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

Draft resolution* submitted by the Standing Committee on Peace and International Security

Rapporteur: Ms. Aigul. Kuspan (Kazakhstan)

The 148th Assembly of the Inter-Parliamentary Union,

- (1) *Acknowledging* that, while the applications of emerging technologies open up opportunities for the development of humanity, they may also pose significant challenges to international peace and security and may raise new questions about the role of humans in warfare, that regulation of autonomy in the context of weapon 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) *Affirming* that any discussion on autonomous weapon systems (AWS) is subject to international law, particularly the Charter of the United Nations and international humanitarian law (IHL),
- (3) *Noting* the lack of an agreed definition of autonomous weapon systems, and *recalling* the proposal of the International Committee of the Red Cross (ICRC) in which the term “autonomous weapon systems” encompasses any weapon system with autonomy in its critical functions, which means that it can select (i.e. search for, detect, identify or track) and attack (i.e. use force against, neutralize, damage or destroy) targets without human intervention,
- (4) *Recognizing* that the preservation of human control and judgment stands as a critical factor in ensuring legal compliance and effectively addressing the ethical concerns that arise from the deployment of AWS,
- (5) *Gravely concerned* that AWS that have full autonomy in their critical functions could be able to select and attack targets without human intervention,
- (6) *Concerned* that the lack of control and explicit regulation at the international level around the use of AWS could allow operators to violate international law, in particular the Charter of the United Nations and IHL, without accountability, potentially infringing on the fundamental human rights enshrined in national, regional and international legal frameworks, due to the absence of human judgement and supervision and the lack of opportunities for timely intervention or mechanisms for deactivation over the use of force,
- (7) *Deeply concerned* about the possible negative consequences and impact of AWS on global security and regional and international stability, including the risk of an emerging arms race, lowering the threshold for conflict and proliferation, including to non-State actors, as outlined in United Nations General Assembly resolution 78/241 on lethal autonomous weapons systems,
- (8) *Concerned* that advancements in sophisticated military technologies, including artificial intelligence (AI) and algorithmic data processing, may increase the risk of a new arms race, lowering the threshold for conflict and proliferation, including to non-State actors, and putting international peace and security at even greater risk, but *acknowledging* that a ban on research would be unrealistic, not least when so much of the research in this field is conducted by both military and civilian players and AI still has a very important role to play in civilian life,

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(9) *Alarmed* by the possibility that AWS 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,

(10) *Conscious* that human rights instruments guarantee the right to life, dignity and integrity of persons,

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

(12) *Alarmed* by the evidence that individual recognition algorithms, including 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 AWS could be deliberately programmed to target people bearing certain “markers” or identities including race, gender or patterns of behaviour, and to apply force without human intervention, potentially leading to disproportionate harm to specific groups, locations or communities,

(13) *Recalling*, without prejudice to Article 51 of the Charter of the United Nations, the fundamental rule under 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 reviews of the study, development, acquisition or adoption of all new weapons, means and methods of warfare in order to determine whether their use is prohibited by IHL or any other rule of applicable international law ,

(14) *Mindful* that, for decades, the international community has been actively keeping track of the emerging issues of AWS, marked by key milestones in AWS regulatory governance, including the report of the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions in 2010, which 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 lethal autonomous weapon systems (LAWS),

(15) *Recognizing* the GGE as a key international forum at which a framework around LAWS is being developed,

(16) *Noting* 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 appropriate training and instructions for human operators, and firmly stating that any LAWS-based system unable to comply with international law should not be deployed,

(17) *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 humanitarian, legal, security, technological and ethical perspectives, and on the role of humans in the use of force, and invite the views of international and regional organizations, the ICRC, civil society, the scientific community and industry,

(18) *Recognizing* that, since 2018, the Secretary-General of the United Nations has consistently maintained that AWS are politically unacceptable and morally repugnant and has called for their prohibition under international law, and that when presenting his *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 AWS that function without human control or oversight and to regulate all other types of AWS,

(19) *Recognizing also* 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 the Secretary-General of the United Nations for a global prohibition on AWS,

(20) *Noting* that the landmark joint appeal made in 2023 by the United Nations Secretary-General and the President of the ICRC underlined the urgency for States to negotiate a new, binding international law on AWS to set clear prohibitions and restrictions on AWS by 2026,

(21) *Mindful* that many States and groups of countries have already been calling for the establishment of a legally binding instrument to regulate, limit and/or prohibit the use of AWS, and, at the same time, *cognisant* of the need for a unanimous decision, i.e. that all States agree to follow the proposed limitations,

(22) *Recognizing* that urgent, concrete action is needed to develop international approaches, particularly given that weapon systems with varying degrees of autonomy have already been used in various conflicts,

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

(24) *Reaffirming* that, because IHL requires commanders and the users of weapons to be able to anticipate and limit their effects, weapon systems must be predictable, and that the potential “black box” effect arising from the integration of AI technologies could hinder compliance with these obligations,

(25) *Gravely concerned* that the longer States wait to regulate AWS, the more likely the flow and proliferation of such systems will continue on the market,

