



SRMUN Atlanta 2024
November 21-23, 2024
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Esteemed Delegates,

Welcome to SRMUN Atlanta 2024 and the International Law Commission (ILC). My name is Kathryn Caudill, and I have the pleasure of serving as your Director for the ILC. This will be my second time as a SRMUN Atlanta staff member, having previously served as the Director of the Commission on the Status of Women. I also attended SRMUN Atlanta twice as a delegate. I graduated with a Bachelor's degree in Political Science and Spanish applied language, a minor in criminal justice, and a certification in Business Spanish in 2022. I am now pursuing a Juris Doctor. Our committee's Assistant Director will be Sarah Johnson. This will be Sarah's third time as a staff member for SRMUN, having previously served as AD for the World Trade Organization at SRMUN Atlanta 2023 and AD for the UN Habitat Assembly at SRMUN Charlotte 2024. Sarah holds a Bachelor's degree in Political Science. She is currently employed at a preschool and operates her own tutoring business, with hopes to continue her education in legal studies and the law.

The ILC works to initiate research and offer recommendations with the intent to develop and codify international law. The commission is composed of 34 diplomats, each representing their respective Member State and chosen based on their expertise, qualifications, and competence in matters of international law. Every five years the United Nations General Assembly (UNGA) elects a new group to lead the ILC in its mission to aid other committees in their pursuance of peace across the global community.

Focusing on the mission of ILC, we have developed the following topics for the delegates to discuss at the conference:

- I. Preserving Marine Biodiversity in Non-Territorial International Waters
- II. Promoting the International Governance of Artificial Intelligence

This background guide will serve as the foundation for your research, yet it should not be the extent of the research. Preparation is given to each topic to help guide delegates in their initial research, and to serve as a starting place for more in-depth studies. It is expected that delegates go beyond this background guide in preparation for their position paper and to better prepare themselves for contribution within the committee in November. Further, each delegation is required to submit a position paper for consideration. Position papers should be no longer than two pages in length (single spaced) and demonstrate your Member State's position, policies, and recommendations on each of the two topics. For more detailed information about formatting and how to write position papers, delegates can visit srmun.org. **All position papers MUST be submitted no later than Friday, November 1st, by 11:59pm EST via the SRMUN website to be eligible for Outstanding Position Paper Awards.**

Both Sarah and I are excited for the opportunity to serve as your dais for the ILC. We wish you all the best of luck in your conference preparation and look forward to meeting and working with each of you. Should questions arise as you begin to prepare for this conference, contacting those on your dais is always encouraged

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History of the International Law Commission

The need for intergovernmental laws significantly predates the creation of the International Law Commission (ILC). Private societies were founded before the ILC and specialized in researching and proposing international laws.¹ Conventions such as the Hague Peace Conferences of 1899 and 1907 also established precedents for the potential benefits of codified international law.² The largest hindrance of these conventions was their limited scope, such as the Hague Peace Conferences which aimed to successfully establish international legal guidelines for the limitation of armaments; however, the Conference was restricted by a limited time period without any permanent, knowledgeable working groups or committees to carry out and advise with the work long-term.³

The ILC was created in 1947 by the United Nations General Assembly (UNGA) with the adoption of resolution A/RES/94(I).⁴ The official mandate of the ILC is to "initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification."⁵ The ILC is a permanent, part-time subsidiary organ of the UNGA, and meets annually.⁶ The ILC receives its funding through the UNGA.⁷ The ILC primarily focuses on recommendations associated with public international law – or the norms and standards that regulate how interstate actors interact - and criminal international law.⁸ The ILC has published numerous draft articles foundational to the increased scope and responsibility of international law, such as the Nuremberg Principles of 1949, which set guidelines for the classification of war crimes in an effort to prevent future human rights abuses such as those witnessed during World War II.⁹ The ILC adopted the Code of Crimes against the Peace and Security of Mankind in 1996, and played an influential role in the establishment of the International Criminal Court.¹⁰ Due to its influential work, the ILC is regarded as a key influencer of international law around the globe.¹¹ The establishment of the ILC resulted in a full-time commission with a diverse range of membership that was able to provide guidance and research on a continual basis.¹²

Upon its creation in 1947, the ILC was comprised of 15 "persons of recognized competence in international law."¹³ Each member was elected to serve in an impartial and individual capacity, irrespective of their Member State of citizenship.¹⁴ Eventually, the need to expand the ILC arose due to the influx of new Member States to the UN and a growing interest in the ILC's work.¹⁵ In December 1956, the ILC grew in size to a membership of 21 through A/Res/1103 (XI) and in November 1961, the ILC allowed for up to 25 members through A/Res/1647 (XVI).¹⁶ At present, as adopted by A/RES/36/39 in 1981, the ILC is composed of 34 members and has stipulated geographical requirements for membership.¹⁷ The geographical requirements stipulate that the ILC has to elect eight nationals from African States, seven nationals from Asian States, three nationals from Eastern European States, six nationals

¹ "About the Commission: Origin and background," *International Law Commission*, July 31, 2017, accessed February 17, 2024, <https://legal.un.org/ilc/intro.shtml>.

² "About the Commission: Origin and background," *International Law Commission*.

³ "About the Commission: Origin and background," *International Law Commission*.

⁴ United Nations General Assembly Resolution 174 (III), *Statute of the International Law Commission*, A/RES/174(II).

⁵ United Nations General Assembly Resolution 174 (III), *Statute of the International Law Commission*, A/RES/174(II), (November 21, 1947), accessed February 17, 2024, https://legal.un.org/avl/pdf/ha/silc/silc_e.pdf.

⁶ "The Work of the International Law Commission," *United Nations, International Law Commission*, Eighth Edition, Volume I, 2012, accessed February 17, 2024, https://legal.un.org/avl/ILC/8th_E/Vol_I.pdf.

⁷ "The Work of the International Law Commission," *United Nations, International Law Commission*.

⁸ "The Work of the International Law Commission," *United Nations, International Law Commission*.

⁹ "The Work of the International Law Commission," *United Nations, International Law Commission*.

¹⁰ "The Work of the International Law Commission," *United Nations, International Law Commission*.

¹¹ "The Work of the International Law Commission," *United Nations, International Law Commission*.

¹² "Membership," *International Law Commission*, accessed February 17, 2024, <https://legal.un.org/ilc/ilcmembe.shtml>.

¹³ "The Work of the International Law Commission," *United Nations, International Law Commission*, Ninth Edition, Volume 1, 2017, accessed February 17, 2024, <https://www.un-ilibrary.org/content/books/9789210609203/read>.

¹⁴ "The Work of the International Law Commission," *United Nations, International Law Commission*.

¹⁵ United Nations General Assembly resolution 36/39, *Enlargement of the International Law Commission: amendments to articles 2 and 9 of the Statute of the Commission*, A/RES/36/39, November 18, 1981, accessed February 17, 2024, <https://undocs.org/en/A/RES/36/39>.

¹⁶ "Membership," *International Law Commission*, accessed February 17, 2024, <https://legal.un.org/ilc/ilcmembe.shtml>.

¹⁷ United Nations General Assembly resolution 36/39, *Enlargement of the International Law Commission: amendments to articles 2 and 9 of the Statute of the Commission*, A/RES/36/39, November 18, 1981, accessed February 17, 2024, <https://undocs.org/en/A/RES/36/39>.

from Latin American States and eight nationals from Western European or other States during every election cycle.¹⁸ The remaining seats rotate between regions.¹⁹ Members of the ILC come from varying backgrounds, including academia, the diplomatic corps, and international organizations.²⁰ These varying experiences help ensure the collective is “in close touch with the realities of international life” and law.²¹ Elections for membership on the ILC are voted on every five years by the UNGA.²² In the event of casual vacancies, the ILC itself elects a replacement to serve out the remainder of the five-year term.²³ Nominations for the ILC and eligibility to serve are not restricted solely “to nationals of Members of the United Nations, but no national of any non-Member State has ever [thus] been elected to the Commission.”²⁴ Members serving on the ILC have a term of office of five years.²⁵

The ILC passes draft articles aimed to improve practices in international law.²⁶ The structure of the ILC consists of special rapporteurs, the drafting committee, and various working groups.²⁷ A special rapporteur is assigned to each topic and plays a leading role in laying out the guidelines for its particular topic and ensuring the project is successful.²⁸ The drafting committee writes the draft articles in close collaboration with the special rapporteur, working to harmonize viewpoints and ensure the ILC can reach agreement.²⁹ The ILC also makes use of *ad hoc* working groups to handle a specific area of a particularly complex topic from time to time.³⁰

Most recently, in its 74th session in 2023, the ILC discussed settlements of disputes between Member States by passing A/CN.4/756, which addressed and analyzed the scope of the topic, including the discussion of definitional issues.³¹ Resolution A/CN.4/758, also passed in 2023, highlights historical, socio-economic, and legal aspects of preventing piracy, reviewed the definition of piracy using national legislation within Member States, and discussed its future work in addressing this issue.³² Other recently passed resolutions include the protection of the environment in relation to armed conflict; immunity of state officials from foreign criminal jurisdiction; and general principles of law.³³

The current program of work of the ILC consists of the following topics: (1) immunity of State officials from foreign criminal jurisdiction; (2) succession of States in respect of State responsibility; (3) general principles of law; (4) sea-level rise in relation to international law; (5) settlement of disputes to which international organizations are parties; (6) prevention and repression of piracy and armed robbery at sea; (7) subsidiary means for the determination of rules of international law, and (8) non-legally binding international agreements.³⁴

¹⁸ United Nations General Assembly resolution 36/39, *Enlargement of the International Law Commission: amendments to articles 2 and 9 of the Statute of the Commission*, A/RES/36/39, November 18, 1981, accessed February 17, 2024, <https://undocs.org/en/A/RES/36/39>.

