osce.org/files/f/documents/b/a/535383_0.pdf).

80 Elizabeth G. Ferris, "Abuse Of Power: Sexual Exploitation Of Refugee Women And Girls," Signs 32, nr. 3 (March 2007): 584–91, <https://doi.org/10.1086/510338>; UN Women, "Ukraine".

81 OSCE Office for Democratic Institutions and Human Rights, "ODIHR Survey On The Safety And Security Of Women Refugees From Ukraine."



family, widening the economic and social pressure women experience.<sup>82</sup> The ODIHR and UN suggest increased vetting of hosts and staff, regular inspections, raising awareness about the rights of Ukrainian refugees, and language training for border management personnel.<sup>83</sup> On a more global level, while Ukraine is a signatory to the most important international treaties in advancing equal human rights for the genders, there is still much improvement to be made.

Elderly people and people with disabilities are also a vulnerable group. A study led by the UN Refugee Agency found that every eighth household comprises a disabled person, or a person of age, with a quarter of the population being older than 60. This means that every eighth household faces even more struggles getting sufficient healthcare. This population also makes up to one third of the civilian casualties of the war, highlighting their fragility. Elderly people tend to be retired, and rely heavily on state pension, or pensions from host countries, with 92 percent reporting that they struggle to make ends meet. This population is also likely to run the risk of employment discrimination and poverty. Many elderly people or people with disabilities remain in their homes, because these tend to be adapted to the physical needs of the elderly and disabled. However, staying in their homes, this population is running the risk of falling victim to active hostilities. Escaping from conflict zones is also no easy feat, since many people struggle with old age and its consequences on mobility. When they do try to escape, they are often faced with the reality of the surging rental prices, the unsustainable state pensions, and the incompatibility with their needs and disabilities. Many other apartments are not made to accommodate people with special needs. The last option that remains are state institutions, where neglect and malpractice are common due to underfunding, or refugee shelters. These state institutions also run the risk of violating rights of this group granted by the Convention on Rights of Persons with Disabilities, isolating

them and making them prone to physical abuse. Some also live in national or social housing, as a response to national emergency housing programs. However, these programs are ending soon, leaving the economically challenged homeless. When this housing program ends, these populations, and their relatives, lose access to state services requiring an address, such as enrollment in schools and employment. Finally, this population is poorly informed about evacuations, diminishing their chances of survival. Means of communication, such as the internet, are often inaccessible to this group.<sup>84</sup> In short, elderly and disabled persons struggle with enduring the conflict, because of limited personal physical and financial means. The Ukrainian government, though, is ill-prepared to accommodate nearly a quarter of its population.

National minorities and Indigenous peoples too, are disproportionately affected by the war. A report by the Ukrainian Ombudsman investigated the rights of minorities under Russian occupation.<sup>85</sup> The report concluded that the right to preserve cultural heritage and language and educational rights have been violated. The report states that the Russian attacks have damaged up to 1,000 and destroyed 585 cultural sites. Moreover, territories under occupation, like Crimea, have been deforming cultural or historical sites. The intentional destruction of cultural sites counts as a human rights violation. Moreover, language rights have been effectively infringed due to damage to schools. Many of the ethnic minorities can no longer develop their languages in a safe space. Crimean Tatars have also been seen to be subject of ethnic discrimination at the hands of the Russian military and the Russian Federal Security Service (FSB). Most reports of discrimination, though, have been originating from the Roma and Sinti. These have been particularly subject to governmental discrimination, especially in the realm of education, healthcare, employment and social services.<sup>86</sup> More specifically, Roma people have been facing barriers, such as being seen as less worthy of support. Lack

82 UN Women, "Ukraine."

83 OSCE Office for Democratic Institutions and Human Rights, "ODIHR Survey On The Safety And Security Of Women Refugees From Ukraine," Ferris, "Abuse Of Power: Sexual Exploitation Of Refugee Women And Girls."

84 UNHCR, "Acute Needs Of Older Ukrainian Refugees And Those With Disabilities Must Not Be Overlooked," UNHCR, May 9, 2023, <https://www.unhcr.org/news/acute-needs-older-ukrainian-refugees-and-those-disabilities-must-not-be-overlooked>; Amnesty International, Investigation: Older People's Experience Of War in Ukraine (London: Amnesty International, 2024), <https://www.amnesty.org/en/latest/research/2022/12/older-people-ukraine-war-displacement-and-access-to-housing/>.

85 Council of Europe, National Minorities and Indigenous People Under Occupation: The Struggle for Survival (Kyiv: Ombudsman of Ukraine, 2023), <https://ombudsman.gov.ua/storage/app/media/uploaded-files/doslidzhennyanatsionalnimenshinispilnotiikorinninarodivokupatsii-1.pdf#page=21.57>

86 "A Cultural Rights Approach to Heritage," Office of the United Nations High Commissioner for Human Rights, accessed August 11, 2024,

of documentation makes it difficult for Roma people to leave the country and look for help under the international refugee status. Roma women are also more likely to fall victim to sexual and gender-based violence.<sup>87</sup>

Finally, internally displaced persons (IDPs) face a hard time, as well. Internally displaced persons are essentially refugees within their own country. A crucial difference between internally displaced persons and refugees is the crossing of an international border. The status of IDP is merely descriptive and not clearly legally defined, making the status highly problematic and blurry. IDPs have basic human and civil rights; the issue is, though, that the protection of these rights underlies the respective country's government. This puts more undue pressure on the Ukrainian government. IDPs are mostly women and children and are at higher risk of death than the general population.<sup>88</sup> Since the beginning of the invasion, a shocking five million IDPs have been reported, and six million refugees outside of Ukraine. Internally displaced persons face limited access to humanitarian resources, and shift and create increasing pressure on the already limited public resources such as housing and employment opportunities. This may lead to increased tensions between various national groups. IDPs also face a more difficult time in the labor market because they are actively being discriminated against.<sup>89</sup> In sum, for refugees, the social and legal structures protecting the vulnerable erode, leaving them susceptible to exploitation and abuse.

### Activities of the OSCE in Ukraine Since February 22, 2024

The Organization for Security and Cooperation in Europe (OSCE) has been actively involved in Ukraine since the takeover of Crimea in 2014. However, with Russia's full-

scale invasion in February 2022, its operations underwent a substantial shift.

One of the OSCE's most essential field operations was the Special Monitoring Mission (SMM) in Ukraine, carried out before the war. The SMM was responsible for monitoring the fighting and reporting any ceasefire violations and other Minsk agreements. However, the OSCE Permanent Council could not agree on extending the Mission's mandate following the conflict; therefore, in April 2022, the OSCE terminated the SMM in Ukraine. The mission leader stated that the Russian Federation's attitudes and actions led to removing the Special Mission's command. The mission statement promised that the organization would continue working in Eastern Europe despite this.<sup>90</sup>

Since the termination of the SMM, the OSCE's mission has evolved to emphasize diplomacy, accountability, and humanitarian concerns. In March 2022, the organization utilized the Moscow Mechanism to form an impartial panel of specialists to investigate possible breaches of international law and abuses of human rights during the invasion. The OSCE has also actively collaborated with other international organizations to create impartial reports on war crimes and the broader impact of conflicts on the people.<sup>91</sup>

Securing access to combat regions to document human rights violations has proven to be a significant difficulty throughout this phase of OSCE action, which began with the physical Mission's withdrawal. Numerous times, Russian soldiers have been charged with impeding humanitarian access, notably by some media and investigators. Because of this, it has been more difficult for institutions like the OSCE to accurately evaluate the extent of the fighting and how it will affect international law and human rights throughout the conflict.<sup>92</sup>

<https://www.ohchr.org/en/special-procedures/sr-cultural-rights/cultural-rights-approach-heritage>; Council of Europe, National Minorities and Indigenous People Under Occupation: The Struggle for Survival; United States Department of State en Bureau of Democracy, Human Rights, and Labor, Ukraine 2023 Human Rights Report (United States: Department of State, 2023), <https://www.state.gov/wp-content/uploads/2024/03/528267-UKRAINE-2023-HUMAN-RIGHTS-REPORT.pdf#page=45.15>.

<sup>87</sup> OSCE Office for Democratic Institutions and Human Rights, ODIHR Report on the Human Rights Situation of Internally Displaced Roma People in Ukraine (Warsaw: OSCE/ODIHR, 2024), <https://www.osce.org/files/f/documents/3/6/573736.pdf#page=4.17>.

<sup>88</sup> "About Internally Displaced Persons", Office of the United Nations High Commissioner for Human Rights, accessed August 11, 2024, <https://www.ohchr.org/en/special-procedures/sr-internally-displaced-persons/about-internally-displaced-persons>.

<sup>89</sup> United States Department of State en Bureau of Democracy, Human Rights, and Labor, "Ukraine 2023 Human Rights Report."

<sup>90</sup> Organization for Security and Co-operation in Europe, "OSCE Chairman-in-Office and Secretary General announce upcoming closure of Special Monitoring Mission to Ukraine," news release, April 28, 2022, <https://www.osce.org/chairpersonship/516933>.

<sup>91</sup> UN News, "Ukraine War 'Most Severe' Test Ever for European Security Body," UN News, March 14, 2022, <https://news.un.org/en/story/2022/03/1113912>.

<sup>92</sup> United Nations, "Moscow's Military Escalation Exacerbating Humanitarian Situation in Ukraine, Acting Emergency Relief

Despite the ongoing war, the OSCE continues to play a crucial role as a diplomatic forum for communication between Russia, Ukraine, and other international players. The OSCE Trilateral Contact Group, which includes members from Russia, Ukraine, and the OSCE, is one of the principal diplomatic organizations working towards peaceful solutions. However, progress has been hindered by the ongoing hostilities.<sup>93</sup>

The OSCE has also aided in international diplomacy by bringing attention to how the conflict has affected Europe's security and stability. In many international forums, the OSCE has cautioned about the conflict's long-term effects on the world security framework and emphasized the necessity of an expeditious ceasefire and diplomatic measures to avert further devastation.<sup>94</sup>

Furthermore, the OSCE's mission in Ukraine is not at all simple. Field missions have become more difficult to execute due to infrastructure destruction, assaults on people, and access limitations. However, the OSCE remains a key player in the international arena, particularly in promoting accountability. Despite these obstacles, the OSCE's commitment to justice through humanitarian aid and amicable dispute settlement is unwavering, providing reassurance in the face of conflict.

The main action of the OSCE since the beginning of the Russian war of aggression is the Secretariat Extra-Budgetary Support Programme for Ukraine. This program started on November 1, 2022. Like the deployment of the KVM, the OSCE program in Ukraine relies heavily on interpersonal connections and a commitment to the people and their respective needs. Therefore, the OSCE thoroughly understands the various dimensions of the war in Ukraine, its impact on the people, and their rights, successfully adopting a holistic approach to conflict resolution. The program has a double-

pronged approach. First, immediate needs are addressed: security, humanitarian needs, and damages caused to the environment, among others. The second prong targets long term goals developing strong institutions, protecting human and civil rights, whilst serving an equitable justice.<sup>95</sup> For instance, the OSCE has launched a project promoting human rights through courts. Its aim was to help legal professionals—such as advocates, lawyers, and judges—make proper use of human rights tools to defend the human rights of Ukrainians and Russians properly. This project grants more resources to provide better education in human rights matters and its latest trends. It also makes courts more accessible to the public, fundamental for an inclusive and democratic society.<sup>96</sup>

Lastly, the group has made it clear that it will keep up its support for Ukraine by keeping an eye out for abuses of human rights, helping refugees, and encouraging communication between the warring sides. The OSCE's role is expected to change further as the conflict rages, with a greater emphasis on recording war crimes and guaranteeing adherence to international humanitarian law.

## Sustainable Development Goals

All sustainable development goals (SDGs) are closely aligned with human rights.<sup>97</sup> The most pertinent SDG can be classified into two branches: on the one hand SDG 16—Peace, justice and strong institutions—and SDGs 1,3, and 5—No poverty, good health and well-being, and gender equality, respectively.

SDG 16 tackles conflict and violence directly. Goal 16 aims to develop peaceful and inclusive societies by ensuring justice for all and building effective, accountable institutions. It envisions a world where everyone, regardless of ethnicity, faith, or sexual orientation, lives free from violence and fear. The

Coordinator Tells Security Council,” news release, September 10, 2024, <https://press.un.org/en/2024/sc15816.doc.htm>.

93 Organization for Security and Co-operation in Europe, “Press Statement of Special Representative Kinnunen after the Regular Meeting of Trilateral Contact Group on 10 November 2021,” news release, November 10, 2021, <https://www.osce.org/chairmanship/503947>; Andrew Lohsen and Pierre Morcos, “Understanding the Normandy Format and Its Relation to the Current Standoff with Russia,” Center for Strategic and International Studies, February 9, 2022, <https://www.csis.org/analysis/understanding-normandy-format-and-its-relation-current-standoff-russia>.

94 UN News, “Ukraine War ‘Most Severe’ Test Ever for European Security Body.”

95 “OSCE Secretariat Extra-Budgetary Support Programme For Ukraine,” Organization for Security and Co-operation in Europe, accessed August 5, 2024, <https://www.osce.org/osce-secretariat-exb-support-programme-for-ukraine>.

96 “Safeguarding Human Rights Through Courts, Phase Two,” Organization for Security and Co-operation in Europe, accessed August 5, 2024, <https://www.osce.org/osce-secretariat-exb-support-programme-for-ukraine/536837>.

97 Nadja Filskov et al., *Human Rights And The 2030 Agenda For Sustainable Development* (Denmark: The Danish Institute for Human Rights, 2018), [https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/sdg/hr\\_and\\_2030\\_agenda-web\\_2018.pdf#page=10.10](https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/sdg/hr_and_2030_agenda-web_2018.pdf#page=10.10).

progress of Goal 16, however, has come to a halt. The war in Ukraine caused an increase in conflict-related civilian deaths. These conflicts make sexual violence, crime and exploitation particularly likely. To address this, SDG 16 aims to promote the rule of law, human rights, and reduce illicit arms trafficking and corruption.<sup>98</sup> Currently, the UN has implemented 54 intervention programs in Ukraine to further SDG 16.<sup>99</sup> The conflict in Ukraine has notably stalled the SDG 16.

To support SDG 16 in Ukraine, the UN has implemented several critical initiatives. An information analysis and coordination center has been established to deal with crisis and emergency response and livelihood creation targeting this SDG. Environmental damages are also addressed using a coordination center. The UN has also increased awareness about trafficking and organized crime to inform policy making. Additionally, a Joint Programme has been introduced to ensure the inclusion of persons with disabilities in humanitarian responses. The UN also undertakes law enforcement and criminal justice capacity-building efforts, with the goal of combating transnational organized crime through an approach which respects human rights and gender. UNEP is undertaking studies near water reservoirs to examine the possible dangers to human health from pollutants. The United Nations is also providing aid to Ukrainian journalists in documenting the war's impact on cultural sites and the livelihoods of cultural practitioners. Ukrainian refugees in Moldova, Romania, and Slovakia are benefiting from increased media coverage in Ukrainian, which is helping to improve understanding between refugees and host populations. Finally, UNESCO's Multi-Donor Fund is promoting the safety of journalists and freedom of expression in Ukraine, ensuring access to humanitarian and conflict-sensitive information.<sup>100</sup>

More relevantly, the OSCE too is involved in fulfilling the SDGs. SDG 16 is the underlying ideology behind many, if not all, of the OSCE's activities. The various institutions and field operations of the OSCE directly address the components of the SDG 16: rule of law, corruption and human rights.<sup>101</sup> Similarly, to fulfill SDG 3, the OSCE helps countries manage and properly dispose of hazardous material, such as dangerous waste and chemicals. The OSCE also fights drug addiction and trafficking.<sup>102</sup> The SDGs 3 and 16 share the same framework. This framework is the Aarhus Convention. The Aarhus convention was ratified in 1998, and obliges governments to address climate change, the transition to a green economy, human rights, fulfilling the SDGs and security. The three tenets of Aarhus are public participation, access to justice and access to information. Since 2002, the OSCE has been building Aarhus Centres, which help the countries of the OSCE fulfill their legally binding obligations of the Aarhus convention. Moreover, Aarhus centers provide citizens with the necessary information on their rights, as granted by the Aarhus convention. Some of these rights include: "The right of the citizens to receive environmental information that is held by public authorities" and "The right of the citizens to participate in preparing plans, programs, policies, and legislation that may affect the environment". In sum, the Aarhus convention links the topics of environment with security and provides states with assistance in fulfilling their duties to the international community.<sup>103</sup>

The Aarhus convention is important for protecting the human rights of displaced persons in Ukraine. Civilians can receive vital information from the Aarhus Centers, including whether their homes are not perfused with hazardous chemicals. It is also crucial for when these citizens return home, that they

98 "Peace, Justice and Strong Institutions - United Nations Sustainable Development," United Nations, accessed August 10, 2024, <https://www.un.org/sustainabledevelopment/peace-justice/>; "Goal 16," United Nations, accessed August 3, 2024, [https://sdgs.un.org/goals/goal16#targets\\_and\\_indicators](https://sdgs.un.org/goals/goal16#targets_and_indicators).

99 "Sustainable Development Goal 16: Peace, Justice and Strong Institutions | the United Nations in Ukraine," United Nations in Ukraine, accessed August 3, 2024, <https://ukraine.un.org/en/sdgs/16>.

100 United Nations, "Goal 16."

101 "Goal 16: Peace, Justice And Strong Institutions," Organization for Security and Co-operation in Europe, accessed August 10, 2024, <https://www.osce.org/sustainable-development-goals/16-Peace-justice#:~:text=Achieving%20peaceful%2C%20just%20and%20inclusive,and%20varied%20aspects%20of%20security>.

102 "Goal 3: Good Health And Well-being," Organization for Security and Co-operation in Europe, accessed August 10, 2024, <https://www.osce.org/sustainable-development-goals/03-Health>.

103 "Presentation Of The Aarhus Centres | OSCE Aarhus," Aarhus Centres, accessed August 10, 2024, <https://aarhus.osce.org/about/aarhus-centers>; "The Aarhus Convention | OSCE Aarhus," Aarhus Centres, accessed August 10, 2024, <https://aarhus.osce.org/about/aarhus-convention>; Organization for Security and Co-operation in Europe, "Goal 3: Good Health And Well-Being"; Organization for Security and Co-operation in Europe, "Goal 16: Peace, Justice And Strong Institutions."

have a democratic say in the reconstruction of their cities and their lives. If their rights are violated, civilians can seek justice through this convention.

Furthermore, the OSCE is also tackling SDG 1 and SDG 5. SDG 1 is addressing extreme poverty. This SDG has faced significant challenges since the Russian invasion in 2022. The OSCE contends that being poor goes beyond simply not having enough money or resources to get by. It also entails social prejudice, lack of access to essential services and education, and exclusion from key decision-making processes. Growing inequality hinders economic development and undermines social cohesion, which can at times result in conflicts as well as political and social unrest. The OSCE seeks to integrate national minorities and other disadvantaged populations—such as the Roma and Sinti—into the economy and society.

<sup>104</sup> SDG 5 is addressing gender equality, recognizing its importance and as a human right.<sup>105</sup>

Through workshops and scholarships, the OSCE aims to promote social and economic inclusion of minorities and people in poverty.<sup>106</sup> Additionally, the OSCE conducts more rudimentary operations like connecting villages to the electricity grid, lifting these villages out of isolation and backbreaking poverty.<sup>107</sup> This kind of activity might be essential for the displaced people in Ukraine, when, for instance, rebuilding villages and cities. SDG 5 is of crucial value for the OSCE. The OSCE pursues the implementation of the UNSC Resolution 1325 acknowledging the valuable role women play in maintaining peace and security. It does so by training governments to actively include women, and by promoting women's role in the security sector through promotional material and activities. The gender perspective is key in all the OSCE's activities and is an angle that should be considered when writing a resolution.<sup>108</sup>

## Bloc Analysis

### Points of Division

The UN remains one of the most important international organizations in the world. The voting behavior countries display in the UNGA, the biggest assembly of the UN, indicates countries' international relation and stance towards specific issues. The UNGA resolutions ES1, ES2, ES3, and ES4—addressing withdrawal of Russian forces from Ukraine, humanitarian consequences of the war, suspension of Russia from the UNHRC, and Territorial integrity of Ukraine respectively—clarify the countries' positions on the various issues. While the OSCE itself is not directly part of the UN system, OSCE member states' choices when it comes to voting on these UN resolutions show their views on the Ukraine conflict.

As a result, this means a variety of countries have varying views on the Ukraine conflict. Divisions would likely arise over whether to support the war and how much humanitarian assistance should be provided. Some countries aim to have increased involvement with those supporting the UN resolutions looking to increase aid and support. Some countries within that bloc would likely push the committee to implement more monitoring. Additionally, this group would likely look for ways to stop the conflict and protect Ukraine's sovereignty. On the other hand, countries that voted against the UN resolutions could potentially want to minimize the OSCE's role in Ukraine. This would involve limiting support for Ukraine, focusing on limiting the number of outside parties in the conflict, and pushing for a hands-off approach to the conflict. Lastly, countries that had abstained or want to adopt a more neutral stance to the conflict would likely look to balance between the two sides of the conflict. This means prioritizing aid for only humanitarian purposes and limiting the OSCE's impact on the conflict. Additionally, countries in a neutral bloc would likely want to avoid making strong

<sup>104</sup> "Goal 1: No Poverty," Organization for Security and Co-operation in Europe, accessed August 10, 2024, <https://www.osce.org/sustainable-development-goals/01-Poverty>.

