Weaponization of Technology: Small States Championing Human Centric Approaches

Guest Lecture by

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One of our greatest diplomats, Lakshman Kadirgamar viewed peace not merely as the absence of war, but as a rights-protecting community that prevents war.

The pantheon of speakers who have come before me have built on his legacy, whether it is Prince Zeid, the former UN High Commissioner for Human Rights and now my colleague at the University of Pennsylvania, Margot Wallstrom, the former Minister of foreign affairs, Sweden, my co-author on a recent essay, or Radhika Coomraswamy, my former teacher, their talks have built on Minister Kadirgamar's legacy, and I hope that I too will be able to contribute to that collective vision of peace in a time of war.

INTRODUCTION: This Moment in Time:

Jovanni Botero, the 16th-century Italian scholar and diplomat, is best known for laying the foundation for small and middle power diplomacy. In his seminal 1589 work, *The Reason of State* (*Della Ragion di Stato*), he divided the global system into three tiers: great powers (*grandissime*), middle powers (*mezano*), and small powers (*piccioli*). Botero's insights into these tiers heavily influenced how states engaged in international relations:

Piccioli - the Small Power states in Botero's framework lacked the military and economic might to contend with so-called great powers. Consequently, their diplomacy prioritized alliances, prudent neutrality, and leveraging soft power. Moving away from Machiavelli's focus on the personal power of the prince, Botero emphasized that a state's greatness relies heavily on internal stability, rather than on territorial conquest.

In recent years, the concept of middle powers has regained scholarly relevance amidst a shifting global order. Traditionally applied to states like Canada, Australia and South Korea, the middle power concept has expanded to include a diverse range of emerging actors seeking regional influence and strategic autonomy, while other states like Sri Lanka occupy a different trajectory of small power agency anchored in norm entrepreneurship, and rooted in postcolonial identity and a re-defined notion of non-alignment.

At a time when multilateralism is in crisis, global circumstances are more auspicious for middle and small power assertiveness and coalition-building than at any moment since the end of the Cold War.

Despite limited material power, Sri Lanka is growing as a resilient small or middle power that leverages credibility, moderation, and institutional resilience to sustain its influence in a turbulent environment.

Sri Lanka can contribute to middle-power theory by illustrating how small states can redefine humanitarian commitment and engagement. Cooperation between 'traditional' middle powers and emerging middle powers may offer an opportunity to strengthen initiatives that bridge South–North Global divides, for instance, in the area of climate justice, and AI governance. Sri Lanka is a vocal advocate for **multilateral nuclear disarmament and global non-proliferation, acceding to the Treaty on the Prohibition of nuclear weapons (TPNW)** in September 2023. At the UN General Assembly Sri Lanka declared, "*In an atmosphere of increased nuclear rhetoric, Sri Lanka takes pride in offering a sense of forward movement on nuclear disarmament.*"

Why is this important to the CEDAW whose treaty body I serve on? CEDAW's preamble enshrines "**that the strengthening of international peace and security, the relaxation of international tension, mutual co-operation among all States irrespective of their social and economic systems**, **general and complete disarmament, in particular nuclear disarmament under strict and effective international control.**" This is the *raison d'être* of the CEDAW. As a living document, CEDAW's Addendum on Peace and Security which I was privileged to draft connects these elements to the 21st century security challenges by addressing AI in warfare including AI driven Lethal Autonomous Weapons systems or LAWS.

LAWS are rapidly advancing us to a crucial juncture in humanity's relationship with technology.

In an era marked by the complex changes since the post- cold war, the shifts in the rules based legal order, the great power dynamics of US, China, and Russia are currently leading the AI revolution. At the same time, we know, as Canada's PM Carney said in Davos, the story of the international rules-based order was a partial myth as the rules themselves were enforced asymmetrically between the Great Powers and the rest.

