Creating boundaries for the weaponisation of AI



GA1

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Introduction

For the last 10 years, concern regarding the development of lethal autonomous weapons systems (LAWs), or killer robots has significantly risen. These weapons are able to identify and engage targets without the need for human participation. Considered the "third revolution in warfare," the creation of LAWs is thought to have had an equal impact as the development of nuclear and gunpowder weapons. To stop and control the employment of these deadly robots, a number of states, international nongovernmental organizations (NGO's), civil society, and artificial intelligence (AI) professionals have separately and cooperatively cooperated at various levels. The abilities that we have gained from computers have revolutionized the way the world works and our everyday lives - including. Contemporary technology gives humans the capabilities to inflict irreversible harm on our planet and on its inhabitants. "Autonomous weapons are not a work of science fiction from a distant dystopian future. They are an immediate cause of humanitarian concern and demand an urgent, international political response." (ICRC) LAWS can be divided into two categories: semi-autonomous weapons (SAWs) and autonomous weapons (AWs) depending on their decision-making capacity. A United Nations (UN) special report from April 2013 stated that member nations ought to take the lead in outlawing these weapons and should not produce or use them.

Definition of Key Terms

Autonomous Weapons Systems (AWS)

There is no universally agreed-upon definition of autonomous weapons systems, which limits and hinders the global communities' approach to discussing the weapons. The United States

government's definition of autonomous weapons systems is "A weapon system that, once activated, can select, and engage targets without further intervention by an operator. This includes, but is not limited to, operator-supervised autonomous weapon systems that are designed to allow operators to override operation of the weapon system, but can select and engage targets without further operator input after activation." (Office of the Under Secretary of Defense for Policy - USA). The International Committee of the Red Cross defines autonomous weapons as "any weapons that select and apply force to targets without human intervention." In order to properly discuss autonomous weapons, a definition must be agreed upon.

Machine Learning (ML)

Machine learning is "the use and development of computer systems that are able to learn and adapt without following explicit instructions, by using algorithms and statistical models to analyze and draw inferences from patterns in data." (Oxford Languages) Machine learning is how lethal autonomous weapons learn how to perform their tasks.

Weapons of Mass Destruction (WMD)

In 1977, the General Assembly, through its resolution A/RES/32/84-B, affirmed the definition of Weapons of Mass Destruction as "[...] atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future which might have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above."

Supervised Autonomous Weapons

Supervised autonomous weapons, also known as "human on-the-loop" systems, are designed to allow human operators to intervene and halt engagements before significant damage occurs. For instance, defensive weapons systems operate autonomously but under constant human supervision, allowing the human operator to override the system within a limited timeframe if needed.

Semi-Autonomous Weapons

Semi-autonomous weapons, termed "human-in-the-loop" systems, are activated by a human operator, and are meant to engage specific targets or target groups selected by the human operator. An example is homing munitions that, once deployed, search for and attack preprogrammed types of targets within a designated area.

Fully Autonomous Weapons

Fully autonomous weapons, referred to as "human out-of-the-loop" systems, are capable of independently selecting and engaging targets without further human intervention. Examples include "loitering" weapons that seek and attack targets within a specified area without human interference, or weapon systems using autonomous electronic jamming to disrupt communications.

General Overview

United Nations Secretary General Perspective

In his 2018 agenda on disarmament, Securing Our Common Future, Secretary General António Guterres stated, "Arms control has always been motivated by the need to keep ahead of the challenges to peace and security raised by science and technology." The Secretary-General echoed this call in his 2023 New Agenda for Peace, recommending that States draft a legally binding instrument by 2026 that would regulate all other types of autonomous weapon systems and forbid lethal autonomous weapons systems that operate without human oversight or control and cannot be used in accordance with international humanitarian law. He pointed out that the design, development, and use of these systems create ethical, legal, security, and humanitarian concerns, and they directly threaten fundamental freedoms and human rights in the absence of particular multilateral rules.

Role of AI in LAWs

Autonomous weapons systems do not necessarily rely on artificial intelligence (AI) for operation, but AI can enhance their capabilities. While some autonomous systems function without AI by following pre-defined tasks, others utilize AI to make independent decisions based on data or adjust behavior as circumstances change. AI can also assist in systems directly controlled by humans, like using computer vision to identify objects without enabling the system to act independently on those identifications.

Immorality and Lack of Accountability of Lethal Autonomous Weapons

Even with weapons that are ostensibly "autonomous," humans are still required to plan, construct, program, position, arm, and choose the right circumstances to launch these systems. However, opponents of autonomy contend that the latter, LAWS, eliminates human oversight from

the killing process; the International Committee of the Red Cross (ICRC), for instance, states that it will be challenging to hold an autonomous weapon legally accountable for its crimes.

