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Topic: Limiting the use of Lethal Autonomous Weapons (LAWs) in times of conflict

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Introduction

Lethal autonomous weapons (LAWs) have been defined as weapons that possess the ability to select and engage targets without direct human intervention, or are otherwise called autonomous weapons systems, “killer robots” or “slaughterbots.” Recent controversy surrounding the topic of the legalization of LAWs refers to the popular technological advancements and growing potential for

them to be implemented into military systems. In the past, the consideration of how artificial intelligence (AI), machine learning, and robotics will hold a place in our lives has led to a polarization of states within the UN. This is particularly due to the emergence of autonomous systems capable of operating with minimal or no human intervention, hence the nickname “killer robots”.

Regarding the recent history of such weapons and those akin to LAWs, unmanned aerial vehicles (UAVs) or drones, for instance, have been largely deployed globally as a means for surveillance and defensive purposes. However, unlike LAWs, these devices maintain a direct human control element as they are still remotely controlled by humans.

Ethical concerns raised encompassing this topic include the potential for unintended and unjustifiable consequences, amongst others. Additionally, questions have been raised concerning accountability, security threats and compliance with international humanitarian law. Specifically, the lack of human judgment and decision-making in the use of force. Various states have scrutinized the effect that such weapons will have on civilians and indiscriminate usage as well as the moral and legal factors that come into play, such as: distinguishing between combatants and civilians, assessing proportionality, and ensuring adherence to the principles of distinction and military necessity. At the same time, there are existing arguments about the military enhancement that this will provide nations due to claims that complement the increased situational awareness and human factors that affect decision-making, such as emotions or fatigue. Delegates will be expected to develop a resolution that will aid in the limitation of LAWs, while maintaining their delegations’ position at all times.

Definition of Key Terms

Lethal autonomous weapons (LAWs)

A special class of weapon systems that use sensor suites and computer algorithms to independently identify a target and employ an onboard weapon system to engage and destroy the target without manual human control of the system.

Artificial intelligence (AI)

The theory and development of computer systems able to perform tasks normally requiring human intelligence, such as visual perception, speech recognition, decision-making, and translation between languages.

Civilian

A person who is not a member of the armed forces or the police.

Situational awareness

The conscious knowledge of the immediate environment and the events that are occurring in it. Situation awareness involves perception of the elements in the environment, comprehension of what they mean, how they relate to one another, and projection of changes.

Drone swarm

A drone swarm is a group of drones that work together to achieve a common goal. All the individual drones work in unison to complete tasks using distributed coordination, forming a single weapons platform. With each communication sent out by one drone providing the others with up-to-date information about their environment and roles in the mission, these swarms react quickly and precisely to changes in their surroundings based on real-time data.

International Humanitarian Law (IHL)

International humanitarian law is a set of rules that seek to limit the effects of armed conflict. Its objective is to limit the suffering caused by warfare and to alleviate its effects. For example, it has the power to entirely restrict or ban certain weapons.

Background Information

History

The history of LAWs is one that is recent and ongoing. Nevertheless, reports have been issued about their deployment. The global community has successfully prohibited classes of weaponry in the past, from biological weapons to landmines. For example, the Biological Weapons

Convention (BWC) in 1925 prohibited the development, production, acquisition, transfer, stockpiling and use of biological weapons.

More specifically, the first use of an autonomous weapon with the intention to kill is thought to have occurred in March 2020 in Libya. However, accounts surrounding this event remain obscured, due to Turkey's denial of the case. As stated in a UN report, a Turkish-made Kargu-2 drone is reported to have autonomously "hunted down" officials of the Libyan National Army. Accounts claim that the Kargu-2 can use machine learning to classify objects, evidently allowing it to "autonomously fire-and-forget." Despite Turkey denying their involvement in this event, they seem to acknowledge that the machine can be used autonomously.

Current situation

As previously mentioned, the growing dispute about the benefits vs. limitations that LAWs yield on modern society is one that the United Nations recognizes, and through various groups and frameworks like the Convention on Certain Conventional Weapons (CCW), is actively involved in. Largely, the UN is focused on examining the implications of such technologies and discussing potential regulations. Even though these weapons raise similar concerns, the extent to which development should be banned for AI weapons remains largely contested.

