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Law Research Briefing

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Artificial Intelligence in Weapon Systems

Dr Elliot Winter

**House of Lords AI in Weapon Systems
Committee 2023–24**

- ◆ Dr Elliot Winter provided significant input to the House of Lords' inquiry into the use of artificial intelligence (AI) in weapon systems, focusing on ethical and legal implications.
- ◆ He participated in an oral evidence session in February 2023, contributing his expertise on the limitations of current AI technologies in making critical ethical decisions during military operations.
- ◆ Dr. Winter also submitted written evidence highlighting his oral testimony, emphasising the necessity for meaningful human control over AI-enabled autonomous weapon systems (AWS).
- ◆ He stressed that while AI can perform specific tasks such as image recognition or playing complex games like chess, it lacks the advanced reasoning required for making nuanced decisions in combat situations, such as distinguishing between combatants and non-combatants or assessing acceptable collateral damage.
- ◆ Dr. Winter's contributions were instrumental in shaping the committee's recommendations on integrating AI in military operations. His detailed insights led to specific recommendations in the report, such as:
 - Advocating for the UK to take a leadership role in international efforts to regulate AI in warfare, based on his emphasis on the need for global standards.
 - Underscoring the importance of collaboration with other nations to remove AI from nuclear command and control processes, reflecting his concerns about the risks of AI in high-stakes environments.
 - Stressing the necessity for a clear and operational definition of "autonomous weapons" directly incorporated into the report to address ambiguities and ensure consistent understanding and regulation.
 - Ensuring meaningful human control over all AI-enabled weapon systems throughout their lifecycle, a key point from Dr. Winter's evidence that underscored the ethical and legal imperatives of maintaining human oversight in military AI applications.
- ◆ His input helped underline the importance of human judgement in AI applications for defence, particularly in ensuring compliance with international humanitarian law (IHL) and preventing potential misuse of autonomous technologies in warfare.
- ◆ Dr Winter's insights into the ethical and operational challenges of AWS influenced the committee's stance on prioritising human oversight and establishing clear legal frameworks to govern the use of AI in military contexts.

Dr Elliot Winter is a Senior Lecturer in International Law at Newcastle University, specialising in international armed conflict and global security law. He has informed UK Government and United Nations policy, presented expert verbal/written evidence to the UK Parliament and provided legal training for the armed forces. Elliot's research has been widely published in, and he frequently peer reviews for, leading journals. He has been asked by mainstream media to comment on developments in AI. Elliot has taught bachelor's, master's and doctoral candidates in the UK and US. He holds a Senior Fellowship at the Higher Education Academy and now mentors and assesses colleagues' applications. Before entering academia, Elliot qualified as a lawyer and made court appearances for the UK and Scottish Governments.



 elliott.winter@newcastle.ac.uk

 <https://www.ncl.ac.uk/law/people/profile/elliottwinter.html>

Related Publications:



Winter E. The Compatibility of Autonomous Weapons with the Principles of International Humanitarian Law. *Journal of Conflict and Security Law* 2022, 27(1), 1-20.

Winter E. The Compatibility of Autonomous Weapons with the Principle of Distinction in the Law of Armed Conflict. *International and Comparative Law Quarterly* 2020, 69(4), 845-876.