¹⁹ United Nations General Assembly resolution 36/39, *Enlargement of the International Law Commission: amendments to articles 2 and 9 of the Statute of the Commission*, A/RES/36/39.

²⁰ “Membership,” *International Law Commission*, accessed February 17, 2024, <https://legal.un.org/ilc/ilcmembe.shtml>.

²¹ “Membership,” *International Law Commission*.

²² United Nations General Assembly Resolution 174 (III), *Statute of the International Law Commission*, A/RES/174(II), (November 21, 1947), accessed February 17, 2024, https://legal.un.org/avl/pdf/ha/silc/silc_e.pdf.

²³ United Nations General Assembly Resolution 174 (III), *Statute of the International Law Commission*, A/RES/174(II).

²⁴ “Membership,” *International Law Commission*, accessed February 17, 2024, <https://legal.un.org/ilc/ilcmembe.shtml>.

²⁵ “Membership,” *International Law Commission*.

²⁶ “International Law Commission,” *International Law School*, accessed April 5, 2024, <https://legal.un.org/ilc/>.

²⁷ “About the Commission: Organization, programme and methods of work,” *International Law Commission*, accessed February 17, 2024, <https://legal.un.org/ilc/structure.shtml>.

²⁸ “About the Commission: Organization, programme and methods of work,” *International Law Commission*.

²⁹ “About the Commission: Organization, programme and methods of work,” *International Law Commission*.

³⁰ “About the Commission: Organization, programme and methods of work,” *International Law Commission*.

³¹ “Current status of the work of the Commission and forthcoming deadlines,” *International Law Commission*, accessed April 14, 2024, <https://legal.un.org/ilc/status.shtml>.

³² “Current status of the work of the Commission and forthcoming deadlines”.

³³ “Current status of the work of the Commission and forthcoming deadlines”.

³⁴ “Home,” *International Law Commission*, accessed February 17, 2024, <https://legal.un.org/ilc/>.

I. Preserving Marine Biodiversity in Non-Territorial International Waters

Introduction

The United Nations Sustainable Development Goal 14, “conserve and sustainably use the oceans, seas, and marine resources,” aims to develop and maintain a healthy marine ecosystem and prolong human existence.³⁵ The ocean serves as a primary repository of marine life, encompassing over 90 percent of the Earth’s habitable space and hosting approximately 250,000 known species, and more that are yet to be discovered.³⁶ Additionally, the ocean supplies essential resources such as food, medicines, and biofuels; assists with removing waste and pollution; and acts as a ‘buffer’ to reduce damage from storms.³⁷ Because of the vast array of opportunities and resources oceans hold, human settlements and activity near the coasts have flourished, creating increased need to protect and preserve marine biodiversity.³⁸

Marine protected areas (MPAs) have emerged as a crucial strategy in conserving biodiversity and ensuring sustainable ecosystems.³⁹ Approximately eight percent of the ocean is considered to be a MPA, leaving vast marine regions, such as the non-territorial waters, vulnerable and targeted.⁴⁰ Non-territorial waters, also known as the high seas, are defined as “all parts that are not included in the exclusive economic zone (EEZ), in the territorial sea, or in the internal waters of a State...”⁴¹ With non-territorial waters, Member States lack exclusive freedom as the area is not owned or regulated by them.⁴² In addition to this, non-territorial international waters lack a significant legal framework that establishes protection within the area.⁴³ The International Law Commission’s (ILC) primary function is to legally influence the “progressive development of international law and its codification,” which places the issue within their mandate.⁴⁴

History

Marine biodiversity, defined as “the variety of life in the oceans and seas,” has played a crucial role in sustainable development across economic, social, and environmental aspects.⁴⁵ Covering approximately 90 percent of the Earth’s habitable space and home to over 250,000 species, the ocean and the species within produce oxygen and absorb approximately 26 percent of human-made carbon dioxide (CO₂).⁴⁶ It also significantly impacts international food security and supports millions by providing both income and nutrition.⁴⁷

Efforts to conserve the marine system began as early as the 19th century, due to concerns of declining fish populations and the effects of pollution.⁴⁸ Overfishing and pollution are two of the leading causes of the decline of

³⁵ “Oceans- Sustainable Development Goals”, *United Nations Sustainable Development*, 2022, <https://www.un.org/sustainabledevelopment/oceans/>.

³⁶ Christiana Palmer, “Marine Biodiversity and Ecosystems Underpin a Healthy Planet and Social Well-Being”, *United Nations Chronicle*, May 2017, <https://www.un.org/en/chronicle/article/marine-biodiversity-and-ecosystems-underpin-healthy-planet-and-social-well-being>.

³⁷ “Oceans- Sustainable Development Goals”, *United Nations Sustainable Development*

³⁸ Christiana Palmer, “Marine Biodiversity and Ecosystems Underpin a Healthy Planet and Social Well-Being”,

³⁹ Kat Kelly, “The Importance of Marine Protected Areas (MPAs)”, *Coral Reef Alliance*, March 25, 2024, <https://coral.org/en/blog/the-importance-of-marine-protected-areas-mpas/>

⁴⁰ “Marine Protected Areas”, *Protected Planet*, 2021, <https://www.protectedplanet.net/en/thematic-areas/marine-protected-areas>.

⁴¹ “Preamble to the United Nations Convention on the Law of the Sea: Part VII High Seas” opened for signature on December 10, 1982, https://www.un.org/depts/los/convention_agreements/texts/unclos/part7.htm.

⁴² Fae Sapsford, “What is High Seas Governance?”, *NOAA Ocean Exploration*, July 20, 2022, <https://oceanexplorer.noaa.gov/facts/high-seas-governance.html>.

⁴³ “Marine Protected Areas and Climate Change”, *IUCN*, November 2017, <https://www.iucn.org/resources/issues-brief/marine-protected-areas-and-climate-change>

⁴⁴ “Home”, *International Law Commission*, accessed July 28, 2024, <https://legal.un.org/ilc/>

⁴⁵ Christiana Palmer, “Marine Biodiversity and Ecosystems Underpin a Healthy Planet and Social Well-Being”,

⁴⁶ Christiana Palmer, “Marine Biodiversity and Ecosystems Underpin a Healthy Planet and Social Well-Being”

⁴⁷ Christiana Palmer, “Marine Biodiversity and Ecosystems Underpin a Healthy Planet and Social Well-Being”

⁴⁸ Shubham Yadav, “History of Marine Conservation”, *Geographic Book*, 2023, https://geographicbook.com/history-of-marine-conservation/#History_of_Marine_Conservation.

marine resources, threatening sustainability.⁴⁹ Approximately one-third of fish stocks, globally, are overfished and another 60 percent are fished at the maximum sustainable level.⁵⁰ Marine pollution has diminished the quality and metrics of marine biodiversity, stemming from chemicals and trash polluting oceans.⁵¹

Although marine biodiversity preservation tactics have been employed for decades, official documentation and recognition of such a need originated in the mid-20th century.⁵² In 1958, Geneva held the UN Conference on the Law of the Sea, the conference that birthed the 1982 UN Convention of the Law of the Sea (UNCLOS).⁵³ In 1958, the Conference adopted four separate conventions, including the Convention on the High Seas, which entered into force in 1962, and the Convention on Fishing and Conservation of Living Resources of the High Seas, which entered into force in 1966.⁵⁴ The second conference in 1960 considered topics that were previously not agreed on during the UNCLOS I conference; additionally, the third conference, which was held from 1973 to 1982, resulted in adopting the 1982 UNCLOS, which “superseded, for those States party to it, the four conventions adopted in 1958.”⁵⁵

Prior to the Conference, the International Law Commission (ILC) selected multiple ocean-regime related topics, including that of non-territorial international waters, for codification.⁵⁶ This topic, amongst others, were considered by the ILC during eight sessions from 1950 to 1956 where these topics were converted to draft articles to “constitute a final draft of the law of the sea.”⁵⁷

The 1982 UNCLOS granted Member States with a coastline “the right to control marine resources up to 200 miles from its shores,” referred to as the exclusive economic zones (EEZ).⁵⁸ Under international law, the protection measures include establishing Marine Protected Areas (MPAs).⁵⁹ According to the International Union for Conservation of Nature (IUCN), MPAs are “areas of the ocean set aside for long-term conservation aims.”⁶⁰ MPAs are divided into three different types: no take zones (prohibits fishing), multiple use zones (limited human activity in designated areas), and habitat protection zones (protection of specific habitats from all human activities).⁶¹ By restricting human activities within their boundaries, MPAs helped to restore marine life populations and protect critical habitats.⁶² For instance, MPAs that protect coastal areas such as barrier islands and coral reefs “reduce human vulnerability in the face of climate change and provide the natural infrastructure (e.g. storm protection on which people rely).”⁶³ As of 2023, over 5,000 MPAs have been established worldwide, covering more than eight percent of the ocean.⁶⁴

⁴⁹ Lauren Kubiak, “Marine Biodiversity in Dangerous Decline, Finds New Report”, 2019, <https://www.nrdc.org/bio/lauren-kubiak/marine-biodiversity-dangerous-decline-finds-new-report>.

⁵⁰ Lauren Kubiak, “Marine Biodiversity in Dangerous Decline, Finds New Report.”