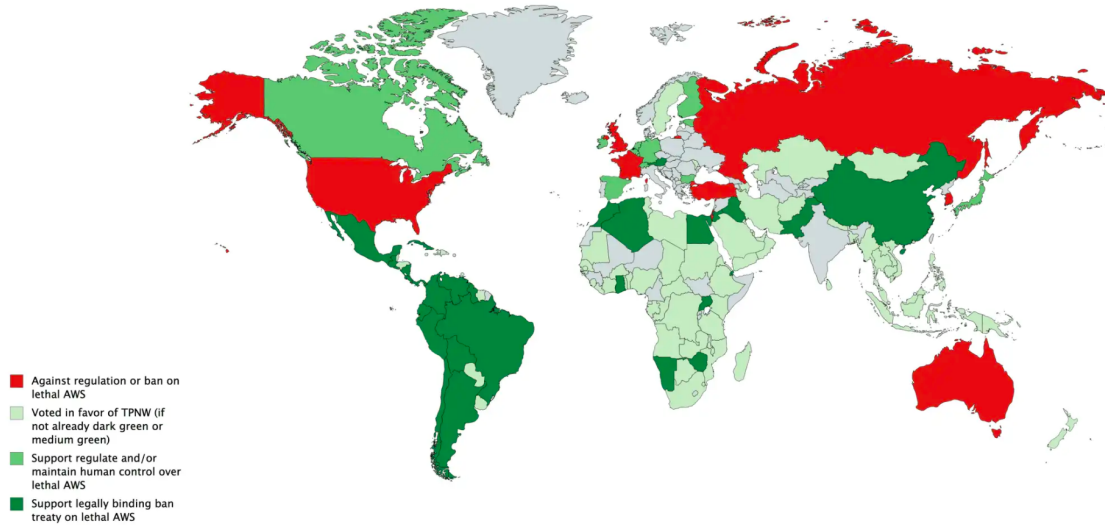
Several activist groups have emerged alongside the growing use of LAWs with the purpose of voicing their concerns about potential risks and ethical implications of the weapons. Others admire the potential military advantages they may offer or praise the ability LAWs have to defend a country without provoking psychological consequences such as Post-traumatic stress disorder (PTSD) in soldiers.

Future implications

It goes without saying that without quick regulation, LAWs are a pressing concern for global peace and security. What once seemed like a situation from a science fiction movie, many now believe is our reality. Even more so as the disparity between countries who have the resources to build them grows. This could eventually lead to conflicts in which these human combatants are faced with LAWs. On one hand, the use of them threatens to accelerate the use of force beyond human control, while at the same time creating an advantage out of speed and unpredictability. Still, this uncontrolled aspect risks escalating conflicts and potentially aggravating humanitarian needs, as

is the concern of the IHL. This topic also holds a pressing need for attention for its regard to civilian life as it will permit surveillance to easily increase alongside target identification.

Finally, the development and acquisition of LAWs by nations could lead to an arms race, where countries strive to maintain a competitive edge in autonomous weapon technologies. This has the inherent possibility to increase the risk of proliferation, as more nations aim to possess or develop their own autonomous forces.



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Major Countries and Organizations Involved

United States of America

The U.S. National Security Commission on AI recently concluded that “properly designed, tested, and utilized AI-enabled and autonomous weapon systems will bring substantial military and even humanitarian benefit,” and therefore warned against the stigmatization of the weapons systems. Additionally, a report by the American Congressional Research Service made in 2021 states that “there are no domestic or international legal prohibitions on the development of use of LAWs,” although it acknowledges ongoing talks at the UN Convention on Certain Conventional Weapons (CCW). Furthermore, a 2012 Department of Defense policy directive on autonomy in weapon systems was renewed without substantive amendments in 2018 for another five years. The policy permits the development of lethal autonomous weapons systems, but the US insists that “it neither

encourages nor prohibits the development of such future systems.” The US is investing heavily in military applications of artificial intelligence and developing air, land, and sea-based autonomous weapons systems.

