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The Permanent Mission of the Republic of Serbia to the United Nations presents its compliments to the United Nations Office for Disarmament Affairs and, with reference to its Note No. ODA/2024-00019/LAWS of 1 February 2024, has the honour to forward, enclosed herewith, the contribution by the Republic of Serbia to the Secretary-General’s report pursuant to General Assembly resolution 78/241 “Lethal autonomous weapons systems”.

Furthermore, the Permanent Mission of the Republic of Serbia to the United Nations wishes to inform that the enclosed document will also be submitted through e-DeleGATE.

The Permanent Mission of the Republic of Serbia to the United Nations appreciates this opportunity to renew to the Office for Disarmament Affairs the assurances of its highest consideration.

New York, 16 May 2024
The Government of Serbia shares the concern of the United Nations over the development of lethal autonomous weapons systems and is of the opinion that these systems should be prohibited or their production restricted and their use monitored.

The available data indicate that artificial intelligence operating the weapons systems is incapable of achieving the level of intelligence and awareness similar to human. Absent human morals and ethics, it is appropriate to ask what will prevent excessive use of lethal force and unnecessary devastation and death, as well as to raise the question of ‘collateral damage’, i.e. whether moral and criminal responsibility for the loss of innocent lives will be deleted and which measures and weapons should be autonomous. Since the lethal autonomous weapons systems are designed to minimize own losses and resources and maximize those of the enemy, along with the deletion of moral and ethical norms, they may in the future be fitted with nuclear missiles.

In this connection, there is a real possibility that the systems could be ‘hacked’ and that software and hardware anomalies, inherent in mass production, would occur. Death and destruction are the only guarantee in such situations and it is practically impossible to establish responsibility. Accordingly, the Government of Serbia expresses serious concern over the systems’ destructive potential, their negative impact on peace and regional and global security for the following reasons:

- Likelihood of lowering the threshold of conflict, partly because of the belief that the number of military casualties will decrease due to the systems’ accuracy;
- Emergence of an arms race, particularly in asymmetric cases in which some countries possess the systems and some do not;
- Possession of the systems by violent non-State actors and criminal and terrorist groups with unforeseeable consequences;
- Evasion by the systems of the existing international conventions, control and regulations due to insufficient recognition;
- Swarm of single-use unmanned aerial vehicles can cause, irrespective of size, mass casualties. Only one person can carry out such an attack and defence is difficult and complex; and
- Incorrect or falsely understood information can cause wrong decisions and false targeting.

A small, militarily-neutral country and a victim of attacks by similar, autonomous weapons systems only of a slightly older generation in 1999, Serbia considers that the use of these or more complex systems for military purposes is absolutely senseless for two reasons:

- Autonomous weapons systems capable of making independent decisions on the choice of targets cannot mimic the human operator entirely. They lack empathy, perhaps the most important
feature in deciding the method of the use of the weapons and the achievement of combat goals with respect for the principle of ‘efficiency/effectiveness’; and

- The autonomous weapons systems cannot comprehend possible consequences, determine the weight of each and every consequence and evaluate and compare the consequences. It is, therefore, likely that the autonomous weapons systems could not carry out military assignments autonomously and without or with minimum collateral damage.

Accordingly, the question of ethics with regard to the fulfilment of the fundamental conditions of international humanitarian law (jus in bello), i.e. the establishment of responsibility for causing human casualties, is of paramount importance. As a matter of fact, the weapons or means that do not fulfil the afore-mentioned conditions of international humanitarian law should not be used in combat. If a human takes a decision resulting in an action against a target, there is a clear chain of command responsibility from the one who decides, one who gives the order all the way to the one who ‘pulls the trigger/presses the button’. In the case of the autonomous weapons systems, no clear command responsibility is provided for the damage caused in combat actions.

For these reasons, it is important that the development, production and the use of the lethal autonomous weapons systems be strictly regulated and rigorously monitored.

Furthermore, International Conventions should regulate the use of the lethal autonomous weapons systems in order to provide for the standard in the ethical code of behaviour during the use of modern weapons, especially of this type, while they are still emergent and have not been massively used yet.