Autonomous weapons systems have been described as the "third revolution of warfare," The unique nature of AWS highlights an unresolved international law issue of whether and how LAWS can comply with international humanitarian law and human rights law in armed conflict.

On 6 November 2025, supported by 156 nations, the First Committee of the United Nations General Assembly adopted a resolution on autonomous weapons systems for the third-year running. The resolution expressed deep alarm over the risks of AI-enabled weapons, including the risk of an emerging arms race, and the escalation of conflicts and humanitarian crises.

Tabled by Austria and a group of 30 co-sponsoring states including Sri Lanka and other middle and small power states, the UN resolution drew attention to the "*the importance of the role of humans in the use of force to ensure responsibility and accountability and for States to comply with international law.*" It also noted "*the*

calls by the United Nations Secretary-General to commence negotiations of a legally binding instrument on autonomous weapons systems, in line with a two-tier approach of prohibitions and regulations."

Two weeks ago, at the first Global Dialogue on AI Governance in Geneva, the UN Secretary General said: "*Our institutions were built to govern machines that follow commands. They are not ready for machines that command. Lines, once crossed, cannot be uncrossed."*

The SG's remarks remind us of how Julius Ceaser who paused before crossing the Rubicon and as he crossed famously mused "*Alea iacta est*, the "die is cast." There is no return. Today, I ask the question whether we can still pause before crossing the Rubicon in war's relationship with autonomous weapons.

I take us back to 2017, when during testimony to the US Senate Armed Services Committee, then-Vice Chairman of the Joint Chiefs of Staff General Paul Selva stated, "*Because we take our values to war .... I do not think it is reasonable for us to put robots in charge of whether or not we take a human life*."

Artificial intelligence is transforming military operations across various domains, from autonomous weapon systems to drone war fare. In both present and foreseeable conflicts, machines are increasingly poised to make autonomous decisions with lethal consequences, raising profound legal, ethical, and humanitarian concerns.

While artificial intelligence systems can outperform human beings it has led to questions over whether the decision to strike human targets should be left entirely to a machine and whether and who would be accountable should such autonomous decision-making platforms produce conduct that may constitute a "war crime" under International Humanitarian law.

In particular, the issue of the "accountability gap" remains largely unresolved with no clear domestic or international regulatory development matching the dizzying rate of development of artificial intelligence around the world.

As the Chief Prosecutor for the United States, Robert H. Jackson, argued eighty years ago in Nuremberg:

> "*Civilization asks whether law is so laggard as to be utterly helpless. ... It does not expect that you can make war impossible. It does expect that your juridical action will put the forces of international law, its precepts, its prohibitions and, most of all, its sanctions, on the side of peace ...*"

On the point that law can be a laggard, Sir Lauterpacht, one of the great International Law jurists whom Justice Jackson often consulted, famously observed "*If international law is, in some ways, at the vanishing point of law, the laws of war is, perhaps even more conspicuously, at the vanishing point of international law*."

In other words – Sir Lauterpacht was summoning the spirit of what Cicero once said, "*why in times of war, do laws fall silent?*"

Defining LAWS: What are they?

There is not a single, universally accepted definition of LAWS.

A 2016 United Nations meeting of governmental experts defined LAWS as *"weapons systems that are capable of carrying out tasks governed by IHL in partial or full replacement of a human in the use of force, notably in the targeting cycle."*

AI Systems are starting to make lethal decisions, meaning that the machines, not their human operators, decide when to engage in lethal force. For example, these weapons make "shoot-no-shoot" decisions without the need for human intervention.

I will examine LAWS through three lenses, algorithmic bias, IHL and the power dichotomy between and across great Power States and others.

PART ONE: Algorithmic Bias

My point of departure is the CEDAW's Addendum on Women, Peace and Security which was adopted in February of this year: I quote from the section on Artificial intelligence in warfare. It addresses a growing borderless battleground and "*the dangers of unregulated military technology, including the weaponization of applications of digital technologies*."