⁵¹ “Marine Pollution”, *National Geographic*, accessed June 25, 2024, <https://education.nationalgeographic.org/resource/marine-pollution/>

⁵² Shubham Yadav, “History of Marine Conservation”, *Geographic Book*, 2023, https://geographicbook.com/history-of-marine-conservation/#History_of_Marine_Conservation.

⁵³ “Diplomatic Conferences- Codification Division Publications”, *United Nations*, accessed June 27, 2024, https://legal.un.org/diplomaticconferences/1958_los/.

⁵⁴ “Diplomatic Conferences- Codification Division Publications”, *United Nations*.

⁵⁵ “Diplomatic Conferences- Codification Division Publications”, *United Nations*.

⁵⁶ “Diplomatic Conferences- Codification Division Publications”, *United Nations*.

⁵⁷ “Diplomatic Conferences- Codification Division Publications”, *United Nations*.

⁵⁸ Kimbra Cutlip, “Taming the Ocean’s Wild West”, *Global Fishing Watch*, November 11, 2016, <https://globalfishingwatch.org/fisheries/taming-the-oceans-wild-west/>.

⁵⁹ Thomas Bosecke & Detlef Czybulka, “Marine Protected Area in the EEZ in Light of International and European Community Law- Legal Basis and Aspects of Implementation”, *Progress in Marine Conservation in Europe*, 27-46, https://doi.org/10.1007/3-540-33291-X_3.

⁶⁰ “Marine Protected Areas and Climate Change”, *IUCN*, November 2017, <https://www.iucn.org/resources/issues-brief/marine-protected-areas-and-climate-change>

⁶¹ Shubham Yadav, “History of Marine Conservation”.

⁶² Kat Kelly, “The Importance of Marine Protected Areas (MPAs)”, *Coral Reef Alliance*, March 25, 2024, <https://coral.org/en/blog/the-importance-of-marine-protected-areas-mpas/>.

⁶³ “Marine Protected Areas and Climate Change”, *IUCN*.

⁶⁴ “The Importance of Marine Protected Areas (MPAs)”, *National Geographic*, 2023, <https://education.nationalgeographic.org/resource/importance-marine-protected-areas/>.

Beyond the EEZs are the High Seas, or areas beyond national jurisdiction (ABNJ).⁶⁵ According to the International Union for Conservation of Nature (IUCN), “nearly two-thirds of the world’s oceans are beyond national jurisdiction: where no single state has authority.”⁶⁶ The ABNJ encompass vast regions of significant biodiversity and host species that have adapted to extreme conditions such as heat, cold, and darkness.⁶⁷ Additionally, the IUCN reports ABNJ ecosystems are being heavily degraded by human activities, such as overfishing and pollution, and these areas are unregulated and therefore, not monitored.⁶⁸

Current Situation

Human activities such as plastic pollution, overfishing, and deep-sea mining continue to be a significant threat to ocean and sea sustainability, especially in ABNJ.⁶⁹ Plastic waste and toxic chemicals infiltrate international waters, forming “garbage patches” that harm marine life and threaten ecosystems.⁷⁰ In 2021, over 17 million metric tons of plastic entered oceans, compromising 85 percent of marine litter with projections expected to double or triple each year by 2040; by 2025, more plastic is expected to inhabit oceans more than the fish population.⁷¹ Two-thirds of fish stocks in ABNJ are being fished beyond sustainable limits.⁷² The lack of governance structures for fisheries in ABNJ allows fishing fleets to over-exploit stocks with little consequence.⁷³ Additional human activities, such as deep-sea mining, can “destroy habitats, degrade water quality, contaminate seafood, and wipe out species.”⁷⁴ These activities contribute to biodiversity loss, habitat destruction, and ecosystem imbalance, highlighting the urgent need for conservation efforts and sustainable practices to protect marine environments in the ABNJ.⁷⁵

ABNJ comprises two-thirds of the ocean.⁷⁶ Although covering such a large area of water, only approximately one percent of ABNJ have been established as MPAs.⁷⁷ Unlike other water areas where MPAs are established, the fragmented legal framework regarding ABNJs makes establishing additional MPAs difficult.⁷⁸ Currently, there are over 190 multi- and bilateral agreements that address various ocean-related issues; however, these agreements exclude certain global governance mechanisms like customary international law, standard practices, or informal rules, especially in ABNJ.⁷⁹ Consequently, biodiversity protection in those areas have now raised concerns about its effectiveness and fairness of conservation efforts in said areas.⁸⁰

⁶⁵ Kimbra Cutlip, “Taming the Ocean’s Wild West”, *Global Fishing Watch*, November 11, 2016, <https://globalfishingwatch.org/fisheries/taming-the-oceans-wild-west/>

⁶⁶ “Governing areas beyond national jurisdiction,” *International Union for Conservation of Nature*, accessed April 8, 2024, <https://www.iucn.org/resources/issues-brief/governing-areas-beyond-national-jurisdiction>.

⁶⁷ “Governing areas beyond national jurisdiction,” *International Union for Conservation of Nature*.

⁶⁸ “Governing areas beyond national jurisdiction,” *International Union for Conservation of Nature*.

⁶⁹ Olivia Nater, “World Oceans Day: Four ways we are harming marine life”, *Population Connection*, June 8, 2023, <https://populationconnection.org/blog/world-oceans-day-four-ways-we-are-harming-marine-life/>

⁷⁰ “Fast Facts- Marine Biodiversity: Landmark Agreement Adopted”, *United Nations Sustainable Development*, August 9, 2023, <https://www.un.org/sustainabledevelopment/blog/2023/08/marine-biodiversity-landmark-agreement-adopted/>.

⁷¹ “Fast Facts- Marine Biodiversity: Landmark Agreement Adopted”, *United Nations Sustainable Development*.

⁷² “Governing areas beyond national jurisdiction,” *International Union for Conservation of Nature*.

⁷³ Reg Watson, “Close two-thirds of the ocean to make fishing better and fairer,” February 18, 2015, <https://theconversation.com/close-two-thirds-of-the-ocean-to-make-fishing-better-and-fairer-37706>.

⁷⁴ “Governing areas beyond national jurisdiction,” *International Union for Conservation of Nature*.

⁷⁵ Olivia Nater, “World Oceans Day: Four ways we are harming marine life.”

⁷⁶ “Governing areas beyond national jurisdiction,” *International Union for Conservation of Nature*.

⁷⁷ “Marine Protected Areas”, *Protected Planet*, accessed June 27, 2024, <https://www.protectedplanet.net/en/thematic-areas/marine-protected-areas>.

⁷⁸ “Marine Protected Areas”, *Protected Planet*.

⁷⁹ Elizabeth M. De Santo et.al., “Stick in the middle with you (and not much time left): The third intergovernmental conference on biodiversity beyond national jurisdiction”, *Marine Policy* 117 (2020), <https://doi.org/10.1016/j.marpol.2020.103957>.

⁸⁰ Elizabeth M. De Santo et.al., “Stick in the middle with you (and not much time left)”.

Actions Taken by the UN

The 1982 UNCLOS serves as the foundational legal framework in international law concerning the protection of marine ecosystems.⁸¹ This legal framework “seeks to govern all aspects of the resources and uses of the ocean.”⁸² Additionally, the UNCLOS “enshrines the notion that all problems of ocean space are closely interrelated and need to be addressed as a whole.”⁸³ The UNCLOS addresses all aspects of ocean space, including delimitation, marine scientific research, and economic and commercial activities.⁸⁴ Part VII of the UNCLOS focuses on the provisions of the High Seas area, expressing Member States’ rights to freely navigate and fish, as well providing provisions concerning “conservation and management of the living resources of the high seas;” however, those provisions are few, therefore limiting protection in those areas.⁸⁵

In 2017, the UN General Assembly adopted A/RES/72/249, which called for an intergovernmental conference to negotiate a new legally binding treaty under UNCLOS.⁸⁶ The new treaty would aim to promote conservation and sustainable marine biodiversity in ABNJ.⁸⁷ Following sessions between September 2018 to June 2023, the intergovernmental conference adopted an agreement under the UNCLOS: Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement).⁸⁸

Built upon the UNCLOS, the BBNJ Agreement significantly “strengthens the legal framework for the conservation and sustainable use of marine biodiversity in over two-thirds of the ocean.”⁸⁹ The BBNJ Agreement fosters cross-sectoral cooperation among Member States to promote sustainable ocean development and align with the 2030 Agenda for the UN Sustainable Development Goals (SDGs).⁹⁰ The BBNJ Agreement aims to protect and maintain responsibility and integrity within the marine environment, as well as “conserving the inherent value of marine biological diversity.”⁹¹ Most importantly, the BBNJ Agreement sets a framework for fair and equitable sharing of benefits from marine genetic resources and digital sequence information in ABNJ.⁹² For the BBNJ Agreement to become a binding international law, at least 60 Member States must sign and ratify.⁹³ Currently, seven Member States have ratified the BBNJ: Belize, Chile, Mauritius, Micronesia, Monaco, Palau, and Seychelles, as well as the European Union’s Regional Economic Integration Organization and the State of Palestine.⁹⁴

⁸¹ Lan Ngoc Nguyen, “Expanding the Environmental Regulatory Scope of UNCLOS Through the Rule of Reference: Potentials and Limits”, *Oceans Development & International Law*, Volume 52(4), 419-444, October 2, 2021, <https://doi.org/10.1080/00908320.2021.2011509>.

⁸² Lan Ngoc Nguyen, “Expanding the Environmental Regulatory Scope of UNCLOS Through the Rule of Reference”.