<sup>105</sup> "Goal 5: Gender Equality," Organization for Security and Co-operation in Europe, accessed August 10, 2024, <https://www.osce.org/sustainable-development-goals/05-Gender>.

<sup>106</sup> Organization for Security and Co-operation in Europe, "Goal 1: No Poverty."

<sup>107</sup> "OSCE Improves Access To Electricity in Rasht Valley Villages in Tajikistan," Organization for Security and Co-operation in Europe, March 6, 2018, <https://www.osce.org/programme-office-in-dushanbe/374458>.

<sup>108</sup> Organization for Security and Co-operation in Europe, "Goal 5: Gender Equality."

statements in support of or against the military conflict in the region and the political future of Ukraine.

At the same time, countries' direct actions towards the war are potent indicators of their stance. Many have provided military and humanitarian support to Ukraine. Others continue operating with Russia, seeing no wrongfulness in the attack. At the same time, many states avoided confronting the issue at all, keeping up a neutral front. These actions, regardless of how small, point towards a country's political opinion on the topic at hand.

### Countries Supporting UNGA ES1-ES4

The countries which supported the UNGA ES1-ES4 are all in favor of an end to the conflict, the respect of human rights, suspending Russia from the UNHRC and the sovereignty of the Ukrainian land. These countries are clearly pro-Ukraine, with many of them already part of the geopolitical alliances of NATO and the EU. Some of these countries include: The United States, Canada, France, Germany, and Poland, as well as Finland and Bosnia & Herzegovina.<sup>109</sup>

These countries have two defining characteristics, which tendentially overlap. First, the countries in this bloc tend to be classified as the West and represent a strong attitude towards liberal democracy, rule of law and human rights. This directly reflects the content of the resolutions and thereby political ideology, and international action align. Second,

these countries have been classically under Soviet or Russian influence since the second world war until well into the 90s (e.g. Georgia and Balkan states, except for Serbia). This means that these countries have been fostering an anti-Russian sentiment over the last two decades. The Western countries typically include the USA, France, the United Kingdom, and Germany. These countries have actively been helping Ukraine regain freedom from aggression and stability, while trying to promote liberal democracy and rule of law.<sup>110</sup> All of these countries have a similar attitude towards the war and their partnership with Ukraine, particularly under the Umbrella of the EU and NATO.<sup>111</sup> However, it is important for the delegate to note its country's relationship with Ukraine, for there might be individual differences even within the same wider alliance. For instance, while Germany had been a firm supporter of Ukraine, there has been a tilt in public opinion.<sup>112</sup> Similarly, the Western countries often overlap with a wider anti-Russian sentiment.<sup>113</sup> This might be explained by the overarching alliance and partnerships in the spirit of NATO, as the organization's founding purpose being to protect against Soviet threat.<sup>114</sup> Today, Russia remains "the most significant and direct threat to Allies' security."<sup>115</sup> The Balkans, too, are united in their anti-Russian sentiment.

There remains an outlier: Serbia has shared a cultural affinity with Russia for at least the last century reflecting pro-Russian attitudes today.<sup>116</sup> This highlights the importance of the individual assessment of the delegates' country's point of view

109 Mohammed Haddad, "Where Does Your Country Stand on the Russia-Ukraine War?" Al Jazeera, February 22, 2023, <https://www.aljazeera.com/news/2023/2/16/mapping-where-every-country-stands-on-the-russia-ukraine-war>.

110 The White House, "FACT SHEET: U.S.-Ukraine Bilateral Security Agreement," news release, June 13, 2024, <https://www.whitehouse.gov/briefing-room/statements-releases/2024/06/13/fact-sheet-u-s-ukraine-bilateral-security-agreement/>; UK Ministry of Defence, "New Defence Secretary Pledges to Step up Support for Ukraine on Visit to Odesa," news release, July 7, 2024, <https://www.gov.uk/government/news/new-defence-secretary-pledges-to-step-up-support-for-ukraine-on-visit-to-odesa>; Michel Duclos, "Fighting for Your Freedom: The West's Response to the Ukraine War," Institut Montaigne, April 10, 2022, <https://www.institutmontaigne.org/en/expressions/fighting-your-freedom-wests-response-ukraine-war>; Mariana Budjeryn, "Safeguarding Ukraine's Democracy During the War," Brookings, July 1, 2024, <https://www.brookings.edu/articles/safeguarding-ukraines-democracy-during-the-war/>.

111 "NATO's Purpose," North Atlantic Treaty Organization, May 24, 2024, [https://www.nato.int/cps/en/natohq/topics\\_68144.htm#:~:text=NATO%20strives%20to%20secure%20a,both%20sides%20of%20the%20Atlantic](https://www.nato.int/cps/en/natohq/topics_68144.htm#:~:text=NATO%20strives%20to%20secure%20a,both%20sides%20of%20the%20Atlantic).

112 John T. Psaropoulos, "No Zeitenwende: Germany Lacks Leadership Amid Ukraine War, Say Experts," Al Jazeera, July 29, 2024, <https://www.aljazeera.com/news/2024/7/29/no-zeitenwende-germany-lacks-leadership-amid-ukraine-war-say-experts>.

113 Eanna Mackey, "Anti-Russian Sentiment Escalates as Georgians Seek European Dream," CEPA, April 30, 2024, <https://cepa.org/article/anti-russian-sentiment-escalates-georgians-seek-european-dream/>; Karla Adam et al., "Anti-Russian Hate in Europe Is Making Chefs and School Children Out to Be Enemies," The Washington Post, March 7, 2022, <https://www.washingtonpost.com/world/2022/03/07/antirussian-hate-putin-europe/>.

114 "Milestones in the History of U.S. Foreign Relations," Office of the Historian, accessed August 2, 2024, <https://history.state.gov/milestones/1945-1952/nato#:~:text=The%20North%20Atlantic%20Treaty%20Organization,security%20against%20the%20Soviet%20Union.&text=NATO%20was%20the%20first%20peacetime,outside%20of%20the%20Western%20Hemisphere>.

115 "Relations With Russia," North Atlantic Treaty Organization, July 25, 2024, accessed August 2, 2024, [https://www.nato.int/cps/en/natohq/topics\\_50090.htm](https://www.nato.int/cps/en/natohq/topics_50090.htm).

116 Nina Miholjic-Ivkovic, "Russia-Serbia Relations: True Friends or Pragmatic Players?" Geopolitical Monitor, February 12, 2024, <https://www.geopoliticalmonitor.com/russia-serbia-relations-true-friends-or-pragmatic-players/>; Azem Kurtic et al., "Two Years on, Balkan States Remain Divided Over Ukraine War," Balkan Transitional Justice, February 23, 2024, <https://balkaninsight.com/2024/02/23/two->

and position on the international stage.

## Countries Opposing UNGA ES1-ES4

In contrast, some countries have strongly opposed the UNGA ES1-ES4. Within the OSCE, these countries are the Russian Federation, and Belarus. Their position is quite clear; on February 24, 2022, the Russian Federation attacked the sovereign nation of Ukraine. Vladimir Putin and his associates claim a variety of different reasons as justifications for their actions, most of which are historically rooted. First, Putin claimed that Ukraine is committing a genocide against ethnic Russians in Ukraine, particularly in Eastern Ukraine. Putin also claims that the Ukrainian regime has not forgiven the Crimeans and the people of Sevastopol for their controversially “free” secession from Ukraine in 2014. In the same vein, Putin relies on the shared cultural and historical heritage of both countries, seeing Ukrainians as part of “greater” Russia. It is argued that Putin wants to regain Ukraine, to solidify Russia’s claim to a thousand-year-old history. Ukraine had previously been a crucial part of the Soviet Union’s and the Russian Empire’s economy and might, being rich in resources. Overall, members of this bloc believe Ukraine, Belarus and Russia all belong to the same “Slavic brotherhood,” with their voting patterns and actions displaying that mindset.

Nevertheless, the reasons for Russia’s attack are not only historical. Putin contends that Ukraine possesses nuclear weapons, despite giving them up in 1992 by signing the Lisbon protocol and joining the non-proliferation treaty. He also mentions broken promises of the NATO alliance of not expanding eastward, with NATO now stopping at Russia’s doorstep. This bloc, however, does not consist merely of Russia. Belarus, too, has participated in the war of aggression, acting as a Russian accomplice. It allowed Russian troops to build up and attack from inside Belarusian territory. The two

countries share a long, but somewhat tumultuous relationship. Belarus and Russia have economic, political and military ties, manifested by, for instance, the Union State of Belarus and Russia, and the accession to the Collective Security Treaty Organization (CSTO), bringing a counterweight, at least symbolically to NATO and the traditional western alliance.<sup>117</sup>

To summarize, the political and military alliance of Belarus and Russia in the context of the Ukraine war, and their similar voting patterns in the UNGA resolutions ES1-ES4, as well as impeding OSCE processes, make the countries a single bloc.<sup>118</sup> Delegates are encouraged to explore the nuances between these two countries in their relationship and other countries which might be more favorable towards this bloc, rather than, say, the countries supporting UNGA ES1-ES4. Other countries which are worth exploring for this bloc are other member states of the CSTO and abstentionist countries, with close ties to Russia.

## Countries Maintaining Political Neutrality or Abstention

Finally, some countries choose a more careful path on the international stage. These countries are not firmly, aligned, are abstentionist, or have a more complicated individual stance on the issue at hand. These countries need to be researched individually and cannot be classified as strictly adhering to one or another bloc. Depending on the resolution, some of these countries may be in favor, while others may be against. This might change based on the content, the formulation of the clauses, the signatories, and the initial sponsor. These countries must navigate a complex situation. This bloc, just like the previous ones, is based on voting behavior and informed by a general understanding of geopolitical relationships and alliances. It is made up primarily of central Asian or post-Soviet republics.

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years-on-balkan-states-remain-divided-over-ukraine-war/.

117 Klaus Wiegrefe, “NATO’s Eastward Expansion: Is Vladimir Putin Right?,” *Der Spiegel*, February 15, 2022, <https://www.spiegel.de/international/world/nato-s-eastward-expansion-is-vladimir-putin-right-a-bf318d2c-7aeb-4b59-8d5f-1d8c94e1964d>; Sinéad Baker, “Why Did Russia Invade Ukraine? Experts Break Down Putin’s Motivations and Excuses for Launching His War,” *Business Insider*, February 9, 2024, <https://www.businessinsider.com/why-did-russia-invade-ukraine-putin-politics-motive-2023-6?international=true&cr=US&IR=I>; Georgi Gotev, “In Putin’s Words: Why Russia Invaded Ukraine,” *Euractiv*, February 24, 2022, <https://www.euractiv.com/section/global-europe/news/in-putins-words-why-russia-invaded-ukraine/>.

118 Nancy Lubin and Jimmy Goodby, “Central Asia and the War in Ukraine,” *Hoover Institution*, December 14, 2023, <https://www.hoover.org/research/central-asia-and-war-ukraine>; Kirill Nourzhanov, “Central Asia and the Conflict in Ukraine: Russia-Friendly Neutrality,” *Near East Policy Forum*, May 22, 2024, <https://nepf.org.au/index.php/central-asia-and-the-conflict-in-ukraine-russia-friendly-neutrality/>.

The Central Asian republics have developed a pragmatic stance towards the war. These countries are primarily concerned with their own economic and political state rather than with the seemingly distant war. The former Soviet republics' economies are deeply intertwined with the Russian economy. Millions of migrant workers flock to Russia for better pay and remittances—money sent back from the migrants to their home countries—constituting up to 30 percent of the home country's GDP. After the invasion of Ukraine and the rupture of European gas trade with Russia, the latter rerouted gas exports to Central Asian countries. In a similar vein, and to further underline economic interdependence, when Russia was struck by EU sanctions in 2014, and when the ruble plummeted in 2022, so did all the Central Asian currencies. However, Russia diverted its economic investments to Central Asia, creating upwind for economic development. The economic unstable or underdeveloped republics wish to maintain this windfall whilst avoiding being targeted by western sanctions. Therefore, these countries abstain internationally or remain “positively neutral” towards the war in Ukraine.

Still, none have recognized the annexations made by Russia, and few have accepted the existence of the Republics of Luhansk and Donetsk. These countries navigate a balancing act, wishing to maintain economic ties while also denouncing Russia's actions on the international stage. Additionally, these countries might fear the same fate as Ukraine. Rising nationalism in the republics clashes with Putin not publicly granting the republics sovereignty. Central Asian republics have seen that Russian foreign policy cannot be predicted, and therefore utilize a cautious tactic.

In sum, this bloc engages in pragmatic tactics, disregarding moral considerations to maintain the goodwill and protection of the Russian Federation, while avoiding western sanctions.<sup>119</sup> Delegates are invited to adapt a similar ambivalent diplomatic style.

## Committee Mission

The OSCE's mandate is complex. Human Rights protection is but one of the many targets of the OSCE. It falls under the third dimension of the OSCE: the human dimension.<sup>120</sup> The most important OSCE institution with regards to this issue is the Office for Democratic Institutions and Human Rights (ODIHR). ODIHR supports and guides participating states in maintaining and improving the human rights situation in their countries. The mission scope of the ODIHR is broad. Some of its missions include election monitoring, increasing judicial competence and independence through legal education, improving cooperation between state and non-state actors, introducing new field missions, creating and applying new policies, observing and reporting human rights violations and promoting democratic values. In sum, the ODIHR's main strategy is to identify those who violate human rights and directly highlight the flaws in their systems.

Another relevant institution of the OSCE is the Office of the Special Representative and Co-Ordinator for Combating Trafficking in Human Beings (CTHB). CTHB is a cross-dimensional institution; this Office is responsible for the implementation of OSCE commitments of the OSCE participating states by means of material assistance and capacity building.

The OSCE was established without legal personality and operates under the consensus principle. These limitations have restricted its implementation powers and tied its actions closely to the will of its member states. As a result, many mediation efforts have been ineffective, particularly when an OSCE member state is both a party to and a mediator in a conflict, as is the case in the Russo-Ukrainian war. Field missions and new budgetary expenses must be agreed upon unanimously, frequently leading to delays or standstills. The OSCE's efforts in encouraging democratic governance and respect for human rights is based, ultimately, in the receptiveness and willingness of participating states, often causing obstacles to realizing these

119 Mansur Mirovalev, “‘Maximally Pragmatic’: How Central Asia Navigates Russia's War on Ukraine,” Al Jazeera, March 22, 2024, <https://www.aljazeera.com/news/2024/3/22/maximally-pragmatic-how-central-asia-navigates-russias-war-on-ukraine>; Jennifer Brick Murtazashvili, “Central Asian Countries Now Have Two Big Worries About Russia,” The Washington Post, March 2, 2022, <https://www.washingtonpost.com/politics/2022/03/02/central-asian-countries-now-have-two-big-worries-about-russia/>; Lubin and Goodby, “Central Asia and the War in Ukraine.”

120 “What We Do,” Organization for Security and Co-operation in Europe, accessed August 8, 2024, <https://www.osce.org/what-we-do>.



goals in the long-term.<sup>121</sup> Delegates are encouraged to find compromises to circumvent the unanimity clause. It is advised not to cooperate with other member states, for it is upon their agreement that the success of your mission depends.

Finally, it is indeed difficult to pinpoint the exact mandate of the OSCE: from freedom of religion and gender equality, to preventing human trafficking and advising on human rights compliance, the OSCE is an all-encompassing institution. At the same time, it serves more as a post-cold-war forum for discussion, rather than specifically a council for security or international peace. The key point to note is that finding consensus is paramount. It can be mentioned that non-consensus-based actions have been taken before, such as the Extrabudgetary Plan for Ukraine, but that has led to crisis in leadership and confidence in the organization, compromising the unity of the organization.

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<sup>121</sup> Philip Remler, *The OSCE As Sisyphus: Mediation, Peace Operations, Human Rights Mediation, Peace Operations, Human Rights* (Rome: Istituto Affari Internazionali, 2021), <https://www.jstor.org/stable/resrep30942>.



OSCE

NHSMUN 2025



# TOPIC B: ENHANCING GLOBAL ARMS CONTROL WITH TECHNOLOGY

Photo Credit: Michelle J. Ulber

## Introduction

Arms control is a topic that has played a major role in modern history. Weapons and different types of arms have developed over time. As technology has developed, so has the destructive power of arms. In the second half of the 20th Century, nuclear weapons, and weapons of mass destruction were developed. The term “arms control” refers to any action regarding the limitation of the development, use, and proliferation of any object or other considered as a weapon.<sup>1</sup> A weapon is an item of any kind used with the purpose of combat. A weapon can be many things, ranging from a sword to nuclear and chemical devices that cause the loss of life in combat.<sup>2</sup> In recent years the term “cyber war” has come into the picture. The term refers to the use of cyber weapons, which are mostly digital programs, to wage an attack on another nation or enemy.<sup>3</sup> The nuclear arms race of the Cold War caused decades of fear and panic for people around the world. As a result, arms control solutions were developed to stabilize the proliferation of weapons. Arms control is a measure that not only lowers the potential costs of war but restricts the number of weapons available internationally. The potential guarantees of the safety of civil lives are also why some countries choose to adopt arms control measures. Stability is another reason some states consider such measures indispensable. The transparency and predictability arms control offers helps the leaders of countries avoid miscalculations or misunderstandings that can minimize the start or the expansion of conflicts.<sup>4</sup>

Arms control has many limitations that make it hard to find success. Countries can decide whether to stay or opt out of arms control agreements due to their voluntary nature. According to each states’ interests, they may choose to not be part of arms control agreements.<sup>5</sup> Recently, Russia has opted out of several arms control treaties including the New Strategic Arms Limitation Treaty (New START), which limited the use and deployment of nuclear arms.<sup>6</sup> If a state decides to agree to a treaty limiting their weaponry and then violates it, world powers have little to no hold over the actors accountable. These limitations have become harder to enable successful arms control treaties.<sup>7</sup>

The United Nations (UN) has had arms control on its central objectives since the organization was founded. Historically, it has placed a high priority to eliminate nuclear arsenals while

also addressing other types of weaponry such as light arms. The UN has enabled the development of arms control by continuing to make arms control a main topic of discussion amongst states.<sup>8</sup> While the Organization for Cooperation and Security in Europe (OSCE) is not a body within the UN, it has established itself as a key partner in the UN’s efforts to limit arms increasing. Collaborating with international organizations as well as with countries’ governments, the OSCE has been instrumental in arms reduction efforts in Europe.<sup>9</sup>

With many arms control efforts struggling around the world, the threat of escalating conflicts has become a real possibility. Many major nuclear powers continue to pull out of treaties, limiting their effectiveness and use. This is happening while the interpretation of international security norms stated on

1 “Arms control, disarmament and non-proliferation in NATO,” NATO, last modified February 27, 2023, [https://www.nato.int/cps/en/natohq/topics\\_48895.htm](https://www.nato.int/cps/en/natohq/topics_48895.htm).

2 “Weapon,” Oxford Learner’s Dictionaries, accessed September 20, 2024, <https://www.oxfordlearnersdictionaries.com/definition/english/weapon>.

3 “Cyber Warfare,” RAND, accessed September 20, 2024, <https://www.rand.org/topics/cyber-warfare.html>.

4 “What Is Arms Control?” CFR Education, last modified May 15, 2023, <https://education.cfr.org/learn/reading/what-arms-control>.

5 CFR Education, “What Is Arms Control?”

6 Benjamin Ryan, “Why Russia Is Treating Arms Control Treaties as Bargaining Chips,” Lawfare, February 11, 2024, <https://www.lawfaremedia.org/article/why-russia-is-treating-arms-control-treaties-as-bargaining-chips>.

7 CFR Education, “What Is Arms Control?”

8 “Disarmament,” United Nations, accessed July 2, 2024, <https://www.un.org/en/global-issues/disarmament>.

9 “Arms Control,” OSCE, accessed July 2, 2024, <https://www.osce.org/arms-control>.

such agreements have become disputed by the signatories.<sup>10</sup> The concerns on non-compliance and reliability of current measures have left states doubting the effectiveness of these treaties. Political opposition to arms control from key armed powers is another factor. These conflicts over enforcement, definitions, and monitoring methods have made it difficult for new treaties to be agreed upon and ratified.<sup>11</sup>

In addition to the political difficulties, new technologies have made arms control more complicated. These new technologies have been the main concern within the military sphere, especially hypersonic weapons, artificial intelligence-enabled capabilities, and autonomous weapons. Cyber weapons enabling cyber operations is another emerging technology, opening a new unconventional field of arms control to emerge. Cyber weapons have proven to be unpredictable and destabilizing which has increased the possibility of escalating current conflicts and creating new ones.<sup>12</sup>

As a committee, delegates will need to tackle two main issues. First, arms control around the world is weakening. The current war in Europe and escalating conflicts in other regions of the world have shown how important arms control is needed to prevent escalation. Second, emerging technologies have opened new areas where non-traditional arms could further escalate existing conflicts. No previous case has been established to tackle emerging technologies like the ones observed today. Adaptability and flexibility of arms control agreements are now much more in need as technology keeps evolving.<sup>13</sup> As the OSCE, delegates will need to collaborate and coordinate solutions on arms control. Each state has varying capabilities and arms at their own disposal. These differences will need to be addressed for there to be a comprehensive arms control

effort. Only through compromise and cooperation will the committee be able to develop a long-term arms control mechanism.