"The use of AI to make targeting decisions for drones and lethal autonomous weapon systems raises concerns over embedded gender bias. AI systems require massive data sets, and numerous studies unmask gender biases in the data and gender asymmetry of system designers."

Algorithmic bias in autonomous weapons systems is a major concern, especially for historically marginalized populations. These systems could perpetuate racial, gender and other intersectional biases, leading to disproportionate harm to some groups. At the same time, the integration of new technologies in warfare risks potentially magnifying the gendered and racial biases already embedded in the data.

Machine learning systems may rely on biased data leading to the mis-categorization of targets. These risks include the misidentification of women, children and other civilians. The systemic and historic gender biases embedded in the design of algorithms can be baked into autonomous weapons. The consequences of encoded bias are heightened in military applications and run the risk of exposing women and children to differential risks.

Contrary to the assumption that removing human decision-makers and relying on algorithmic systems diminishes bias, empirical evidence suggests that such reliance may magnify and amplify existing forms of discrimination.

For several Middle Power States, algorithmic bias in autonomous weapons systems poses a major concern, especially for historically marginalized populations.

Ireland's position under the UN resolution offers a particularly detailed articulation of how bias emerges. Citing empirical research, Ireland notes existing datasets and algorithms often skew toward white males, making women of color "*significantly less likely to be intelligible to machine learning programs trained to recognize image and voices.*" Ireland proposes a suite of mitigation measures, including comprehensive testing and reviews, transparent documentation of datasets, benchmarking against demographic indicators, and targeted training for system operators.

Ireland's submission to the SG highlights the risk of algorithms and related machine learning magnifying, amplifying, or contributing to unjust biases: *"The consequences of bias in machine learning are amplified in a military context, Women of colour may be misrecognized at a higher rate leaving them exposed to differential risks."*

Several States have referenced LAWS' cognitive limitations (lack of human judgment) and epistemological limitations (making judgments based upon biased, incomplete, or inappropriate data).

New Zealand too expressed concern that "*biases in data sets that underpin the algorithms used in selecting targets and/or decisions to use force could lead to violations of international human rights law."*

Canada raises the alarm that fully autonomous weapons systems may not be consistent with principles related to the Women, Peace and Security Agenda and weighed in on "*the issue of collateral harm to women and children in conflict zones, and the risk that autonomous weapons systems could exacerbate existing power imbalances and biases***.**"

A primary concern for **Canada** is the potential for the inclusion of unintended or intended biases in the development and programming of autonomous function in weapons. "*Regarding risk mitigation and confidence-building measures, the EU recognizes how the use of data in AI technologies can cause social biases to have a potential impact on emerging technologies*," and thus, calls for the adoption of risk mitigation measures.

Bias in Training Data, Bias in Date Sets, Design Development and Deployment

Algorithmic bias can manifest in different ways: **(1) bias in data** – occurring during data collection and training; **(2) bias in design and development** – embedded in the structure and objectives of AI models; and **(3) bias in deployment** – arising from how AI systems are deployed and interpreted in real-world scenarios.

The popular phrase *"garbage in, garbage out"* highlights how biased inputs inevitably produce biased outputs. Any biases embedded—whether explicitly or implicitly—in the training data will persist throughout the model's lifecycle with lasting effects on its performance and decision-making.

This lifecycle approach was stressed during the 2025 sessions under the **Convention on Certain Conventional Weapons (CCW)** Group of Governmental Experts, nations debated human

intervention in Lethal Autonomous Weapons Systems focusing on maintaining human agency, "*human judgement and control must be ensured by design – through appropriate user interfaces, ergonomics, and technologies.*"

Apart from historically biased data sets, algorithms are also not immune to the biases of their creators. Algorithmic biases may arise from two principal sources: (1) the inherent subjectivity and prejudices of programmers; and (2) skewed or incomplete datasets that either overrepresent or underrepresent certain populations.