⁸³ “United Nations Convention on the Law of the Sea”, *United Nations Treaty Collection*, December 10, 1982, <https://treaties.un.org/doc/Publication/MTDSG/Volume%20II/Chapter%20XXI/XXI-6.en.pdf>.

⁸⁴ “Overview-Convention & Related Agreements”, *United Nations*, 2023, https://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm

⁸⁵ “United Nations Convention on the Law of the Sea,” opened for signature December 10, 1982, https://www.un.org/depts/los/convention_agreements/texts/unclos/UNCLOS-TOC.htm.

⁸⁶ “Intergovernmental Conference on Marine Biodiversity of Areas beyond National Jurisdiction”, *United Nations*, 2017, <https://www.un.org/bbnj/>.

⁸⁷ “Intergovernmental Conference on Marine Biodiversity of Areas beyond National Jurisdiction”, *United Nations*

⁸⁸ “Intergovernmental Conference on Marine Biodiversity of Areas beyond National Jurisdiction”, *United Nations*

⁸⁹ “Press Release: Historic Agreement Adopted at the UN for Conservation and Sustainable Use of Biodiversity in over Two-Thirds of the Ocean.”, *United Nations Sustainable Development*, 2023, <https://www.un.org/sustainabledevelopment/blog/2023/06/press-release-historic-agreement-adopted-at-the-un-for-conservation-and-sustainable-use-of-biodiversity-in-over-two-thirds-of-the-ocean/>

⁹⁰ “Press Release: Historic Agreement Adopted at the UN for Conservation and Sustainable Use”.

⁹¹ “Beyond Borders: Why New ‘High Seas’ Treaty Is Critical for the World | UN News.”, *United Nations*, 2023, <https://news.un.org/en/story/2023/06/1137857>

⁹² “Press Release: Historic Agreement Adopted at the UN for Conservation and Sustainable Use”.

⁹³ “High Seas Treaty Progress Table”, *High Seas Alliance*, accessed June 24, 2024, <https://highseasalliance.org/treaty-ratification/table-of-countries/>.

⁹⁴ “High Seas Treaty Progress Table”, *High Seas Alliance*.

The ILC has produced and adopted draft articles concerning the Law of the Sea.⁹⁵ Articles 26-65 specifically highlight the High Seas area, providing provisions from governance to fishing.⁹⁶ With these draft articles submitted to the UN General Assembly, the UNCLOS was signed and ratified by multiple Member States and made into international law.⁹⁷ Currently, the function of the ILC has shifted from a “hard law” approach to a “soft law” approach: the ILC will draft articles, but not for the purpose of “conversion to a treaty, principles, guidelines, and so on.”⁹⁸ Instead, this approach allows the ILC to “elaborate on existing hard law.”⁹⁹ In this case, the ILC does not have any current work in their program in relation to the issue in non-territorial international waters, nor the newly created BBNJ Agreement.¹⁰⁰

Case Study

The Salas y Gomez and Nazca Ridges

Considered to be one of the most unique marine biodiversity hot spots on Earth, the Salas y Gomez and Nazca Ridges are two adjacent seamount (underwater mountain) chains located within the southeastern Pacific Ocean extending over 2,900 kilometers.¹⁰¹ The Nazca Ridge is located mostly in ANBJs and partially in the national waters of Peru.¹⁰² The Salas y Gomez Ridge extends approximately 1,600 kilometers from the Nazca ridge to Rapa Nui, or Easter Island (a territory of Chile).¹⁰³ The central part of Salas y Gomez ridge lies within ABNJ, while both ends of the ridge fall within Chilean EEZ.¹⁰⁴ Both ridges contain over 110 seamounts, or 41 percent, of the seamounts found in the southeastern Pacific. They are also among the most biodiverse marine ecosystems, home to various species not common on any other part of Earth.¹⁰⁵

In 2014, the Convention on Biological Diversity (CBD) recognized the Salas y Gomez and Nazca Ridges as an “ecologically or biologically significant marine area.”¹⁰⁶ The region was also recognized based on its cultural significance: the island of Rapa Nui inhabits a renown archeological site internationally distinguished as a World Heritage Site.¹⁰⁷ Due to its environmental and cultural importance, Chile and Peru attempted to establish MPAs in the portions of the regions within national jurisdiction in 2018.¹⁰⁸

In June 2021, Peru created the Nazca Ridge National Reserve to protect the seafloor portion of the region within national jurisdiction.¹⁰⁹ The Nazca Ridge National Reserve protects 62,392 square kilometers around the Nazca and Salas y Gomez Ridges to “prohibit all extractive activities at depths less than 600 meters, thereby protecting all of the seafloor of the Nazca Ridge that falls within Peruvian waters.”¹¹⁰ Additional advancements have been

⁹⁵ “Summaries of the Work of the International Law Commission”, *International Law Commission*, 2017, https://legal.un.org/ilc/summaries/8_1.shtml.

⁹⁶ “Articles concerning the Law of the Sea with commentaries”, *International Law Commission*, accessed June 23, 2024, https://legal.un.org/ilc/texts/instruments/english/commentaries/8_1_8_2_1956.pdf.

⁹⁷ “Summaries of the Work of the International Law Commission”, *International Law Commission*, 2017, https://legal.un.org/ilc/summaries/8_1.shtml

⁹⁸ Elana Baylis, “The International Law Commission’s Soft Law Influence”, *FIU Law Review* 1007 (2019), https://scholarship.law.pitt.edu/cgi/viewcontent.cgi?article=1009&context=fac_articles

⁹⁹ Elana Baylis, “The International Law Commission’s Soft Law Influence”

¹⁰⁰ “Home”, *International Law Commission*, accessed June 27, 2024, <https://legal.un.org/ilc/>

¹⁰¹ Daniel Wagner et. al., “The Salas y Gomez and Nazca ridges: A review of the importance, opportunities and challenges for protecting a global diversity hotspot on the high seas”, *Marine Policy* 126 (2021):104-337, <https://doi.org/10.1016/j.marpol.2020.104377>

¹⁰² Daniel Wagner et. al, “The Salas y Gomez and Nazca ridges”.

¹⁰³ Daniel Wagner et. al, “The Salas y Gomez and Nazca ridges”.

¹⁰⁴ Daniel Wagner et. al, “The Salas y Gomez and Nazca ridges”.

¹⁰⁵ Daniel Wagner et. al, “The Salas y Gomez and Nazca ridges”.

¹⁰⁶ Daniel Wagner, “Conserving the Last Ocean Frontiers”, in *Maps for Saving the Planet*, ed. Christian Harder and Dawn J. Wright, vol. 3, GIS for Science (Esri Press, 2021). 96-105,

https://static1.squarespace.com/static/5fdd14852071e510e61883b4/t/6171c248c1a7902f754f2515/1634845267238/ES_RI.pdf

¹⁰⁷ Daniel Wagner, “Conserving the Last Ocean Frontiers.”

¹⁰⁸ Daniel Wagner, “Conserving the Last Ocean Frontiers.”

¹⁰⁹ Daniel Wagner, “Conserving the Last Ocean Frontiers.”

¹¹⁰ Daniel Wagner et. al., “The Salas y Gomez and Nazca ridges”.

established to protect the regions from human activities.¹¹¹ For instance, the South Pacific Regional Fisheries Management Organization (SPRFMO) governs the conservation of fishery resources in the region's ABNJ.¹¹²

Although Peru and Chile produced regional MPAs within their EEZ, the Member States do not have the jurisdiction to designate protected areas outside their national jurisdiction.¹¹³ According to Article 4 of the SPRFMO Convention, conservation and management measures for the high seas must align with ABNJ measures to ensure effective conservation of fishery resources.¹¹⁴ Chile did, in fact, submit documentation to the SPRFMO Scientific Committee advocating for Article 4 use.¹¹⁵ However, the ABNJ of this region are still in need of international protection, such as the provisions of the BBNJ agreement.¹¹⁶ Member States are now dependent on this newly formed agreement, which “offers an opportunity to address current gaps in high seas ocean governance to allow for comprehensive and connected protection of marine biodiversity.”¹¹⁷

Conclusion

Increased human development and activities have placed immense pressure on the marine ecosystem and its protections.¹¹⁸ The numerous threats to the oceans, including land-based pollution, overfishing, and climate change, highlight the interconnected nature of marine environmental issues.¹¹⁹ Many of these threats overlap and exacerbate one another, leading to unpredictable and severe impacts on marine biodiversity and ecosystem health.¹²⁰ Modern efforts such as establishing MPAs have been helpful steps in limiting threats to the ecosystem.¹²¹ However, the majority of the oceans still remain unprotected, especially in the ABNJ.¹²² Similar to the process in creating the UNCLOS, the ILCs role, specifically regarding this issue, would be to create governance and suggest possible legal provisions in order to influence the negotiation and ratification processes between Member States.¹²³

Committee Directive

The preservation of marine biodiversity in non-territorial waters presents various challenges that will require additional and sustainable legal frameworks as well as effective cooperation from all Member States. As negotiations and diplomatic actions begin, delegates should consider: How can Member States on a regional, national, and international level limit human activity to ensure sustainable development in the ABNJ? Should the

¹¹¹ Daniel Wagner, “Conserving the Last Ocean Frontiers.”, in *Maps for Saving the Planet*, ed. Christian Harder and Dawn J. Wright, vol. 3, GIS for Science (Esri Press, 2021), 96-105, https://static1.squarespace.com/static/5fdd14852071e510e61883b4/t/6171c248c1a7902f754f2515/1634845267238/ES_RI.pdf

¹¹² Mary Collins, “High Seas-Chile Proposes Protections for Salas y Gomez and Nazca Ridges in Anticipation of Global Treaty”, *Conservation Corridor*, accessed April 8, 2024, <https://conservationcorridor.org/ccsg/working-groups/mcwg/mcwg-activities/case-studies/chile/>.

