Standing Committee on C-I/148/DR

Peace and International Security 18 January 2024

**Addressing the social and humanitarian impact of autonomous weapon systems and artificial intelligence**

***Draft resolution submitted by the co-Rapporteurs
Ms. M. Stolbizer (Argentina) and Mr. C. Lacroix (Belgium)***

 The 148th Assembly of the Inter-Parliamentary Union,

(1) *Acknowledging* that emerging technologies pose concrete challenges to international peace and security and raise new questions about the role of humans in warfare, that regulation of autonomy in the context of weapons systems requires a holistic understanding of its effects, and that human decision-making and control must take account of all ethical, legal, humanitarian and security implications,

(2) *Recognizing* the definition established by the International Committee of the Red Cross (ICRC) in which the term Lethal Autonomous Weapons Systems (LAWS) encompasses any weapons system with autonomy in its critical functions, which means that it can select (i.e. search for, detect, identify, track or select) and attack (i.e. use force against, neutralize, damage or destroy) targets without human intervention,

(3) *Noting* that LAWS, also known as "killer robots", does not refer to remote-controlled systems in which a human being always retains control, nor automated systems in which a process has been previously programmed so that its action is completely predictable,

(4) *Concerned* that the lack of control and explicit regulation at the international level around the use of LAWS could allow operators to inflict violence without accountability, due to the absence of human judgement and supervision, opportunities for timely intervention or mechanisms for deactivation over the use of force,

(5) *Also* *concerned* that, through research and investment in sophisticated military technologies, including artificial intelligence (AI) and algorithmic data processing, highly militarized States could gain a significant advantage in their ability to conduct war and amplify existing global power imbalances, putting international peace and security at even greater risk,

(6) *Fully aware* that LAWS have the potential to become future weapons of mass destruction as they combine two properties unique to such weapons: mass harm and lack of human control to ensure they do not injure civilians,

(7) *Deeply concerned* that LAWS could be used by armed groups and other non-State actors to undermine national, regional and global security causing profound social and humanitarian impact,

(8) *Alarmed* by the evidence that facial recognition and automated decision algorithms have native embedded bias that is already propagating gender and race discrimination and perpetrating injustices against socio-economically disadvantaged people, the vulnerable and people with disabilities, and that killer robots could be deliberately programmed to target people bearing certain “markers” or identities including race, gender or patterns of behaviour,

(9) *Recalling* the obligation under International Humanitarian Law (IHL) according to which the right of Parties to a conflict to choose their means and methods of warfare is not unlimited, as stated in Article 35 (1) of the Additional Protocol I (AP I) to the Geneva Conventions of 1949 relating to the protection of victims in international armed conflicts, and as provided for by customary international law, as well as the obligation stated in Article 36 of AP I, which requires States to conduct legal reviews of all new weapons, means and methods of warfare in order to determine whether their use is prohibited by international law,

(10) *Mindful* that, in 2010, the report of the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions brought the issue of lethal autonomous robotics and the protection of life to the international spotlight and that, since 2013, the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW), a key IHL instrument, have been holding discussions on the issue and, in 2016, established an open-ended Group of Governmental Experts (GGE) on emerging technologies in the area of LAWS, which has since been re-convened yearly and is mandated to submit a report for the Seventh Review Conference of the CCW, expected to take place in 2026,

(11) *Welcoming* the fact that, during its 2023 meetings, the GGE underscored the need to anticipate technological advancements in LAWS, urging strict adherence to IHL throughout the life cycle of these systems, highlighting the need for limitations on targets and operational parameters, coupled with comprehensive training for human operators, and firmly stating that any LAWS-based system unable to comply with international law should not be deployed,

(12) *Noting* that the European Commission’s High-Level Expert Group on artificial intelligence underlined, in the 2019 Ethics Guidelines for Trustworthy Artificial Intelligence, the importance of “human agency and oversight” of AI and the fact that States must adopt internal regulations on the use of AI in accordance with IHL, that is, preserving human control and judgement in applications of AI and machine learning for tasks in decisions that may have serious consequences for people’s lives, which implies denying (or prohibiting) the use of LAWS,

(13) *Acknowledging* the adoption of resolution 78/241 by the United Nations General Assembly in December 2023, which, inter alia, requests that the Secretary-General of the United Nations submit a substantive report on the subject reflecting the full range of views received from Member and observer States on ways to address the related challenges and concerns such systems raise from various perspectives, and invite the views of international and regional organizations, the ICRC, civil society, the scientific community and industry,

(14) *Recognizing* that, since 2018, the Secretary-General of the United Nations has consistently maintained that LAWS are politically unacceptable and morally repugnant and has called for their prohibition under international law, and that when presenting the New Agenda for Peace ahead of the Summit of the Future in 2024, he further called on States to adopt by 2026 a legally binding instrument to prohibit LAWS that function without human control or oversight and to regulate all other types of autonomous weapons systems,

