Peace Movement Aotearoa and Stop Killer Robots Aotearoa New Zealand welcome the opportunity to contribute our views to the UN Secretary-General’s report. Our submission briefly outlines our involvement in this issue, and has three sections summarising our position on: a) the urgent need for a new international instrument; b) key focuses of a new international instrument; and c) scope of a new international instrument. The points below are based on discussions with our member and supporting groups about the content of this submission.

Introduction

Peace Movement Aotearoa is the national networking peace organisation in Aotearoa New Zealand, established in 1981 and registered as an Incorporated Society in 1982. Our purpose is networking and providing information and resources on peace, humanitarian disarmament, human rights and social issues; and we have extensive national networks of member and supporting groups and individuals. We are a founding member of the Stop Killer Robots campaign and coordinate the national Stop Killer Robots Aotearoa New Zealand (SKRANZ) campaign.

SKRANZ was launched in April 2013 to support the global campaign, with a specific national focus on urging New Zealand to take national action to prohibit the development, production and use of autonomous weapon systems in New Zealand; and to take international action to support negotiations on a new treaty to prohibit autonomy in weapon systems.

a) A new international instrument on autonomy in weapon systems is urgently needed

It has been clear for some years now that rapidly developing technological advances in the use of force and increasing autonomy in weapon systems towards fully autonomous weapon systems pose an unprecedented threat both to humanity and to the foundations of international human rights and humanitarian law, which are based on respect for human life and dignity, protection of humanity in times of oppression and armed conflict, and human responsibility and accountability for harm.

The serious ethical, humanitarian, legal, and security concerns posed by these developments have been discussed for more than a decade within United Nations bodies - including the Human Rights Council, meetings related to the Convention on Certain Conventional Weapons and in the UN General Assembly - as well as in regional and national governmental and non-governmental forums.

Even as these discussions have taken place, some states have increasingly incorporated autonomy into military use of force with disastrous consequences for civilian populations, in ways that many would argue have already resulted in violations of international law. It is apparent that the absence of specific international law on autonomy in weapon systems, and
with differing interpretation by some states as to how existing law applies to new technological developments, the risk of proliferation of ever more dangerous and uncontrollable weapon systems is increasing rapidly.

The need for urgency for new international law has recently been highlighted again by military use of AI, for example, Israel's use of AI-powered target suggestion systems in Gaza to make high explosive strikes on numerous targets possible in a short time frame, resulting in indiscriminate slaughter of civilians and systematic destruction of life-sustaining infrastructure. The reality of digital dehumanisation with catastrophic consequences is now very evident, as is the increasing tendency towards the development and use of autonomous weapon systems that will remove any remaining vestige of humanity from war.

A new international instrument on autonomy in weapon systems is necessary to clarify and strengthen existing law, and is already long overdue. The instrument must include both prohibitions and regulations, as outlined below.

Negotiations on a new instrument must begin without any further delay, in a multilateral forum where states can come together to work constructively free from the threat of veto, where the voices of those whose lives have already been impacted by increasing autonomy in weapon systems can be heard, and where UN agencies, the International Committee of the Red Cross (ICRC), and NGOs are active participants.

b) Key focuses of a new international instrument

While much of the work around autonomous weapon systems has focused on the issue of meaningful human control over the use of force, it is our view that the key underlying ethical imperative is preventing machines using sensors and digital code from targeting and / or attacking humans. A prohibition on autonomy in weapons systems that are designed or used to target human beings must be the starting point.

Meaningful human control over the use of force does have an ethical component of course, but it is also a practical and legal means to ensure accountability for any autonomy in weapon systems that breach the key dictates of humanitarian law.

c) Scope of a new international instrument

It is our view that it is not necessary for a new international instrument to prohibit or regulate specific weapons, partly because it would rapidly become outdated and also because it is not specific weapons that are the problem. Instead, it should include overarching rules to establish a framework for evaluating current and future technological developments, while promoting increased compliance with international human rights and humanitarian law.

Such overarching rules would prohibit autonomous weapon systems that are designed or used to target humans, and lay out specific obligations to ensure meaningful human control over other systems: for example, that the human operator/s understand the capabilities and limitations of the system, are able to fully evaluate the context in which the system will be
used, and are making mindful firing decisions rather than assuming the technology is accurate - this would act to regulate autonomy in weapon systems. It would be useful to specify that decisions made by states on their assessment of new or altered weapon systems that incorporate autonomous features or functions must be transparent.

We referred above to a recent example of military use of AI, which suggests that the scope of a new international instrument must be wider than only prohibiting fully autonomous weapon systems, that is, weapon systems that make target selection and attack decisions based on the processing of data from sensor inputs autonomously without any human involvement beyond the initial activation. It is increasingly apparent that there is a spectrum of harmful military use of autonomy, ranging from target decision support systems (as some have described systems such as Lavender), data-based targeting systems, generation of target lists by algorithm or AI, sensor-based targeting systems, through to weapon systems that combine these elements and incorporate varying degrees of machine learning to make target selection decisions and attack autonomously.

We note last year’s Joint Call by the UN Secretary-General and ICRC President stated "The autonomous targeting of humans by machines is a moral line that we must not cross" 1, yet that appears to have already happened.

It is therefore our view that a new instrument must cover systems that automate significant decision making in weapons systems, such as target generation, force deployment, and engagement, as well as autonomous weapon systems.

Finally, although we have referred in this submission to military use of autonomy in weapon systems, prohibitions and regulations in a new international instrument must also apply to all coercive agencies of the state, including those used for policing and internal security, for border control, in corrections facilities and in places of detention.

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1 Joint call by the United Nations Secretary-General and the President of the International Committee of the Red Cross for States to establish new prohibitions and restrictions on Autonomous Weapon Systems, 5 October 2023