¹¹³ Vasco Chaves-Molina et.al., “Protecting the Salas y Gomez and Nazca Ridges: A review of policy pathways for creating conservation measures in the international waters of the Southeast Pacific”, *Marine Policy* 152 (2023), https://static1.squarespace.com/static/5fdd14852071e510e61883b4/t/64eccd82bf5cc42e3e63f31c/1693240709565/Chavez-Molina_et_al_2023%5B85%5D.pdf

¹¹⁴ “Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean”, opened for signature February 1, 2010, <https://www.sprfmo.int/assets/Basic-Documents/Convention-and-Final-Act/fdb6d2d6d0/2353205-v2-SPRFMOConvention-textascorrectedApril2010aftersignatureinFebruary2010forcertificationApril2010.pdf>

¹¹⁵ Vasco Chaves-Molina et.al., “Protecting the Salas y Gomez and Nazca Ridges”.

¹¹⁶ Vasco Chaves-Molina et.al., “Protecting the Salas y Gomez and Nazca Ridges”.

¹¹⁷ Mary Collins, “High Seas-Chile Proposes Protections for Salas y Gomez and Nazca Ridges in Anticipation of Global Treaty.”

¹¹⁸ “Threats facing our oceans”, *Department of Conservation*, accessed April 11, 2024, <https://www.doc.govt.nz/nature/habitats/marine/threats-facing-our-oceans/>.

¹¹⁹ “Threats facing our oceans”, *Department of Conservation*.

¹²⁰ “Threats facing our oceans”, *Department of Conservation*.

¹²¹ “The Importance of Marine Protected Areas (MPAs)”, *National Geographic*, 2023, <https://education.nationalgeographic.org/resource/importance-marine-protected-areas/>

¹²² D.C. Dunn et al., “Adjacency: How legal precedent, ecological connectivity, and traditional knowledge inform our understanding of proximity-Policy Brief”, *United Nations Policy Brief*, accessed May 15, 2024, https://www.un.org/depts/los/biodiversity/prepcom_files/BBNJ_Policy_brief_adjacency.pdf.

¹²³ Elena Baylis, “The International Law Commission’s Soft Law Influence”, *FIU Law Review* 13 (6), 2019, <https://dx.doi.org/10.25148/lawrev.13.6.6>.

current “soft law” approach of the ILC be expanded to drafting articles for the BBNJ Agreement? What mechanism(s) can be implemented to ensure accountability and enforcement of these regulations in ANBJ? With these questions in mind, delegates are encouraged to consider and expand previous frameworks and revisit the issue of governance in the High Seas.

II. Promoting the International Governance of Artificial Intelligence

Introduction

While there is no universal definition of Artificial Intelligence (AI), the United Nations (UN) refers to AI as a “discipline of computer science that is aimed at developing machines and systems that can carry out tasks considered to require human intelligence.”¹²⁴ The use of AI is growing at an exponential rate and is being applied in a variety of sectors, ranging from international security to the arts.¹²⁵ AI is also affecting job markets, communication, and the humanities.¹²⁶ UN Secretary General Antonio Guterres spoke to the rapid growth and use of AI, comparing the two months that the AI software took to amass 100 million users to the 50 years it took for printed books to be spread across Europe after the development of the printing press.¹²⁷ As it is developed, AI could be harnessed to advance humanity, including helping the international community to achieve the Sustainable Development Goals (SDGs) by improving risk assessments and sharing knowledge faster.¹²⁸ However, AI also brings forth a series of new challenges, including but not limited to gender/racial bias, threats to privacy, and concerns of intellectual property rights.¹²⁹ This new technological era presents the international community with the questions of what should it be used for; how can it be used ethically; and how its use should be governed.¹³⁰ To answer these questions, the UN and the International Law Commission (ILC) will need to consider not only the short-term effects but also future consequences of AI use and spread.¹³¹

History

The birth of AI can be traced back to the 1950s, when computers first transitioned from decimal logic, using values of 0 to 9 in the coding, to binary logic of chains of 0s and 1s.¹³² This is significant as the decimal system was written and designed for human comprehension while binary logic was built specifically for computers to interpret and execute commands efficiently and independently of human input.¹³³ This change proved that machines were capable of following programmed instructions and, therefore, may be capable of intelligence.¹³⁴ By 1952, researchers at the University of Oxford created a computerized checkers program able to play an entire game by itself.¹³⁵ In 1957, a program called the General Problem Solver (GPS) solved puzzles using trial and error processes; however, the program was not able to learn or retain information that it had gathered from solving the puzzles.¹³⁶ A lack of computer learning persisted through the 1960s as machines did not have sufficient memory, making it difficult for them to create a language of their own in which to learn.¹³⁷

By the mid-1960s, researchers at Massachusetts Institute of Technology (MIT) - and Stanford University in 1972 - had both created systems that used “inference engines,” computer programs that use learned logic to make

¹²⁴ “UNRIC Library Background: Artificial Intelligence – Selected Online Resources,” *United Nations, Regional Information Centre for Western Europe*, accessed March 4, 2024, <https://unric.org/en/unric-library-background-artificial-intelligence/#:~:text=There%20is%20no%20universal%20definition,are%20two%20subsets%20of%20AI>.

¹²⁵ Audrey Azoulay, “Towards an Ethics of Artificial Intelligence,” *United Nations*, December 2018, accessed February 26, 2024, <https://www.un.org/en/chronicle/article/towards-ethics-artificial-intelligence>.

¹²⁶ Audrey Azoulay, “Towards an Ethics of Artificial Intelligence,” *United Nations*.

¹²⁷ “International Community Must Urgently Confront New Reality of Generative, Artificial Intelligence, Speakers Stress as Security Council Debates Risks, Rewards,” *United Nations*, July 18, 2023, accessed March 1, 2024, <https://press.un.org/en/2023/sc15359.doc.htm>.

¹²⁸ Audrey Azoulay, “Towards an Ethics of Artificial Intelligence,” *United Nations*.

¹²⁹ “193 countries adopt first-ever global agreement on the Ethics of Artificial Intelligence,” *United Nations News*, November 25, 2021, accessed February 28, 2024, <https://news.un.org/en/story/2021/11/1106612>.

¹³⁰ Audrey Azoulay, “Towards an Ethics of Artificial Intelligence,” *United Nations*.

¹³¹ Audrey Azoulay, “Towards an Ethics of Artificial Intelligence,” *United Nations*.

¹³² “History of Artificial Intelligence,” *Council Of Europe*, accessed April 9, 2024, <https://www.coe.int/en/web/artificial-intelligence/history-of-ai>.

¹³³ Adam Thomas, “What is binary?,” *Built In*, accessed June 24, 2024, <https://builtin.com/software-engineering-perspectives/binary#:~:text=While%20the%20decimal%20system%20is,to%20represent%20the%20same%20value>.

¹³⁴ “History of Artificial Intelligence,” *Council Of Europe*.

¹³⁵ “Alan Turing and the beginning of AI,” *Britannica*, accessed April 9, 2024, <https://www.britannica.com/technology/artificial-intelligence/The-Turing-test>.

¹³⁶ “Alan Turing and the beginning of AI,” *Britannica*.

¹³⁷ “History of Artificial Intelligence,” *Council Of Europe*.

predictions, to produce answers regarding issues of chemistry and blood disease diagnosis respectively.¹³⁸ Eliza and Parry, two pioneer AI programs, were able to have intelligent conversations that were human-like in 1966.¹³⁹ At this time, specialized computer languages were being created for the computer to learn, such as the Information Processing Language or PROLOG, a logic programming language.¹⁴⁰ By the 1980s, AI was able to draw logical inferences at a human-like level based on given prompts and even conjugate verbs.¹⁴¹

Fast-forward to the 2010s and AI began to boom due to the accessibility of data and efficient processors.¹⁴² By this time, AI could be used to recognize images and answer questions.¹⁴³ This progress can be attributed to a shift in focus from coding to the correlation and classification of data.¹⁴⁴ This shift centered on machine learning.¹⁴⁵ Machine-learning is an approach to developing artificial intelligence that utilizes systems that self-teach from data rather than manual programming.¹⁴⁶ Machine learning has created some of the most common AI in today's society, including autonomous vehicles such as self-driving Teslas, research and writing programs such as ChatGPT, or virtual assistants such as Alexa or Siri.¹⁴⁷

Current Situation

Today AI is growing and evolving rapidly. The international community is faced with creating international governance for the responsible use of AI while also navigating pre-existing, related international laws and treaties.¹⁴⁸ In addition to legal responsibility, there are concerns about how AI should be used ethically to protect individual citizens privacy and well-being.¹⁴⁹ Currently, AI is able to assist people with daily tasks, such as translation or even acting as tutors.¹⁵⁰ AI can be used to predict natural disasters, and market success rates.¹⁵¹ However, there are still many concerns regarding the unknowns and uncertainties of AI.¹⁵² Some of the largest concerns include issues of privacy, bias, discrimination, and equal access to the technology.¹⁵³ Culture and creativity could be threatened as AI-generated art or products may lead to questions of intellectual property.¹⁵⁴ Other concerns with AI creations include how AI will affect the requirements for certain jobs, how AI will change job markets, and the overall economy as a result.¹⁵⁵ These concerns combine with the rapid development and an absence of regulation, which will allow AI to continue to develop in a manner that may lead to a loss of privacy, perpetuate discrimination, spread disinformation, and allow for information manipulation.¹⁵⁶

¹³⁸ "History of Artificial Intelligence," *Council Of Europe*, accessed April 9, 2024, <https://www.coe.int/en/web/artificial-intelligence/history-of-ai>.