These biases manifest in what is often referred to as the "black box" nature of AI: the internal processes of algorithmic decision-making are frequently opaque, making it difficult to discern how particular inputs yield specific outputs.

The lack of explainability or interpretability or how a model arrives at its conclusions poses a significant challenge to oversight and accountability. This opacity makes it difficult for affected individuals to contest decisions or for regulators to enforce anti-discrimination norms.

At this stage, human-AI interaction introduces another concern: *automation bias*. Studies have shown that people tend to over-rely on automated systems, deferring to AI-generated decisions without critical evaluation. In military contexts, this could lead to excessive trust in AI-based targeting or threat identification, increasing the risk of misclassification and unlawful targeting.

Mistakes in War

Apart from bias, these devices are susceptible to errors/ mistakes which might result in a significant number of civilian fatalities and harm to civilian infrastructure.

My question is nuanced- can machines distinguish between combatants and children engaged in play with toy guns?

Consider this misidentification of targets:

In August 29, 2021, a U.S. drone strike in Kabul killed 10 innocent Afghan civilians, including seven children, after misidentifying an aid worker's white Toyota Corolla as an ISIS-K threat. Following independent media investigations, the Pentagon conceded that the attack was a tragic mistake.

Prof. Oona Hathaway, at Yale Law School, writing in the Penn Law Review, my law school's flagship journal has posed the question, who is responsible for "mistakes" in war? I have extended that question to ask who is responsible for mistakes in LAWS? Is it the developer, the manufacturer, the data, the machine or the State? Is there shared accountability? Under International Humanitarian Law, only a State or individual can be held accountable. In relation to LAWS, that question is even more complex given the extraterritorial relationship between the manufacture and sale of arms.

Machine-Learning Algorithms (MLA), namely neural networks, are one of the most recent advances in the field of Artificial Intelligence and are known to be inherently unpredictable. From this unpredictability, it follows that AWS can commit *errors*. Weapons' malfunctions are not unknown on

the battlefield but with the advent of AWS, MLA are now entrusted with the selection-making process of military targets without human intervention. If the LAWS's software results in a targeting mistake, unlawful outcomes may follow.

Just last week, the NYT addressed this powerfully in an article on AI and Weaponry: "*We're not far from the day when one state's autonomous weapons will be capable of shooting at its adversary's autonomous weapons. And once that possibility exists, there is a very real risk that it could happen by mistake, or by misunderstanding. As in the doomsday nuclear scenarios of the Cold War.*"

I want to share a powerful snapshot from the Cold War:

During the Cold War, a nuclear war was avoided because humans in control refused to rely on the data provided by a missile detection system alone. The former Soviet Union's system for detecting missile attacks recommended to Colonel Stanislav Petrov that he act in response to what the system stated with 'high reliability' was a United States missile attack. However, Stanislav and his colleagues decided that the system was wrong and did not act on the alert. The inaction was the right one, as the system 'mistook the sun's reflection off clouds for a missile'. If deference was paid only to the data, without humans in the loop, the history of the world would be different.

Deep Learning

The major breakthrough in artificial intelligence over the past two decades has come from a subfield of machine learning known as *deep learning*. Deep learning involves the use of *artificial neural networks* that mimic the way in which neurons in the human brain are thought to interact with each other.

The advent of Deep Learning and Agentic AI have created systems that constantly "learn" and adapt from experience leading to highly unpredictable outcomes and inscrutable decision-making processes in military technology. The system can "learn how to learn" while performing the entrusted mission, adapting the system to environmental uncertainties without requiring human input. AI systems "learn" to discriminate by identifying and replicating patterns found in historical data—patterns that may reflect longstanding societal inequities. These *negative feedback loops*, where biased decisions inform future AI outputs, perpetuate and justify discriminatory practices.

Similar to the brain, neural networks lack transparency. Data scientists refer to this opaqueness as "the black box problem." It has led to questions over whether in cases where machines operate outside human control, the decision to kill human targets should be left entirely to a machine.