Israel

Israel became the world’s first to deploy a swarm in combat. While drone swarms are not necessarily autonomous weapons, no human could control 10,000 drones without the assistance of artificial intelligence. In May 2021 Israel conducted an AI guided combat drone swarm in Gaza and since then there have been numerous other reports of swarms. Israel’s use of a drone swarm appears to have consisted of an unknown number of small drones equipped with a mixture of sensors and weapons, a big step in the international proliferation of LAWs. In a statement, the Israeli army stated that autonomous guns are regulated like any other weapon in their arsenal, and won't use live rounds; they can only fire tear gas, stun grenades, and sponge-tipped bullets.

Russia

Russia has been investing in the development of autonomous military systems, including unmanned ground vehicles and combat drones. It has expressed interest in advancing its capabilities in this field, such as by designing swarms for anti-submarine warfare and has participated in international discussions on the regulation of autonomous weapons. In November 2019, Russia argued that the concepts of “human control” and “human involvement” involve subjective assessments and are irrelevant.

South Korea

South Korea has long been pursuing the development of high-tech weapons. This is a direct result of the ongoing Korean War with North Korea, which has fueled a dangerous militarization on the Korean Peninsula. They also declare concerns about recent studies on facial and vocal recognition software, in which LAWs already demonstrate that racism is already built into our technology. The country is researching, developing, and investing in military applications of artificial intelligence and weapons systems with autonomy in their functions, but says it does not possess lethal autonomous weapons systems and does not intend to develop or acquire them as of 2018.

China

China has made significant progress in developing autonomous weapons technologies. It has actively pursued the deployment of unmanned systems, including drones and naval vessels. China's advancements in artificial intelligence and robotics have raised concerns among other nations regarding the implications of its autonomous military capabilities. China has also called for a treaty to ban the use of lethal autonomous weapons systems, yet not their development or production.

Turkey

In April 2016, Turkey said that “such weapon systems do not exist and we are working on an issue which is still hypothetical,” therefore they “hesitate on the accuracy of a general prohibition preemptively.” Turkey is developing, producing, and using various weapons systems with autonomous assignments.

United Kingdom

The United Kingdom has been actively engaged in discussions on LAWs and has contributed to international initiatives focused on developing responsible AI and autonomous systems. It has emphasized the importance of adhering to legal and ethical frameworks when deploying such technologies. The UK's government has also announced that it “does not possess fully autonomous weapon systems and has no intention of developing them. We strongly believe that AI within weapon systems can and must be used lawfully and ethically.”

European Union

The EU emphasizes that human beings must make the decisions with regard to the use of lethal force. In addition, they should exert control over lethal weapons systems that they use and remain accountable for decisions over the use of force in order to ensure compliance with International Law, in particular International Humanitarian Law.

International Committee of the Red Cross (ICRC)

The ICRC has been actively engaged in discussions related to the humanitarian implications of LAWs. Within their mission they have called for adherence to international humanitarian law and ethical principles in the development and deployment of autonomous weapons.

The Holy See

The Holy See has called for the international community to ban the use of LAWs on several occasions. In November 2018, Archbishop Ivan Jurkovic, the permanent observer of the Holy See to the United Nations, stated that, “in order to prevent an arms race and the increase of inequalities and instability, it is an imperative duty to act promptly: now is the time to prevent LAWs from becoming the reality of tomorrow’s warfare.” The Church worries that these weapons systems have the capability to irreversibly alter the nature of warfare, create detachment from human agency and put in question the humanity of societies.

The Convention on Certain Conventional Weapons (CCW)

The United Nations has been involved in discussions on autonomous weapons systems, including LAWs, through various bodies such as the Convention on Certain Conventional Weapons (CCW). The CCW has established a Group of Governmental Experts (GGE) on Lethal Autonomous Weapons Systems to deliberate on the topic and explore possible frameworks for their regulation.

Campaign to Stop Killer Robots

The Campaign to Stop Killer Robots is a coalition of non-governmental organizations (NGOs) that advocate for a preemptive ban on LAWs. They work to raise awareness about the potential risks and ethical concerns associated with autonomous weapons. Their aim is to “work to ensure human control in the use of force.”

Timeline of Events

Date

Description of event

1980

Adoption of the Convention on Certain Conventional Weapons

The (CCW) is adopted by the United Nations General Assembly, providing a framework for addressing the humanitarian impact of various types of conventional weapons, including emerging technologies.

April 2013

The group Campaign to Stop Killer Robots is formed.