## History and Description of the Issue

### Arms Control Throughout History

Arms Control has always been part of the main goals the United Nations has strived for. Originally described as disarmament, the goal has always been central to the organization's goals to achieve and maintain peace between states.<sup>14</sup> In 1899, modern arms control began with the First Hague Conference.<sup>15</sup> The main objective of the conference was the implementation of limitations for the expansion of armed forces. The conference also focused on the reduction of new armament deployment. From May 18 to July 29, 1899, 26 states met but failed to reach an agreement by the end of the conference.<sup>16</sup> Hague Convention's objectives still had achievements, mainly the prohibition of projectiles that disperse asphyxiating gas and bullets that expand or flatten easily inside a human body.<sup>17</sup> The convention took place once again in 1907, reaching mostly the same results as the last, as most countries could not reach an agreement. This caused proposals to the limitations of armaments to be declined.<sup>18</sup>

The start of the First World War in 1914 marked an important period in the history of arms control. The previous prohibition of projectiles containing asphyxiating gas, and the expanding bullets were not observed during the fighting. The violation of the agreed upon terms from both Hague Conventions showed the ineffectiveness of the agreements.<sup>19</sup> The Washington Naval Conference, held from 1921 to 1922 after the First World

10 Ulrich Kühn, "Why Arms Control Is (Almost) Dead," Carnegie Endowment for International Peace, March 5, 2020, <https://carnegieendowment.org/europe/strategic-europe/2020/03/why-arms-control-is-almost-dead?lang=en>.

11 Steven E. Miller, "Hard Times for Arms Control - What Can Be Done?" (The Hague: The Hague Center for Strategic Studies, 2022), <https://hcass.nl/wp-content/uploads/2022/02/AC1-Hard-Times-For-Arms-Control-2022-HCSS.pdf>.

12 "Emerging Technology," Arms Control Association, accessed July 2, 2024, <https://www.armscontrol.org/blogs/emergingtech>.

13 Bonnie Docherty, "New Weapons, Proven Precedent," Human Rights Watch, October 20, 2020, <https://www.hrw.org/report/2020/10/20/new-weapons-proven-precedent/elements-and-models-treaty-killer-robots>.

14 "Disarmament," United Nations, accessed June 13, 2024, <https://www.un.org/en/global-issues/disarmament>.

15 "Final Act Of the International Peace Conference. The Hague, 29 July 1899," International Committee of the Red Cross, accessed September 10, 2024, <https://ihl-databases.icrc.org/en/ihl-treaties/hague-finact-1899?activeTab=historical>.

16 "Hague Conventions," How Does Law Protect In War?, accessed September 20, 2024, [https://casebook.icrc.org/a\\_to\\_z/glossary/hague-conventions](https://casebook.icrc.org/a_to_z/glossary/hague-conventions).

17 "Hague Conventions of 1899 and 1907," Digwatch, accessed July 12, 2024. <https://dig.watch/resource/hague-conventions-laws-war>.

18 How Does Law Protect In War?, "Hague Conventions."

19 "Arms control, disarmament and non-proliferation in NATO," NATO, last modified February 27, 2023, [https://www.nato.int/cps/en/natohq/topics\\_48895.htm](https://www.nato.int/cps/en/natohq/topics_48895.htm).

War, focused on preventing and reducing the risk of another war taking place and involved the world's largest naval powers gathered to create measures for disarmament. Some of the participants in the conference consisted of the United States, the Empire of Japan, the United Kingdom, France, Italy, Belgium, China, Portugal, and the Netherlands. Three major treaties were drafted during the conference. The Five-Power Treaty outlined a limitation of warship tonnage, allowing the US and UK 500,000 tons, Japan 300,000 tons, and France and Italy 175,000 tons each. The Four-Power Treaty replaced the Anglo-Japanese Treaty, making it so that no state was obligated to enter conflict if any of the other signatory states did. Lastly, the Nine-Power Treaty made it so that the nine states who were signatories would respect the territorial integrity of China.<sup>20</sup> This agreement marked the beginning on how future arms treaties were handled.

Following the Washington Naval Conference, the London Naval Conference was held in 1930. This is mainly because the US and UK could not agree on naval warship size limits and to avoid an arms race. Japan urged for an increase of the number of superheavy ships to match the US and UK. These requests were fulfilled at the conference with the UK allotted 339,000 tons, the US 323,500 tons, and Japan 208,850 tons.<sup>21</sup> Another result of the conference was the failed treaty ratification by France and Italy, eventually leading to Japan's withdrawal in 1935 as well. Both the Washington and London Naval Conferences demonstrated early arms control efforts and would set the groundwork for future arms control treaties focused on similar issues. The 1925 Geneva Protocol was another treaty to emerge during the post-First World War era. This treaty was signed by 130 countries and prohibited the use of chemical and biological weapons in war, although not prohibiting their development.<sup>22</sup> This was a major treaty and

a step towards limiting the use of chemical weapons in war. The main driving force behind this treaty was the widespread use of chemical weapons during the First World War, causing massive casualties on both sides. The horrors witnessed from the use of chemical weapons was deemed too great by world leaders, resulting in the Geneva Protocols. This treaty was instrumental in establishing the international norm against the future proliferation of chemical weapons.

In the following years, the Second World War broke out and resulted in the development of many new armaments. The development of the Atomic Bomb by the US at the Los Alamos National Laboratory started a new age of arms proliferation and arms control.<sup>23</sup> Arms control shifted away from limiting the size or number of machines used for war.<sup>24</sup> Instead, arms control shifted focus almost entirely on the limitation of nuclear weapons use. With the United Nations being established in 1945, one of its first approaches was the foundation of the Atomic Energy Commission (UNAEC). The commission was the first ever resolution passed by the general assembly in 1946.<sup>25</sup> The goals of the UNAEC were to control the use of atomic energy, eliminate atomic energy from military arsenals, and implement safeguard measures for inspection and evaluation of states to comply with the policies.<sup>26</sup>

Despite the establishment of UNAEC, the Soviet Union refused to allow the agency to have any significant role in nuclear arms control. Instead, the Soviet Union continued with its own nuclear development, causing the US to continue its own development. The increased tensions and start of the nuclear arms race would lead to the start of the Cold War in 1947. With tensions continuing to rise, both superpowers engaged in a race to build as many nuclear weapons as possible.

20 "The Washington Naval Conference, 1921–1922," Office of the Historian, accessed July 12, 2024, <https://history.state.gov/milestones/1921-1936/naval-conference>.

21 "The London Naval Conference, 1930," Office of The Historian, accessed July 12, 2024, <https://history.state.gov/milestones/1921-1936/london-naval-conf>.

22 "1925 Geneva Protocol," United Nations, accessed September 10, 2024, <https://disarmament.unoda.org/wmd/bio/1925-geneva-protocol/>.

23 "World War 2 Inventions: Ships, Planes, Guns," History of The Net, accessed July 12, 2024, <https://www.historyonthenet.com/world-war-2-inventions>; "The Scientific and Technological Advances of World War II," The National WWII Museum, accessed July 12, 2024, <https://www.nationalww2museum.org/war/articles/scientific-and-technological-advances-world-war-ii>.

24 Marc Trachtenberg, "The Past and Future of Arms Control," *Daedalus* 120, no. 1 (1991): 203–16, <http://www.jstor.org/stable/20025364>.

25 "Atomic Energy," United Nations, accessed June 12, 2024, <https://www.un.org/en/global-issues/atomic-energy>.

26 Ryan A. Musto, "First UN Resolution Holds Lessons for Latest Nuclear Treaty," Arms Control Association, last modified February, 2021, <https://www.armscontrol.org/act/2021-01/features/first-un-resolution-holds-lessons-latest-nuclear-treaty>.

This eventually resulted in a concept known as Mutually Assured Destruction (MAD) where both countries had enough weapons to completely destroy each other multiple times.<sup>27</sup> In 1957, the International Atomic Energy Agency (IAEA) was founded, with the goal of promoting the development of atomic energy for peace, drawing inspiration from a speech by the US President Eisenhower where he called for “atoms for peace.”<sup>28</sup> As nuclear testing continued, the increased concerns over the pollution and radioactive effects from tests led to the creation of the Limited/Partial Nuclear Test Ban Treaty. Signed by the United States, the United Kingdom, and the Soviet Union, the treaty prohibited any kind of nuclear test in three locations. The specific locations were the atmosphere, in space, and underwater. The agreement was the first of many that took place during the Cold War, with the purpose of limiting nuclear weapons use.<sup>29</sup> The next major treaty was the Treaty on the Non-Proliferation of nuclear weapons, drafted in 1969. Finalized in 1970, its focus was to prevent the spread of nuclear weapons further.<sup>30</sup> In the treaty, it states that the nuclear weapon states should not provide nuclear weapons to states that do not have any, and states without nuclear weapons should not develop them. It also established a five-year review of the commitment to the treaty and supported disarmament efforts.<sup>31</sup> Becoming permanent in 1995, the treaty was signed with 191 state parties.<sup>32</sup>

In 1972, various treaties arose, specifically the Strategic Arms Talks 1 (SALT I), the Anti-Ballistic Missiles Treaty (ABM), and

the establishment of the Biological Weapons Convention.<sup>33</sup> The ABM Treaty between the US and the Soviet Union limited the use of ballistic missiles by banning certain practices and placing limitations such as only allowing 100 ground-based missile interceptors to protect either the capital or an ICBM field, and the prohibition of ABM systems outside each of their territories.<sup>34</sup> SALT I further built upon the ABM Treaty and limited the number of launch sites allowed for both states.<sup>35</sup> Lastly, the Biological Weapons Convention was drafted to ban the use of toxins or biological weapons. While it was opened for signatories in 1972, it did not come into force until 1975.<sup>36</sup> During this time, the US and Soviet Union continued to make bilateral agreements on nuclear weapons to try to prevent and limit the possibility of war.<sup>37</sup> In 1979, SALT II came into agreement by adding restrictions on bombers and cruise missiles into the original SALT I treaty. However, the US pulled out of the SALT II treaty soon after the Soviet invasion of Afghanistan. By 1985, the treaty was observed by the US until it expired.<sup>38</sup> In 1987, the events of the Cold War also led to the Intermediate Nuclear Forces Treaty that called for the elimination of all nuclear, ballistic, and cruise missiles between 500 to 5,500 kilometers of range by June 1991.<sup>39</sup>

After the Cold war ended in 1991, two major treaties were drafted between the new Russian Federation and the US. The first and second Strategic Arms Reduction Treaties (START I & II) implemented revisions and even more limitations on general strategic weapons and intercontinental missiles.<sup>40</sup> In

27 “Cold War History,” History.com, last modified June 26, 2023, <https://www.history.com/topics/cold-war/cold-war-history>.

28 “History,” IAEA, accessed July 12, 2024, <https://www.iaea.org/about/overview/history>.

29 “The Limited Test Ban Treaty, 1963,” Office of The Historian, accessed July 12, 2024, <https://history.state.gov/milestones/1961-1968/limited-ban>.

30 “Treaty on the Non-Proliferation of Nuclear Weapons,” Audio Visual Library of International Law, Accessed July 12, 2024, <https://legal.un.org/avl/ha/tnpt/tnpt.html>

31 “Treaty on the Non-Proliferation of Nuclear Weapons (NPT),” UNODA, accessed July 12, 2024, <https://disarmament.unoda.org/wmd/nuclear/npt/text/>.

32 “The IAEA and the Non-Proliferation Treaty,” IAEA, accessed July 12, 2024, <https://www.iaea.org/topics/non-proliferation-treaty>.

33 Marianne Hanson, “Structural Dimensions,” Elsevier Inc 3, no. 3 (January 2022), <https://doi.org/10.1016/B978-0-12-820195-4.00133-3>; “History of the Biological Weapons Convention,” UNODA, accessed July 12, 2024, <https://disarmament.unoda.org/biological-weapons/about/history/>.

34 “The Anti-Ballistic Missile (ABM) Treaty at a Glance,” Arms Control Association, accessed July 12, 2024, <https://www.armscontrol.org/factsheets/abmtreaty>.

35 “Strategic Arms Limitations Talks (SALT),” Ford Library Museum, November 1974, [https://www.fordlibrarymuseum.gov/sites/default/files/pdf\\_documents/library/document/0204/1511976.pdf](https://www.fordlibrarymuseum.gov/sites/default/files/pdf_documents/library/document/0204/1511976.pdf).

36 “History of the Biological Weapons Convention,” UNODA, accessed July 12, 2024, <https://disarmament.unoda.org/biological-weapons/about/history/>.

37 Hanson, “Structural Dimensions.”

38 Ford Library Museum, “Strategic Arms Limitations Talks (SALT).”

39 “The Intermediate-Range Nuclear Forces (INF) Treaty at a Glance,” Arms Control Association, last modified August 2019, <https://www.armscontrol.org/factsheets/intermediate-range-nuclear-forces-inf-treaty-glance>.

40 “Strategic Arms Reduction Treaty (START I),” Center for Arms Control and Non-Proliferation, November 16, 2022, <https://armscontrolcenter.org/strategic-arms-reduction-treaty-start-i/>;

1993, the Chemical Weapons Convention was drafted and entered effectiveness in 1997.<sup>41</sup> As part of the Conference on Disarmament, this convention banned all uses of chemical weapons along with their development and production. In 1995, the Nuclear Nonproliferation Treaty Review and Extension Conference was held. Throughout the Cold War and years after, various countries had joined the treaty. The 1995 conference gave the treaty a permanent status, considering the many developments that different countries around the world had.<sup>42</sup> In 1999, the International Campaign to Ban Landmines was able to successfully campaign states to draft a treaty focused on tackling the use of landmines.<sup>43</sup> The Mine Ban Treaty is now signed by 164 states, banning the use of anti-personnel mines.

In 2008, the Convention on Cluster Munitions was drafted. Like the other conventions, this one prohibits the development, production, and use of cluster munitions and received the support of 112 states.<sup>44</sup> In 2013, the Arms Trade Treaty proved

to be one of the most important and transformational arms control treaties established. The treaty has been the first ever legally binding instrument discussed in the UN with clear conditions and enforcement mechanisms. It requires states to be transparent and responsible with any type of arms transfers, setting categories for the different types of arms and regulating the export of each, including ammunition.<sup>45</sup>

More recently in 2017, the UN held a conference to develop a legally binding treaty that will prohibit nuclear weapons. The end goal of the conference was The Treaty on the Prohibition of nuclear weapons (TPNW). It prohibits the use, development, production, possession, acquisition, and several other similar restrictions on any kind of nuclear weapon.<sup>46</sup> The treaty entered into force in 2021 with only 70 states as parties to the treaty. Notably, all nuclear-armed states did not participate in the UN General Assembly resolution vote, with all member states within the North Atlantic Treaty declining to participate in the vote aside from the Netherlands.<sup>47</sup>

<sup>41</sup> “Strategic Arms Reduction Treaty II (START II),” Arms Control Association, accessed July 12, 2024, <https://www.armscontrol.org/treaties/strategic-arms-reduction-treaty-ii>.

<sup>42</sup> Arms Control Association, “Strategic Arms Reduction Treaty II (START II).”

<sup>43</sup> Hanson, “Structural Dimensions.”

<sup>44</sup> “25TH ANNIVERSARY OF THE MINE BAN TREATY,” UNMAS, accessed July 12, 2024, <https://www.unmas.org/en/25th-anniversary-of-mine-ban-treaty>.

<sup>45</sup> “Convention on Cluster Munitions,” UNODA, accessed July 12, 2024, <https://disarmament.unoda.org/convention-on-cluster-munitions/>.

<sup>46</sup> Peter Woolcott, “Arms Trade Treaty,” Audiovisual Library of International Law, April 2, 2013, <https://legal.un.org/avl/ha/att/att.html>.

<sup>47</sup> “Treaty on the prohibition of nuclear weapons,” UNODA, accessed July 12, 2024, <https://disarmament.unoda.org/wmd/nuclear/tpnw/>.

<sup>48</sup> UNODA, “Treaty on the prohibition of nuclear weapons.”

Weapon disposal

Credit: State Emergency Service of Ukraine



## The Rise of Cyber Weapons in The Digital Era

Since the emergence of the internet in 1983, where all networks began to connect through a universal language, the development of digital technologies has advanced at an outstanding rate.<sup>48</sup> Near the end of the 20th century, the term digitization referred to the “process from preparation and conversion to presentation and archiving.” Digitalizing all sorts of information and processes has increased in the world for both private and public sectors, also including governments in this transformation.<sup>49</sup>

Estonia is one of the first states to fully embrace digitalization. In 2001, Estonia established landmarks for a digital country called X-Road. This digital country was a data exchange layer, allowing secure data exchanges between decentralized databases, and the Digital ID.<sup>50</sup> Additionally, it allowed for citizens to be identified digitally while also being able to use digital signatures for public governmental services.<sup>51</sup> Today, countries all around the globe are starting to embrace digitization. Countries like Denmark, the United Kingdom, Australia, and Ireland have all established well-rounded and stable digital governments. The factors in which governments are being evaluated to be digital by design are: having a data-driven sector, the amount of governmental processes that have been specifically digitized, the digital government being open by default, and among other criteria’s.<sup>52</sup>

The digitalization of the public sector allows governments to increase the speed of their data circulation, better

resource allocation, optimize processes, and even encourages technological improvement.<sup>53</sup> Making governmental policies more public, as well as keeping governments transparent, encourages citizens to participate in activities enforced by each country’s law. For the public sector to fully adapt to the digital age, it needs to become digital by design.<sup>54</sup> However, implementing a digital government does have its risks. Using the example of Digital IDs, such as the one present in Estonia, threatens data breaches that could expose sensible information on a country’s citizens.<sup>55</sup> Disruption on digital services in a country’s public services and other public sector organizations’ processes is also at risk. This can lead to countries becoming vulnerable, as the risk of attacking an internal operation that could be crucial to the stability of one has become an imminent possibility.<sup>56</sup>

Countries began developing what can be called a cyber weapon, or digital weapon. A cyber weapon is any cyber tool that can conduct an ‘attack’ in accordance with the International Humanitarian Law (IHL).<sup>57</sup> The IHL is a set of rules that are to limit the effects of armed conflicts and protect people who are not participating in warfare.<sup>58</sup> The definition of these cyber weapons directly interconnects with the definition of cyber warfare. Cyber warfare is a term describing cyber acts that compromise and disrupt critical infrastructure systems, which amount to an armed attack.<sup>59</sup> This means that cyber warfare can only be engaged in by governments or certain organs of a state.<sup>60</sup>

The first cyber weapon ever used in the context of warfare is

48 “A Brief History of The Internet,” Online Library Learning Center, accessed July 13, 2024, [https://www.usg.edu/galileo/skills/unit07/internet07\\_02.phtml](https://www.usg.edu/galileo/skills/unit07/internet07_02.phtml).

49 Hans J. Scholl, “Digital Government: Looking Back and Ahead on a Fascinating Domain of Research and Practice,” The Information School - University of Washington 1, no. 1 (January 2020), <https://dl.acm.org/doi/fullHtml/10.1145/3352682>.

50 Rainer Kattel and Ines Mergel, “Estonia’s Digital Transformation,” Oxford University Press, (2019): 143-160, <https://kops.uni-konstanz.de/server/api/core/bitstreams/957b1855-303e-4ae1-8e6c-41fe6fe14ff4/content>.

51 Kattel and Mergel, “Estonia’s Digital Transformation.”

52 “OECD Digital Government Index,” OECD, accessed July 13, 2024, <https://goingdigital.oecd.org/en/indicator/58>.

53 Hui Li and Jiaqiang Xu, “Impact of Digital Government on Digital Transformation of Enterprises from the Perspective of Urban Economic Sustainable Development,” Sustainability 16, no. 7 (March 2024): 2667, <https://doi.org/10.3390/su16072667>.

54 “Digital Government,” OECD, accessed July 13, 2024, <https://www.oecd.org/en/topics/policy-issues/digital-government.html>.

55 Nikhil Dutta and Shabnam Mojtahedi, “Navigating the Risks and Rewards of Digital ID Systems,” Open Government Partnership, March 26, 2024, <https://www.opengovpartnership.org/stories/navigating-the-risks-and-rewards-of-digital-id-systems/>.

56 Charles Eckert and Milos Petrovic, “Securing the next generation of digital government services,” PWC, accessed July 13, 2024, <https://www.pwc.com/ca/en/industries/government-and-public-services/cyber-risks-when-digitizing.html>.

57 “Legal review of cyber weapons, means and methods of warfare,” CCDCOE, accessed July 13, 2024. [https://cyberlaw.ccdcoe.org/wiki/Legal\\_review\\_of\\_cyber\\_weapons,\\_means\\_and\\_methods\\_of\\_warfare](https://cyberlaw.ccdcoe.org/wiki/Legal_review_of_cyber_weapons,_means_and_methods_of_warfare).

