



Forum:	First Committee
Question of:	Evaluating the ethics and implications of providing weapon assistance from other nations to warring nations
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Position:	Main Chair

I. Description of the Issue

The issue of evaluating the ethics and implications of providing weapon assistance from other nations to warring nations is a complex and ethically challenging issue which needs our immediate attention. On one hand, such assistance can potentially help a nation defend itself against aggression or oppression, support the pursuit of self-determination, or contribute to the restoration of peace and stability. However, it can also prolong conflicts, exacerbate violence, and lead to further human suffering and loss of life.

War is an immense human tragedy that inflicts widespread suffering and destruction. Its dangers are multifaceted and far-reaching, affecting combatants and civilians alike, with consequences that can last for generations.

The most clear and immediate hazard of war is the loss of human life and harm to people. Modern conflict, with its superior weaponry and tactics, has the potential to result in massive losses and devastation. Soldiers risk their life on the front lines, but civilians are frequently inadvertent casualties caught in the crossfire or targeted in indiscriminate attacks.

War is a deeply traumatic experience that can have long-lasting psychological effects on those involved. Soldiers may develop post-traumatic stress disorder (PTSD), depression, anxiety, and other mental health issues as a result of the horrors they witness and the violence they experience or perpetrate. Civilians, especially children, can also suffer from severe psychological trauma due to the loss of loved ones, displacement, and exposure to violence.

Armed conflicts frequently lead to the displacement of large populations, creating refugee crises that strain the resources and infrastructure of neighboring regions or countries.

Refugees often face dire living conditions, lack of access to basic necessities, and an uncertain future, compounding the trauma and hardship they have already endured.



Right now, nations can and do often provide weapon assistance to warring nations, exacerbating the intensity and duration of armed conflicts. The supply of arms can fuel violence, prolong conflicts, and hinder peaceful resolutions.

The international humanitarian law (IHL) states that, in the event of war, nations can provide weapons to warring nations.

While an armed conflict, a set of rules and principles known as the laws of war or international humanitarian law (IHL) aim to provide a moral and legal framework to govern the conduct of hostilities. These laws seek to minimize suffering and protect those who are not actively engaged in combat.

The foundations of the laws of war can be traced back to the Geneva Conventions of 1949 and their Additional Protocols, as well as customary international law that has evolved over centuries of armed conflicts. At their core, these laws enshrine fundamental principles that demand a delicate balance between the harsh realities of warfare and the preservation of human dignity.

One of the central tenets of the laws of war is the principle of distinction, which requires parties to differentiate between civilians and combatants, as well as civilian objects and military objectives. Deliberate attacks on civilians, medical personnel, and other protected persons and objects are strictly prohibited, as are indiscriminate attacks that fail to distinguish between legitimate targets and civilian populations.

Certain acts are considered grave breaches or war crimes under the laws of war, including killing, torture, taking hostages, and extensive destruction not justified by military necessity. These acts are subject to prosecution and accountability, reflecting the international community's commitment to upholding the rule of law even in the midst of armed conflict. The applicability of the laws of war extends beyond international armed conflicts between states. They also apply to non-international armed conflicts within a state's territory, recognizing the need for humanitarian protections in all situations of armed violence, regardless of the reasons for going to war or the lawfulness of the initial resort to force.

While the laws of war cannot eliminate the inherent suffering and destruction of armed conflict, they represent a collective effort by the international community to impose moral and



legal constraints on the conduct of hostilities. By balancing military necessity with humanitarian considerations, these laws aim to preserve a semblance of humanity during times of war.

So, while it's legal for nations to provide weapons to warring nations, there are many consequences to providing them and many ethical problems coming with it.

Over many decades there have been many theories about war ethics, including the principles of just war theory, which have been developed over centuries of philosophical and theological discourse. The principles of just war theory provide a framework for evaluating the ethical dimensions of armed conflict. According to just war theory, there are a number of requirements that must be fulfilled before armed conflict can be justified from an ethical standpoint. These moral precepts provide a framework for judging both the choice to enter combat and the conduct of combat. The following are the main ideas:

Just Cause: Any valid and justifiable reason, such as defending oneself against assault or defending innocent people from terrible injustice or crimes, can serve as the foundation for going to war. A legitimate cause wouldn't be limited to economic gain or territorial expansion.

Right Intention

Going to battle should be primarily driven by addressing the just cause, not by harmful goals like revenge, power, or personal gain. Restoring justice and peace must be the goal.

Legitimate Authority

A legitimate and acknowledged authority, such as a sovereign state or an international organization with the moral and legal capacity to declare war, must make the decision to go to war.

