

FORUM: DISARMAMENT

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

SUBMITTED BY: The Delegation of the Czech Republic

SIGNATORIES: DPRK, Republic of Ghana, Brazil, Benin, Norway, Austria, Iceland, Azerbaijan, Republic of Korea, Australia, Denmark, Afghanistan, Iraq, Republic of Guinea, Eritrea, France, Namibia, Cuba, Sweden, Malaysia, Indonesia, Saudi Arabia

The Disarmament and International Security Committee,

Noting the principles outlined in the Stockholm International Peace Research Institute report on Autonomous Weapon Systems and International Humanitarian Law,

Reminding this committee that extent to which AI and autonomy will change warfare remains unknown,

Acknowledging the three categories of International Humanitarian Law (IHL) limiting the development and use of LAWs,

Emphasising the criticality of respecting IHL in all stages of weapons development and deployment, including adherence to prohibitions and restrictions on weapons, means, and methods of warfare,

Affirming the necessity to ensure foreseeability, administration, and traceability of LAWs operations, behaviour, and effects in compliance with IHL,

Acknowledging the human responsibility inherent in ensuring compliance with IHL during the development and use of LAWs,

Recalling the United Nations Convention on Certain Conventional Weapons and its role in beginning talks about LAWs,

Recognising the coalition of non-governmental organisations (NGOs) role in advocating for a pre-emptive ban on LAWs,

Emphasising the importance of maintaining meaningful human control over decisions to end lives,

Noting the absence of a coordinated international position on various aspects of LAWs,

Highlighting the intention to build consensus based on outcomes from the current meeting,

Recognizing LAWs as potential international humanitarian tools to protect civilian populations or destroy them,

Recommends a temporary halt on LAWs' use within member states to facilitate a thorough monitoring process and delay further development until regulations are established;

1. Encourages member states to pledge adherence to IHL throughout the developmental stages of LAWs, instituting stringent processes for compliance;
2. Urges countries to provide transparent insights into their weaponry and stock of arms with the purpose of identifying in which member states the issue of LAWs is more prevalent;
3. Invites member states to advocate for putting in place a review system for LAWs included but not limited to:

- a. Legal Reviews:
 - i. Carried out by international experts on International Humanitarian Law,
 - b. Technical reviews:
 - i. On the limitations and capabilities of the weapon;
 - c. To be carried out:
 - i. In the study, development, acquisition, or adoption of a new weapon, means or method of warfare,
 - ii. As repeatedly as it is necessary,
 - iii. When a state is acquiring a weapon, means or method of warfare for the First time, even if it has been employed by others,
 - iv. When a state adheres to a new international law obligation relevant to the use of that weapon, means or method of warfare,
 - v. When a state sufficiently modifies an existing weapon, means or method of warfare including but not limited to software modifications which alter the functioning of the weapon or its behaviour in a way that affects the application of International Humanitarian Law (IHL),
 - vi. When new information comes to light about the performance or effects of a weapon, even after the weapon has been employed by a state;
4. Suggests the reception of legal training or advice in such cases:
 - a. Military commanders,
 - i. Government officials,
 - ii. Other high-ranking personalities involved in state or military decisions;
 - b. Helping them comply with IHL in specific operations,
 - i. Developing and implementing to develop and implement sound instructions to the armed forces on the application of IHL;
 5. Supports the implementation of education campaigns to inform about LAWs:
 - a. This aims to inform, engage, and encourage dialogue to foster a better understanding of LAWs and contribute to responsible practices,
 - b. This includes but is not limited to:
 - i. Public awareness programs,
 - ii. Educational workshops and seminars,
 - iii. Online resources and webinars,
 - iv. Collaboration with NGOs and Advocacy groups,
 - v. Public consultation and surveys of the local community;
 6. Strongly urges the disclosure of methodologies and outcomes to the international community;
 7. Advocates for active participation in trans-governmental dialogues;
 8. Calls upon member states to declare their conditional commitment to abide by IHL in all activities related to LAWs;

9. Requests this committee to prohibit or restrict any use of unlawful LAWs which, according to the factors established in 1899 and 1907 in the Hague Conventions and 1949 Geneva Conventions and their 1977 Additional Protocols, include any of the following circumstances:
 - a. An attack by bombardment by any method or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village, or other area containing a similar concentration of civilians or civilian objects,
 - b. An attack that is of a nature to strike military objectives and civilians or civilian objects without distinction, because:
 - i. The attack is not directed at a specific military objective,
 - ii. The attack employs a method or means of combat which cannot be directed at a specific military objective,
 - iii. The attack employs a method or means of combat the effects of which cannot be limited as required by IHL,
 - c. An attack that may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;

10. Designates three basic principles any LAW must follow, according to IHL:
 - a. The principle of distinction:
 - i. This obliges parties to an armed conflict to distinguish between the civilian population and combatants, between militarily active combatants and those hors de combat, and between civilian objects and military,
 - b. The principle of proportionality:
 - i. This implicitly recognizes that civilians and civilian objects may be affected incidentally by an attack that is directed against a lawful military objective,
 - ii. Under this rule, it is unlawful to conduct an attack that may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof,
 - c. The principle of precautions:
 - i. This includes two interrelated components, one concerning military operations and the other concerning attacks,
 - ii. In the conduct of military operations, IHL obliges parties to take constant care to spare the civilian population, civilians, and civilian objects,
 - iii. Concerning attacks, member states must do everything feasible to verify that the objectives to be attacked are neither civilians nor civilian objects, and are not subject to special protection but are military objectives,
 - iv. Take all feasible precautions in the choice of means and methods of attack to avoid, and in any event minimise, incidental loss of civilian life, injury to civilians and damage to civilian objects,

- v. Refrain from deciding to launch an attack if it may be expected to violate the principle of proportionality,
- vi. Cancel or suspend an attack if it becomes apparent that the objective is not a military one, that the objective is subject to special protection, or that the attack may be expected to violate the principle of proportionality.