58 “What Is International Humanitarian Law?,” ICRC, Advisory Service on International Humanitarian Law, accessed on September 2, 2024, [https://www.icrc.org/sites/default/files/document/file\\_list/what-is-ihl-factsheet.pdf](https://www.icrc.org/sites/default/files/document/file_list/what-is-ihl-factsheet.pdf).

59 “Cyberwarfare,” UNODC, accessed July 13th, 2024, <https://www.unodc.org/e4j/en/cybercrime/module-14/key-issues/cyberwarfare.html>.

60 UNODC, “Cyberwarfare.”



believed to be a joint creation between the United States and Israel against Iran in 2010. Stuxnet was a malware designed to infect industrial control systems and was aimed to attack centrifuges, making them fail, while reporting that everything was functioning correctly. The program successfully infected Iran's control systems at the Natanz nuclear material enrichment and degraded the nation's nuclear weapon program. In the case of Stuxnet, it demonstrated to the world the ability of cyber weapons to cause physical damage to a state by significantly sabotaging a military organization. This would open the door to other states with technological capabilities to develop more tools like Stuxnet, while leaving others in fear of encountering a similar attack as Iran experienced.<sup>61</sup> In 2012, two years after the Stuxnet attack, 30,000 computers were infected in a main oil company of Saudi Arabia, suspected to have been developed by Iran's forces. The aim of the attack was to halt oil production, once again making it clear how cyber weapons can damage a country's process without having to engage in a physical attack.<sup>62</sup> Another case of cyber warfare was the attack on Ukraine's power grid. It caused power outages for six hours while also leaving power grid systems mostly inoperable. Using a concrete plan and a diverse set of malwares, the attack managed to destroy equipment that remained inoperable for over two months later.<sup>63</sup> The attack has been attributed to Russia.

All the previous cases have demonstrated the capacity cyber weapons have; not targeting combatants directly but instead attacking civilian and military operating systems has proved effective. Being incredibly accessible and moldable while also, as previously shown in the cases, being difficult to attribute leave countries knowledgeable on ways to properly respond to these types of attacks.<sup>64</sup> As technological advancements are made, threats and cyber weapons evolve. By now, countries have become sufficiently dependent on cyberspace to control

their physical environment, making both now indivisible. Cyber weapons, unlike a common physical weapon, can have multiple effects, making them even more unpredictable.<sup>65</sup> With the improvement in technology throughout the years, a new concept came into the picture like Weapons of Mass Destruction (WMD). Digital weapons of mass weakening are located at the intersection of traditional WMDs and cyberspace. These weapons consider the capabilities cyber weapons have of altering the world similarly to WMDs. Recognizing the consequences of digital weapons of mass destabilization is essential to consider the cybernature and differences with the rest of the arms in the world. The effect of these weapons would have a significant impact on a country's social and economic environment, posing threats to their stability. Considering digital weapons of mass destabilization similar scale threats as WMDs is appropriate due to the consequences they may have on a society. As observed in previous examples WMDs are expected to target power grids, water and financial systems while targeting the general population of a nation, critically destabilizing it. The weapons are also expected to target military systems, making most digitized measures totally unusable, thus creating the possibility of a significant decrease in a nation's defense.<sup>66</sup>

In the current Russia-Ukraine war, cyber warfare has played a role. An hour before the initial attack, Russia blocked communication systems of some of Ukraine's new outlets and blocked them. The day after the initial attack, governmental Ukraine websites were attacked, leaving over 25 of them down, while also targeting a border control station, making some Ukrainians unable to pass the border towards Romania to escape the attack. Furthermore, fake messages were transmitted on Ukrainian TV channels, some urging the population to surrender. Reports of phishing, or scam, emails towards governmental and financial organizations, as well as backdoor

61 "Stuxnet," Council on Foreign Relations, July, 2010, <https://www.cfr.org/cyber-operations/stuxnet>.

62 Jose Ignacio Torreblanca, "Digital Weapons" European Council On Foreign Relations, April 27, 2015, [https://ecfr.eu/article/digital\\_weapons3012/](https://ecfr.eu/article/digital_weapons3012/).

63 Mohan B. Gazula, *Cyber Warfare Conflict Analysis and Case Studies* (Cambridge: Massachusetts Institute of Technology, 2017), <https://cams.mit.edu/wp-content/uploads/2017-10.pdf>.

64 Gabriel Molini, "The Evolving Cyber-Based Threat: The Need for International Regulations to Avoid 'Accidental' Conflicts", Center for Arms Control and Non-Proliferation, last modified September 12, 2023, <https://armscontrolcenter.org/the-evolving-cyber-based-threat-the-need-for-international-regulations-to-avoid-accidental-conflicts/>.

65 Yuchong Li and Qinghui Liu, "A comprehensive review study of cyber-attacks and cyber security; Emerging trends and recent developments," *Energy Reports* 7 (November 2021): 8176-8186, <https://www.sciencedirect.com/science/article/pii/S2352484721007289>.

66 Brian David, Jarson C. Brown, and Josh Massad, *Digital Weapons of Mass Destabilization* (Arizona: Arizona State University, 2021), [https://cyber.army.mil/Portals/3/Documents/Threatcasting/digital\\_weapons/Threatcasting%20Report-2020-DTRA-ND.pdf](https://cyber.army.mil/Portals/3/Documents/Threatcasting/digital_weapons/Threatcasting%20Report-2020-DTRA-ND.pdf).



NATO cyber defence conference  
Credit: Ministerie van Buitenlandse Zaken

spying hardware have all been detected over the duration of the war.<sup>67</sup> There have also been calls for non-traditional actors, such as non governmentally affiliated hackers, in the current cyber warfare between these states. Due to the lowering of the threshold for permitting and conducting attacks. Both countries have called for third parties to join their “cyber-army,” making hacktivists, cybercriminals and collectives join these types of programs, enabling the further use of cyber weapons in the war. The impact these cyber attacks have on the general population has led to misinformation, lack of proper digital services, leaks of personal data, interruption of public services such as electricity and water, among others that have destabilized society, mainly in Ukraine.<sup>68</sup>

Over the last few years, there has been a noticeable rise in the use of Artificial Intelligence (AI) as an innovative and impressive technology. The advances made on AI have made it possible to device technologies in a wide margin of

new domains. Already in many places, the last few years of development using AI have proved to be a highly impressive accomplishment for the development of new technologies.<sup>69</sup> AI has many benefits to tackle cyber-weapons. Enhancing threat detection, responding to cyber attacks by isolating devices or platforms, and developing other tools related to states’ cybersecurity are all beneficial ways to defend against cyber-warfare.<sup>70</sup> As much as AI has benefited the defense side of cyberwarfare, it also has the capability for adding as much offensive power to cyber weapons. AI-powered cyber weapons have the possibility of evading the current security measures most use, enabling even more powerful digital weapons of mass destabilization.<sup>71</sup> AI, being based on deep-learning algorithms, makes the possibility of many cyber weapons currently in development likely to use it.<sup>72</sup> AI can learn the operating modes of targets, suggest strategies to use during warfare and simulate diversions. The capability that AI has of learning allows states to digest information of situations

67 European Parliament, Russia’s war on Ukraine: Timeline of cyber-attacks (Brussels: European Parliament, 2022), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733549/EPRS\\_BRI\(2022\)733549\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2022/733549/EPRS_BRI(2022)733549_EN.pdf).

68 European Parliament, The role of cyber in the Russian war against Ukraine: Its impact and the consequences for the future of armed conflict (Brussels: European Parliament, 2023), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/702594/EXPO\\_BRI\(2023\)702594\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/702594/EXPO_BRI(2023)702594_EN.pdf).

69 Max Roser, ‘The Brief History of Artificial Intelligence: The World Has Changed Fast — What Might Be Next?’, Our World in Data, last modified December 6, 2022, <https://ourworldindata.org/brief-history-of-ai>.

70 Tatyá Verma, “AI in Cyberwarfare,” The Defence Horizon Journal, last modified April 1, 2024, <https://tdhj.org/blog/post/ai-cyber-warfare/>.

71 Inderjeet Singh, “Artificial Intelligence-Powered Cyber Weapons,” Medium, September 2, 2023, <https://inderbarara.medium.com/artificial-intelligence-powered-cyber-weapons-4d13d3f7322f>.

72 “Artificial intelligence and offensive cyber weapons,” IISS, accessed July 13, 2024, <https://www.iiss.org/en/publications/strategic-comments/2019/artificial-intelligence-and-offensive-cyber-weapons/>.

rapidly and effectively, making it a sort of “cyber teammate” to a user entering cyber-warfare.<sup>73</sup>

There are many types of AI enabled cyber attacks. Examples of this sort of data misclassification include altering the state of a machine or resource, data generation to create fake information that could pass as correct and used for confusing others, among others. There are already several cyber weapons using AI. GyoïThon is a tool that investigates a system’s vulnerabilities to then automatically find and develop an exploit to bypass it. Malware-GAN is a tool that, as the name suggests, generates malware to bypass known security detection mechanisms. Deep Generator enables the generation of injection attack patterns for web-applications, which many use.<sup>74</sup> Generative AI is already being used by hackers around the world for purposes of phishing, the creation of web content and malware code generation. The capabilities of mass data analysis in seconds allows AI tools to learn quicker than any human could, training itself to find vulnerabilities where most would not look.<sup>75</sup>

An increasing tendency is conforming the world right now, as it shifts towards the development of more sophisticated cyber weapons with the use of AI. This makes countries develop security measures at the same time against them.<sup>76</sup> A new arms race is present, being the cyber arms race. It does not only involve offensive capabilities countries are developing, but the defense mechanisms are as important. Encryption, intrusion detection systems, and security protocols have all become essential for national security and are in need of fast development.<sup>77</sup> Cooperation is needed to establish proper regulations on both cyber weapons and cyber warfare

as a whole.<sup>78</sup> The world is at the advent of a “technological breakout,” urgently needing treaties and legal frameworks, in alignment with the Sustainable Development Goals.<sup>79</sup> For any type of treaty and convention made, it will need to be aligned with the IHL. Without any type of regulation, cyberwarfare will still be in a gray zone where entire countries can be significantly damaged and no consequences will be properly in place. Establishing clear measures for attribution when a cyber attack is held needs to be immediately implemented. The development of technologies that allows this may not be advantageous for all, but if proper rules are to be set on cyber warfare, these measures would need to be taken.

## The Rise of Autonomous Weapons in Armed Conflicts

Like cyber weapons, autonomous weapons are now more prominent than ever. Autonomous Weapons have had their start since World War 1 with self guided weapons, also called “smart” weapons. Before the start of the war, experiments began to test remote-controlled aerodynamic missiles. The development of such weapons was the pioneer of what today is called an autonomous weapon.<sup>80</sup> Autonomous weapons systems are defined as weapons that are designed to select and apply a form of force towards a designated target with no need of human intervention; an individual activates these types of weapons, while the weapon matches its target to a profile using sensors and other types of software to compare the information given.<sup>81</sup> Autonomous weapons also exist in other forms, an example being for defensive systems; mines with the purpose of serving as anti vehicle or anti personnel are one of the most prominent ones, being automatically

73 Rudy Guyonneau and Arnaud Le Dez, “Artificial Intelligence in Digital Warfare: Introducing the Concept of the Cyberteammate,” *Cyber Defense Review* 4, no. 2 (Fall 2019): 103-116, [https://cyberdefensereview.army.mil/Portals/6/Documents/CDR%20Journal%20Articles/Fall%202019/CDR%20V4N2-Fall%202019\\_GUYONNEAU-LE%20DEZ.pdf?ver=2019-11-15-104106-423](https://cyberdefensereview.army.mil/Portals/6/Documents/CDR%20Journal%20Articles/Fall%202019/CDR%20V4N2-Fall%202019_GUYONNEAU-LE%20DEZ.pdf?ver=2019-11-15-104106-423).

74 Muhammad Yamin, Mohib Ullah, Habib Ullah and Basel Katt, “Weaponized AI for Cyber Attacks,” *Journal of Information Security and Applications*, no. 57 (March 2021): 11-17, <https://doi.org/10.1016/j.jisa.2020.102722>.

75 Yuen Yeap, “Generative AI Is The Next Tactical Cyber Weapon For Threat Actors,” *Forbes*, October 16, 2023, <https://www.forbes.com/sites/forbestechcouncil/2023/10/16/generative-ai-is-the-next-tactical-cyber-weapon-for-threat-actors/>.

76 Reinhold Thomas, *Towards a Peaceful Development of Cyberspace: De-Escalation of State-Led Cyber Conflicts and Arms Control of Cyber Weapons* (Wiesbaden: Springer Fachmedien Wiesbaden, 2024): 227-238, [https://doi.org/10.1007/978-3-658-43951-4\\_14](https://doi.org/10.1007/978-3-658-43951-4_14).

77 Ben Allen, “The Global Cyber Arms Race: Ensuring Competitive Advantage in National Defense,” *Secure World*, June 7, 2024, <https://www.secureworld.io/industry-news/global-cyber-arms-race-national-defense>.

78 Anna-Maria Talihärm, “Towards Cyberpeace: Managing Cyberwar Through International Cooperation,” *UN Chronicle*, August 2013, <https://www.un.org/en/chronicle/article/towards-cyberpeace-managing-cyberwar-through-international-cooperation>.

79 “Without Adequate Guardrails, Artificial Intelligence Threatens Global Security in Evolution from Algorithms to Armaments, Speaker Tells First Committee,” *United Nations General Assembly*, October 24, 2023, <https://press.un.org/en/2023/gadis3725.doc.htm>.

80 “History & Development of Autonomous Weapons,” *Stanford University*, accessed July 13, 2024, <https://cs.stanford.edu/people/eroberts/courses/cs181/projects/1995-96/autonomous-weapons/html/history.html>.

81 “What you need to know about autonomous weapons,” *International Committee of the Red Cross*, accessed July 13, 2024, <https://www.icrc.org/en/document/what-you-need-know-about-autonomous-weapons>.

operated based on trigger mechanisms with no human interaction needed.<sup>82</sup> In the past, autonomous weapons have been deployed in aerial and marine environments, designated to target a specific point automatically with the use of sensors. It has been designated that various levels of autonomy exist for weapons, which depend on the amount of human interaction needed. A fully autonomous weapon would be designated as one that would have no need for human decision making for its functionality.<sup>83</sup> Autonomous weapon systems are attractive to most military powers in the world, being comparatively cheap and able to operate at all times, they have an undeniable advantage in any type of armed conflict.<sup>84</sup> Nevertheless, with emerging technologies quickly growing, autonomous weapons have reached a massive amount of development. Lethal Autonomous Weapon Systems (LAWS) are a class of weapon that, as autonomous weapons, use sensors and algorithms to identify a specific target and then employ force to destroy it.

Additionally, these weapons have no need for human interaction or decision making, basing its decisions on the software used on them. Not being as spread out as cyber weapons today, LAWS will enable military powers to realize operations in environments that would otherwise be impossible to achieve.<sup>85</sup> LAWS are being increasingly developed and are now supporting even more sophisticated types of technology, allowing them to issue warnings or enable themselves on their own. Another example of LAWS is what some may call a suicide or exploding drone, designed to patrol an area to then locate an target and attack the target by destroying itself with an explosion. Sea and Land vehicles are also being developed with autonomous capabilities, mostly used now for information gathering, but they may also possess offensive power.<sup>86</sup> Since the 2010s, autonomous attack drones

have been used only partially autonomous at the time, but raised concerns of the possibilities such technologies could have. Getting to be more and more advanced, LAWS have the possibility of analyzing sensor data by using image recognition software, imitating cognitive functions that may release the need for humans in any designated attack.<sup>87</sup>

The morality of autonomous weapons systems has been thoroughly questioned. Some military and robotics experts argue that these weapons are ethically preferable to human fighters. An argument used to support this is that autonomous weapons may be able to act more “humanely” due to them being able to be programmed with no self preservation instinct or even the questioning that sometimes comes to the human fighter’s mind when deciding whether to attack or not. Having weapons that do not depend on emotions will allow them to act more rationally than humans. But the argument only is considered if these systems are unfailable, which they yet are not. Using technology that is not perfected may cause mistakes that can cause thousands of lives. If any functionality in LAWS is to fail, massive collateral damage is a potential effect of their use.<sup>88</sup>

Today, concern on lethal autonomous weapons has increased due to the improvement of Artificial Intelligence. When AI is implemented into these weapons, their ability to affect the weapons’ decision-making or adjust behaviors on their own can be incorporated.<sup>89</sup> AI can also allow these systems to quickly adapt, speeding up their attack process and even giving them the ability to evade defenses. Having a superior processing power than humans, the advantage of implementing image recognition systems powered by AI could determine targets in a much faster way.<sup>90</sup> With the massive amount of investment

82 “Lethal Autonomous Weapon Systems (LAWS),” UNODA, accessed July 15, 2024. <https://disarmament.unoda.org/the-convention-on-certain-conventional-weapons/background-on-laws-in-the-ccw/>.

83 “Fact Sheet: Autonomous Weapons,” Center for Arms Control and Non-Proliferation, accessed July 15, 2024, <https://armscontrolcenter.org/fact-sheet-autonomous-weapons/>.

84 Michael T. Klare, “Autonomous Weapons Systems and the Laws of War,” *Arms Control Today*, last modified March 2019, <https://www.armscontrol.org/act/2019-03/features/autonomous-weapons-systems-and-laws-war>.

85 Kelley M. Saylor, *Defense Primer: U.S. Policy on Lethal Autonomous Weapon Systems* (Washington, D.C.: Library of Congress, 2022), <https://crsreports.congress.gov/product/pdf/IF/IF11150>.

86 UNODA. “Lethal Autonomous Weapon Systems (LAWS).”

87 Matthias Bieri and Marcel Dickow, *Lethal Autonomous Weapons Systems: Future Challenges* (Zurich: Center for Security Studies (CSS), 2014), <https://www.research-collection.ethz.ch/handle/20.500.11850/91585>.

88 Amitai Etzioni, *Happiness is the Wrong Metric: A Liberal Communitarian Response to Populism* (New York: Springer Open, 2018): 253–263, [https://doi.org/10.1007/978-3-319-69623-2\\_16](https://doi.org/10.1007/978-3-319-69623-2_16).

89 UNODA. “Lethal Autonomous Weapon Systems (LAWS).”

90 David Adam, “Lethal AI weapons are here: how can we control them?,” *Nature*, April 23, 2024, <https://www.nature.com/articles/d41586-024-01029-0>.

that is going into AI systems., states are looking forward to replacing most of their human soldiers with low cost and replicable AI systems. Self-piloting ships, aircrafts and even unmanned vehicles could be deployed in every single type of battlefield, regardless of terrain. AI's capabilities of pattern recognition allow it to grow in real time and better itself during conflict.

Once again, considering that AI is still not perfect, a test conducted in June 2023 by the US Air Force trained a drone to attack opposing air defense systems. In the test, the AI was indicated to not kill the target, regardless of the instruction, the drone attacked the communication tower, destroying it, thus killing the operator of such a tower without it being the intended outcome.<sup>91</sup> Using AI in such weapons then brings risks of unintentionally harming other targets, regardless of whether they are civilians or combatants due to its unperfected capabilities.<sup>92</sup>

Implementing AI also brings a whole other number of issues that need to be addressed. As wars will rely less on human combatants, an increased amount of LAWS could lead to more frequent wars than in the past, due to the reduced cost they may have. An arms race depending on such weapons could also be in the picture complicating the already fragile global stability.<sup>93</sup> Being extremely scalable, the level of harm possible from these weapons solely depends on the amount and capabilities a nation's autonomous weapons may have.<sup>94</sup> These weapons are already enabled in current international conflicts. The Zala KYB-UAV has been developed by Zala Aero, a defense company in Russia. By using image-based recognition software, the weapon can locate its target and guide

itself to perform a "kamikaze" attack. With the use of visual identification AI, the capabilities of the drone to recognize and classify its targets in real time helped improve its coverage of the attack area.<sup>95</sup> On Ukraine's side of the conflict, they have shown the use of Turkish-developed Bayraktar TB2 drones that have some autonomous capabilities. With automatic flying systems that have no dependency on GPS technologies and impressive route tracking features, the drone is not as impressive as the one seen used by the Russian military but holds up on its own as a semi-autonomous weapon.<sup>96</sup> Reports have also been made on Libya's Civil War with suggestions that Turkey used Kargu-2 drones. The drones have autonomous firing capabilities, and it is suggested that they were used to hunt fleeing soldiers.<sup>97</sup> In the current Israel-Gaza conflict, LAWS have also been displayed during confrontations and attacks. The Israeli army has demonstrated the use of remotely controlled quadcopters equipped with lethal weapons that are used as surveillance.<sup>98</sup> Israel has also demonstrated its employment of several other autonomous weapons—the Harop kamikaze drone, Robattle, a wheeled battlefield robot and Sentry-Tech automated for border control. The Sentry-tech that is set up along the Gaza border is one of the most notable weapons used during the conflict. The sentry is designed to create an at least one and a half kilometer kill zone for anyone who approaches, using autonomous systems to determine human movement and then initiate fire. The manufacturer of the tech has stated that a human operator ultimately needs to take the final say to initiate fire, leaving some degree of human control to the technology.<sup>99</sup> As they are already being used in conflict, LAWS need to be immediately addressed. Since 2018, the position of the United Nations on LAWS has determined them to

91 Prateek Tripathi, "When AI crosses the line: The impending threat of Autonomous Weapons Systems," Observer Research Foundation, last modified May 6, 2024, <https://www.orfonline.org/expert-speak/when-ai-crosses-the-line-the-impending-threat-of-autonomous-weapons-systems/>.