Last Resort

Before using armed force to resolve the problem, all viable nonviolent options must be considered. Only when all other peaceful, diplomatic, and economic options have been exhausted should war be declared.



Proportionality

When using force in a conflict, the amount of force must be proportional with the threat or injustice being addressed. The potential harm to civilians and civilian property must be outweighed by the expected military advantage.

Discrimination

Combatants have to be able to tell the difference between non-combatants or civilian populations and valid military targets. It is forbidden to employ indiscriminate weaponry or to launch deliberate attacks on civilians.

II. Definition of Key Terms

Warring Nation

Warring nations are countries that are actively involved in a state of war or armed hostilities against each other. They are engaged in military combat and conflict as opposing sides or factions. Warring nations are mutually contending parties waging war, implying an ongoing armed struggle between the governments and militaries of the nations involved.

Weapon Assistance

The provision of arms, ammunition, and military support from one nation to another, particularly during times of conflict.

Self-Determination

The right of a people to determine their own political status and to pursue their own economic, social, and cultural development.

International Humanitarian Law

International humanitarian law (IHL) is a set of rules that seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons not participating in hostilities and restricts the means and methods of warfare. IHL, also known as the laws of armed conflict or the law of war, is a branch of international law codified through treaties like the Geneva Conventions and arises from customary laws and practices of states during armed conflicts.



Its core principles include distinguishing between civilians and combatants, prohibiting unnecessary suffering, and ensuring humane treatment of detainees and non-combatants.

Geneva Convention

The Geneva Conventions are a set of four treaties that establish international legal standards for humanitarian treatment during armed conflicts. The Second Convention protects wounded, sick and shipwrecked military personnel at sea. The Fourth Convention affords protection to civilians during times of war. Collectively, the Geneva Conventions and their Additional Protocols are the core instruments of international humanitarian law, establishing legal protections for non-combatants and rules governing the conduct of warfare during armed conflicts.

Principle of Distinction

A fundamental principle of IHL that requires parties in a conflict to distinguish between combatants and non-combatants and between military objectives and civilian objects.

War Crimes

Serious violations of the laws and customs applicable in armed conflict, giving rise to individual criminal responsibility. Examples include willful killing, torture, taking hostages, and unjustified destruction.

Refugee Crises

Situations in which large numbers of people are forced to flee their homes due to conflict, persecution, or other dangers, often resulting in significant humanitarian challenges for both the refugees and the countries hosting them.

Post-Traumatic Stress Disorder (PTSD)

A mental health condition triggered by experiencing or witnessing a traumatic event, common among soldiers and civilians affected by war.

Humanitarian Protections

Safeguards provided under international law to protect the rights and well-being of individuals who are not participating in hostilities, including civilians, medical personnel, and aid workers



III. Background information

Throughout history, the transfer of weapons and military assistance from one nation to warring parties in another country's conflict has been a common practice, often driven by strategic, political, or ideological interests. This phenomenon has played a significant role in shaping the dynamics and outcomes of numerous armed conflicts around the world.

The provision of weapon assistance to warring nations is a complex and multifaceted issue that raises significant ethical and practical concerns. While such assistance can potentially help defend against aggression, support self-determination movements, or contribute to restoring peace and stability, it also carries the risk of prolonging conflicts, escalating violence, and causing further human suffering.

One of the primary ethical frameworks used to evaluate the morality of armed conflict and foreign intervention is the principles of just war theory. Developed over centuries of philosophical discourse, these principles include just cause, right intention, legitimate authority, last resort, proportionality, and discrimination between combatants and civilians. Providing weapons could potentially support a just cause against oppression or aggression.

However, it could also enable conflicts that violate other just war principles, such as disproportionate use of force or indiscriminate targeting of civilians. The humanitarian consequences of arming warring factions, including increased civilian casualties, displacement, and destruction of infrastructure, must also be carefully considered. International laws and norms, such as the UN Arms Trade Treaty and international humanitarian law, hallow principles like prohibiting arms transfers that could be used for genocide, crimes against humanity, or war crimes. However, these laws still allow nations to provide arms to warring parties if they deem it supports legitimate self-defense or international security interests.

The provision of weapon assistance can also have broader implications, such as the escalation of conflicts through proxy wars, where nations fuel conflicts by arming opposing sides indirectly. This can result in an endless supply of weapons, prolonging the violence indefinitely until one side is exhausted, leading to regional instability.



Throughout history, numerous countries have engaged in the practice of providing weapon assistance to warring nations, often driven by strategic, political, or ideological interests.

