Autonomous Weapons Systems Proliferation Poses Risks to Human Rights and International Security

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Extended Abstract

In 2016, the predecessor to the Group of Governmental Experts on Lethal Autonomous Weapons Systems (GGE on LAWS) concluded that "[w]hilst these systems might be available to technologically advanced countries in an initial phase, it is likely that they will proliferate" (Chairperson of the Informal Meeting of Experts 2016, para. 70). Nearly a decade later, multiple states are developing autonomous weapons systems (AWS) (e.g., Garamone 2023; Allen 2023), and such proliferation is occurring (Mozur and Satariano 2024).

Both technical and political factors will determine the pace and scope of proliferation of AWS, what types of AWS proliferate, and to which actors AWS proliferate. AWS may be diverted from military stockpiles, intentionally transferred for law enforcement purposes, or manufactured indigenously. Although creating an AWS compliant with international law may remain difficult (or impossible), creating a simple AWS capable of autonomously navigating an environment, and acquiring and attacking a target has been described as "trivial" (Cooke 2019, 2), with many technological elements of such a weapon already widely available. This may result in a toxic mélange: as AWS are increasingly sought, many of the systems that will be cheap and easy to produce may be the least likely to comply with international law.

International discussion regarding AWS has identified serious concerns as to whether AWS can comply with international humanitarian law (IHL). However, international discourse should be expanded in light of severe risks to human rights and international security posed by proliferation both to state and non-state actors, and especially by the potential use of AWS in and against civil society. The use of AWS in policing could result in violations to the 'rights to bodily integrity and human dignity' (Heyns 2016, 361). Use of AWS for extrajudicial killing may threaten many human rights (e.g., Alston 2006), including the rights to life, dignity, protection from discrimination, freedom of peaceful assembly and association, freedom of opinion and expression, and freedom of religion (e.g., Human Rights Watch 2023). AWS pose serious challenges to legal and practical efforts to ensure accountability, "the fundamental premise" (Alston 2010, 17) underpinning international law (Alston 2010; Docherty 2014). A key threat to legal accountability may be posed by the difficulty of attributing AWS actions to an actor or individual: thus challenging the ability of States to fulfil their duties (UN General Assembly 2006) under international law. International security may be jeopardized by the speed of AWS operation in warfighting precluding effective human control, leading to conflict escalation (e.g., Asaro 2012, UNIDIR 2018), a reduction in soldier casualties (e.g., Austria 2014) and dehumanisation of the enemy increasing the willingness to use AWS, and the potential development of an AWS arms race (e.g., Amil 2018, Dhanapala 2016).

A series of events in 2023 and 2024 indicated increasing international awareness of risks posed by AWS proliferation. The international community should seize this window of opportunity and take proactive and concrete action to evaluate and mitigate threats to human rights posed by AWS proliferation. To this end, this paper recommends specific actions to mitigate the identified risks to human rights.

2024 Harms and Risks of AI in the Military (HRAIM 2024).

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