92 Robert Weissman and Savannah Wooten, "A.I. Joe: The Dangers of Artificial Intelligence and the Military," Public Citizen, February 29, 2024, <https://www.citizen.org/article/ai-joe-report/>.

93 Riley Simmons-Edler, Ryan Badman, Shayne, Longpre and Kanaka Rajan, AI-Powered Autonomous Weapons Risk Geopolitical Instability and Threaten AI Research (Vienna: International Conference on Machine Learning, 2024), <https://arxiv.org/pdf/2405.01859v1>.

94 "The Risks of Autonomous Weapons," Autonomous Weapons, accessed July 15, 2024, <https://autonomousweapons.org/the-risks/>.

95 "Zala KYB Strike Drone, Russia," Army Technology, accessed July 15, 2024, <https://www.army-technology.com/projects/zala-kyb-strike-drone-russia/>.

96 "Bayraktar TB2," Baykar, accessed July 15, 2024, <https://baykartech.com/en/uav/bayraktar-tb2/>.

97 Robert F. Trager, "Killer Robots Are Here—and We Need to Regulate Them," Foreign Policy, May 11, 2022, <https://foreignpolicy.com/2022/05/11/killer-robots-lethal-autonomous-weapons-systems-ukraine-libya-regulation/>.

98 Marwa Fatafta and Daniel Leufer, "Artificial Genocidal Intelligence: how Israel is automating human rights abuses and war crimes," Access Now, May 9, 2024, <https://www.accessnow.org/publication/artificial-genocidal-intelligence-israel-gaza/>.

99 Adam Bensaid, "Israel's autonomous 'robo-snipers' and suicide drones raise ethical dilemma," TRT World, 2021, <https://www.trtworld.com/magazine/israel-s-autonomous-robo-snipers-and-suicide-drones-raise-ethical-dilemma-44557>.

be politically unacceptable.<sup>100</sup> Policies throughout the world have risen regarding LAWS and other autonomous weapons systems. The 2023 United States Directive on Autonomy in Weapons Systems is one example of policies tackling these systems. Only applied to the Department of Defense and closing the definition of an autonomous weapon system, the directive is considered to have significant loopholes. The lack of a definition on an appropriate level of human judgment for the use of these weapons and the absence of curbing the proliferation of autonomous weapons systems are serious causes for concern.<sup>101</sup>

Now more than ever, instruments need to be created internationally to address the challenges possessed by autonomous weapons systems. A legally binding instrument is in urgent need. Delegates should consider specific rules needed to promote compliance among countries, influencing both actively armed states, and non-armed groups. A treaty addressing these weapons needs to apply to all systems that can select targets based on algorithms and sensor processing instead of human inputs, focusing on a broad scope of systems.

Agreements should include a prohibition on autonomous

100 UNODA, "Lethal Autonomous Weapon Systems (LAWS)."

101 Brian Stauffer, "US: New Policy on Autonomous Weapons Flawed," Human Rights Watch, February 14, 2023, <https://www.hrw.org/news/2023/02/14/us-new-policy-autonomous-weapons-flawed>.

102 "Submission to the United Nations Secretary-General on Autonomous Weapons Systems," Human Rights Watch, accessed July 15, 2024, <https://www.hrw.org/news/2024/05/06/submission-united-nations-secretary-general-autonomous-weapons-systems>.

103 Mathias Hammer, "The Collapse of Global Arms Control," Times, November 13, 2024, <https://time.com/6334258/putin-nuclear-arms-control/>.

weapons based on the stated beforehand, an obligation to maintain human control over autonomous weapons, and specific obligations to ensure that human control is always present when in use. The ability to understand how the system works, a readability on how the system acts and restrictions on time and space in which the system operates are all essential components to envelope true human control over the weapons.<sup>102</sup>

## Improving Arms Control with Emerging Technologies

Russia and the United States opting out of major treaties regarding arms control, like the Immediate-Range Nuclear Forces Treaty, raises uncertainty surrounding this topic.<sup>103</sup> With more types of threats and weapons being developed by countries, including the previously discussed cyber-weapons and autonomous weapons, a dedicated effort is in need. Artificial Intelligence has become a major interest to military powers around the world, enabling the existing capabilities to be enhanced. With pattern recognition, investment in this technology has exponentially increased. Regulations

U.S. Air Force briefing on investment on development of AI enabled Weapons

Credit: Devon Cole



regarding AI have not yet reached a similar approach between countries as most implementations of any kind of regulations have come from the private sector.<sup>104</sup> In Europe, the Artificial Intelligence Act Legislation is being developed constantly, including prohibitions of things such as social scoring systems, obligations for the developers of these technologies, and risks involving such technologies.<sup>105</sup>

Many proposals for AI suffer from “regulatory alignment problems.” The regulatory alignment problem refers to the incapacity of solving the risk possessed by AI or solving the regulatory goals needed for it. As AI is still in rapid development, it is relevant to consider the risks of rushing initial proposals for regulations, rather than make unfeasible ones. The proposals that should follow may need several technological capabilities that are yet to be developed in the quickly developing world.<sup>106</sup> AI is not the only challenging technology the world needs regulating as cyber weapons and autonomous weapons need the same treatment. As previously discussed, there is a dual-use-dilemma for cyber space developments. With many being able to work for defensive purposes, it becomes difficult to create frameworks for controlling their use. Cyber weapons have the possibility of being used to destroy, degrade, exploit and control an objective in question.

A huge challenge the world faces when addressing cyber-weapons is the impossibility of learning the purpose of a developing technology only based on technical characteristics. Cyber weapons are also easy to maintain in secrecy, as opposed to physical weapons, with the added challenge of not knowing the number of copies that are present of a designated weapon.<sup>107</sup> With autonomous weapon systems, the world is also approaching a tipping point on how these are being used.

Accountability with use of weapons has a current gap regarding the harm they may cause. The challenge to determine the accountability of human operators of the weapons without clear predictions or control over autonomous weapons urgent measures need to be taken. Autonomous weapons lack the basics of the principles of humanity, as inanimate objects, they are unable to present respect for human life.<sup>108</sup>

Emerging sources of weapons are not the only challenge the world needs to approach with arms control. Regardless of being banned, chemical weapons have been used during Syria’s Civil War. New types of biological weapons have also been raised to awareness as suspicions and allegations of them being developed arise.<sup>109</sup> Conventional weapons have been addressed in several cases, many treaties and frameworks being designed to address their impact.<sup>110</sup> Yet, the instruments regulating conventional weapons have proven to be less effective when compared to other instruments. This may be due to their aim being toward states that produce, import, and export weapons. Being directed towards states leave a divide on non-states, or intrastate conflicts, that wield conventional arms, including paramilitary forces, rebels, extremists and armed criminal groups.<sup>111</sup> Most of the instruments implemented to this day are considered to have lost their military relevance. Armaments like battle tanks, armored personnel carriers, aircraft, artilerially and many more continue to be produced constantly with no major control over most of them. Conventional arms control is both politically and militarily relevant, as recent events prove that these weapons continue to have an increased usage. There are needs for transparency and trust between countries that do not perceive each other as a threat, and the same is imperative between countries that do.<sup>112</sup> With all in mind, how do countries improve international arms control measures using emerging

104 Giacomo Paoli, Kerstin Vignard, David Danks, Paul Meyer, *Modernizing Arms Control: Exploring Responses to the use of AI in Military Decision-Making* (Geneva: UNIDIR, 2020), <https://unidir.org/files/2020-08/Modernizing%20Arms%20Control%20Final.pdf>.

105 “High-level summary of the AI Act,” EU Artificial Intelligence Act, accessed July 14, 2024, <https://artificialintelligenceact.eu/high-level-summary/>.

106 Neel Guha, *The AI Regulatory Alignment Problem* (Stanford: Stanford HAI, 2023), <https://hai.stanford.edu/sites/default/files/2023-11/AI-Regulatory-Alignment.pdf>.

107 Thomas Reinhold, Helene Pleil, and Christian Reuter, “Challenges for Cyber Arms Control: A Qualitative Expert Interview Study,” *Zeitschrift für Außen- und Sicherheitspolitik* 16 (2023): 289–310, <https://doi.org/10.1007/s12399-023-00960-w>.

108 Human Rights Watch, “Submission to the United Nations Secretary-General on Autonomous Weapons Systems.”

109 Maximilian Brackmann, Michèle Gemünden, Cédric Invernizzi, and Stefan Mogl, “Assessing Emerging Technologies from an Arms Control Perspective,” *Frontiers in Research Metrics and Analytics* 7 (September 2022): 1–6, <https://doi.org/10.3389/frma.2022.1012355>.

110 “Other Conventional Arms Issues,” UNODA, accessed July 14, 2024, <https://disarmament.unoda.org/convarms/other-issues/>.

111 “Twenty Years of Conflict Prevention and Conventional Arms Control: Looking Back to Move Forward,” UNIDIR, accessed July 14 2024, <https://unidir.org/twenty-years-of-conflict-prevention-and-conventional-arms-control-looking-back-to-move-forward/>.

112 Lucien Kleninjan, “Conventional Arms Control in Europe: Decline, Disarray, and the Need for Reinvention,” *Arms Control Today*, June 2016, <https://www.armscontrol.org/act/2016-05/features/conventional-arms-control-europe-decline-disarray-and-need-reinvention>.

technologies? At times banned and others simply regulated, measures regarding arms control have had different amounts of successes internationally. Arms control is implemented in a variety of ways, with some approaches being legally binding treaties and others non-legally binding instruments. There are six main factors considered for a successful regulation of a weapon: effectiveness, novelty, deployment, medical compatibility, disruptiveness, and notoriety. Most treaties have failed in the case of more desirable weapons, such as mass destruction weapons or disruptive weapons that could bring a massive advantage during armed conflicts.<sup>113</sup>

Returning to AI, various options have been considered for optimal arms control of the technology. The simplest one is the unification of all discussions regarding the technology under one roof, preferably the United Nations. A new body can be established that could allow not only for the public sector's collaboration, but also private institutions. Though this solution may be considered too ambitious, a more reasonable approach would be to use an already established organ, like the UN Disarmament Commission.<sup>114</sup> Information has a key role in arms control agreements; playing a dual role, it can assure compliance or indicate violations of arms control agreements, but also prove when a power imbalance exists between states. Having transparency between states is key in any type of arms control agreement, and as technology keeps advancing, the recollection of necessary information will affect the transparency given or collected by states.<sup>115</sup> A critical step that needs to be taken is the urgent development of international norms in relation to cyber weapons. Norms should be the starting point for any future legally binding international agreements that include verifiable commitments and enforcement mechanisms in accordance with the capabilities of cyber weapons. For this type of control to be effective, international cooperation is obligatory, the development of

new technologies and the prevention of the spread and use of these weapons need to be addressed hand in hand among states and non-governmental organizations.<sup>116</sup>

There have been various recent discussions that seek to tackle the lack of current arms control for emerging technologies while also seeking better arms control measures for other weapons. In 2020, before any of the current major world conflicts escalated, various discussions emerged regarding the topic of autonomous weapons systems. Since 2018, the United Nations Secretary general has urged countries to ban these types of weapon systems, stating them to be morally repugnant and politically unacceptable. Many international organizations, legislators, policymakers, and even private companies have supported this call. Some countries did not endorse the ban on such weapons at that point in time, preferring a legally binding restrictive instrument on them, while other countries have completely disregarded the need for an instrument that either bans or restricts autonomous weapons systems.<sup>117</sup> On the topic of cyber-attacks, there has not been previously established meaningful discussions regarding them and creating a full-on agreement. The UN has approached this topic slowly, focusing more on preventing cyber-attacks from terrorist groups to critical infrastructure. To do this the UN has established the UNOCT's Cybersecurity and New Technologies programme, which aims to strengthen the countries' capacity to prevent cyber-attacks from external organizations like the previously mentioned terrorist groups.<sup>118</sup> Other private institutions have previously addressed the urgency of such matters but due to the lack of verification measures as well as a critical inability to adhere accountability to cyber-attacks, the efforts on developing respective regulations has been halted. Nonetheless, the urgency of norms in cyberspace has been globally expressed, even with massive tech giants such as Microsoft urging for the creation of a Digital Geneva Conventions or the call by

113 Paul Scharre and Megan Lamberth, "Artificial Intelligence and Arms Control," CNAS, October 12, 2022, <https://www.cnas.org/publications/reports/artificial-intelligence-and-arms-control>.

114 "Artificial Intelligence and Arms Control – How and Where to Have the Discussion," GCSP, accessed July 14, 2024, <https://www.gcsp.ch/publications/artificial-intelligence-and-arms-control-how-and-where-have-discussion>.

115 Jane Vaynman, "Better Monitoring and Better Spying: The Implications of Emerging Technology for Arms Control," *Texas National Security Review* 4, no. 4 (Fall 2021): 33-56, <http://dx.doi.org/10.26153/tsw/17498>.

116 Erin Dumbacher, "Limiting cyberwarfare: applying arms-control models to an emerging technology," *The Nonproliferation Review* 8, no. 3-4, (October 2018): 203-222, <https://doi.org/10.1080/10736700.2018.1515152>.

117 Brian Stauffer, "Stopping Killer Robots Country Positions on Banning Fully Autonomous Weapons and Retaining Human Control," Human Rights Watch, August 10, 2020, <https://www.hrw.org/report/2020/08/10/stopping-killer-robots/country-positions-banning-fully-autonomous-weapons-and>.

118 "Cybersecurity and New Technologies," UNOCT, accessed August 4, 2024, <https://www.un.org/counterterrorism/cybersecurity>.



Germany to sign bilateral declarations to prevent the case of cyber operations on critical infrastructure.<sup>119</sup>

With open and free availability of data in the digital age, using technology can hugely benefit arms control. One example of this happening is when by using publicly available data on chemical compounds, many potential toxic compounds were found, enabling their discovery, and, thus, being able to control them with international legal frameworks.<sup>120</sup> Another use of new technologies to better arms control is to enhance communication methods. Using automated systems that can establish communication links when an armed crisis occurs will be a method to efficiently transmit important information between countries, reducing possible misunderstandings. With the use of AI monitoring compliance of treaties and agreed definitions is also a great way to identify possible voiding of treaties. Now that technology is so publicly available, public platforms could be developed with the help of satellite images so that the verification of agreements on possession of arms are ensured to be complied with. Going a bit further on possibilities, the employment of simulated tests, with the use of virtual reality environments, is a strategy that could successfully serve for arms testing and evaluation of new weapon systems. To further enable compliance of agreements and treaties, using machine learning technologies to detect abnormal patterns in military activities and reporting them as possible violations of treaties is also a possible use of emerging technologies. Tackling LAWS such as suicide drones, the employment of geofencing technologies to prevent them from entering restricted airspace would be a way of limiting such weapons.<sup>121</sup>

## Transparency and Confidence Building Measures

The lack of proper transparent measures is one of the biggest issues observed in any type of arms control agreements. Confidence building, as well as transparency, help prevent conflict between countries. Providing countries with tools to exchange information builds trust between them, thus reducing the tensions at a global level. Enabling such measures consequently enables the reduction of excessive or destabilization of arms accumulation, preventing misunderstandings that could lead to conflicts or escalation of current ones.<sup>122</sup> Confidence building measures in a military environment are pre-planned procedures with the goal of preventing any type of hostility between powers. They also aim to reduce existing military tensions and the construction of a mutual trust globally.<sup>123</sup>

Such measures have already been slightly implemented in past agreements, reducing the risk of conflict and increasing trust among countries. An example of transparency and confidence building measures in the past can be traced to the Organization for Security and Co-operation in Europe (OSCE)'s Vienna document regarding this exact matter.<sup>124</sup> In 1990, the participants agreed on several measures to achieve successful confidence and transparency between them. Member states agreed to have an annual exchange of military information including an annual report on military forces, plans for any deployment of a major weapons or equipment systems, and an exchange of military budgets. Also implemented were risk reduction measures that allowed countries to consult and cooperate on any kind of unusual military activities, with an added obligation to report and classify as hazardous incidents of military nature. Annual meetings to evaluate and discuss the proper implementation of the agreement were also put in

119 Patryk Pawlak and Aude Gery, "Why the World Needs a New Cyber Treaty for Critical Infrastructure," Carnegie Europe, March 28, 2024, <https://carnegieendowment.org/research/2024/03/why-the-world-needs-a-new-cyber-treaty-for-critical-infrastructure?lang=en&center=europe>.

120 Brackmann et al., "Assessing emerging technologies from an arms control perspective," 1-6.

121 Shannon Bugos, *Arms Control Tomorrow Strategies to Mitigate the Risks of New and Emerging Technologies* (Washington D.C.: Arms Control Association, May 2023), [https://www.armscontrol.org/sites/default/files/files/Reports/ACA\\_Report\\_ArmsControlTomorrow\\_0.pdf](https://www.armscontrol.org/sites/default/files/files/Reports/ACA_Report_ArmsControlTomorrow_0.pdf).

122 "Transparency and Confidence Building," UNODA, accessed July 15, 2024, <https://disarmament.unoda.org/convarms/transparency-cbm/>.

123 "Military Confidence-Building Measures," UNODA, accessed July 15, 2024, <https://disarmament.unoda.org/convarms/military-cbms/>.

124 Congressional Research Service, *Arms Control and Nonproliferation: A Catalog of Treaties and Agreements* (Washington, D.C.: Congressional Research Service, July 2024), <https://crsreports.congress.gov/product/pdf/RL/RL33865>.



Signing Arms Trade Treaty  
Credit: Control Arms

place.<sup>125</sup> Another treaty established by the OSCE that includes several of these measures is the Open Skies Treaty of 1992. The treaty states that the participating countries are allowed to conduct observation flights in an unnamed manner over each other's territories, enhancing transparency in military activities realized by the parties. The observation flights need to be notified, specifying aircraft configurations, ensuring no misunderstanding can arise.<sup>126</sup>

In a more recent matter, the Arms Trade Treaty (ATT) also provides several transparency and confidence building measures. Implemented were the establishment of national control systems that can regulate the export of conventional arms and the components they required to manufacture. The states part of the treaty was also required to provide initial and annual reports on the many measures that the treaty discussed, in which the export and import of conventional arms is included. To improve confidence building between states, the treaty encourages participating countries to develop programs that would further enable the disclosure of information regarding arms.<sup>127</sup> Regardless of previous measures taken, only

21 percent of the United Nations—40 member states—reported their information on imports and exports of conventional arms by the end of 2022. A decline in the public reporting of arms transfer is currently in place, and it is only by such public reporting that true transparency and confidence can be built between countries.<sup>128</sup> With the movement of over USD 100 billion worth of weapons each year, the decline in the report of these transfers may prove already established treaties and agreements ineffective. The reduction of reporting is due to many factors. Currently, a significant number of countries that used to publicly report is choosing to only make their arms reports public to selective organizations and countries while keeping them private from everyone else. Many countries have also encountered a lack of personnel capacity to collect the necessary data for reports. Other states have simply disregarded the necessity of these reports for their own security priorities. The impact of current conflicts such as the Ukraine war has discouraged some countries from giving detailed information so as not to disclose military capacity.<sup>129</sup>

Other cases of transparency and confidence building measures

<sup>125</sup> “Vienna Document 1990,” OSCE, November 17, 1990, <https://www.osce.org/fsc/41245>.

<sup>126</sup> “Treaty on Open Skies,” OSCE, March 24, 1992, <https://www.osce.org/library/14127>.

<sup>127</sup> “The Arms Trade Treaty,” United Nations, December 24, 2024, <https://www.thearmstradetreaty.org/hyper-images/file/TheArmsTradeTreaty1/TheArmsTradeTreaty.pdf>.

<sup>128</sup> “The end of transparency in international arms transfers?” UNIDIR, accessed July 16, 2024, <https://unidir.org/the-end-of-transparency-in-international-arms-transfers/>.

