The dangers of autonomous weapons systems from a Latin American perspective

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This document outlines the views of SEHLAC on the main risks and concerns of autonomous weapons systems in Latin America and the Caribbean, as well as the solutions to address them. SEHLAC is an organization that works for the transformation of regulations, public policies, and practices to implement and strengthen International Humanitarian Law (IHL), International Human Rights Law (IHRL), and Humanitarian Disarmament in the Latin American and Caribbean region.

The members of our network have participated in international discussions on autonomous weapons over the past ten years, seeking to understand the relationship between these emerging weapons and the human security issues affecting the region.

Risks and concerns about autonomous weapons

While there is no consensual definition of what an autonomous weapon is, SEHLAC aligns with the proposal of the International Committee of the Red Cross and defines it as a weapon system that can select and attack a target without significant human intervention.

"Significant" implies that a human must be the actual determiner of the critical functions of targeting and firing. Since a person is not the one making the critical decisions, these weapons are in opposition to the main element of IHL and IHRL: humanity. No element of these international frameworks can be applied to a weapon that makes the decision to take a human life on its own.

Why the concern about the region?

Latin America and the Caribbean is a diverse region that shares cultural, ethnic, and social elements, but also faces common challenges, such as inequality, poverty, corruption, and lack of state presence, as well as others inherited from a colonial past, such as systematic discrimination against historically marginalized groups.

This complexity has manifested in serious security problems, which have resulted in years of social conflicts and, in some countries, armed conflicts, as well as in the promotion of legal and illegal arms development.
The security problems affecting the region today would be directly related to the possible use of autonomous weapons.

Autonomous weapons would facilitate the perpetration of various types of violence in the region:

1. In Latin America, the upward trend of contract killings is worrying. *Sicariato* - paying to have someone killed - is gaining ground in the region and costs vary according to the complexity of the crime. The introduction of autonomous weapons would expand this practice, making contract killings more accessible and quicker. Also, achieving justice would be nearly impossible because these weapon systems’ nature makes tracing the perpetrators extremely difficult.

2. Drug trafficking, as the axis of most of the violence that occurs in the region¹, could be favored by these weapons as these systems would facilitate the surveillance of drug production laboratories, as well as transit and protection of export routes.

3. Wars between gangs and/or armed groups outside the law are another phenomenon of violence in countries such as Haiti, Guatemala, El Salvador, Honduras, Mexico, Colombia, Ecuador, and Brazil, among others. The ease and cost-effectiveness of using autonomous weapons would cause this violence to spread to areas and countries where it is still precarious or non-existent, enabling criminal networks to expand their power and influence.

4. Using autonomous weapons as personal and private property protection, or even as a means of combating rural and urban crime, could lead to massacres and indiscriminate killings, as these weapons would use force against any person or object deemed a potential enemy.

5. Using autonomous weapons for state repression would facilitate systematic violation of human, civil, and social rights of anyone opposing the government, making it harder for victims to seek justice due to the technology’s lack of traceable responsibility and accountability. This, in turn, would encourage impunity and further undermine confidence in law enforcement institutions.

6. It should be noted that the use of autonomous weapons could increase differentiated impact of violence, mainly on women, people with diverse identities, racialized individuals, and indigenous peoples, among others.

¹ De México a Ecuador y de Costa Rica a Uruguay: la violencia del narcotráfico se extiende en América Latina [From Mexico to Ecuador and from Costa Rica to Uruguay: drug trafficking violence spreads across Latin America], José Denis Cruz, January 21st 2024, https://www.newtral.es/violencia-narcotrafico-america-latina/20240121/
In addition to the dangers posed by autonomous weapons, it is also crucial to address the concern about indiscriminate use of biometric data, both private and public, without adequate treatment and, in some countries, without personal data protection\(^2\).

The lack of explicit regulations that enable or restrict use of these technologies and the misuse of personal data create serious risks, as public security decisions are made without significant human oversight, compromising Human Rights. The situation is already observed and begins public discussion with the implementation of mass surveillance technologies in Latin America and the world, leading to litigation in several cases to protect civil liberties.\(^3\)\(^4\). Therefore, it is not only necessary to prohibit these technologies, but also to advance towards stricter regulations that protect privacy and personal data of individuals.

**How to avoid a humanitarian catastrophe caused by the development and proliferation of autonomous weapons systems?**

The only possible way to avoid the damage caused by autonomous weapons systems is to prohibit those systems that select and attack targets without significant human intervention.

At this point, it is essential to emphasize that autonomous weapons are not a specific category of weapons per se. Any type of weapon, from a small drone to a nuclear missile launcher, could potentially be equipped with autonomous capabilities, meaning that the control system can make crucial decisions without requiring human intervention.

It is important to make this point because any negotiation process that makes possible the existence of a new multilateral instrument with prohibitions and regulations must be carried out considering that it will apply to autonomous systems applicable to any type of weapon. Thus, these discussions must establish the level of human intervention

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in target identification and execution of the shot, ensuring that in no scenario is an algorithm the one deciding whom to shoot.

**Final thoughts**

It is important for States to honor the commitments made in the Belén Communiqué and other regional agreements and declarations that call for urgent negotiation of a legally binding instrument on autonomous weapons systems.

States must act decisively and with political will to address the humanitarian threat posed by autonomous weapons systems. The time for action is now!