Here are some notable examples for weapon trade in the past:

- The United States supplying weapons to South Vietnam during the Vietnam War, the Mujahideen fighters in Afghanistan during the Soviet-Afghan War, and various groups in the Middle East, including allies like Israel and Saudi Arabia.
- The Soviet Union providing military aid and weapons to North Vietnam during the Vietnam war.
- China supporting North Vietnam with military supplies during the Vietnam War and supplying arms to various African countries, including Sudan during the Darfur conflict.
- The United Kingdom supplying weapons and military support to its own forces during the Falklands War and selling arms to Gulf states involved in conflicts like the Yemeni Civil War.

IV. Major Countries and Organizations Involved

UN Office for Disarmament Affairs (UNODA)

Promotes disarmament efforts and controls the flow of arms through various treaties and initiatives.

International Committee of the Red Cross (ICRC)

The ICRC monitors compliance with international humanitarian law (IHL) and advocates for the protection of civilians in conflict zones.

Arms Trade Treaty (ATT)

An international treaty regulating the international trade in conventional arms, ensuring that arms transfers do not contribute to human suffering or violations of international law.

United States of America



The U.S. is the largest arms exporter globally, providing weapons to allies and strategic partners worldwide. It has significant influence over international arms markets and often supplies arms in the context of geopolitical alliances.

Russia

Russia is a major arms supplier, providing weapons to countries and groups aligned with its strategic interests, including in the Middle East, Africa, and Asia.

China

China is a growing player in the international arms market, supplying weapons to various countries, particularly in Africa and the Middle East.

United Kingdom

The UK is a significant arms exporter, with major clients in the Middle East, such as Saudi Arabia, and active participation in global defense markets.

France

France exports arms to a wide range of countries, with a focus on Africa and the Middle East. It is a major player in the international arms trade.

Germany

Germany, while having strict arms export controls, still plays a crucial role in the international arms market, particularly within the EU and NATO frameworks.

Israel

Israel is known for its advanced military technology and exports arms to various countries, often aligned with its strategic interests.

Saudi Arabia

Saudi Arabia is a major purchaser of arms, primarily from the U.S., UK, and France. It has also been involved in supplying weapons to factions in regional conflicts.

Iran



Iran supplies weapons and support to allied groups in the Middle East, such as Hezbollah and Houthi rebels in Yemen.

V. Previous attempts to solve the issue

The Martens Clause, found in several key instruments of international humanitarian law (IHL), suggests that the principles of humanity and the dictates of public conscience should guide the application of IHL in cases not covered by existing treaties. Some argue this clause could prohibit autonomous weapon systems if they violate ethical principles, even without explicit treaty language. However, determining the "dictates of public conscience" through an inclusive deliberative process remains challenging.

Arms Transfer Regulation:

The International Red Cross and Red Crescent Movement has raised concerns about the proliferation of weapons, especially small arms, exacerbating violations of IHL and worsening civilian suffering. They advocate for stricter controls on arms transfers based on humanitarian law, human rights, and other criteria as a priority for the international community.

Neutrality Laws:

Historically, the law of neutrality prohibited states from discriminating in arms transfers to belligerents, as it was considered an act of war favoring one side. However, this strict duty of impartiality eroded after the Kellogg-Briand Pact of 1928 outlawed wars of aggression, allowing states to support victims of aggression in self-defense without violating neutrality.

UN Debates on Autonomous Weapons:

The United Nations has been debating the development and use of lethal autonomous weapons systems (LAWS) for years, with some states calling for a preemptive ban and others arguing for regulation. While no consensus has emerged, the discussions highlight the ethical concerns around removing meaningful human control from the use of force.

In summary, while there have been efforts to establish ethical and legal frameworks, evaluating the implications of weapon assistance remains a complex issue requiring ongoing deliberation and consensus-building among states and the broader public.



VI. Possible solutions

The transfer of weapons by states to warring parties in armed conflicts creates serious ethical and legal issues. To mitigate these consequences, various viable solutions have been proposed:

Strengthening Arms Transfer regulations: Based on the principles of international humanitarian law (IHL), human rights legislation, and ethical considerations, there have been calls for tougher international norms and criteria governing arms transfers. Among the suggested actions are:

- Requiring comprehensive risk assessments to evaluate how transferred weapons may be used to violate IHL or human rights before approving transfers.
- Prohibiting transfers where there is a clear risk of the weapons being used to commit war crimes or atrocities against civilians.
- Establishing monitoring and accountability mechanisms for tracking transferred weapons and their use.

Upholding the Martens Clause:

The Martens Clause, found in key IHL treaties, suggests that the principles of humanity and dictates of public conscience should guide the application of IHL in cases not covered by existing laws. Some propose using this clause as a basis to prohibit certain weapons systems, like autonomous weapons, if they violate ethical principles and human dignity by removing meaningful human control over the use of force.