<sup>129</sup> Paul Holtmon, Anna Mensah, and Ruben Nicolini, “The Case for Strengthening Transparency in Conventional Arms Transfers,” *Arms Control Today*, November 2022, <https://www.armscontrol.org/act/2022-11/features/case-strengthening-transparency-conventional-arms-transfers>.

have existed in the past and have been critical for the success of previous arms control measures. At the time of the cold war, the Soviet Union and the United States began building the policies regarding nuclear armaments with a lack of transparency of each other's nuclear arsenal. From the beginning the lack of transparency on such policies proved the undermining of stability, leading to a full-on arms race between the two high-capacity powers. In the 1960s, the United States had a lack of information on the Soviet Union's range bomber and ballistic missile programs, leading to a significant military buildup. Acknowledging this mistake, future treaties between the two states, such as the SALT and ABM treaties, helped establish the limits on the number of strategic ballistic missiles and on the deployment of missile defenses. The conditions of these treaties aided the openness between the two states, allowing for a more controlled environment. These measures relied mostly on a state's technical capacity to verify the other's forces, thus creating a new problem. When the technical capacity of both states was not able to reliably detect land-based mobile weaponry, both parties addressed the issue by discussing a ban on the development of such arms. The resulting ban was only temporal, and with the Soviet Union insisting to keep their land-based weaponry, this demonstrated the need for agreements to contain verifiability measures so that transparency is maintained. To tackle it, the START treaty as well as the Intermediate-Range Nuclear Forces treaty enforced the regular reporting on the number of missile delivery systems and their technical characteristics, also providing access to data from missile tests, permission to perform on-site inspections and the constant monitoring of missile production facilities.<sup>130</sup>

In 1991, the United Nations established the UN register of Conventional Arms. To promote the transparency in state's armaments, this instrument was established focusing on the annual reporting of Member States armaments by categories. Member states are obliged to annually report their international arms transfers divided up in seven categories

of major conventional weapons. Further, the instrument allows countries to report additional background information such as military holding and procurement through national production. The categories in which the reports are divided into are battle tanks, armored combat vehicles, large-caliber systems, combat aircraft and unnamed combat aerial vehicle, attack helicopters and rotary wing unmanned combat aerial vehicles, warships, and missiles/missile launches. There is one more category encompassing the international transfer of small arms and light weapons, to further improve the instrument's functionality as a transparency measure. Till this day, 175 UN Member States have reported to the instrument at least once. With relatively consistent reporting by the world's largest arms exporters, it has been estimated that the instrument is able to capture up to 90 percent of the volume of the global arms trade. The instrument has proven helpful to support confidence building among states, serving as an early warning mechanism permitting preventive diplomacy in the world when possible.<sup>131</sup>

With emerging technologies powered weapons, primarily cyber weapons and autonomous weapons, further risks come into play with a lack of transparency. The integration of artificial intelligence on military systems is shaping military powers. Ensuring that any mechanism with an AI decision-making process is transparent is essential to safely implement them. Standardizing processes is vital for any type of AI powered technology, whether it be a weapon or not. Standardizing such systems will be able to safely promote transparency and confidence building measures by them being able to stick to recognized global standards.<sup>132</sup> To evade risks regarding lethal autonomous weapons systems, the urgent need of more channels to communicate the development of such technologies is urgent. Creating policies that can revise the spread and development of such weapons while informing countries is indisputably needed.<sup>133</sup>

For cyber weapons transparency and confidence building

<sup>130</sup> Pavel Podvig, *Transparency in Nuclear Disarmament* (Geneva: UNIDIR, 2012), <https://unidir.org/files/publication/pdfs/transparency-in-nuclear-disarmament-390.pdf>.

<sup>131</sup> "UN Register of Conventional Arms," UNODA, accessed August 4, 2024, <https://disarmament.unoda.org/convarms/register/>.

<sup>132</sup> Tshilidzi Marwala, "Militarization of AI Has Severe Implications for Global Security and Warfare," UN University, July 24, 2023, <https://unu.edu/article/militarization-ai-has-severe-implications-global-security-and-warfare>.

<sup>133</sup> Jake Okechukwu Effoduh, "Weapons powered by artificial intelligence pose a frontier risk and need to be regulated," World Economic Forum, June 23, 2021, <https://www.weforum.org/agenda/2021/06/the-accelerating-development-of-weapons-powered-by-artificial-risk-is-a-risk-to-humanity/>.

measures are also urgent. With the possible threat of these weapons causing mass destabilization when used, strengthening cooperation on the use of them seems essential. Countries should choose to voluntarily share information about their current developments of cyber weapons, fomenting possible treaties on cyberspace. For cyber weapons capacity building on confidence building measures needs to be prioritized for any future agreements that are created. Clearly implementing norms on such confidence building measures and ensuring their clarity is necessary to ensure a safe use of such weapons in cyberspace.<sup>134</sup> The rush to deploy more automation ahead of other countries imposes more risk on transparency. The reduced amount of human involvement can also lead to gaps in transparency if reporting is not well integrated in autonomous weapons systems. To move into a direction that regards more human involvement, or “meaningful human control” should be the proper path to follow when developing agreements regarding these types of arms. Various confidence building measures should be adopted to achieve this. Protocols designed to respond to certain situations would be useful when addressing common incidents new weapons may have.

134 “The role of confidence building measures (CBMs) in preventing escalation and strengthening cooperation for international peace in cyberspace,” CyberPeace Institute, accessed July 16, 2024, <https://cyberpeaceinstitute.org/news/the-role-of-confidence-building-measures-cbms/>.

135 Kendrick Foster, “Evolving Technology, Confidence-Building Measures, and Autonomous Weapons: Interview with Paul Scharre,” Harvard International Review, September 9, 2021, <https://hir.harvard.edu/autonomous-weapons-confidence-building-measures-and/>.

136 Ioana Puscas, Confidence-Building Measures For Artificial Intelligence (Geneva: UNIDIR, 2022), [https://unidir.org/wp-content/uploads/2023/05/Confidence-Building\\_Final.pdf](https://unidir.org/wp-content/uploads/2023/05/Confidence-Building_Final.pdf).

Another method that could be successfully implemented and useful would be the review of newly designed weapon types with autonomous or cyber capabilities, to then be evaluated and observed if they violate international law.<sup>135</sup> The use of AI in current doctrines as a basis to signal other countries how these technologies should be further developed for military purposes. Agreements on setting ground rules for the further AI development of powered weapons can be useful for countries to share their progress in the development of such weapons. Having confidence building measures designed to tackle AI be based on risk centered approaches would be the most successful implementation of these.<sup>136</sup>

Overall, it is crucial for the international community to ensure the base for future arms control agreements on transparency and confidence building measures. This could lay a way forward to reduce risks on emerging technologies and evade possible conflicts. These have proven to be effective even when slightly adhered to, and when being able to reduce the escalation of conflict, they become key tools for arms control. The key player in these agreements working has always been ensuring countries comply with them. Therefore, countries



Verification discussion on arms control

Credit: The Official CTBTO Photostream

should consider how to develop and improve the transparency and confidence within the countries' implementation of the arms control agreement.

### Adaptability of Arms Control Agreements

With the complex and detailed history of arms control agreements and treaties, many of these have been tailored towards being updated in the future. Institutions that have set the fundamental rules and principles of the world are all born after massive international conflicts. Regarding international cooperation, the recent years have not been favorable. Updates on technology are on everyone's eye and it has reflected on today's arms control measures. With arms control having developed to be mostly focused on nuclear arms, this has left most other agreements vulnerable.<sup>137</sup> With major countries withdrawing themselves from major treaties, these have led to them being discarded and renounced.

After Russia renounced the treaty, countries belonging to NATO followed this and suspended their obligations on the Conventional Armed Forces in Europe (CFE), rendering it meaningless. This example is not the only one that has been voided in a similar fashion.<sup>138</sup> In the same way, Russia suspended the New Strategic Arms Reduction Treaty (New START), the treaty which limited the US and Russia's strategic nuclear arsenals.<sup>139</sup> The Intermediate-Range Nuclear Forces which requires the US and Russia to eliminate their ground ballistic, nuclear and cruise missiles to a certain range also fell to a similar fate with the US withdrawing from it, and Russia doing the same soon after.<sup>140</sup> As arms control treaties keep being voided or suspended, the whole history and effort put into them is being discarded.<sup>141</sup> Causes for this are countries being wary of highly legalized agreements. When

an agreement is highly binding, they become more precise and create more credible commitments, but they also may push away countries due to fear of being highly constrained. Agreements that enforce high obligation to its members are likely to delay negotiations and fulfillment of a treaty due to being restrictive. Countries may be pushed back due to the intrusive nature of these mechanisms.<sup>142</sup>

With conflict present, past examples during the Cold War reflect the possibility of successful agreements being achieved to prevent escalation. Past agreements demonstrate that arms control is at its most effective when broader and multilateral. Arms control cannot prevent intentional escalation of armed forces, but it can influence the costs and decision-making process, limiting aggressive actions by countries. With building confidence in other states' behaviors, agreements with verification systems have shown a degree of success other agreements do not. Arms control agreements have helped to manage transitions in global power. Today, understanding this is essential as the development of new technology can lead to major power imbalances. So, by implementing measures, this can reduce the risks of an arms race becoming indispensable, or vital.<sup>143</sup> Global interest dictates the necessity and pursuit to help lower tensions and reduction of the development of new weapons.<sup>144</sup>

With the evident decline of participation in past arms control agreements, the future of these agreements need to be addressed. With the biggest military powers in the world having more complex dynamics than the events of the Cold War, each of these military powerhouses hold different interests and perceptions. Modern arsenals and weapons systems have released a new wave of threats. The rise of AI and cyber weapons has raised concerns of finding proper regulatory measures.

137 "INTERNATIONAL ORDER, ARMS CONTROL AND DISARMAMENT," UNIDIR, accessed July 17, 2024, <https://app.unidir.org/node/5557>.

138 Mathias Hammer, "The Collapse of Global Arms Control," Times, November 13, 2024, <https://time.com/6334258/putin-nuclear-arms-control/>.

139 Shannon Bugos, "Russia Suspends New START," Arms Control Today, March 2023, <https://www.armscontrol.org/act/2023-03/news/russia-suspends-new-start>.

140 "The Intermediate-Range Nuclear Forces (INF) Treaty at a Glance," Arms Control Association, accessed July 12, 2024, <https://www.armscontrol.org/factsheets/intermediate-range-nuclear-forces-inf-treaty-glance>.

141 Hammer, "The Collapse of Global Arms Control."

142 Sarah E. Kreps, "The Institutional Design of Arms Control Agreements," Foreign Policy Analysis 14, no. 1 (January 2018): 127–147, <https://doi.org/10.1093/fpa/orw045>.

143 Alexander Graef and Tim Thies, "Lessons from the past: Arms control in uncooperative times," European Leadership Network, December 7, 2022, <https://europeanleadershipnetwork.org/policy-brief/lessons-from-the-past-arms-control-in-uncooperative-times>.

144 John Erath, "A World Without Arms Control," Center for Arms Control and Non-Proliferation, June 1, 2022, <https://armscontrolcenter.org/a-world-without-arms-control/>.

More nuclear armed states have emerged beyond the currently established P5, raising the need to adapt current approaches to include these countries. The P5 is the permanent five members of the United Nations Security Council being China, United States, Russia, France, and the United Kingdom.<sup>145</sup> Civilians are now as powerful as ever with the technological accessibility present. Private institutions are now also becoming power houses in this sector.<sup>146</sup> Arms control has been shown to limit the use, development, and production of several weapons in the past; from nuclear weapons to biological and chemical ones.<sup>147</sup>

At the end of 2021, the UN Convention on Certain Conventional Weapons debated the question of banning autonomous weapons systems. When an agreement was attempted to be discussed, countries which had invested heavily into the development of these weapons were the first to shut down the idea of a ban or regulation. The shutdown by the countries such as India, Russia, and the United States left negotiations being stopped short, concluding only to continue the discussion in the future. Many stated their views on the outcome, with some then expecting for negotiation to begin outside of the United Nations, but this has not been the case.<sup>148</sup>

The danger of not having new arms control treaties does stay there. Apart from Russia and the United States, other countries have violated their obligations with a diverse set of treaties. During 2023, the recent deployment of nuclear weapons in the nation of Belarus was discussed during the First Committee. Belarus has been considered to be breaching the Treaty on the Non-Proliferation of nuclear weapons by allowing Russian nuclear weapons under their territory. Belarus responded to these allegations by stating that they fall in line with the

treaty as similar practices by organizations such as NATO have already been present in the past.<sup>149</sup> Other violations to several arms control agreements have also been present in recent history. During the intervention in the Yemen conflict, various countries supplied arms to Saudi Arabia, including the UK, US and Germany. In 2014, the Arms Trade Treaty set many of the strict criteria for arms transfers. By transferring arms to Saudi Arabia, which have been used in the Yemen conflict, the humanitarian situation worsened, violating the treaty. On Iran's side of the conflict, the nation supplied arms to Houthi rebels. This action by Iran violated a targeted UN arms embargo imposed on the state.<sup>150</sup> Syria has also been found to violate several arms control agreements they are part of. In 2001, Syria refused to provide any obligatory information to the International Atomic Energy Agency regarding a reactor that was destroyed during an Israeli airstrike. This is in violation with the Nuclear Nonproliferation Treaty. Further it has been stated that Syria has also failed to comply with the Chemical Weapon Convention, violating it.<sup>151</sup>

As the world keeps developing more advanced weapons and previously stated agreements have been withdrawn, although successful to some extent, arms control agreements and regulations developed in the past have become almost worthless. Current world powers have stopped relying on restrictive measures being that they do not see an advantage in having other world powers constantly violating them. With the lack of stability and adaptability most past arms control measures have, it has become easy to discard them. It is now believed that for nuclear weapons instead of employing powerful restrictive measures, multilateral agreements would be more helpful as they would become more updatable over time with constant discussions being adhered to them. Such restrictive steps that have been observed in the past are

145 "Current Members," United Nations, accessed on September 2, 2024, <https://main.un.org/securitycouncil/en/content/current-members>.

146 Stacy Achoki, "The Next Generation's Arms Control Agenda for 2050," The Arms Control Working Group, last modified September 2021, <https://basicint.org/wp-content/uploads/2021/09/Arms-Control-Final.pdf>.

147 Michael Krepon, "The rise and demise of arms control," Bulletin of Atomic Scientists, November 15, 2021, <https://thebulletin.org/2021/11/the-rise-and-demise-of-arms-control/>.

148 Emma Farge, "U.N. talks adjourn without deal to regulate 'killer robots'," Reuters, December 17, 2021, <https://www.reuters.com/world/un-talks-adjourn-without-deal-regulate-killer-robots-2021-12-17/>.

149 United Nations General Assembly, "Deployment of Nuclear Weapons to Belarus Debated in First Committee, as Delegates Rethink Global Security," press release, October 3, 2023, <https://press.un.org/en/2023/gadis3712.doc.htm>.

150 Simone Wisotzki, VIOLATING THE ARMS TRADE TREATY (Frankfurt: The Peace Research Institute, 2018), [https://www.pfir.org/fileadmin/HSEK/hsfk\\_publicationen/Spotlight0118.pdf](https://www.pfir.org/fileadmin/HSEK/hsfk_publicationen/Spotlight0118.pdf).

151 Gabriela Hernandez and Leanne Quinn, "U.S. Cites Arms Control Compliance Concerns", Arms Control Today, last modified June 2022, <https://www.armscontrol.org/act/2022-06/news/us-cites-arms-control-compliance-concerns>.

only taken on practical and urgent terms. With multilateral agreements that allow states to update them over time countries will be able to reduce the mutual threats and costs of maintaining deterrence measures. Newly developed weapons are now a threat to the global environment, but this should not limit the development of arms control as some have stated before. Instead, they need to enhance the development of these measures providing clear standards that can follow the world along its rapid development. The past has successfully proven that arms control can be extremely successful. But it requires a combination of flexibility to adjust to the evolving global environment and the elaboration of innovative verification processes. This can be combined with appropriately binding commitments, transparency and confidence building mechanisms.<sup>152</sup>

In the future, both should play a critical role in shaping arms control agreements to further broaden its horizons and effectiveness. Flexible and adaptable approaches are also highly required considering the diverse and evolving environment the world faces. Future agreements need to add qualitative measures as well as quantitative reductions which can tackle emerging technologies like LAWS or cyber weapons. Asymmetric adaptable agreements with high updatability are in need to adapt to the different interests' countries may have. Multilateral cooperation is hand to hand with this; an example being for nuclear weapons which need to not only be addressed by nuclear armed states but also by non-nuclear armed states.<sup>153</sup>

The best way forward now seems to be the creation of flexible agreements. This would enable countries to test new methods of enhancing arms control, allowing them to constantly update them and interchange policies in a fast collaborative way.<sup>154</sup> Prohibitions can also be indeed flexible. Using autonomous weapons systems as an example, to begin developing measures against them a definition itself may not be required. As a

developing set of technologies, having a definition of such weapons is hard. The solution to making proper regulations on these weapons is to create a definition on their functions rather than on the type of weapon itself. This would allow treaties on such weapons to be highly adaptable when developments keep advancing.<sup>155</sup>

## Current Status

### Case Study: Arms Control in the Russia-Ukraine Conflict

More than two years have passed since the Russian military forces entered Ukraine. The conflict regarding both the countries of Russia and Ukraine has been in constant development ever since. The international response on the conflict was quick since the beginning, but although various efforts have been enacted, most of them fail to pass. Severe sanctions have been a key point to impose upon Russia, and many diplomatic efforts have been made to end the conflict. Largely unsuccessful, the efforts that have been made are steady, regardless the humanitarian impact of the conflict has been severe. With the conflict remaining to be unresolved, military operations are ongoing, with most of the international efforts being made to support Ukraine.<sup>156</sup>

Regarding arms control, various agreements, treaties and frameworks, continued to be present at the start of the conflict. The New Strategic Arms Reduction treaty (New START) limits all the United States and Russian nuclear warheads. The treaty in this conflict specially influences Russian forces, limiting their use of these types of mass destruction weapons. The president of the United States, Joe Biden, was established in office and agreed to extend this agreement until February 2026. The value of the New START treaty has been the amount of transparency and verification measures it

<sup>152</sup> Alex Arbatov, "A New Era of Arms Control: Myths, Realities and Options," Carnegie Endowment, October 24, 2019, <https://carnegieendowment.org/posts/2019/10/a-new-era-of-arms-control-myths-realities-and-options?lang=en>.

<sup>153</sup> Achoki, "The Next Generation's Arms Control Agenda for 2050."

<sup>154</sup> Michael Moodie, "Bolstering Arms Control in a Contested Geopolitical Environment," Stimson, October 31, 2022, <https://www.stimson.org/2022/bolstering-arms-control-in-a-contested-geopolitical-environment/>.

<sup>155</sup> Laura Bruun, "Reinventing the wheel? Three lessons that the AWS debate can learn from existing arms control agreements," Humanitarian Law & Policy, June 13, 2024, <https://blogs.icrc.org/law-and-policy/2024/06/13/reinventing-the-wheel-three-lessons-that-the-aws-debate-can-learn-from-existing-arms-control-agreements/>.

<sup>156</sup> Nigel Walker, Conflict in Ukraine: A timeline (current conflict, 2022 – present) (London: UK Parliament, 2024), <https://commonslibrary.parliament.uk/research-briefings/cbp-9847/>.

compasses. Regardless of the measures enforced by this treaty, its terms prevent the extension of the agreement beyond the set date. This leaves the Russian forces with an opportunity to take advantage of nuclear arms beyond this treaty.<sup>157</sup> The Nuclear Non-Proliferation Treaty (NPT) was also acting upon the start of the conflict. At the 2022 review conference, Russia's activities in Ukraine led them to block their consensus on the treaty. Russian diplomats objected to the inclusion of certain language in the final review document, expressing concerns upon the operation of Ukraine's Zaporizhzhia nuclear power plant. They argued the use of it was unrelated to the treaty. The treaty before had made Russian forces more predictable as it required them to be more transparent, but with the block of consensus of the treaty being terminated, this has left states concerned.<sup>158</sup>

On the topic of conventional arms, a pillar on European security has always been the Treaty on Conventional Armed Forces in Europe (CFE). This is designed to provide limits on conventional arms while also focusing on confidence and stabilization measures. In May of 2023, Russia announced its withdrawal from the treaty, becoming effective in November of the same year. In December 2023, NATO and the United States enacted similar measures, suspending their participation in the treaty. The current measures taken on the treaty have allowed both sides of the conflict to be more flexible on their deployments of conventional arms, avoiding the disclosure of information, thus leaving the treaty unusable for the time being.<sup>159</sup>

The previous treaties were active before the initial attack on Ukraine, yet Russia has demonstrated signs of violations on certain active treaties before exiting them. A recent case

of this is the reported violation of the Chemical Weapons Convention (CWC). Reports have been released accusing Russia of using chloropicrin, a banned choking agent that is considered as a chemical weapon. The use of these weapons is a clear violation of the Chemical Weapons Convention, and, if allegations become a fact, it could put the CWC in a vulnerable state.<sup>160</sup> Both sides of this conflict have also deployed forms of autonomous weapon usage, including drones and UAV systems. With these kinds of weapons being deployed with objectives from surveillance to direct attacks, the heavy reliance on technologies like artificial intelligence continues to rise.<sup>161</sup>

Cyber operations focusing on disrupting either side of the conflict have also been reported. During the first months of the ongoing conflict, 57 percent of cyber operations reported on Ukraine were reported to be disruptive, with 21 percent reported to be espionage-based, or the practice of spying. This is a major increase from previous behaviors before the conflict began.<sup>162</sup> Network penetration and espionage has also been reported to have been targeted against Ukraine's allied states. The most disruptive type of cyber-attack to appear in the times of war has been the targeting of critical infrastructure, deriving a severe impact to the civilian population as well as damaging human security.<sup>163</sup> One of the relatively recent reported attacks by Russian forces happened to the major Ukrainian telecom company Kyivstar. On December 12, 2023, the attack left services provided by the telecom operator inactive for over 24 million users for several days. Wiping out thousands of virtual servers, PCs, and other forms of important operational services, the attack destroyed the core of Kyivstar. Since May 2023, the attack was reported to be in motion with forces having probable

157 Steven Pifer, "The Russia-Ukraine War: A Setback for Arms Control," Stanford CISAC, May 23, 2022, <https://cisac.fsi.stanford.edu/news/russia-ukraine-war-setback-arms-control>.