The Campaign to Stop Killer Robots is launched by a coalition of NGOs and experts to advocate for a preemptive ban on lethal autonomous weapons. They work to raise awareness about the potential risks and ethical concerns associated with autonomous weapons. Their aim is to “work to ensure human control in the use of force.”

2013

First report by Christof Heyns

The first report by the United Nations Special Rapporteur on extrajudicial, summary, or arbitrary executions, Christof Heyns, raises concerns about the use of lethal autonomous weapons and calls for a moratorium on their development and deployment.

May 2014

Beginning of discussions surrounding LAWS

High-ranking international experts debated LAWS in the context of the UN Convention on Certain Conventional Weapons (CCW).

May 2014

Calling for the prohibition of LAWS

The Holy See called for lethal autonomous weapons systems to be prohibited in May 2014, citing the precedent provided by the preemptive ban on blinding lasers, and warning of their potential to “increase the dehumanization of warfare.”

July 2015

Official letter signed by experts

In July 2015, over 1,000 experts in artificial intelligence signed a letter warning of the threat of an AI arms race and calling for a ban on autonomous weapons. The letter was presented in Buenos Aires at the 24th International Joint Conference on Artificial Intelligence (IJCAI-15) and was co-signed by Stephen Hawking, Elon Musk, Steve Wozniak, Noam Chomsky, Skype co-founder Jaan Tallinn and Google DeepMind co-founder Demis Hassabis,

among others.

2018 and 2019

Group of Governmental Experts (GGE)

In 2018 the GGE held its first meeting, bringing together experts from various countries to discuss the ethical, legal, and operational aspects of lethal autonomous weapons. In 2019, they focused on emerging technologies in the field of lethal autonomous weapons and the implications for international security.

2019

Group of Governmental Experts (GGE)

The GGE holds its first meeting, bringing together experts from various countries to discuss the ethical, legal, and operational aspects of lethal autonomous weapons.

2019

Guiding Principles adopted

At the recommendation of the 2019 GGE on LAWS, 11 guiding principles were adopted by the 2019 Meeting of the High Contracting Parties to the CCW

2021

Last GGE meetings

The GGE holds its fourth and final meeting, presenting a report to the United Nations General Assembly with recommendations on how to address the challenges posed by lethal autonomous weapons.

Relevant UN Treaties and Resolutions

Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Christof Heyns, adopted by the Human Rights Council on 9 April 2013. (A/HRC/23/47)

This report, put into effect by the Human Rights Council, hones in on the individual and State responsibility and their crucial role in upholding accountability for violations of international human rights and humanitarian law. This document particularly refers to Lethal autonomous robotics (LARs) and the concerns about the protection of life during war and peace as well as the unsettled liability of members when deploying these robots. This includes the question of the extent to which they can be programmed to comply with the requirements of international humanitarian law and the standards protecting life under international human rights law. The Special Rapporteur

recommends that States establish national moratoria on aspects of LARs, and calls for individual states, IGOs and NGOs to tackle this topic within each of their capabilities, encouraging them to engage in debates.

Resolution on Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, adopted by the General Assembly on 5 December 2016. (A/RES/71/84)

This resolution underlines the significance of the past Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, along with its past protocols. It calls upon all Member Nations to become parties to these measures to achieve international adherence and universality. The resolution welcomes the progress made in the implementation of the Convention and its protocols, including efforts by various organizations to raise awareness of the humanitarian consequences of certain weapons. It acknowledges decisions and commitments made during review conferences and, similarly to past resolutions and conferences on this topic, emphasizes the need for further development of international humanitarian law. The resolution also encourages ongoing monitoring and reporting on the ratification and acceptances of the Convention and its protocols.

Resolution on Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, adopted by the General Assembly on December 6, 2021.(A/RES/76/64)

On this day, the UNGA once again urged countries to join the Convention on Prohibitions or Restrictions on Certain Conventional Weapons that are excessively injurious or indiscriminate. It highlights the need for universal adherence and the efforts of organizations in promoting awareness of the humanitarian impact of such weapons. The resolution highlights the imperative need for financial compliance in addition to the pre established development of international humanitarian law. It acknowledges the role of women in decision-making and calls upon the Secretary-General for assistance in organizing future meetings. The Secretary-General is also tasked with updating the General Assembly on ratification and accessions to the Convention and its Protocols. Even though this resolution doesn't explicitly mention the use of LAWs, it can be used as a foundation for similar arguments, specifically regarding the UN's approach to minimizing indiscriminate weapons. The ratification of this resolution was crucial in the advancement of consistent debates on this issue.