PART TWO: Challenges to International Humanitarian Law

The rise of AI-enabled warfare presents significant challenges to the core principles of International Humanitarian Law. Under IHL, States bear the primary responsibility for ensuring LAWS are used lawfully. The legal rules governing conflict—specifically: 1) Principle of **Distinction** – Differentiating between civilians and combatants and military infrastructure and civilian infrastructure, such as schools and hospitals, 2) **Proportionality** – Ensuring that incidental civilian harm is not excessive in

relation to the anticipated military endeavor; 3) and **Precautions** in Attack – Suspending or canceling attacks if it becomes apparent that a target is not a legitimate military objective or if the attack would violate proportionality rules.

The Principle of Distinction: While AI's advanced data processing has the potential to enhance targeting accuracy, biases and inaccuracies in training data can lead to misidentification errors in classification which could result in unlawful attacks on civilians or civilian infrastructure as we saw in the recent bombing of the primary school in Iran. I ask the question once again, who is responsible for mistakes in war when a machine is making the decisions?

Proportionality is a fundamental principle of IHL, requiring that excessive harm to civilians be avoided at all costs. Additional Protocol I to the 1979 Geneva Conventions explicitly prohibits attacks that are expected to cause incidental civilian loss of life, injury, or damage to civilian objects if such harm would be excessive in relation to the anticipated concrete and direct military advantage. In a ruling by the International Criminal Tribunal for the Former Yugoslavia (ICTY), the assessment of whether harm is "excessive" was based on whether a "reasonably well-informed person, in the circumstances of the … perpetrator, making use of the information … available … could have anticipated excessive civilian casualties."

Third, the Principle of Precaution is especially important. Today I ask you, whether LAWS have the capacity to disobey an order:

Historians will know that the Nuremberg defense—specifically the defense of "superior orders"—that the Nazi Generals invoked- that they were merely following orders was famously rejected by the International Tribunal at Nuremberg in 1945–1946. Human shave the moral authority to disobey orders.

Martens Clause

The distinction between combatants and civilians is not always clear-cut and can lead to tragic ambiguities. A civilian may be considered a combatant if they engage in acts on a spontaneous, or sporadic basis and that is where human cognition may come into greater play.

The Martens Clause states belligerents in armed conflict must behave within "*the laws of humanity and dictates of public conscience.*" It is argued that AWS would lack empathy, notably compassion, which can provide an important check on killing civilians.

This limitation is not merely technological but reflects a profound epistemological challenge to AI. The question as to how AI can reason goes to the heart of ongoing debates in philosophy, and cognitive science.

Several states have underscored the relevance of the Martens Clause to the regulation of AWS. Austria emphasized that the Martens clause "*recognizes that the law can develop in relation to societal concerns and the dictates of public conscience and is, thus, of particular relevance to the AWS issue.*"

Ireland similarly acknowledged that ethical frameworks governing AWS must center on "*the principles of humanity and dictates of public conscience*" when assessing the acceptability of such technologies.

The implications of removing human empathy from warfare are stark. An action may be legal under the laws of armed conflict but still be morally repugnant.

At the same time, Paul Scharre, in his book *Army of None,* recounts a story about his time in Afghanistan where he and other American troops noticed a young Afghani girl, likely no older than five or six, herding goats around their position. They eventually realized she was using a radio, presumably to report on their location. Soon after, they were attacked by Taliban forces. However, Scharre reflects that killing the little girl was never an option that the soldiers even considered--even though such action would be permissible under law, empathy and morality, and humanity would deter humans from taking that path. At the same time, throughout history and in contemporary conflicts, soldiers have committed atrocity crimes against civilians. The Kandahar massacre was a mass murder that occurred in the early hours of 11 March 2012, when US Staff Sergeant Robert Bales murdered 16 Afghan civilians. Nine of the victims were children.