(26) *Stressing* the need to study an international regulatory framework for the use of AI to regulate the harmful use of this technology,

(27) *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 AWS, and in supporting governments with inputs to draft the text for an instrument to regulate 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 AWS;
2. *Strongly urges* parliaments to develop comprehensive national legislation to establish regulatory frameworks governing the development, deployment and use of AWS, once international agreement has been reached on a definition of “autonomous weapon system” and on the distinction between full and partial autonomy as well as consensus on the use and content of the term “meaningful human control”, taking into account all their ethical, legal, humanitarian and security implications and including the prohibition of AWS 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 continue working through international forums, including the United Nations and the GGE, on an instrument, governance framework and regulations on autonomy in weapon 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 weapon systems entails;

4. *Suggests* that parliaments encourage their governments to share their views with the Secretary-General of the United Nations on ways to address challenges and concerns raised by AWS in accordance with resolution 78/241 adopted by the United Nations General Assembly in December 2023 and *A New Agenda for Peace*, which recommends multilateral efforts for a legally binding instrument on LAWS and other types of AWS by 2026;
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 AWS, including weapon system designers, particularly regarding their compliance with existing law and with any developments to the law that may occur in the future;
6. *Encourages* parliaments to regularly assess and evaluate the application of new technologies, to avoid these technologies creating a unilateral pressure on all citizens that grants disproportionate powers to the parties when operating without proper oversight, and to address the risks posed by facial recognition systems, including hardware, software and algorithms, including to prevent gender and racial bias, that may be integrated into AWS;
7. *Urges* parliaments and parliamentarians to play a crucial role in holding governments accountable regarding AWS, in ensuring quality in their governance, notably regarding the imperative of retaining human control over the use of force, 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 encourage governments to engage actively in the ongoing discussions on LAWS at the GGE and to take all necessary efforts to support the GGE's work;
9. *Also calls on* parliaments to strongly urge their governments to establish robust frameworks for data protection to govern the development, deployment and use of AWS, emphasizing the critical importance of safeguarding sensitive data and ensuring ethical and responsible use of information;
10. *Urges* parliaments to ensure the establishment of effective mechanisms to conduct investigations, prosecution and punishment for violations of IHL arising from the use of weapons with autonomous functionalities, thereby upholding individual responsibilities and ensuring accountability for any breaches of ethical and legal standards;
11. *Also urges* parliaments to request that their governments clearly define their own responsibilities and those of the private sector and civil society with regard to AWS, and adopt legislation that incorporates regulatory frameworks and safeguards to ensure that such systems do not fall into criminal hands or into the hands of non-State actors that operate outside the law, and that such laws are fully in line with international human rights obligations;
12. *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;
13. *Recommends* that parliaments and parliamentarians: (a) 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 AWS; (b) advocate for the incorporation of comprehensive educational programmes on AI and autonomous systems within national curricula at appropriate educational levels to promote widespread understanding of both the potential benefits and the risks associated with these technologies, including their ethical, legal, humanitarian and security implications;

14. *Calls for* the adoption of measures to ensure the inclusion of a gender and intersectional perspective based on United Nations Security Council resolution 1325 (2000), in discussions of AWS and military AI strategies;
15. *Calls on* relevant parliamentary networks and IPU permanent observers to include AWS on their agendas and to inform the IPU of their work and findings on the issue;
16. *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 AWS;
17. *Suggests* that the IPU Secretariat compile and analyse a set of parliamentary good practices and stocktaking related to the use of AI in the security and military sectors and derived from the discussion within the IPU framework and other subsequent IPU activities, including measures to remove bias in the algorithms that underpin AI systems that are capable of autonomous analysis and actions;
18. *Urges* the Secretary General of the IPU to share the present resolution and further reports and publications related to AWS 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;
19. *Invites* the IPU to regularly hold sessions for parliamentarians to discuss the latest developments with AWS and AI and reassess their impacts in the military domain, particularly with regard to specific concerns on human rights violations, meaningful human control over the use of force and the ethical implications of these technologies;
20. *Encourages* parliaments to implement their strategies to exercise more effective parliamentary oversight functions and ensure that technological development, such as AI, is only deployed to assist humans in certain tasks, without compromising meaningful human control and intervention whenever it is needed.

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- *- **India, Iran (Islamic Republic of)** and the **Russian Federation** expressed their opposition to the entire text of the resolution
- **China** and **Lithuania** expressed a reservation on the entire text of the resolution
 - **Australia, New Zealand** and the **United Kingdom** expressed reservations on several paragraphs
 - **Cuba** and **France** expressed a reservation on the use of the term autonomous weapons systems (AWS) without mentioning the characteristic of lethality (i.e. lethal autonomous weapon system – LAWS)
 - **Türkiye** expressed reservations on preambular paragraphs 13, 17, 18, 20 and 21, and operative paragraphs 2,4 and 16
 - **Republic of Korea** expressed reservations on preambular paragraphs 18 and 19, and operative paragraph 16
 - **Canada** expressed reservations on preambular paragraph 3 and operative paragraph 2 on the grounds that they are too prescriptive for national governments