"Algorithms are incapable of comprehending the value of human life, and so should never be empowered to decide who lives and who dies. The United Nations Secretary General António Guterres agrees that "machines with the power and discretion to take lives without human involvement are politically unacceptable, morally repugnant and should be prohibited by international law." (Autonumousweapons.org)

The morality surrounding lethal autonomous weapons (LAWs) is a deeply contentious matter, fraught with ethical complexities. Central to this debate is the absence of direct human control over decision-making processes, sparking concerns about accountability for actions carried out by machines. There's skepticism about whether machines possess the capacity to make morally sound decisions, especially in unpredictable scenarios, raising fears of potential errors or unintended consequences. "Algorithms are incapable of comprehending the value of human life, and so should never be empowered to decide who lives and who dies" (Future of life). The United Nations Secretary-General António Guterres agrees that "machines with the power and discretion to take lives without human involvement are politically unacceptable, morally repugnant and should be prohibited by international law." (Autonumousweapons.org)

Moreover, the humanitarian impact is a pressing concern, as LAWs may struggle to distinguish between combatants and civilians, potentially heightening civilian casualties. Concerns also extend to the risk of an arms race driven by the development and deployment of LAWs, leading to escalated conflicts. The lack of robust legal and regulatory frameworks governing the use of LAWs further compounds these moral dilemmas. Proponents argue for their potential to reduce human casualties by making faster, more precise decisions and adhering consistently to ethical rules. However, these arguments often clash with the need to ensure transparency, accountability in case of malfunctions, and compliance with international humanitarian law. The crux of this moral debate lies in balancing potential military advantages, ethical considerations, humanitarian concerns, and the urgent need for global regulation to govern the responsible development and use of LAWs.

Opponents of LAWs

Some who oppose LAWS view them as WMDs and raise moral and ethical questions regarding their creation and application in combat, some of which are addressed above.

Approximately thirty countries, including Pakistan, Argentina, Austria, Brazil, Morocco, New Zealand, and around 165 global organizations, are spearheading the debate and demanding a preemptive ban on LAWS due to operational risks, legal non-compliance, and accountability issues. The argument of holding the commander in charge of LAWs responsible for potential miscalculations civil liability under indirect responsibility rather than direct criminal responsibility. There are legal loopholes that make it difficult to hold autonomous weapons responsible for breaking important rules during hostilities. Like previous bans on antipersonnel landmines and cluster munitions, critics suggest a treaty outlawing LAWS.

Advocates of LAWs

Advocates supporting the development of autonomous weapons systems see it as a groundbreaking advancement in military affairs. The debate primarily unfolds in the United States, where a formal policy on LAWS was first issued, and several other countries, including Australia, France, Germany, India, Israel, Russia, South Korea, Spain, Turkey, and the United Kingdom, oppose a preemptive ban. They argue that robots might surpass human soldiers in effectiveness, potentially reducing noncombatant casualties and collateral damage in warfare. These proponents suggest that autonomous systems could uphold ethical standards, following existing laws and even refusing or reporting unethical orders. They also stress that, in the event of unexpected behavior, responsibility will still lie with the deploying state under international law.

Adaptive AI Governance

The global and fast-paced nature of AI development makes creating governance frameworks challenging. Adaptive AI governance is crucial, learning from genetic algorithms for guidance. International cooperation is key for effective AI governance since AI transcends national borders. Collaborative efforts among countries can establish global standards for AI use. International bodies like the United Nations play a pivotal role in fostering dialogue and cooperation on AI governance. Collaboration among governments, private sectors, and civil society is essential for a comprehensive approach. Standardizing AI is vital, considering its integration into society. It ensures consistency, dependability, and fairness while addressing ethical concerns like bias and privacy. However, rapid AI evolution and diversity pose challenges to creating universal standards. Despite obstacles, organizations like the International Organization for Standardization (ISO) and the Institute of Electrical and Electronics Engineers (IEEE), are actively working on AI standards involving diverse stakeholders.

Key Manufactures

Prominent and important manufacturers in this industry must be mentioned in all arguments for and against the use of AI in the military. "Global military spending on autonomous weapons and AI is anticipated to grow significantly over the years." (Allied Market Research) Many governments, including those of the United States, Russia, China, and India, as well as those of rich and developing nations, have contributed billions of dollars to self-defense initiatives in recent years. For example, in January 2021, Europe initiated a \$9.32 billion defense research and development program to fund defense R&D projects. Leading US companies in the military space include Lockheed Martin, L3 Harris Technologies, and Northrop Grumman. As of 2021, UK-based BAE Systems plc ranked eighth globally and as the largest defense contractor in Europe. Before it became a limited corporation, Israel's Defense R&D Laboratory was Israel's Rafael Advanced Defense Systems, an Israeli firm.