In the comparison drawn between men and machines, it has been argued that AI driven LAWS can be more precise, more accurate and less subject to human error or human cruelty. However, there are significant doubts that fully autonomous weapons would be able to meet international humanitarian law standards that I have explored. The UN Human Rights Committee has affirmed these doubts, stating "*the development of autonomous weapons systems lacking in human compassion and judgment raises difficult legal and ethical questions concerning the right to life, including questions relating to legal responsibility for their use.*"

While *Dolus Specilais* or the intent to commit genocide must be proved, crimes against humanity require the element of general intent and knowledge of a widespread or systematic attack directed against any civilian population. In the case of AI- driven LAWS, who would be responsible for intent and knowledge of attacks against civilians?

Asymmetry in Power in AI Development: The Algorithmic Divide

A new and widening chasm—the algorithmic divide—threatens global equity in AI deployment. Analogous to the original digital divide, the algorithmic divide refers to disparities in access to algorithm-enhanced technologies. Individuals and communities lacking access to AI systems are excluded from the economic, educational, and social opportunities these technologies afford.

According to the International Telecommunication Union, one-third of the world's population has never used the internet, with women and girls disproportionately affected. This disparity raises concerns about the representativeness of AI training data.

This divide is particularly acute in the Global South, where algorithmic infrastructure, digital literacy, and computational resources are limited. AI's massive use of energy and water resources poses a problem. There are also hidden inequities and human rights in AI supply chains. The North/South

asymmetry in the physical infrastructure powering AI—minerals, and water, deepens the AI divide giving rise to the question of power differences between those who use LAWS and those who are harmed by them.

PART THREE: The Diverging Approaches of UN Member States on a New Regulatory Architecture:

As noted, the UN Secretary General has called for a legally binding instrument by 2026 to prohibit LAWS that function without human control and violate international humanitarian law and human rights. In paragraph two of its resolution on lethal autonomous weapon systems, pursuant to UN General Assembly resolution 78/241, the General Assembly requested the Secretary General to solicit the views of Member States.

Member States remain divided over the need for a new legally binding instrument to regulate AWS. The United States and the Russian Federation disavow the necessity of new legal frameworks, asserting that existing framework on international law and international humanitarian law is sufficient to cover emerging developments in weapons. The Russian Federation emphasizes that "*there are currently no convincing grounds for imposing any new limitations or restrictions on lethal autonomous weapons systems, or for updating or adapting international humanitarian law to address such weapons*." Similarly, Israel maintains that "*existing international law, and in particular, international humanitarian law, fully applies to lethal autonomous weapons systems and… provides a sufficient legal framework for any future use.*"

The majority of UN Member States express support for the creation of a new, legally binding instrument to govern the development and use of LAWS. By contrast, 25% either oppose such an instrument or believe it is premature to pursue one.

As you see, there are some convergence and persistent divergence among states. In my research published in the University of Chicago Journal of International law, I analyze the data. An overwhelming majority—89% of State submissions—emphasize the imperative of maintaining meaningful human control over the use of force, reflecting widespread apprehension about delegating life-and-death decisions to autonomous technologies. A similarly high proportion (89%) endorse the development of legal regulatory frameworks—including risk mitigation strategies, accountability mechanisms, and technical safeguards, which underscores a strong collective inclination toward enhanced governance structures.

However, positions on outright prohibitions remain markedly fragmented. Only 24% of states support comprehensive bans, In contrast, only a small minority of 7% categorically oppose any form of prohibition, which highlights the complexity and sensitivity of consensus-building on this issue.

The potential for a two-tiered approach to prohibit fully autonomous weapon systems while regulating partially autonomous weapons under international law has gained support by many and is addressed by **France.**

The standpoint of France is that LAWS without human control and a responsible chain of command ("fully autonomous weapons systems") must be prohibited—while such control can be ensured within "partially autonomous weapons systems." France proposed that "*the [Group of Governmental Experts] should seek consensus on a two-tiered approach, based on the recognition that lethal autonomous weapons systems that cannot comply with IHL are de facto prohibited and should not be developed or used,*" and that further work is needed to operationalize this. The **European Union** too supports a two-tier approach, with a distinction made between those weapon systems that cannot be used in accordance with international law and IHL.

