



Law Research Briefing December 2023

Artificial Intelligence in Weapon Systems

House of Lords AI in Weapon Systems Committee
2023-24

Dr Elliot Winter

- ◆ Dr Winter 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. He also submitted written evidence, 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, 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.
- ◆ 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, underscoring the ethical and legal imperatives of maintaining human oversight in military AI applications.
- ◆ He underlined 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.



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