Strengthening Neutrality Laws:

Neutrality laws from the past forbade giving weapons to combatants on the basis of discrimination. Some suggest bringing back elements of the neutrality principles to limit the provision of weapons to support one party in a war over the other, possibly with the exception of situations in which self-defense against aggression is necessary.



It is difficult to handle the moral and legal ramifications of assisting with weapons during armed conflicts, but these complicated challenges could be lessened with ongoing discussion and the creation of frameworks that are consistent with humanitarian ideals.

Targeting to strike a balance between legitimate security concerns and the imperative to minimize human suffering and uphold human dignity in armed conflicts, the international

community takes steps like strengthening arms transfer regulations, upholding ethical principles like the Martens Clause, promoting multilateral deliberation, and reviving aspects of neutrality laws.

VII. How to prepare as a delegate

As delegates you are obligated to write at least **one draft resolution** and a **minimum of two preferably three position papers** so that you are properly prepared for all the topics.

You have time to hand in your position papers and resolution until **21.09.2024**.

If you hand in your position papers and resolution later than that, we will not correct them.

If you have problems or questions during your research, you are welcome to contact me via my email address: malilolu@web.de

Questions you should consider during research:

As you are writing your position papers, it might be helpful to ask yourself these questions:

What is my country's stand on weapon trade?

Is my country involved in any conflict?

Has my country taken a stand on that topic or similar topics before?

If you have problems finding information about your country's stand on the topic, it is always useful to look up the biggest and most influential trading partners.

VIII. UN resolutions

General and complete disarmament. The first committee of the United Nations of the General Assembly. Accessed on 04.06.2024.

<https://documents.un.org/doc/undoc/ltd/n23/302/66/pdf/n2330266.pdf?token=T3YRrkKmHKPnG1L3QE&fe=true>



United Nations Security Council Resolution 1540 (2004). The resolution obliges States to refrain from providing any form of support to non-State actors that attempt to acquire nuclear, chemical or biological weapons and their means of delivery. The Security Council of the United Nations. Accessed on 04.06.2024.

<https://documents.un.org/doc/undoc/gen/n04/328/43/pdf/n0432843.pdf?token=wYe0zYmVWtlPe7308N&fe=true>

IX. Sources

“The role of ethics in international arms transfers.” By Major Rob Arnett. Accessed on 04.06.2024. <https://apps.dtic.mil/sti/tr/pdf/AD1030402.pdf>

“Arms trade.By the United Nations Office for Disarmament Affairs.” Accessed on 04.06.2024.<https://disarmament.unoda.org/convarms/att/>

“Arms Control”. By Amnesty International. Accessed on 04.06.2024.<https://www.amnesty.org/en/what-we-do/arms-control/>

“Principled Humanitarian Action & Ethical Tensions in Multi-Mandate Organizations in Armed Conflict.” By Dr Hugo Slim and Miriam Bradley March 2013. Accessed on 04.06.2024.<https://interagencystandingcommittee.org/sites/default/files/migrated/2014-10/Slim,%20WV%20Multi-Mandate%20Ethics%20FinalDraft.pdf>

“Conflicts and Transfers of Small Arms.” By Pieter D. Wezeman. Accessed on 04.06.2024.<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Disarm%20Conflicts%20and%20Transfers.pdf>

“BBC- Ethics - War: Just War - introduction.”By BBC- UK. Accessed on 04.06.2024.<https://www.bbc.co.uk/ethics/war/just/introduction.shtml>

“Just War Theory & the Conduct of Asymmetric Warfare.” By Allen S. Weiner. Accessed on 04.06.2024.<https://www.amacad.org/publication/just-war-theory-conduct-asymmetric-warfare>



“10 things the rules of war do.” By the International Committee of the Red Cross. <https://www.icrc.org/en/document/10-things-rules-of-war-geneva-conventions%C2%A0>

“International Law.” By the United Nations [Information Service Vienna](https://www.un.org/en/sections/dpa/press-releases/2024/04-06-2024-international-law.html). Accessed on 04.06.2024. <https://unis.unvienna.org/unis/zh/topics/international-law.html>

“Weapon Transfers Must Comport with International Law, Senior UN Official Tells Security Council, Urging Cooperation to Reduce Illicit Arms Flows.” By Meetings Coverage and Press Releases by the United Nations. Accessed on 04.06.2024. <https://press.un.org/en/2024/sc15568.doc.htm>

“Armed Conflict”. By Amnesty International. Accessed on 04.06.2024. <https://www.amnesty.org/en/what-we-do/armed-conflict/>