158 Heather Williams, "Arms Control after Ukraine: Integrated Arms Control and Deterring Two Peer Competitors," Center for Strategic & International Studies, December 16, 2022, <https://www.csis.org/analysis/arms-control-after-ukraine-integrated-arms-control-and-deterring-two-peer-competitors>.

159 "The Conventional Armed Forces in Europe (CFE) Treaty and the Adapted CFE Treaty at a Glance," Arms Control Association, accessed July 20, 2024, <https://www.armscontrol.org/factsheets/conventional-armed-forces-europe-cfe-treaty-and-adapted-cfe-treaty-glance>.

160 "Statement on Russia's Alleged CWC Violations in Ukraine," CWC, accessed July 24, 2024, <https://www.cwccoalition.org/2024/05/14/statement-on-russias-alleged-cwc-violations-in-ukraine/>.

161 Philips O'Brien, "The Real AI Weapons Are Drones, Not Nukes," The Atlantic, February 1, 2024, <https://www.theatlantic.com/ideas/archive/2024/02/artificial-intelligence-war-autonomous-weapons/677306/>.

162 Grace Mueller, Benjamin Jensen, Brandon Valeriano, Bryan C. Maness, and Jose M. Macias, "Cyber Operations during the Russo-Ukrainian War," Center for Strategic & International Studies, July 13, 2023, <https://www.csis.org/analysis/cyber-operations-during-russo-ukrainian-war>.

163 Stephane Duguin and Pavlova Palvina, "The role of cyber in the Russian war against Ukraine: Its impact and the consequences for the future of armed conflict (Brussels: European Parliament, 2023), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/702594/EXPO\\_BRI\(2023\)702594\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2023/702594/EXPO_BRI(2023)702594_EN.pdf).



full access to the system since November of the same year. The attack disrupted millions of citizens, creating awareness of the disruptive capabilities these types of attacks have.<sup>164</sup> Ukraine's forces have also not held back on developing such operations. Attacks have been disclosed on various major anchors for Russia, including its scientific research center, their state tax service, the civil aviation agency, and the largest private bank in the country. These attacks, specifically the disclosed ones, target mostly operations that would disrupt Russia and halt their operations.<sup>165</sup> Another occasion of a cyber-attack enabled by Ukraine, in this case volunteers known as the "BO Team," is the breach to the Russian Center for Space Hydrometeorology also known as "planeta." Hacking the far eastern branch, the attack was reported to have deleted two petabytes of data. The hack's target supported Russian sectors such as its military, civil aviation, agriculture, and maritime operations, ending up as significantly disruptive for Russia's forces.<sup>166</sup>

Currently, arms control faces a tough situation with the many treaties active, being voided or disregarded in their entirety and new weapons coming into play. This has also left an impact on illicit arms trafficking. To combat this, the OSCE has acted by providing Ukraine with equipment and specialized vehicles to the authorities, enforcing the prevention of illicit arms trafficking. The OSCE has also supported the improvement of governmental level mechanisms to improve control over these situations.<sup>167</sup>

On efforts being made to prevent the expansion and lack of human control on lethal autonomous weapons systems, failed efforts have been the common result. Meetings from the parties of the Convention on Certain Conventional Weapons

(CCW) have already met. Seeking to enforce a ban on these types of weapons, countries including the United States and Russia have opposed such measures being implemented.<sup>168</sup> In January 2023, the General Assembly approved a resolution to promote the discussion of negotiations on a new international treaty to ban and regulate these types of weapons, with Russia voting against and Ukraine in favor.<sup>169</sup> With Ukraine also utilizing these types of weapons during the war and even deploying them to function fully autonomously, it seems that the discussion on regulations for LAWS will be halted for the time being.<sup>170</sup>

In relation to military information sharing between countries, the Russo-Ukrainian conflict has also left significant damages, with various treaties being left by countries or suspended. Russia has also since confirmed it will no longer be sharing information to 56 states as part of the multinational confidence and security building mechanism. The Vienna Document, where this mechanism is stated, allowed for one of the only confidence building and cooperation mechanisms in Europe. Russia argued that their presence from the OSCE should not be removed, although, for their convenience, they have yet to share information on their armed forces.<sup>171</sup> NATO has since supported the decision of Ukraine to enforce their own security mechanisms as the state seems fit, while also providing them with training and support mechanisms for their forces.<sup>172</sup>

Nuclear weapons have also been a topic that has risen in attention worldwide. In May 2024, Russia announced nuclear weapons drills after European leaders voiced their military support for Ukraine.<sup>173</sup> Many conclude that these are strategic moves by Russian forces on a strategic level as seen previously

164 Tom Balmforth, "Exclusive: Russian hackers were inside Ukraine telecoms giant for months," Reuters, January 5, 2024, <https://www.reuters.com/world/europe/russian-hackers-were-inside-ukraine-telecoms-giant-months-cyber-spy-chief-2024-01-04/>.

165 Daryna Antoniuk, "Ukraine's cyberattacks on Russia aiding ground operations, top Kyiv cyber official says," The Record, February 8, 2024, <https://therecord.media/ukraine-cyberattacks-aiding-ground-war-russia>.

166 Bill Toulas, "Ukraine: Hack wiped 2 petabytes of data from Russian research center," Bleeping Computer, January 26, 2024, <https://www.bleepingcomputer.com/news/security/ukraine-hack-wiped-2-petabytes-of-data-from-russian-research-center/>.

167 "Ukrainian law enforcers receive equipment from OSCE to better combat illicit trafficking in weapons, ammunition and explosives," OSCE, accessed July 24, 2024, <https://www.osce.org/secretariat/568303>.

168 Michael Klare, "Russia Blocks Move on Killer Robots Ban," Arms Control Today, November 23, 2018, <https://www.armscontrol.org/act/2019-01/news-briefs/russia-blocks-move-killer-robots-ban>.

169 "Killer Robots: UN Vote Should Spur Action on Treaty," Human Rights Watch, accessed July 24, 2024, <https://www.hrw.org/news/2024/01/03/killer-robots-un-vote-should-spur-action-treaty>.

170 David Hambling, "Ukraine's AI Drones Seek And Attack Russian Forces Without Human Oversight," Forbes, October 17, 2023, <https://www.forbes.com/sites/davidhambling/2023/10/17/ukraines-ai-drones-seek-and-attack-russian-forces-without-human-oversight/>.

171 Gabriela Hernandez, "Russia Reneges on Military Data Sharing Commitment," Arms Control Today, last modified April 2023, <https://www.armscontrol.org/act/2023-04/news/russia-renege-military-data-sharing-commitment>.

172 "Relations with Ukraine," NATO, accessed July 24, 2024, [https://www.nato.int/cps/en/natohq/topics\\_37750.htm](https://www.nato.int/cps/en/natohq/topics_37750.htm).

173 "Russia announces nuclear weapon drills after 'provocative' Western threats," Al Jazeera, May 6, 2024, <https://www.aljazeera.com/news/2024/5/6/russia-announces-nuclear-weapon-drills-after-provocative-western-threats>.

with other Nuclear Threats by the country. Russian forces risk the use of nuclear weaponry during conflict, giving even more significance to the enforcement of treaties preventing their use.<sup>174</sup> With the withdrawal of Russia from the comprehensive nuclear test ban treaty, it becomes more apparent the need to create adaptable treaties for nuclear weapons.<sup>175</sup>

Cyber weapons are still on the base of developing treaties approaching them. As such, no international treaties, frameworks, or conventions exist to oversee their use. The idea of a cyber treaty has been proposed by both the public and private sectors in the past. Russia, for example, proposed a revised concept of a cyber convention which lacks references to international law for potential benefits. Developing accountability mechanisms has also been talked about by the UN Secretary General, trying to push for the idea of developing these treaties even further. Today, only recommendations have been made on developing mechanisms for cyber weapons usage. Regardless, several steps need to be taken to finally develop such frameworks, obligations and treaties.<sup>176</sup>

The Russia-Ukraine conflict has reflected the international challenges faced on the topic of evolving arms control. Significant gaps have been noted from past agreements as shown with the withdrawals and suspensions of such. The development of new types of weaponry has noted the need for adaptable agreements that need to be urgently developed to control their usage. As the conflict further continues, urgency for adaptable, inclusive, and robust arms control measures becomes increasingly worthwhile to take note of. Prioritizing cooperation as well as confidence building mechanisms is of essential importance to prevent the risks of further conflicts and mitigating the effect of current ones.

## Emerging Technologies and Current Arms Control Frameworks

New domains for these military applications are being manifested in hyper sonic weapons, AI powered weapons, cyber weapons, and autonomous weapons, including lethal autonomous weapons.<sup>177</sup> Being able to revolutionize weapons and warfare, emerging technologies possess the potential of making previously developed weapons no longer in general use. The possibility of these technologies failing, due to some being out of human control, brings even more disastrous possibilities.<sup>178</sup>

To tackle cyber weapons, the impact they have in the current world is highly concerning. Without guaranteeing the achievement of strategic or disruptive objectives during any kind of armed conflict, the demonstration of their use during current conflicts is only a test for their future capabilities.<sup>179</sup> For Europe, the Convention on Cybercrime was developed as an agreement between countries tackling cybercrime. The agreement was aimed at establishing national laws to improve investigative techniques and increase international cooperation to better the measures against them. This treaty is an example of what has been approached in the world regarding behaviors in cyberspace, disregarding the effect and accountability measures needed to be taken in case of a cyber-attack.<sup>180</sup>

An example of the effect these laws have on the world and international conflict, it is possible to observe the effects of cyberwarfare in the Israel-Hamas Conflict. With Hamas being a party that does not rely on technology entirely while Israel does leave a more disruptive effect on the nation's systems. With Hamas relying on mostly third parties to enable their attacks, sending mostly disrupting services by overloading them with nonsense traffic, yielding a damaging result for most

174 Stephen Blank, "Nuclear Weapons in Russia's War against Ukraine," *Naval War College Review* 75, no. 4 (Autumn 2022): 1-26, <https://digital-commons.usnwc.edu/nwc-review/vol75/iss4/6/>.

175 Andrews Osborn, "Putin revokes Russian ratification of global nuclear test ban treaty," *Reuters*, November 2, 2023, <https://www.reuters.com/world/europe/putin-revokes-russias-ratification-nuclear-test-ban-treaty-2023-11-02/>.

176 Patryk Pawlak and Aude Gery, "Why the World Needs a New Cyber Treaty for Critical Infrastructure," *Carnegie Europe*, March 28, 2024, <https://carnegieendowment.org/research/2024/03/why-the-world-needs-a-new-cyber-treaty-for-critical-infrastructure?lang=en&center=europe>.

177 "Emerging Technology," *Arms Control Association*, accessed July 25, 2024, <https://www.armscontrol.org/blogs/emergingtech>.

178 Bharat Dogra, "Emerging Technologies Accentuate the Already Very Serious Threat of Nuclear Weapons," *Counter Currents*, May 20, 2024, <https://countercurrents.org/2024/05/emerging-technologies-accentuate-the-already-very-serious-threat-of-nuclear-weapons/>.

179 European Parliament, "The role of cyber in the Russian war against Ukraine: Its impact and the consequences for the future of armed conflict."

180 "International and Foreign Cyberspace Law Research Guide," *Georgetown Law Library*, accessed July 25, 2024, <https://guides.ll.georgetown.edu/cyberspace/cyber-crime-treaties>.

citizens. Israel has also engaged in these sorts of attacks against Hamas, approaching even more disruptive results. In October 2023, Israel realized and succeeded in an attack on Hamas's telecommunication services, making it almost impossible for ambulances to reach the injured. Having a massive effect on the health of citizens the attack demonstrates the impact cyber-attacks can have during a conflict.<sup>181</sup>

A weapon type previously not discussed in the paper are hypersonic missiles. These weapons are massively fast, more than any other type of missiles, making them difficult to intercept and defend from. To defend against these sorts of weapons, research has been made on even more emerging technologies, like high-power lasers, microwave weapons, and even other hypersonic measures. No arms control frameworks, treaties or agreements have been made on these weapons, regardless of their similarities to ballistic missiles, leading to them evading these measures entirely.<sup>182</sup> Russia is a country that has demonstrated the first use of these types of weapons. The Kh-47M2 is a Hypersonic missile that has been used on several occasions in the Russia-Ukraine war. The use of these weapons with little countermeasures demonstrates that hypersonic weapons are a threat not being accounted for in current arms control measures, a danger to the entire world.<sup>183</sup>

In November 2023, autonomous weapons, specifically LAWS, a resolution was passed. Like the one for cyberweapons, the resolution expresses concern about both positive and negative consequences LAWS may have. It talks about the need for human control in such weapon types as emphasized before in other sections. Still, no real legally binding agreement of autonomous weapons or LAWS has been created.<sup>184</sup> As unpredictable as they are, autonomous weapons bring the threat of being unable to predict their behavior if not mandated

by a human. Autonomous weapons are being acknowledged by world organizations like UNIDIR to be able to increase the pace of warfare across any conflict, reducing time able to create de-escalation measures.<sup>185</sup>

Large parts of the world have been discussing the issues this world faces summarized in the following. The need for international cooperation and regulations is urgent with the many threats the world faces. Now it is evident that establishing norms and standards are mandatory to prevent the expansion of current wars and contribute to global welfare. The regulatory vacuum created by the lack of legally binding agreements has allowed states, as demonstrated by current conflicts, to exploit these increasing technological developments without sufficient supervision and international oversight. Outpacing the ability to create regulations only has increased the risk the world faces of more conflicts emerging and a full-blown arms race of occurring. This only demonstrates the need for new frameworks to be adaptable and flexible, needing quick interchangeability for their terms. The ethical standing of some of these emerging technology weapons is also a point that's been internationally discussed. Autonomous weapons and arms powered by AI may not have the requirements to be considered "humanly ethical, posing another risk"<sup>186</sup>

Major world organizations, such as the UN and NATO play a huge role in tackling the effect of the lack of regulations for such weapons. Starting with autonomous weapons, the UN and the International Committee of the Red Cross (ICRC), have encouraged and called upon the establishment of international prohibitions and specific regulations on these weapons. Their joint concern showing at discussion had for over 10 years in the Convention on Certain Conventional Weapons, General Assembly and Human Rights Council.

181 Ryan Shandler, Daphna Canetti, and Tal Mimran, "A look inside the cyberwar between Israel and Hamas reveals the civilian toll," *The Conversation*, May 3, 2024, <https://theconversation.com/a-look-inside-the-cyberwar-between-israel-and-hamas-reveals-the-civilian-toll-228847>.

182 "Countermeasures against hypersonic weapons," Government of Canada, accessed July 25, 2024, <https://science.gc.ca/site/science/en/safeguarding-your-research/guidelines-and-tools-implement-research-security/emerging-technology-trend-cards/countermeasures-against-hypersonic-weapons>.

183 Lyle Goldstein and Nathan Waechter, "China Evaluates Russia's Use of Hypersonic 'Daggers' in the Ukraine War," RAND, January 12, 2024, <https://www.rand.org/pubs/commentary/2024/01/china-evaluates-russias-use-of-hypersonic-daggers-in.html>.

184 United Nations General Assembly, "First Committee Approves New Resolution on Lethal Autonomous Weapons, as Speaker Warns 'An Algorithm Must Not Be in Full Control of Decisions Involving Killing,'" press release, November 1, 2024, <https://press.un.org/en/2023/gadis3731.doc.htm>.

185 "The Risks of Autonomous Weapons," *Autonomous Weapons*, accessed July 15, 2024, <https://autonomousweapons.org/the-risks/>.

186 Emmy Latifah and Moch Imanullah, "The Roles Of International Law On Technological Advances," *Brawijaya Law Journal* 5, no. 4, 2018: 102–16, <https://doi.org/10.21776/ub.blj.2018.005.01.07>.

The discussions have already laid the groundwork for the construction of binding regulations by states working together to establish them. The call by both organizations has asked states to reach a conclusion by creating a new legally binding instrument with a clear set of regulations needed to strengthen existing international law.<sup>187</sup>

NATO sees the new emerging technology weapons, including AI, as ones presenting both risks and opportunities. The alliance has been consistently working with the private and public sector as well as society to better understand what a responsible use and development of such weapons needs to be. NATO's allies after the 2022 strategic concept have decided to promote the further development of these technologies while also increasing the investment put into them. Seeking to promote the proper use of such emerging technologies, NATO along with its allies reach for responsible, innovative and agile policies that can be properly implemented in real time. Working along academia and the private sector, NATO has aimed to maintain the edge on their military superiority, seeking to further defend their allies.<sup>188</sup>

Countries' positions on these matters are quite concerning, as many of the major world powers are the obese seeking the further development of these technologies. Autonomous weapons are being heavily invested by militarily powerful countries, including China, Israel, Russia, United Kingdom and the United States. These major military powers have expressed the lack of benefit they would get if regulations were established soon. Russia as an example sees the concept of applying human control mechanisms to such weapons as irrelevant, while the United States has expressed that negotiating a treaty on autonomous weapons is premature. Other countries have expressed their desire to fully ban autonomous weapons systems such as Canada and Iraq. Canada has addressed their movement toward a full ban

of autonomous weapons, meanwhile Iraq has called for a preemptive ban on these systems. Most countries have decided that the need to regulate these weapons is the most appropriate measure. Some have since argued that the need for human control is a necessity, while others seek only the regulation of such weapons.<sup>189</sup> Due to the position of the most equipped countries, creating regulations or enforcing a ban becomes difficult with lack of support from major military powers.

Leading to the proper creations of international agreements regarding emerging technology weapons, many things need to be considered when deciding what these possible and necessary policies should include. International Humanitarian Law compliment and update should be addressed when making policies for any kind of emerging technology weapons, whether that be cyber weapons, LAWS, or AI powered weapons. The current principle of humanity describes that any situation not targeted by a specific treaty should be dictated by public conscience.<sup>190</sup>

There are many approaches to regulating these new types of weapons. The precautionary principle looks for carefully studying new technologies and their possible threats with the purpose of creating new regulations based on the studies developed, providing peace and preventing potential conflicts. The proactive regulations approach seeks to address niche specific risks associated with these weapons. Setting standards, guidelines or limitations is what the approach looks for, aiming for a responsible use and development. Legal bans are another possible approach to be taken, where it only should be taken when the risks completely outweigh the benefits the technologies may provide. This approach is the most challenging of them all as enforcing a ban requires the technology to not have any kind of benefit for all countries to believe it appropriate. The last approach to take could be moratoriums, which would be to enforce a temporal ban

187 "Note to Correspondents: Joint call by the United Nations Secretary-General and the President of the International Committee of the Red Cross for States to establish new prohibitions and restrictions on Autonomous Weapon Systems," United Nations Secretary General, last modified October 5, 2023, <https://www.un.org/sg/en/content/sg/note-correspondents/2023-10-05/note-correspondents-joint-call-the-united-nations-secretary-general-and-the-president-of-the-international-committee-of-the-red-cross-for-states-establish-new>.

188 "Emerging and disruptive technologies," NATO, accessed July 25, 2024, [https://www.nato.int/cps/en/natohq/topics\\_184303.htm](https://www.nato.int/cps/en/natohq/topics_184303.htm).

189 Brian Stauffer, "Stopping Killer Robots Country Positions on Banning Fully Autonomous Weapons and Retaining Human Control," Human Rights Watch, August 10, 2020, <https://www.hrw.org/report/2020/08/10/stopping-killer-robots/country-positions-banning-fully-autonomous-weapons-and>.

190 UNODA, 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/GGE.1/2022/1) (Vienna: UNODA, 2024), [https://docs-library.unoda.org/Convention\\_on\\_Certain\\_Conventional\\_Weapons\\_Group\\_of\\_Governmental\\_Experts\\_on\\_Lethal\\_Autonomous\\_Weapons\\_Systems\\_\(2024\)/CCW\\_GGE1\\_2024\\_CRP3.pdf](https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_(2024)/CCW_GGE1_2024_CRP3.pdf).

or suspensions on the development and use of a particular emerging weapon, providing time to understand the potential risks and effects they may have before creating proper internationally binding regulations.<sup>191</sup> Using historical cases on previous arms control measures is of the utmost importance to seek the success of new arms control. To comply with most of the states' positions, a ban would be too difficult to achieve. Seeking regulatory measures and partial prohibition seems like the proper way to approach these technologies. Verification methods are needed and highly advised for parties looking for successful regulatory measures, although difficult due to the digital nature of most of these new technologies. Under the right conditions, verification and regulatory measures for this type of arms control may be feasible.<sup>192</sup>

Evading lengthy negotiations is a need for a quick response to the constant emergence of these weapons. With digital weapons being faster to produce and test, taking too much time on developing regulations could lead to catastrophic outcomes. Technologies like AI are more accessible than ever to private institutions as well as civilian society, major technological companies are ones that have pushed the ever-growing development of these. Companies struggling among themselves to push the best product possible has also increased the development capabilities such weapons may have. Using an already established international organ may not be the best decision, as treaties focusing on these weapons need to be quickly and efficiently flexible and adaptable.<sup>193</sup>

The lack of proper regulations on emerging technology weapons has brought several cases of disaster in the world. Looking to create proper measures for such is now major objective international organizations hold, but without the proper development of such, it may take time that the world does not necessarily have to regulate them accordingly.