(15) *Also recognizing* that the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, the United Nations Special Rapporteur on the rights of persons with disabilities, the United Nations Special Rapporteur on contemporary forms of racism, the United Nations Special Rapporteur on counter-terrorism and human rights, the ICRC, civil society, including through the Stop Killer Robots Campaign, the scientific community, and academia have joined the call by Secretary-General of the United Nations for a global prohibition on LAWS,

(16) *Mindful* that many States and groups of countries have already been calling for the establishment of a binding instrument to regulate, limit and/or prohibit the use of LAWS,

(17) *Recognizing* that urgent, concrete action is needed to develop an international, legally binding instrument, particularly given that autonomous systems have already been used in places such as Afghanistan, Azerbaijan and Ukraine, at the expense of people’s lives, and that the development and use of such systems will only increase with time,

(18) *Considering* the purposes and principles enshrined in the Charter of the United Nations, international human rights law and IHL and its principles, grounded in the principles of humanity, dictates of public conscience, and ethical perspectives,

(19) *Reaffirming* the commitment to uphold the principles of predictability and proportionality set forth in IHL, as the black box of AI could hinder States’ ability to comply with those principles,

(20) *Gravely concerned* that the longer States wait to regulate the development, production, deployment and transfer of autonomous weapon systems, the more likely it becomes that they will circulate on an unregulated market,

(21) *Highlighting* that parliaments will have a significant role to play in raising awareness on the social, humanitarian, legal and ethical implications of the use of LAWS and in supporting governments with inputs to draft the text for a legally binding instrument to regulate and prohibit such systems,

1*. Urges* parliaments and parliamentarians to actively and urgently engage in the debate to address the threat to peace and security posed by LAWS;

2. *Strongly urges* parliaments to develop national legislation on the regulation of LAWS that takes into account all their ethical, legal, humanitarian and security implications and includes the prohibition of LAWS that function without human control or oversight, and which cannot be used in compliance with IHL;

3. *Calls on* parliaments to urge their governments to negotiate a legally binding instrument with prohibitions and regulations about autonomy in weapons systems, to ensure compliance with international law, including IHL, and ethical perspectives, as well as the prevention of the peace and security impact that autonomy in weapons systems entail;

4*. Also calls on* parliaments to urge their governments to share their views with the Secretary-General of the United Nations on ways to address challenges and concerns raised by LAWS in accordance with resolution 78/241 adopted by the United Nations General Assembly in December 2023;

5. *Recommends* that parliaments and parliamentarians work with relevant stakeholders, including the defence industry, civil society and academia, to understand, evaluate and create safeguards in relation to both AI and autonomous weapon systems;

6*. Encourages* parliaments to regularly reassess and reevaluate the role of mass surveillance technologies in society, to avoid these technologies creating a unilateral pressure on all citizens that grants disproportionate powers to the surveillant parties when operating without proper oversight, and to improve the facial recognition hardware and algorithms that directly contribute to the speedy deployment of LAWS;

7. *Urges* parliaments and parliamentarians to play a crucial role in holding governments accountable regarding LAWS, in ensuring quality in their governance, notably regarding the imperative of including an element of human control, and transparency in their design, development, operation, regulation and oversight, and in triggering concrete action by governments and societies more broadly;

8. *Calls on* parliaments to urge their governments to establish universally binding standards for developers, exporters and importers in order to ensure that the pre-programmed algorithms used in autonomous weapon systems do not propagate or exacerbate discrimination;

9. *Urges* parliaments to request that their governments clearly define their own responsibilities and those of the private sector and civil society with regard to autonomous weapon systems, and adopt legislation to ensure that such systems do not fall into criminal hands or into the hands of non-State groups that operate outside the law;

10*. Encourages* parliaments and parliamentarians to stimulate exchange of relevant good practices between States, with due regard for national security regulations and commercial restrictions on private information;

11*. Recommends* that parliaments and parliamentarians allocate budgets to fund plans, programmes, projects and actions to raise awareness of the need to prevent, regulate, monitor and enforce human rights and safeguards related to LAWS;

12*. Calls for* the adoption of measures to ensure a gender and intersectional perspective based on United Nations Security Council resolution 1325, in discussions of LAWS and military AI strategies, and to make visible and address the disproportionate impact LAWS can have on specific groups, including women and people historically excluded and marginalized;

13*. Calls* *on* relevant parliamentary networks and IPU Permanent observers to include LAWS on their agendas and to inform the IPU of their work and findings on the issue;

14*. Invites* the IPU, through its relevant Standing Committee and specialized bodies, to keep abreast of the issue and organize at the 151st Assembly a panel discussion, inviting relevant parliamentary networks and IPU Permanent observers to participate, aimed at taking stock of the situation in advance of the 2026 deadline set by the Secretary-General of the United Nations to adopt a legally-binding instrument on LAWS;

15. *Suggests* that a set of good practices related to the use of AI in the security and military sectors be compiled as a result of the above proposed discussions;

16. *Invites* the IPU to share the present resolution and further reports and publication related to LAWS with the Secretary-General of the United Nations for inclusion in the report mentioned in resolution 78/241 adopted by the United Nations General Assembly in December 2023.