Gender equality and the empowerment of women is an important horizontal priority for the European Union and we believe it is important to take into account a gender perspective, when discussing the issue of lethal autonomous weapons systems, given the nexus between gender equality and emerging technologies.

Several states explicitly emphasized that fully autonomous weapons pose significant risks to the foundational principles of IHL. **Egypt** underscored that such systems threaten compliance with the cardinal rules of distinction, proportionality, necessity, and humanity, and called for legal and ethical concerns to be addressed to ensure conformity with international law. Finland similarly stated that lethal autonomous weapons systems that "*cannot comply with the rules of international humanitarian law and its fundamental principles of proportionality, distinction and precaution"* are prohibited under existing law and should not be developed or deployed. **Mexico** warned that systems incapable of meeting the principles of distinction, proportionality, and precautions in attack, and that lack sufficient predictability or explainability, should be prohibited. The **Republic of Korea** supports a tiered approach, calling for the prohibition of LAWS the prohibition of LAWS "*that by their nature are incapable of being used in accordance with international humanitarian law,*" while leaving room for regulation of other systems through ongoing discussion.

A growing number of states, particularly from the Global South—too are calling for robust treaty-based regulation and "*supports the Secretary-General's call for urgent negotiation of a legally binding instrument to regulate autonomous weapons systems in line with international laws, including humanitarian and human rights laws.*"

China believes that IHL is fully applicable to all weapons systems, however, they are uncertain as to whether existing IHL is adequate to meet the challenges posed by LAWS.

Kazakhstan states unequivocally: "*New international legal obligations are needed to address the significant risks in a comprehensive and integrated manner.*" While banning weapons outside of human control.

Fiji speaks of "*battlegrounds for the testing and deployment of these weapons*," with power imbalances allowing "*the rich countries [to use] these weapons against the poor.*"

Fiji believes that autonomous weapons systems endanger both civilians and combatants, potentially escalating conflicts in unpredictable ways.

Fiji also highlights the environmental harm that the development and use of autonomous weapons would bring as there is mounting evidence that training AI and machine learning models carries

significant carbon footprints. They believe any legally binding instrument should ensure that militaries are held accountable for carbon emissions.

Kiribati comes to this as a Small Island Developing State (SIDS) that has experienced 33 nuclear weapons tests on its islands, they are alarmed about the potential use of autonomous systems in nuclear decisions. Thus, Kiribati demands that nuclear-armed States never allow autonomous weapons systems to control their command-and-control systems.

Costa Rica reminded the SG that it had officially abolished its national military in 1949, following a civil war in 1948, and enshrined this in Article 12 of the constitution. Instead of a standing army, the country invests heavily in education, healthcare, and environmental sustainability. On this basis, Costa Rica advocates for the complete prohibition of AWS whose critical functions lack meaningful human control, including systems with functions that cannot be predicted, explained, anticipated, understood or tracked.

India is of the view that the laws of armed conflict must be respected at all times and maintains that emerging technologies, including LAWS, could enhance compliance with IHL rather than departing from it. India highlights the importance of transparency, confidence-building measures, and the voluntary exchange of best practices among states to mitigate risks associated with LAWS. While India acknowledges that LAWS raise challenges and concerns, they also believe that they can have transformational effects on reducing poverty and improving the lives of all people, especially in developing countries, and thus, the stigmatization of such technologies should be avoided.

The United States believes that existing IHL and extant law already provides the applicable framework of prohibitions and restriction on the use of LAWS and AWS in armed conflict. The US believes that IHL does not prohibit the use of autonomy in weapon systems or the use of a weapon that can select and engage a target.