## Sustainable Development Goals

Sustainable Development Goal 16 (SDG 16) is well linked with the topic of arms control. The establishment and achievement of peace, justice, and strong institutions all fall under what is achievable by arms control. Every day more than 100 civilian lives are taken due to armed conflicts. Even with the current established arms control measures, this has not been enough to ensure the safety of civilians.<sup>194</sup>

Many of the targets that this sustainable goal has are directly related to the topic of promoting further arms control and disarmament. For 16.1, which refers to reducing the homicide rate, arms regulations contribute to the reduction of deaths, establishing clear regulations or prohibiting certain weapons thus promoting the control of these. 16.4 addresses the reduction of illicit arms flow, by encompassing this effective arms control will reduce the flow of such weapons, which can otherwise extend, promote, or initiate conflict. 16.6 asks for the development of transparent and accountable institutions, in the topic of arms control such institutions are helpful to promote military transparency. Reporting on military development programs, their use cases, and transfer promotes accountability by being transparent, encouraging dialogue before conflict. 16.8 is the target that foments the active participation of developing countries. The active participation of every state is of major importance to develop successful multilateral arms control agreements, leading to more effective outcomes. 16.a looks to strengthen and increase the participation in already established institutions. This would be achievable when bettering arms control as already established institutions need to be strengthened to develop more flexible and adaptable arms control mechanisms.<sup>195</sup>

The increase in urbanization while on armed conflicts has increased the number of civilians being affected by such. The

191 Ronald T.P. Alcalá and Eric Talbot Jensen, *The Impact of Emerging Technologies on the Law of Armed Conflict* (New York: Oxford Academic, October 2019): 3-26, <https://doi.org/10.1093/oso/9780190815322.001.0001>.

192 Rebecca Lamberth and Paul Schar, "Arms Control for Artificial Intelligence," *Texas National Security Review* 6, No. 2 (Spring 2023): 95-110, <http://dx.doi.org/10.26153/tsw/46142>.

193 Henry Kissinger and Graham Allison, "The Path to AI Arms Control," *Foreign Affairs*, October 13, 2024, <https://www.foreignaffairs.com/united-states/henry-kissinger-path-artificial-intelligence-arms-control>.

194 "Disarmament and Sustainable Development," UNODA, accessed July 26, 2024, <https://disarmament.unoda.org/sustainable-development/>.

195 "At Glance: Disarmament and Arms Regulation in the 2030 Agenda for Sustainable Development," United Nations, accessed July 26, 2024, <https://front.un-arm.org/wp-content/uploads/2021/04/Disarmament-and-Sustainable-Development.png>; "Goal 16," United Nations, accessed July 26, 2024, <https://sdgs.un.org/goals/goal16>.

use of explosive weapons, which now include autonomous drones, have had devastating impacts on civilian life. The disruptive effects of cyber weapons also have an impact on civilian life. To provide sustainable and coherent solutions for arms control, and regulation, the development and implementation of more institutions on emerging weapons seems necessary to achieve the goal.<sup>196</sup> Cyber peace is also something the SDG 16 looks for, seeking the expansion and development of organizations that reduce the threat of cyber weapons used during conflicts.<sup>197</sup> The regulation on autonomous weapons will also benefit the achievement of SDG 16, looking towards a future where these weapons are properly regulated or banned.<sup>198</sup>

Arms control does not only interact with SDG 16 it also has an effect in 8 other goals. For SDG 3, Good Health and Well-being, armed conflicts are among the top causes for premature death, while also causing major injuries, disabilities, and negative psychological conditions. Arms control can reduce the negative impact conflict has on this SDG. For SDG 4, Quality Education, education on disarmament and arms control promotes peace and conflict resolution during education, having the force to create a more respectful environment. Talking about SDG 5, Gender Equality, giving women their right to equal and meaningful participation in arms control decision making processes is a practice that can lead to much more effective and encompassing outcomes, being able to create more flexible agreements needed today. In the case of SDG 8, Decent Work and Economic Growth, military spending can cause a country's economy to become unsustainable and unstable. Preventing illicit arms transfers using arms controls can lead to an economically sustainable development process for the world's militaries. For SDG 10, Reduced Inequalities, arms control can reduce the military expenditure of states thus redirecting the resources previously allocated for military development towards initiatives that can successfully reduce inequalities. SDG 11, Sustainable Cities and Communities, benefits from the reduction of arms

development and storage facilities in populated cities, evading the risk of accidents such as explosions from happening thanks to arms control. SDG 14 and 15, life below water and life on land respectively, benefit from arms control by the reduction of contamination more arms control would derive.<sup>199</sup>

## Bloc Analysis

### Points of Division

To understand how the blocs are divided we need to approach the criteria meant to deliberate the barriers between each of the 3 blocs in the committee. The criteria in the topic have identified the current behavior against arms control measures, regarding not only their commitment, but stance on training to enforce more, at both the national and international level. With international treaties, the amount of adherence and commitment in them is considered. Some states have not ratified as many international arms treaties as others, while other states have exited or withdrawn themselves from already established treaties, furthermore other countries have breached the treaties they are part of. National policies on arms control are also well considered. Today, several states face complex conflicts that have led them to have weak arms regulations at a national level, others have successfully implemented policies that have found themselves to better the arms control environment. Laws and policies that govern conventional arms' production, transfer, and use are included and considered for the division of the blocs. The adaptability and amount of success of the verification measures they encompass as well as the enforcement mechanisms are also a point to consider. The stance states have on the development of emerging technology weapons such as cyberweapons or autonomous weapons is another key differentiator. The support given to creation of new frameworks and international policies is what defines which bloc states belong in, as well as if the state in question encourages the further development of these technologies with

196 Izumi Nakamitsu, "Advancing Disarmament within the 2030 Agenda for Sustainable Development," UN Chronicle, August 2018, <https://www.un.org/en/chronicle/article/advancing-disarmament-within-2030-agenda-sustainable-development>.

197 "Cyber Peace and the UN SDGs," Cyber Peace Institute, accessed July 26, 2024, <https://cyberpeaceinstitute.org/news/cyber-peace-and-the-un-sdgs/>.

198 "Regulating Autonomous Weapons: Advancing SDG 16 for Peaceful Societies (HLPF 2024 Side Event)," United Nations, accessed July 26, 2024, <https://webtv.un.org/en/asset/k12/k121v6loek>.

199 United Nations, "At Glance: Disarmament and Arms Regulation in the 2030 Agenda for Sustainable Development."

military intent in mind. Finally, the position in which countries have addressed illicit arms trade in their territories and in the territories of other countries is another differentiator. Whether each country has developed successful policies and regulations to tackle this is one of the key points to look at. The 3 blocs include Countries with proper arms regulations, Countries with progress towards establishing proper arms regulations, and Countries with a lack of proper arms regulations with little desire to better them.

### **Countries with Arms Regulation and Ratified International Treaties**

Countries with arms regulation both on their own policies and international treaties active are the ones who belong in this bloc. Countries that have signed international treaties limiting the use of arms that are still ratified and unsuspended already have policies limiting their use, transfer and development of armed forces. Using the broad example of the Treaty on Conventional Armed Forces in Europe (CFE) countries that have suspended their participation in the treaty, such as NATO member states, and countries which have withdrawn from the treaty, such as Russia, are not belonging to this bloc.<sup>200</sup> Georgia is a country that both follows established agreements such as the CFE and Arms Trade Treaty to their full extent, fully supporting the principles of transparency and responsibility on the use of arms.<sup>201</sup> Furthermore, Georgia has evaded the possession of biological weapons and neither possesses or produces nuclear and chemical weapons. Georgia has been considered a key actor on the major nonproliferation treaties and regimes.<sup>202</sup> Belgium, although a country belonging to NATO which has suspended their obligations on the CFE, is a country that is part of this bloc. Considering international security as a top priority, being in favor of global disarmament and non-proliferation, Belgium has focused on both mass

destruction weapons and conventional weapons.<sup>203</sup> Belgium is a country that is severely against the use and development of autonomous weapon systems. Belgium has been one of the first countries to fully endorse the ban on autonomous weapons and has shown their support towards an international law that does so.<sup>204</sup> Being part and endorsing several treaties like the Convention on Certain Conventional Weapons, the Comprehensive Nuclear-Test-Ban Treaty, and the Missile Technology Control Regime, Belgium has shown their undisclosed use of their weaponry.<sup>205</sup> Thus, in accordance with the examples provided, the nature of this bloc relies on the constant engagement and contribution towards arms control measures. When a nation acts upon new emerging sources of weapons enabling discussions on how to regulate them, they demonstrate their alignment with the bloc.

### **Countries making Progress with Establishing Regulations**

Countries that do not belong to many international arms treaties, or any at all, and are seeking to push for more regulations regarding both existing and emerging types of arms are the ones that will fall under this bloc. In this case, countries that fall under existing international conflict situations whilst supporting the enhancement of arms regulations fall here. States under this bloc often find themselves being emerging developing countries and may have a complex security situation. Kazakhstan is a clear example of a country in this bloc. After the fall of the Soviet Union in 1991, Kazakhstan had a large arsenal of nuclear weaponry. Showing their intentions, the state quickly dismantled such an arsenal and returned the rest, making it one of the country's leading the risk reduction in the nuclear and biological arsenals.<sup>206</sup> Kazakhstan is a country that has ratified the CFE and keeps encouraging the membership of more, but still isn't part of many established

200 Arms Control Association, "The Conventional Armed Forces in Europe (CFE) Treaty and the Adapted CFE Treaty at a Glance," accessed July 20, 2024, <https://www.armscontrol.org/factsheets/conventional-armed-forces-europe-cfe-treaty-and-adapted-cfe-treaty-glance>.

201 "Georgia Arms Trade Treaty," The Arms Trade Treaty, news release, August 20-24, 2018, <https://thearmstradetreaty.org/hyper-images/file/CSP4%20Treaty%20Universalization%20-%20Georgia/CSP4%20Treaty%20Universalization%20-%20Georgia.pdf>.

202 "Georgia Country Spotlight," NTI, accessed July 20, 2024, <https://www.nti.org/countries/georgia/>.

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204 Brian Stauffer, "Stopping Killer Robots Country Positions on Banning Fully Autonomous Weapons and Retaining Human Control," Human Rights Watch, August 10, 2020, <https://www.hrw.org/report/2020/08/10/stopping-killer-robots/country-positions-banning-fully-autonomous-weapons-and>.

205 "Disarmament and non-proliferation," Kingdom of Belgium, accessed July 20, 2024, <https://diplomatie.belgium.be/en/policy/policy-areas/peace-and-security/disarmament-and-non-proliferation/export-control-strategic-goods>.

206 "Kazakhstan's Actions to Address Nuclear and Biological Risks," Carnegie Endowment For International Peace, accessed July 20, 2024, <https://carnegieendowment.org/events/2024/01/kazakhstans-actions-to-address-nuclear-and-biological-risks?lang=en>.

treaties.<sup>207</sup> Kazakhstan is a country that further encourages the development of regulations for autonomous weapons, seeking them to be humanly controlled. Being a country that fully supports the development of more arms control measures whilst working towards the fulfillment of their current signed treaties makes Kazakhstan part of this bloc.<sup>208</sup> Serbia is another example of a country belonging to this bloc. Serbia has been recently bettering their efforts on aligning its arms control policies with most European countries' standards. Harmonizing the arms export control with those of the European Union, Serbia has demonstrated its constant support for their compliance in future arms control efforts. Being part of treaties such as the Arms Trade Treaty, Chemical Weapons Convention, and The Hague Code of Conduct against Ballistic Missile Proliferation, Serbia's relevant effort towards arms regulation is shown.<sup>209</sup> Although not having spoken up on their position on a legally binding instrument for autonomous weapons, Serbia has voted in favor of the resolution in the General Assembly addressing the need of addressing the challenges faced by these types of weapon systems.<sup>210</sup> Based upon the previous examples, states that feel the need of addressing new types of emerging weapons and are currently working towards increasing their participation on arms control measures are the ones that fall under this bloc. When a country that is relatively young or has drastically changed its regulations finds itself aligning with more of these measures, it can be sure to say that they are working upon a safer international environment.

## Countries with No Regulations

Countries that have a lack of arms regulation no matter if

internationally or nationally, are states that belong to this Bloc. Often not participating in arms control treaties but having the possibility of belonging to a short amount of agreements is a characteristic of such states. Countries having long term active conflict situations may find it difficult to implement arms control, trying to focus more on solving their issue at hand. States that are hubs for illicit arms trade may also be considered into the bloc. Due to the lack of proper regulatory systems on arms, these countries adopt the position of being a hub for this illicit behavior. Countries that seek the further development of their armed forces, thus limiting the agreement on new measures while also exiting or suspending various agreements also belong to the bloc. As the countries developing such weapons are likely to prefer to keep doing so, the development of arms control policies regarding these is consequential for them.<sup>211</sup> Russia and the United States are against the creation of a new treaty regarding the moves as premature, making their intention clear. Examples being the withdrawal of the United States from several agreements relating to nuclear arms control, as they observe them to be not as useful as they were once.<sup>212</sup> Russia is a country that has also exited several agreements, pulling out on the Treaty on Conventional Armed Forces in Europe due to NATO's expansion and The Open Skies Treaty, which the United States also did, due to the upset in the balance of interests.<sup>213</sup> Belarus is a country that belongs to this bloc as well. With Belarus failing to and being reported as a threat on several mechanisms of human dimension, leading to a deployment of the Moscow Mechanism. The mechanism allows for the research of the country without consensus from itself.<sup>214</sup> Belarus has also been inconsistent with its arms verification measures, showing in

207 "Kazakhstan Country Spotlight," NTI, accessed July 20, 2024, <https://www.nti.org/countries/kazakhstan/>.

208 "The Path to a Secure Future: Kazakhstan's Perspective on Autonomous Weapons Systems," Ministry of Foreign Affairs of the Republic of Kazakhstan, May 2, 2024, <https://www.gov.kz/memleket/entities/mfa/press/region-news/details/18946?lang=en>.

209 "Arms Control," Ministry of Foreign Affairs of the Republic of Serbia, accessed July 20, 2024, <https://www.mfa.gov.rs/en/foreign-policy/security-policy/arms-control>.

210 "Serbia," Automated Decision Research, accessed July 20, 2024, [https://automatedresearch.org/news/state\\_position/serbia/](https://automatedresearch.org/news/state_position/serbia/).

211 "Slaughterbots are here," Future of Life Institute, accessed July 20, 2024, <https://futureoflife.org/project/lethal-autonomous-weapons-systems/>.

212 Mathias Hammer, "The Collapse of Global Arms Control," Times, November 13, 2024, <https://time.com/6334258/putin-nuclear-arms-control/>.

213 "Russia formally pulls out of Treaty on Conventional Armed Forces in Europe," Al Jazeera, November 7, 2021, <https://www.aljazeera.com/news/2023/11/7/russia-pulls-out-of-treaty-on-conventional-armed-forces-in-europe>; Hollis Rammer, "Russia Officially Leaves Open Skies Treaty," Arms Control Today, July/August 2021, <https://www.armscontrol.org/act/2022-01/news-briefs/russia-officially-leaves-open-skies-treaty>.

214 "Moscow Mechanism expert reports to OSCE Permanent Council on Belarus," OSCE, May 11, 2023, <https://www.osce.org/permanent-council/543249>.



some cases a two-year hiatus on their reports by various treaties after suspicious activities detected by some OSCE members.<sup>215</sup> Several factors involved make a state belong to this bloc, such as the differences between the US and Russia with Belarus. Countries that have made minimal efforts towards controlling the flow of arms in, out, and through their country's borders are a part of this bloc. Countries that also find themselves indiscreetly violating and disregarding current arms control measures are also within this bloc.

## Committee Mission

The Organization for Security and Co-operation in Europe (OSCE) has made arms control one of their main goals since its foundation. Under its main activities, the committee has assigned arms control to be one of the most urgent to address. The OSCE's founding document—the Helsinki Act of 1975—stated the “need to contribute to reducing the dangers of armed conflict and of misunderstanding or miscalculation of military activities which could give rise to apprehension, particularly in a situation where the participating States lack clear and timely information about the nature of such activities.” Since then, the OSCE has enabled activities to further the development of international arms for its members. Such activities include information exchanges, means for compliance and verification, and forms for military cooperation. Aiming to reduce conflict and increase the trust among its members, the OSCE has actively reached for arms control measures. The committee has used several documents as its base for the various ways they tackle the issue. The Vienna Document on Confidence and Security building measures is the key document referred to when enabling confidence building measures among its 57 members. The Framework for Arms Control established in 1996 is another document that signals the importance of arms control to the core of the OSCE.<sup>216</sup>

The OSCE has also established the Forum for Security and Cooperation, which is the OSCE's decision-making body

on dealing with all military security matters. The forum has been able to develop several documents on confidence building measures, regulating conventional arms transfers and establishing the principles of non-proliferation. It also has helped implement the OSCE's Codes of Conduct on the military aspects of security between countries, which encourages members to exchange information on the democratic foresight of their armed forces and weaponry. Finally, the forum constantly works towards the development of norms, providing practical assistance to address proliferation of illicit arms.

Examples of active operations on the area of arms control include but are not limited to the support of national small arms control mechanisms, rehabilitating areas contaminated by explosives, assisting the disposal of chemicals on military facilities, supporting initiatives to decrease the illegal possession of arms, strengthening small arms and light weapons conventional ammunition stockpile management, with many others at that.<sup>217</sup>

The committee has discussed new security threats and technologies in arms control. On discussions setting the threat that emerging technologies have as a challenge to international and national security, embracing the idea that new confidence building measures need to be developed and updated to approach such technologies. The further development of arms control measures being indispensable for the OSCE as an organization.<sup>218</sup>

215 “Belarus Tells OSCE It's Restarting Arms Verifications After Two-Year Hiatus,” Radio Free Europe Radio Liberty, June 20, 2022, <https://www.rferl.org/a/belarus-arms-control-osce/31906425.html>.

216 “Arms Control,” OSCE, accessed July 30, 2024, <https://www.osce.org/arms-control>; “Helsinki Final Act, 1975,” Office of the Historian, accessed July 30, 2024, <https://history.state.gov/milestones/1969-1976/helsinki>.

217 OSCE, “Arms Control.”

218 “Dialogue and engagement needed for addressing security threats and new technologies in arms control, say participants at OSCE Security Chat,” OSCE, accessed July 30, 2024, <https://www.osce.org/secretariat/489944>.

## Research and Preparation Questions

Your dais has prepared the following research and preparation questions as a means of providing guidance for your research process. These questions should be carefully considered, as they embody some of the main critical thought and learning objectives surrounding your topic.

### Topic A

1. What is your country's position on the Ukraine war? Which side of the conflict are they supporting, if any? Why and how? What kind of aid, if any, are they providing?
2. Does your country have a history with humanitarian crises because of an interstate war? Has your country had its sovereignty violated in the past?
3. How has your country responded in the past to humanitarian crises?
4. How can the safety of displaced people returning home be ensured? Will long-term humanitarian assistance be available? What provisions are in place for the treatment and recovery of individuals with mental or physical health issues?
5. How can the OSCE build long term peace in the region? Are peace and confidence building measures possible and effective?
6. How can the regions affected by the war be rebuilt? What mechanisms exist to do so? How can local communities (re)gain resilience and withstand potential conflict?
7. Considering the position of an internationally isolated Russia, how can your country engage in meaningful dialogue and make sure Russia, and its allies are willing to compromise?

### Topic B

1. How is your country addressing current cyber security threats? Have they instituted any policy, and if so, which ones?
2. What is your country's position on Lethal Autonomous Weapons, do they endorse them, seek for a ban or regulations?
3. How has your country previously reacted to policies that seek to restrict or ban autonomous weapons and cyber weapons?
4. Has your country developed or supported the development of any emerging technology that can be used as a weapon? If so, which? If it has not, has it interacted with weapons powered by emerging technologies?
5. What is your country's desired outcome from discussing the topic? Is it ban, restriction or limitation, or is it the enhancement of development and use during conflict escalation?
6. How has your country employed the use of emerging technologies to improve their own national arms control? Have they collaborated with any other countries? If they have not employed them to this purpose, how have they employed emerging technologies as a tool for their further development?
7. In the context of current global conflict, how has your country reacted to the use of Lethal Autonomous Weapons and unaccountable cyber-attacks as a form of disruption and escalation?

## Important Documents

### Topic A

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The National High School Model United Nations Conference (NHSMUN) is a project of IMUNA, a non-profit organization formally associated with the United Nations Department of Global Communications (UNDGC). IMUNA is dedicated to promoting global issues education through simulation.

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