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"We need a very critical debate about the prospect of fully automated weapon systems"

Fully automated weapon systems may not much longer be restricted to the realm of science fiction movies. Rather sooner than later, such systems could be programmed to seek targets and to destroy them independently of any human intervention. **Balthasar STAEHELIN**, *Deputy Director-General of the International Committee of the Red Cross (ICRC), explained at the* stars Switzerland symposium 2019 *why this raises a whole new range of legal and ethical issues which have to be addressed urgently. He also stressed the importance of human agency in the act of killing: a human being must remain part of the decision to take another human's life, this must not be delegated to machines.*

Vanía NZEYIMANA: Can you explain the objectives of the ICRC and its most important operations?

Balthasar STAEHELIN: According to the Geneva Convention, the mandate of the ICRC is to provide protection and assistance to those who do not or no longer participate in hostilities, especially the civilian population or those who no longer participate and who are protected by International Humanitarian Law (IHL) because they are injured, captured or detained. Over 90% of our efforts are in war-ridden areas whereby the most important operations take place where there is a long-standing armed conflict. In a non-exhaustive list that does not reflect an order of priority nor size, we are in Syria, Iraq, South Sudan, Democratic Republic of the Congo, Ukraine, Yemen. The occupied Palestinian territories is less talked about, but it is still important in terms of humanitarian needs. We have different kinds of activities that aim at protecting people. The critical aspect of our work is our efforts to influence the behaviour of belligerents and ensure that they respect the law. We also visit prisoners in around 300 detention places around the world, striving to ensure that they are not ill-treated and enjoy acceptable conditions of detention and are in contact with their families. Moreover, we have a range of activities like providing food, livelihood, water, shelter, medical services, emergency help, surgical care, orthopaedic centres,

forensic services, as well as the reunion of separated families. The water issue is extremely important, for instance, we ensure that drinking water is accessible and that wastewater is organized to prevent the spread of diseases such as cholera.

Which regions are the most critical today according to the ICRC?
There are several regions. The situation in Yemen remains absolutely dramatic because the civilian population is suffering beyond our imagination. We face challenges in delivering basic services to assure survival, including health services. The whole of the Sahel zone is also on our radar because the increase of violence together with other conditions make this region highly unstable and in urgent need of humanitarian responses. Afghanistan is another region where we face important security challenges to operate safely, and to reach the people in need of protection and assistance.

Can you remember an unsuccessful operation?
Each operation has its challenges and dimensions that we are not satisfied with. The restriction of access is a challenge. In particular, in places not recognized as international armed conflict, states do not have the obligation to let us visit detainees. But it is often critical that we can. Ensuring respect for IHL and of its key principles such as the principle of proportionality, that is the proportionate use of force, remains challenging. Our efforts are to bring belligerents to spare civilians and fight according to certain key principles of IHL, notably in finding a balance between military necessity and humanity. In many wars this balance is not achieved in the way we think it should.

How do you think war is going to look like in the future?
We observe the fragmentation and the multiplication of belligerents. There is a trend towards less clearly identifiable parties at war. Nowadays some conflicts involve up to 15 non-state armed groups. Other states, regional or global powers get involved, either with their military or by supporting actors fighting. This all makes it more difficult to get all the security clearances for humanitarian action and to bring the involved actors to an agreement. Besides, todays conflicts last for decades, many of them have been going on for 30, 40 years. We cannot limit ourselves to emergency humanitarian responses in these contexts but must seek to achieve a sustainable humanitarian impact. Furthermore, the means and methods of warfare are changing. Firstly, cyberwar challenges the forms of the wars we know because most often neither the attackers nor the attacked publicly state that there has been a hostile action, not to mention the fact that cyber-attacks can potentially have important humanitarian impacts and lead to a traditional military operation. Secondly, we need a very critical debate about the prospect of fully automated weapon systems. It may today seem like a science fiction movie, but war technologies are developed that could become fully automated, that is without human intervention. For example, weapon systems programmed with a certain software seek the target and destroy it independently of any human intervention. We are very worried about this because it raises a whole range of legal and ethical issues among others. For the ICRC, we support that human agency is important in the act of killing: a human being must remain part of the decision to take another human's life or not according to certain criteria, this must not be delegated to machines.

How do you think the IHL can or should adapt to the new methods of warfare?
I think the IHL could develop and strengthen certain issues, but the key ideas such as the distinction between civilian and military targets are absolutely valid and don't need to change. The principle that an attack has to be proportional to the military gain is also a key principle that does not depend on the type of weapon and it can absolutely be

transposed to different types of cyber weapons. We need to address the kind of weapons that are being developed and the legal policy framework that regulates them. Imagine an automated weapon system targets a school with 500 children and destroys the school and kills all the children. Who is the war criminal? Is it the state, the group that deployed that weapon, or the company that produced and sold it? Is it the software engineer that programmed the software, who made a mistake by not programming it in a way that it spares the kids? We cannot just develop those weapons at the technical level and close our eyes to such questions. States as well as non-state armed groups, criminal groups or any kind of group could use such weapons to blackmail society. There are historical examples that show that not everything that is technically feasible should be deployed. One of these examples is the blinding laser weapon that could take away the eyesight of the enemy soldiers. There was a huge outcry when thinking of the First World War and all the people who lost their eyesight because of chemical warfare. The blinding laser weapon was banned before it was ever used. It is a relatively rare example, but it shows how we can ban weapons before they are being used.

What kind of impact do these developments have on the businesses sector and the civil society?
To a certain extent, new technologies such as cyber war and new means and methods of warfare make war easier. The threshold to fight war decreases in the sense that you don't need to have boots on the ground or risk the life of your own soldiers. But the people on the receiving end, the civilians killed during the war are worse off. In urban settings, it is particularly difficult to distinguish military targets and civilians. Thus, there is a very high exposure of the population, compounded by the fact that many armed conflicts tend to be protracted. Conflicts need to be solved at the political level. If we do not manage to find functioning multilateral mechanisms to end wars, wars spread and increase in various contexts and they last longer. That is a real burden on civil society and private enterprises, which would have far more opportunities in a peaceful economy than in fragile contexts.

Balthasar STAEHELIN is Deputy Director-General of the International Committee of the Red Cross (ICRC). He joined the ICRC in 1993 and has served in the Middle East, Africa, the Balkans and at headquarters. From 2002 to 2006, Balthasar was delegate-general for the Middle East and North Africa. He served as deputy-director of operations for policy and global affairs from 2006 to 2008. In 2008, Balthasar left the ICRC to join the local government in Geneva where he ran the department in charge of providing social welfare, housing, health and integration programmes for asylum-seekers and refugees. He returned to the ICRC in 2012 to take up his current position.

The interview was conducted by stars alumna Vanía NZEYIMANA, Co-Head Program Migration, Swiss Forum on Foreign Policy (foraus), on the sidelines of the stars Switzerland symposium 2019. The views expressed here are solely those of the interviewee and they do not necessarily represent or reflect the views of the stars Foundation.

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