Israel asserts that "*existing international law, and in particular, international humanitarian law, fully applies to LAWS and, in its view, provides a sufficient legal framework for any future use.*"

By contrast, a growing number of states call for the adoption of new international legal obligations. **Pakistan** states unequivocally: "*New international legal obligations are needed to address the significant risks in a comprehensive and integrated manner.*" **Palestine** echoes this view, asserting that "*prohibitions are required on the development and use of autonomous weapons systems*" that target humans directly or cannot be operated with meaningful human control, and emphasizing that "*this combination of prohibitions and regulations should be in the form of an international legally binding instrument." Palestine emphatically asserts that until a legally binding instrument is created, "a moratorium must be imposed on the development of automated weapons systems.*"

As you see, UN Member States remain divided over the need for a legally binding instrument to regulate AWS. The **United States** and the **Russian Federation** disavow the necessity of new legal frameworks, asserting that existing framework on international law and international humanitarian law is sufficient to cover emerging developments in weapons. The Russian Federation emphasizes that "there are currently no convincing grounds for imposing any new limitations or restrictions on

lethal autonomous weapons systems, or for updating or adapting international humanitarian law to address such weapons."

A growing number of states call for the adoption of new international legal obligations. A growing number of states particularly from the Global South— are calling for robust treaty-based regulations**.** **Sri Lanka** "*strongly supports and advocates the negotiation of a legally binding instrument on autonomous weapons systems,*" echoing a call voiced by a "*growing majority of States*" in the Group of Governmental Experts.

As for NGO standpoints, "less autonomy, more humanity" is the stand taken by the Campaign to Stop Killer Robots, a coalition of 250 human-rights organizations working to negotiate an international treaty that would effectively prohibit states from developing and using autonomous weapons systems. The Campaign's stand captures the primary legal objection to autonomous weapons: namely, that "killer robots" will never be able to comply with international humanitarian law as well as human soldiers because such compliance requires the kind of judgment, situational awareness, and ability to interpret emotions that only humans possess.

CONCLUSION:

As I have argued, LAWS have the potential to drastically change the role of humans in armed conflict. I turn to Einstein whose prophecy remains true to this day, when he said, *"It has become appallingly obvious that our technology has exceeded our humanity."*

Kevin Jon Heller, law professor and Special Adviser to the ICC in the "*Human' in the Critique of Autonomous Weapons'* published in Harvard Law School's National Security Journal, acknowledges "algorithmic bias" however, he argues that those same biases apply equally to humans.

In the same Harvard Law School National Security Journal, in the *'On the Pitfalls of Technophilic Reason'*, it is argued that:
"*Humanity can be an endless disappointment. Yet, humanity should not be cleared away to make room for flawed technologies that deaden our moral imagination*."

It is that moral imagination that President Eisenhower summons in his "*Give Peace a Chance*" speech when he said: "*For every gun that is made, every warship launched, every rocket fired in the final sense, is a theft from those who hunger and are not fed. This world in arms is not spending money alone. It is spending the genius of its scientists, the hopes of its children."*

Eisenhower in his last address to the American People as President, warned about the rising military Industrial Complex.

"*Disarmament, with mutual honor, is a continuing imperative. Together we must learn how to compose differences, not with arms, but with intellect and decency.*"

Today, we once again observe a crisis of morality, and a new generation asks the question posed by Justice Jackson as to why the forces of international law do not fall on the side of peace.

I turn to mythology- and its timeless truths to end my talk.

In the myth of Prometheus, Prometheus stole fire from the Greek Gods and gave to humans. Fire can nourish human civilization but also has the capacity to destroy it. AI like fire is a double-edged sword, it carries with it the promise of great good and the potential for great harm. How we harness the good and build guardrails against the harm calls for human intervention. That will be the fundamental measure of our humanity and our moral imagination. Generations to come will look back at this moment in time- this moment- before we cross the Rubicon.