¹³⁹ "Alan Turing and the beginning of AI," *Britannica*, accessed April 9, 2024, <https://www.britannica.com/technology/artificial-intelligence/The-Turing-test>.

¹⁴⁰ "Alan Turing and the beginning of AI," *Britannica*.

¹⁴¹ "Alan Turing and the beginning of AI," *Britannica*.

¹⁴² "History of Artificial Intelligence," *Council Of Europe*.

¹⁴³ "History of Artificial Intelligence," *Council Of Europe*.

¹⁴⁴ "History of Artificial Intelligence," *Council Of Europe*.

¹⁴⁵ "History of Artificial Intelligence," *Council Of Europe*.

¹⁴⁶ Vincent Boulanin, "Artificial Intelligence: A primer," *The Impact of Artificial Intelligence on Strategic Stability and Nuclear Risk: Volume 1 Euro Atlantic Perspectives* (Stockholm International Peace Research Center, 2019): 13 -25, accessed March 1, 2024, <https://www.jstor.org/stable/resrep24525.8>.

¹⁴⁷ "Alan Turing and the beginning of AI," *Britannica*.

¹⁴⁸ United Nations AI Advisory Body. *Governing AI for Humanity*. New York, NY: UN Headquarters: United Nations, 2023. https://www.un.org/sites/un2.un.org/files/ai_advisory_body_interim_report.pdf.

¹⁴⁹ United Nations AI Advisory Body. *Governing AI for Humanity*.

¹⁵⁰ United Nations AI Advisory Body. *Governing AI for Humanity*.

¹⁵¹ United Nations AI Advisory Body. *Governing AI for Humanity*.

¹⁵² United Nations AI Advisory Body. *Governing AI for Humanity*.

¹⁵³ United Nations AI Advisory Body. *Governing AI for Humanity*.

¹⁵⁴ Rowena Rodrigues, "Legal and human rights issues of AI: Gaps, challenges and vulnerabilities", *Journal of Responsible Technology*, volume # 4, December 2022, accessed July 20, 2024, <https://doi.org/10.1016/j.jrt.2020.100005>.

¹⁵⁵ Rowena Rodrigues, "Legal and human rights issues of AI: Gaps, challenges and vulnerabilities".

¹⁵⁶ United Nations AI Advisory Body. *Governing AI for Humanity*.

A loss of privacy is one of the largest concerns of AI usage.¹⁵⁷ An example of the misuse of AI is the United States-based company Clearview AI, which is accused of collecting public photos across social media platforms and pairing it with facial recognition software to sell to local law enforcement.¹⁵⁸ Misuse can also include AI accessing personal data without consent of the individual, stripping them of their privacy.¹⁵⁹ AI is also generating concerns about deception and misinformation, such as deep fakes: artificially crafted audio and video recordings that can be indistinguishable from reality.¹⁶⁰ In 2022, amidst the Russian full-scale invasion of Ukraine, a deep fake was circulated of President Zelensky telling the Ukrainian people to surrender and go home.¹⁶¹ This video was falsified using AI technology and had vast implications for the security of Ukraine and the international community.¹⁶² It is difficult to account for issues such as these when looking toward an international governance framework, as the rapid developments of AI increase the difficulty of accounting for and addressing specific issues and predicting future issues.¹⁶³ Issues as large as privacy become complex and unpredictable due to the evolving nature.¹⁶⁴ To effectively address these issues, there must first be an agreed upon idea of what is considered beneficial or dangerous – an ethical framework will first be required.¹⁶⁵

Deep fakes also bring concerns of gender-based harassment, such as AI generated pornography of female celebrities that is created without permission to use the name, image, or likeness of the celebrity.¹⁶⁶ Additionally, gender bias in AI can also be seen in the use of online search engines which may display more sexualized images and depictions of women compared to their male counterparts, projecting a continuation of stereotypes.¹⁶⁷ This gender bias can also lead to issues of data gaps as programmers inadvertently embed AI with stereotypes based in gender roles, causing bias in results.¹⁶⁸ For example, UN Women has found that most AI programs are programmed by men, who may insert bias, intentionally or unintendedly, and only create results that are applicable to men, and do not account for women.¹⁶⁹ To account for these issues in international governance, there also must be efforts to increase gender-perspectives.¹⁷⁰

A concern for discrimination can be seen in the use of specific facial recognition software to detect ethnicities such as a program used by the Chinese company Dahua.¹⁷¹ This could lead and has led to the flagging of certain communities more often than others.¹⁷² An example of this includes predictive policing, which will flag certain demographics as higher risk, leading to higher incarceration rates of certain ethnicities.¹⁷³ These stereotypes paired with AI being able to learn from human-influenced prejudices in the programming leave the possibility of AI being used unethically to target specific individuals if used for surveillance or if used in legal processes.¹⁷⁴

¹⁵⁷ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations,” *United Nations, Office of Information and Communications Technology*, accessed March 1, 2024, <https://unite.un.org/news/unite-paper-framework-ethical-ai-united-nations>.

¹⁵⁸ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁵⁹ Rowena Rodrigues, “Legal and human rights issues of AI: Gaps, challenges and vulnerabilities”, *Journal of Responsible Technology*, volume # 4, December 2022, accessed July 20, 2024, <https://doi.org/10.1016/j.jrt.2020.100005>.

¹⁶⁰ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁶¹ Kyle Hiebert, “Democracies Are Dangerously Unprepared for Deepfakes: Disinformation, foreign interference, fraud and conspiracy will worsen as digital forgeries become indiscernible from reality,” *Artificial Intelligence, Centre for International Governance Innovation*, April 27, 2022, <https://www.cigionline.org/articles/democracies-are-dangerously-unprepared-for-deepfakes/>.

¹⁶² Kyle Hiebert, “Democracies Are Dangerously Unprepared for Deepfakes.”

¹⁶³ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁶⁴ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁶⁵ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁶⁶ Kyle Hiebert, “Democracies Are Dangerously Unprepared for Deepfakes.”

¹⁶⁷ “Artificial Intelligence: examples of ethical dilemmas,” *UNESCO*, April 21, 2023, accessed July 20, 2024, <https://www.unesco.org/en/artificial-intelligence/recommendation-ethics/cases>.

¹⁶⁸ “Artificial Intelligence and gender equality”, *UN Women*, May 22, 2024, accessed June 30, 2024, <https://www.unwomen.org/en/news-stories/explainer/2024/05/artificial-intelligence-and-gender-equality>.

¹⁶⁹ “Artificial Intelligence and gender equality,” *UN Women*.

¹⁷⁰ “Artificial Intelligence and gender equality,” *UN Women*.

¹⁷¹ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁷² Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁷³ Lambert Hogenhout, “Unite Paper: A Framework for Ethical AI at the United Nations”.

¹⁷⁴ “Artificial Intelligence: examples of ethical dilemmas,” *UNESCO*.

The concern of discrimination often coincides with the concern of a lack of transparency.¹⁷⁵ Lack of transparency in the algorithms used by AI could lead to issues of discrimination against people seeking employment, loans, or other processes, thus leaving them without explanation or understanding as to why or how these programs are learning such behavior, limiting corrections or modifications to fix such issues.¹⁷⁶ To address discrimination within international governance will require putting humans “in-the-loop” to monitor the process of the machine learning to understand where in the process discrimination is presenting.¹⁷⁷ Data will need to be gathered and understood on this process, before it can be fully addressed.¹⁷⁸

Another issue to be considered is the digital divide.¹⁷⁹ Developed Member States who have greater technological resources and funding are developing AI and harnessing its uses at a faster rate than Developing Member States.¹⁸⁰ Not only does this risk furthering the divide between Member States, it also makes Developing Member States more susceptible to the issues discussed above because they lack capacity to respond to the emerging challenges.¹⁸¹ The divide also creates unique challenges in governance as Developing Member States struggle to regulate technologies that are being developed and imposed upon them.¹⁸²

Actions Taken by the United Nations

Currently, the UN has made little progress in developing an international framework for governance of AI.¹⁸³ The UN Chief Executives Board for Coordination (CEB) conducted reviews of the current policies and laws governing AI, and identified significant gaps in capacity within the UN, as well as challenges for policy makers in addressing the impacts of AI.¹⁸⁴ These challenges – ranging from social, political, economic, ethical, and technical – all need to be addressed in one central framework that account for the specialized needs of every Member State.¹⁸⁵ The ILC’s official input in the international governance of AI will be “invaluable” to creating a centralized framework, according to the UN Legal Counsel—the equivalent of the UN General Counsel—who has predicted the impact of AI to be tremendous, leaving many Member States without the capacity to regulate the field.¹⁸⁶ The UN Legal Counsel also expressed concerns the ILC would require communication with experts in the field, as well as other representatives from UN bodies who are currently utilizing AI.¹⁸⁷

In 2019, the UN Chief Executives Board for Coordination (CEB) created a UN system-wide approach to build capacity for and harness the benefits of AI while mitigating risk factors.¹⁸⁸ The CEB called for new oversight and standards with guardrails to ensure equality and dignity.¹⁸⁹ The plan placed an emphasis on focusing such efforts on developing and least developed Member States.¹⁹⁰ The CEB, recognizing the challenges of rapidly enhancing AI, approached the issue of creating a framework by using four “layers” beyond a general approach, including a focus

¹⁷⁵ Rowena Rodrigues, “Legal and human rights issues of AI: Gaps, challenges and vulnerabilities”, *Journal of Responsible Technology*, volume # 4, December 2022, accessed July 20, 2024, <https://doi.org/10.1016/j.jrt.2020.100005>.