Convention on Certain Conventional Weapons (CCW)

The Convention on Certain Conventional Weapons currently has a total of 126 States Parties and 4 signatories. A full list can be found at UNODA CCW High Contracting Parties and Signatories. The Convention on Certain Conventional Weapons (CCW) highlights concerns about relinquishing human control over the use of force. Nations like China, Israel, Russia, South Korea, the United Kingdom, and the United States are heavily investing in autonomous weapon systems, while others like Australia and Turkey are also engaging in similar endeavors. However, the vast majority of countries emphasize the importance of maintaining human decision-making and control in weapon systems. Approximately thirty countries advocate for a ban on fully autonomous weapons, while others, including China, support a treaty prohibiting their use but not development or production. Despite these discussions, the CCW meetings have yet to produce a binding multilateral outcome due to differing perspectives, including objections from key military powers like Russia and the United States. Proposed measures like political declarations and guiding principles are considered insufficient in addressing the threats posed by autonomous weapons. The COVID-19 pandemic delayed the 2020 CCW meetings, urging participating states to provide written commentaries or working papers as interim measures. To make progress, nations must focus on defining the necessary extent of human control over weapons systems and the use of force, laying the groundwork for a needed international ban treaty. Such a treaty would establish explicit rules to regulate autonomy in weapon systems and demonstrate global commitment to addressing this significant threat to humanity.

Timeline of Key Events

Date Event

- The U.S. Department of Defense forms the Advanced Research Projects Agency (which is later renamed DARPA) to facilitate research and development of military and industrial strategies.
- The Convention on Certain Conventional Weapons adopted.
- IBM's Deep Blue supercomputer defeats world chess champion Garry Kasparov in a pair of six-game chess matches.
- Steven Hawking, Elon Musk, and Steve Wozniak, and 3,000 researchers in AI and robotics write an open letter calling for a ban of the development of autonomous weapons.
- The U.K. government opposed a ban on lethal autonomous weapons, but stipulated that all weapons by its armed forces must be "under human oversight and control."
- The U.S. Department of Defense increases its budget for investment in AI, big data, and cloud computing from \$5.6 billion in 2011 to \$7.4 billion in 2016.
- At the UN's Convention on Conventional Weapons, discussions about banning "killer robots" prompted twenty-two countries to advocate for a complete ban on lethal automated weapons.
- Google faces employee protests and resignations due to its involvement in Project Maven, a military AI project.
- The UN Secretary General makes the statement that "machines with the power and discretion to take lives without human involvement are politically unacceptable, morally repugnant and should be prohibited by international law."
- The U.S. Department of Defense releases its AI strategy, emphasizing the importance of AI in national security and defense.
- The U.S., Russia, and China continue to invest heavily in AI for military applications, raising concerns about an AI arms race.
- Russia invades Ukraine, autonomous weapons used on both sides. Turkish, Syrian, and US etc. weapons used.
- Hamas terrorist attack on Israel, Israeli defense and response includes autonomous weaponry/ missile defense systems.

Major Parties Involved

Human Rights Watch

The HRW is one of the main opponents of the weaponization of Artificial Intelligence. The HRW has published a report in cooperation with Harvard Law School's International Human Rights Clinic called "Heed the Call: A Moral and Legal Imperative to Ban Killer Robots."27 According to the HRW Autonomous weapons would be "unable to comply with the principles of humanity" and "dictates of public conscience.

Leaders in Innovation

Even if they might not work directly with foreign armies, tech behemoths like Google, Amazon, and IBM are important participants in this conversation. Globally, DeepMind AI research and development has been revolutionized by Google. In the meantime, Amazon Web Services (AWS) continuously uses the best AI and machine learning technologies available to deliver tailored adverts and even create new AI solutions. It's typical to ignore industry leaders in political debates, but in this dire circumstance, it's crucial to take into account how AI's revolutionary potential can even change the market.

Pakistan

Pakistan became the first country to seek for the prohibition of lethal autonomous weapons systems at the Human Rights Council in May 2013, noting the precedent set by the preemptive ban on blinding lasers. Pakistan claimed that these systems "raise complex moral, ethical, and legal dilemmas." (Gov Pakistan) In addition, Pakistan read a statement from the Organization of the Islamic Conference, which is made up of more than fifty states. In it, the group issued a warning that eliminating human oversight from the use of force "fundamentally changes the nature of war" and increases the possibility of an "accountability gap." Since then, Pakistan has opposed lethal autonomous weapons systems as "illegal, unethical, inhumane, and unaccountable as well as destabilizing for international peace and security" and has urged repeatedly for a new international ban treaty.

