

Abstract

Lethal autonomous weapons systems, as defined by the International Committee of the Red Cross, can select and apply force to targets without human intervention. The relationship between lethal autonomous weapons systems and international humanitarian law is herein studied from the perspective of human control. While autonomy in weapons is progressively increasing, it leads to the decrease of human control. This thesis finds that human control is required under the existing regulatory framework. Such a conclusion is reached through a normative analysis, carried out in two phases. First, the notion of human control is developed by examining the positions of states expressed in 2023 under the framework of the Convention on Certain Conventional Weapons. The convergences identified among states' statements allow to conceptualize human control. Second, the analysis of fundamental principles of International Humanitarian Law proves that human control is an intrinsic legal requirement. Normative analysis shows that the notion of human control includes human judgment, monitoring and capacity to intervene during the entire cycle of the performance of a weapon. It is demonstrated that a degree of human control must be maintained for lethal autonomous weapons systems to comply with International Humanitarian Law.

Keywords: Lethal Autonomous Weapons Systems, Human Control, Convention on Certain Conventional Weapons, International Humanitarian Law, Distinction, Proportionality, Precautions in Attack.