Previous Attempts to solve the Issue

During its annual review meeting in Geneva from December 13-17, 2021, the United Nations Convention on Certain Conventional Weapons discussed the possibility of prohibiting autonomous weapons. Nevertheless, the meeting did not come to a consensus on implementing a ban or any international restrictions. The convention, established in 1983, has been periodically revised to impose limitations on various inhumane conventional weapons such as land mines, booby traps, incendiary weapons, and more recently, autonomous weapons. Overall, certain states have been reluctant to engage in substantive negotiations, leading to slow progress. Disagreements also persist regarding the appropriate scope and level of regulation for autonomous weapons, resulting in difficulties in achieving consensus and a consistent escalation of LAWs.

Similarly, the coalition of non-governmental organizations (NGOs) advocating for a preemptive ban on lethal autonomous weapons named The Campaign to Stop Killer Robots can be taken into consideration. While the campaign has gained significant attention and support, efforts to advocate against “killer robots” have not resulted in the association's ultimate goal of an international ban. Generally, the NGOs faced challenges towards unilateral consensus akin to those that the aforementioned CCW did.

Possible Solutions

Proposed solutions directly by the United Nations largely have to do with instituting a framework with which to work with on this relatively recent subject rather than to restrict the actual capabilities of the machines. However, it does acknowledge that changes to the system and new implementations do come with a set of dangers if it doesn't have thorough risk-assessments on the consequences of changes to the IHL. The idealistic goal proposed by the UN would be to use pre-established organizations and UN bodies to carry out the necessary changes in order to advocate for the regulation of LAWs. For instance, these would include: the GGE, the CCW, the UNODA, and the ICRC. Of course, the UN also prioritizes the call for

accountability and ethical use of any sort of weapons, including creating preventative measures against discrimination and optimistically, curbing unpredictability.

- **Proposed solutions to regional organizations, IGOs and NGOs**

As can be identified in the recurring CCW meeting passed resolutions, the UN counts with the support of external organizations to carry out tasks that support its efforts. Relating to LAWs, this could include supporting the proposals outlined in the recommendations to the United Nations and States, in particular the call for moratoria as an immediate step. Although not so attainable, they are also advised to take parallel initiatives as stated in the clauses when appropriate. Organizations could also take on the distinct role of raising public awareness about the risks and implications of lethal autonomous weapons, as deemed necessary, in order to prevent experts from having exclusive rights in the decision-making process.

- **Proposed solutions to Member States**

Firstly, member states are encouraged to implement a temporary halt on the use of LAWs within their own countries conducive to monitor the development of such weapons and delay the process of which until firm regulations are put into effect. Some politicians have even called for a moratorium or outright ban on the development, production, and use of lethal autonomous weapons.

Secondly, they are called upon to declare their undivided commitment to abide by IL and IRL in all activities related to robotic weapons. They are advised to establish and enforce robust processes to ensure compliance throughout the development stages.

Thirdly, the UN urges for transparency concerning countries' internal weapons review processes. Numerous resolutions state that they should provide the international community with information regarding the processes they follow, including the metrics used to test autonomous systems. The goal is to ensure transparency, even if the substantive outcomes are not disclosed.

Finally, Member states are instructed to participate in international debates and trans-governmental dialogues concerning LARs if they have not already. This proposal aims to eventually establish a comprehensive legal framework that regulates lethal autonomous

weapons. This would involve creating international treaties or agreements to govern their development and use, similar to existing conventions on other types of weapons, such as chemical and biological weapons. Delegates are encouraged to examine their delegations past participation in UN held conferences on the topic of LAWs during the research process.

- **Individual cases:**

The case of Germany is one that has sparked debate due to the strong stance the country has taken on lethal autonomous weapons. The country has expressed its support for a legally binding ban on such weapons and has actively participated in international discussions on the topic. Germany has also emphasized the need for transparency and accountability in the development and use of autonomous systems, with various countries following their lead.

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