People's Republic of China (PRC)

China's pursuit of a "world-class military" has raised considerable apprehension due to its significant investments in artificial intelligence and machine learning (ML) for advanced weapons systems. Their developments in autonomous and intelligentized weapons, based on unmanned systems and missile technology, have sparked concerns about their potential sophistication and impact. Evaluating these advancements is challenging, and the extent to which China has fielded highly autonomous weapons remains uncertain. China's strides in AI-enabled weapons could

potentially disrupt the global military balance, increasing security threats amid growing great power competition. Rushing to deploy untested or unreliable systems might pose safety risks. Despite debates among Chinese military scientists on safety, legal, and ethical concerns, the PRC's arms sales to potential adversaries of Western nations raise alarms in the West about proliferation risks, prompting them to monitor these trends and take necessary mitigating measures.

Russian Federation

During the Human Rights Council session in May 2013, the Russian Federation expressed concerns that lethal autonomous weapons systems might undermine fundamental societal values and disrupt the international legal system's ability to maintain order. Russia has consistently opposed negotiating a binding instrument on these weapons, citing existing international law, including humanitarian laws, as adequately restrictive. Despite disputing the imminent reality of these weapons, Russia actively invests in autonomous weapons, making AI and robotics a top defense priority. In November 2019, Russia argued that concepts like "human control" and "involvement" are subjective and inconsequential. (Gov Russia, Statement to the UN) Additionally, Russia has potentially used autonomous weapons in the ongoing Russo-Ukrainian War, leading to significant international controversy.

Ukraine

"In November 2013, Ukraine supported the proposal to commence multilateral talks on lethal autonomous weapons systems. It has never elaborated its views on concerns over removing human control from the use of force or commented on calls to ban fully autonomous weapons. Ukraine participated in CCW meetings on killer robots in 2015-2016, but not in 2014 or 2017-2019." (HRW) However, since the beginning of the Russo-Ukrainian War, the Ukrainian military has begun to use autonomous weapons, including Turkish-made Bayraktar drones. Ukraine's minister of digital transformation has described the development of autonomous drones as "logical and inevitable."

United Nations Office for Disarmament Affairs

The UNODA was established in 1998 as a component of former Secretary-General Kofi Annan's UN reform plan, with the "ultimate goal of general and complete disarmament" as its ultimate objective. Its mandate stems from the 10th Special Session of the General Assembly, which was the first GA session to focus on disarmament. The Disarmament Commission and the First General Assembly are two UN bodies with which the UNODA collaborates. The UNODA continuously establishes the benchmark for regional and global disarmament initiatives via diplomacy and

openness. The UNODA promotes disarmament and acts as a neutral information center on related topics. It disseminates unbiased and current information to governmental organizations, NGOs, the general public, the media, and UN member states.

United States of America

The U.S. Defense Primer on Lethal Autonomous Weapon Systems (LAWS) emphasizes that while the U.S. does not prohibit LAWS development, its policy doesn't currently include these systems in its inventory. The U.S. aims to balance the advancement of LAWS with ethical considerations, advocating for human judgment over the use of force, even as autonomy increases. There are strict guidelines for LAWS development and employment, stressing the need for human oversight and rigorous testing. The U.S. participates in international discussions about LAWS, opposing a ban and highlighting potential humanitarian benefits. "In August 2019, the US warned against stigmatizing lethal autonomous weapons systems because, it said, they "can have military and humanitarian benefits." (USA Gov) The US regards proposals to negotiate a new international treaty on such weapons systems as "premature" and argues that existing international humanitarian law is adequate." (HRW)

Possible Solutions

Internationally Agreed Upon Definition

A worldwide definition of lethal autonomous weapons should be among the first issues on which states should reach a consensus. The majority of countries currently define Lethal Autonomous Weapons differently. Because of this, it is more challenging to get agreements on international treaties that are effective because they may not address the definition of LAWS.

Enforcing Human Involvement

Nations could propose the requirement of having a form of human oversight or supervision in their autonomous weaponry. This would help aid the issue of accountability and the LAW ethical questions. It is fundamental to have human control over force, and this must be emphasized in a proposed treaty or resolution.

Raising awareness about the threats LAWs pose

Raising awareness in the public domain is an initial move in curbing the weaponization of AI through the creation or use of lethal autonomous weapons. The scientific community holds a key responsibility in driving this awareness forward.

Further Reading

This source provides a short overview of states' perspectives on the weaponization of AI; <u>Human</u> <u>Rights Watch Country Perspective</u>

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