¹⁷⁶ Rowena Rodrigues, “Legal and human rights issues of AI: Gaps, challenges and vulnerabilities.”

¹⁷⁷ Rowena Rodrigues, “Legal and human rights issues of AI: Gaps, challenges and vulnerabilities.”

¹⁷⁸ Rowena Rodrigues, “Legal and human rights issues of AI: Gaps, challenges and vulnerabilities.”

¹⁷⁹ “‘We Must Join Forces’ to Ensure Artificial Intelligence Advances Greater Good, Not Inequality, Secretary-General Tells International Telecommunication Union Council”, *United Nations Meetings Coverage and Press Releases*, June 12, 2024, accessed June 30, 2024, <https://press.un.org/en/2024/sgsm22272.doc.htm>.

¹⁸⁰ “‘We Must Join Forces’ to Ensure Artificial Intelligence Advances Greater Good.

¹⁸¹ “‘We Must Join Forces’ to Ensure Artificial Intelligence Advances Greater Good.

¹⁸² “‘We Must Join Forces’ to Ensure Artificial Intelligence Advances Greater Good.

¹⁸³ Chief Executives Board for Coordination addendum 3, *A United Nations system-wide strategic approach and road map for supporting capacity development on artificial intelligence*, CEB/2019/1/Add.3 (June 17, 2019), https://unscceb.org/sites/default/files/2020-09/CEB_2019_1_Add-3-EN_0.pdf.

¹⁸⁴ Chief Executives Board for Coordination addendum 3.

¹⁸⁵ Chief Executives Board for Coordination addendum 3.

¹⁸⁶ International Law Commission summary record 3622, *Provisional summary record of the 3622nd meeting*, A/CN.4/SR.3622 (June 13, 2023), https://legal.un.org/ilc/dtSearch/Search_Forms/dtSearch.html.

¹⁸⁷ International Law Commission summary record 3622, *Provisional summary record of the 3622nd meeting*.

¹⁸⁸ Chief Executives Board for Coordination addendum 3.

¹⁸⁹ Chief Executives Board for Coordination addendum 3.

¹⁹⁰ Chief Executives Board for Coordination addendum 3.

on the highest certainty of challenges in infrastructure; data; human capital and social capabilities; and policy, law, and human rights.¹⁹¹

In 2022, all 193 Member States adopted the United Nations Educational, Social and Cultural Organization (UNESCO)'s Recommendation on the Ethics of Artificial Intelligence.¹⁹² This recommendation called for the promotion of international collaboration for the rule of law regarding AI and further recognized the need for international human-rights law to be a guiding principle in creating AI norms.¹⁹³ The Recommendation emphasized the rapid development of AI would be a challenge for governance purposes and asked the Member States to use the recommendation as guidance for their own jurisdictions.¹⁹⁴ The recommendation additionally suggested policies should center around a variety of areas, such as ethical impact, ethical governance, data, development and international cooperation, gender, culture, education, communication, the economy, and health.¹⁹⁵ As of January 2024, the UN Economic and Social Council (ECOSOC) was still actively calling for an artificial governance framework to aid in accomplishing the Sustainable Development Goals in E/C.16/2024/7.¹⁹⁶

The United Nations formed the High-level Advisory Body (HLAB) on AI to assist in making recommendations for the international governance of AI.¹⁹⁷ The HLAB released an Interim Report in December of 2023 in which it recognized a global governance framework deficit regarding AI.¹⁹⁸ The report calls for an international governance framework that can be adaptable to all Member States.¹⁹⁹ The HLAB suggests a global approach with a preliminary goal of regulated access to the basics of AI to be used for the common good and within reason.²⁰⁰ The HLAB further stated full comprehension of the science, measures of accountability, and equitable use of AI are all issues and challenges that must be addressed when discussing governance.²⁰¹

The ILC first suggested the exploration of the legal aspects of AI in A/CN.4/734; however, the ILC has not officially addressed the topic as of July 2024.²⁰² In 2021, the ILC discussed that the UN Commission on International Trade Law (UNICTRAL) would be exploring legal issues relating to artificial intelligence in 2022 and that the ILC would be looking to such reports as they became available.²⁰³ UNICTRAL passed A/CN.9/1065 in May 2021, addressing legal issues relating to the digital economy.²⁰⁴ A/CN.9/1065 presented a proposed legislative work for AI regarding

¹⁹¹ Chief Executives Board for Coordination addendum 3, *A United Nations system-wide strategic approach and road map for supporting capacity development on artificial intelligence*. <https://unsceb.org/united-nations-system-wide-strategic-approach-and-road-map-supporting-capacity-development>.

¹⁹² *Recommendation on the Ethics of Artificial Intelligence*. Paris, France: United Nations Educational, Scientific and Cultural Organization, 2022. <https://www.unesco.org/en/articles/recommendation-ethics-artificial-intelligence>.

¹⁹³ *Recommendation on the Ethics of Artificial Intelligence*.

¹⁹⁴ *Recommendation on the Ethics of Artificial Intelligence*.

¹⁹⁵ *Recommendation on the Ethics of Artificial Intelligence*.

¹⁹⁶ Economic and Social Council, *Artificial intelligence governance to reinforce the 2030 Agenda and leave no one behind*. New York, NY: UN Headquarters, 2024. <https://digitallibrary.un.org/record/4038395?ln=en>.

¹⁹⁷ United Nations AI Advisory Body. *Governing AI for Humanity*. New York, NY: UN Headquarters: United Nations, 2023. https://www.un.org/sites/un2.un.org/files/ai_advisory_body_interim_report.pdf.

¹⁹⁸ United Nations AI Advisory Body. *Governing AI for Humanity*.

¹⁹⁹ United Nations AI Advisory Body. *Governing AI for Humanity*.

²⁰⁰ United Nations AI Advisory Body. *Governing AI for Humanity*.

²⁰¹ United Nations AI Advisory Body. *Governing AI for Humanity*.

²⁰² International Law Commission, *Report of the International Law Commission on the work of its seventy-first session (2019)*. Geneva, Switzerland, 2020.

https://legal.un.org/ilc/documentation/english/a_cn4_734.pdf#xml=https://legal.un.org/dtSearch/dtisapi6.dll?cmd=getpdfhits&DocId=11643&Index=D%3a%5csites%5clegal%5cilc%5cdtSearch%5cIndexes%5cDocuments%2dEnglish&HitCount=2&hits=1dcb+1dcc+&.pdf.

²⁰³ International Law Commission summary record 3540, *Provisional summary record of the 3540nd meeting*, A/CN.4/SR.3540, (September 14, 2021), https://legal.un.org/ilc/documentation/english/summary_records/a_cn4_sr3540.pdf#xml=https://legal.un.org/dtSearch/dtisapi6.dll?cmd=getpdfhits&DocId=15286&Index=D%3a%5csites%5clegal%5cilc%5cdtSearch%5cIndexes%5cDocuments%2dEnglish&HitCount=2&hits=ee8+ee9+&.pdf.

²⁰⁴ United Nations Commission on International Trade Law resolution 1065, *Legal issues related to the digital economy – proposal for legislative work on electronic transactions and the use of artificial intelligence and automation*, A/CN.9/1065, (May 5, 2021), <https://documents.un.org/doc/undoc/gen/v21/030/17/pdf/v2103017.pdf?token=u0TyA9mKvyw1x0of53&fe=true>.

solely electronic transactions in the context of international trade.²⁰⁵ UNICTRAL passed a similar legislative proposal regarding AI in automated contracting in resolution A/CN.9/WG.IV/WP.173.²⁰⁶ While the ILC has not addressed artificial intelligence directly, the ILC notes that the potential impact of artificial intelligence will be huge and will likely require external expertise in creating a comprehensive legal framework.²⁰⁷

Conclusion

AI is the ability for machines to grow and learn using human created and prompted languages.²⁰⁸ AI is growing and expanding at a rapid, unprecedented rate.²⁰⁹ Member States are now being faced with the task of how to govern a new technology that prompts questions of uncertainty and the unknown.²¹⁰ To date, the UN has not created any international governance frameworks regarding AI.²¹¹ This lack of governance, mixed with the rapid rate of technological advancements, creates the possibility of a variety of concerns including the violation of human rights.²¹² The ILC, the UN body dedicated to creating reports on how to develop and codify international law, is the body best suited to create this much need international governance framework.²¹³

Committee Directive

Delegates should be prepared to discuss: How can AI be harnessed for good? How can the UN ensure that Member States are ethically using AI? How do we prevent unethical uses? What should be done when AI is used unethically? How do Member States report and measure this data? How can the UN improve international cooperation regarding AI? How do Member States create legislature to prevent unknown and unanticipated future advancements? In general, delegates should address these questions with realistic solutions for implementing their goals. Delegates should focus on building upon established ILC, UN, and other multilateral programs and initiatives rather than creating new bodies within the ILC or the UN. Delegates should also focus on the issue as a whole and not specific situations.

²⁰⁵ United Nations Commission on International Trade Law resolution 1065, *Legal issues related to the digital economy – proposal for legislative work on electronic transactions and the use of artificial intelligence and automation*, A/CN.9/1065, (May 5, 2021), <https://documents.un.org/doc/undoc/gen/v21/030/17/pdf/v2103017.pdf?token=u0TyA9mKvyw1x0of53&fe=true>.

²⁰⁶ United Nations Commission on International Trade Law resolution WP. 173, *The use of artificial intelligence and automation in contracting*, A/CN.9/WG.IV/WP.173, (February 25, 2022), <https://documents.un.org/doc/undoc/ltd/v22/011/17/pdf/v2201117.pdf?token=AfKSXk7bukGlrZVhhu&fe=true>.

²⁰⁷ Chief Executives Board for Coordination addendum 3, *A United Nations system-wide strategic approach and road map for supporting capacity development on artificial intelligence*, CEB/2019/1/Add.3 (June 17, 2019), https://unsceb.org/sites/default/files/2020-09/CEB_2019_1_Add-3-EN_0.pdf.

²⁰⁸ “UNRIC Library Backgrounder: Artificial Intelligence – Selected Online Resources,” *United Nations, Regional Information Centre for Western Europe*.

²⁰⁹ Audrey Azoulay, “Towards an Ethics of Artificial Intelligence,” *United Nations*, December 2018, accessed February 26, 2024, <https://www.un.org/en/chronicle/article/towards-ethics-artificial-intelligence>.

²¹⁰ United Nations AI Advisory Body. *Governing AI for Humanity*. New York, NY: UN Headquarters: United Nations, 2023. https://www.un.org/sites/un2.un.org/files/ai_advisory_body_interim_report.pdf.

²¹¹ Economic and Social Council, *Artificial intelligence governance to reinforce the 2030 Agenda and leave no one behind*. New York, NY: UN Headquarters, 2024. <https://digitallibrary.un.org/record/4038395?ln=en>.

²¹² United Nations AI Advisory Body. *Governing AI for Humanity*.

²¹³ International Law Commission, *Report of the International Law Commission on the work of its seventy-first session (2019)*. Geneva, Switzerland, 2020. https://legal.un.org/documentation/english/a_cn4_734.pdf#xml=https://legal.un.org/dtSearch/dtisapi6.dll?cmd=getpdfhits&DocId=11643&Index=D%3a%5csites%5clegal%5ciclc%5cdtSearch%5cIndexes%5cDocuments%2dEnglish&HitCount=2&hits=1dcb+1dcc+&.pdf.

Annotated Bibliography

I. Preserving Marine Biodiversity in Non-Territorial International Waters

Nele Matz & Rudiger Wolfrum, “The Interplay of the United Nations Convention on the Law of the Sea and the Convention on Biological Diversity,” *Max Planck Yearbook of United Nations Law* Volume 4, (2000): 445-480, https://www.mpil.de/files/pdf2/mpunyb_wolfrum_matz_4.pdf.

The *Max Planck Yearbook of United Nations Law* is a publication providing extensive overview of legal developments in the UN system. This publication, “The Interplay of the United Nations Convention on the Law of the Sea and the Convention on Biological Diversity,” concentrates on whether the UN Convention on the Law of the Sea (UNCLOS) and the Convention on Biological Diversity (CBD) provide adequate protection of marine biological resources and how far these protections extend by examining the difference in marine “management” and “conservation”. UNCLOS’s provisions focus on short-term economic interests and providing marine living resources, with emphasis on territorial waters and the high seas. In contrast, the CBD’s provisions focus on long term solutions on conserving marine biodiversity and protected areas. This publication highlights the specific differences and limitations of protection within these frameworks and their legal bases.

Anna Aseeva, “Rethinking Conservation of Marine Biodiversity Beyond National Boundaries: Justice, Property, and the Commons,” *The Georgetown Environmental Law Review* Volume 33, no. 443 (2021): 444-487, <https://www.law.georgetown.edu/environmental-law-review/wp-content/uploads/sites/18/2022/04/GT-GELR220002.pdf>.

The *Georgetown Environmental Law Review* is a legal journal published at Georgetown University Law Center that focuses on environmental and natural resources, law, and policy issues. This article titled “Rethinking Conservation of Marine Biodiversity Beyond National Boundaries: Justice, Property, and the Commons” focuses on the interconnectedness among international laws on oceanic territories, intellectual property rights, and preserving biodiversity in areas beyond national jurisdiction. The case concerns the exploration and exploitation of marine biodiversity that led to the UN General Assembly’s 2017 UNCLOS resolution. This publication enhances the understanding of issues surrounding marine biodiversity in non-territorial waters and viable legal frameworks to combat said issues.

Vasco Becker-Weinberg, “Seabed Activities and the Protection and Preservation of the Marine Environment in Disputed Maritime Areas of the Asia-Pacific Region,” *University of Berkley*, 2012, <https://www.law.berkeley.edu/files/Becker-Weinberg-final.pdf>.

This paper is originated from the University of Berkeley Law School’s annually held conference, the Law of the Sea Institute (LOSI) Conference, which is an “internationally recognized forum” that focuses on discussions on international oceans and sea laws and research on marine issues. This paper, “Seabed Activities and the Protection and Preservation of the Marine Environment in Disputed Maritime Areas of the Asia-Pacific Region,” examines how conflicts over maritime boundaries in the Asia Pacific region continue to allow mineral exploration in disputed areas. UNCLOS contains provisions that allow coastal Member States to “exercise jurisdiction” over offshore structures in disputed areas and establish protections around them; however, those provisions do not specifically address the rights and obligations of Member States in said disputed areas, therefore, subjecting them to various disadvantages in the negotiation process.

Odile Delfour-Samama & Cedric Leboeuf, “Review of potential legal frameworks for effective implementation and enforcement of MPAs in the high seas”, *ICES Journal of Marine Science*, 71(5), 1031-1039. <https://doi.org/10.1093/icesjms/fsu024>.

The *International Council for the Exploration of the Sea (ICES) Journal of Marine Science* acts as the basis for providing scientific guidance on various conservation issues concerning the marine environment. This article, “Review of potential legal frameworks for effective implementation and enforcement of MPAs in the high seas,” questions the validity of current national and international legal frameworks related to

protecting marine ecosystems and its potential role in aiding marine protected areas (MPAs) and the High Seas. In addition, the article proposes a new solution, surveillance programs in marine areas, as a potential effective method to test the efficacy of the current legal frameworks. This publication highlights possible effective provisions and solutions in combating the current issues in the high seas.

II. Promoting the International Governance of Artificial Intelligence

Andrea Gilli, et al., “Understanding the Revolution: Artificial Intelligence, Machine Learning and Big Data,” *“NATO-Mation”: Strategies for Leading in the Age of Artificial Intelligence* (NATO Defense College): 17-24, Dec. 2, 2020 <https://www.jstor.org/stable/resrep27711.9>.

NATO Defense College is an educational institution that develops and researches North Atlantic Treaty Organization issues. The article “Understanding the Revolution . . .” summarizes key scientific developments that have been utilized in creating AI. Processors, algorithms, and data are key components used in the creation of AI. These components have improved drastically over the years due to scientific advancements. How these components are utilized create unique AI and thus unique considerations. This article takes a deep dive into examining these components and their current capabilities and implications.

Ajay Agrawal, Joshua S. Gans and Avi Goldfarb, “Artificial Intelligence: The Ambiguous Labor Market Impact of Automating Prediction,” *The Journal of Economic Perspectives* 33, no. 2 (Spring 2019): 31-50, accessed March 31, 2024, <https://www.jstor.org/stable/26621238>.

The Journal of Economic Perspectives publishes articles to synthesize economic research, provide economic policy analysis, and encourage research and future-forward thinking. The article “Artificial Intelligence: The Ambiguous Labor Market Impact of Automating Prediction” discusses how AI has benefited the concept of prediction – the ability to fill-in information by using existing data. Prediction is often used in decision-making, previously always been done by a human using statistics and data. Now areas such as the legal field, driving, emergency medicine, and beyond may not need a human to solve the issues at hand. However, the ability for machines to predict is mere speculation and cannot be governed currently. This article details to how AI may affect different jobs and career fields based on its ability to make predictions, which should be considered when engaging in international governance.

Can Kasapoğlu and Barış Kırdemir, *Wars of None: Artificial Intelligence and the Future of Conflict*. Centre for Economics and Foreign Policy Studies, 2019, accessed March 1, 2024, <https://www.jstor.org/stable/resrep21050>.

The Centre for Economics and Foreign Policy Studies focuses on foreign policy and security. The report “Wars of None . . .” centers on the impacts AI will have on weaponry and how AI may be utilized in warfare. Currently, many Member States are conducting research and developmental on AI in the beginning of a new technological revolution. While this revolution is occurring, this leaves international policy and cooperation in a gray area of the most responsible way to govern. This article discusses current research and developments across several of the Permanent Five Members States of the UN Security Council. The report predicts what these developments will mean in the context of international cooperation and provides recommendations for international policymakers to consider regarding international conflict.

Eleonore Pauwels, *Artificial Intelligence and Data Capture Technologies in Violence and Conflict Prevention: Opportunities and Challenges for the International Community*, Global Center on Cooperative Security, 2020, accessed March 1, 2024, <https://www.jstor.org/stable/resrep27551>.

The Global Center on Cooperative Security is a non-profit organization that collaborates frequently with the UN regarding inclusive policy making recommendations. This policy brief focuses on AI and its connection with peacekeeping. AI could be harnessed to predict behavior based on patterns or intelligence collection. However, these types of uses have the potential to disproportionately impact different groups of people and Member States differently. The report provides overarching, detailed recommendations to the UN on how AI can be utilized in peacekeeping effectively while accounting for incidental discrimination.