



# Report of the Foreign Affairs, Defence and Trade Committee

## Petition of Edwina Hughes for Aotearoa New Zealand Campaign to Stop Killer Robots: Act now on killer robots

October 2022

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Hon Jenny Salesa  
Chairperson

# Petition of Edwina Hughes for Aotearoa New Zealand Campaign to Stop Killer Robots

## Recommendation

The Foreign Affairs, Defence and Trade Committee has considered the petition of Edwina Hughes for Aotearoa New Zealand Campaign to Stop Killer Robots—Act now on killer robots—and recommends that the House take note of its report.

## Request for action on lethal autonomous weapon systems

The petition was presented to the House on 30 September 2021. It requests:

That the House of Representatives, as a matter of urgency: a) enact legislation to prohibit the development, production and use of lethal autonomous weapon systems in New Zealand; and b) urge the Government to support negotiations on a new treaty to retain meaningful human control over the use of force by prohibiting such weapons.

The Petitions Committee initially began considering this petition from 25 November 2021. It invited and received written submissions from the petitioner, the Ministry of Foreign Affairs and Trade, and the Ministry of Defence, and held an oral hearing on 7 April 2022. The petition was transferred to us on 2 June 2022, and we considered the written and oral material previously received.

## Background

Lethal autonomous weapons (sometimes referred to as “killer robots”) are a rapidly developing area of weapons technology and manufacture, and of military deployment. New Zealand government and non-government organisations are among many contributors to global discussions about the ethical, legal, and humanitarian implications of lethal autonomous weapons systems

Lethal autonomous weapons are weapons designed to operate without human intervention. They may include military hardware, sensors to scan the surrounding environment, and algorithms that make and implement attack decisions.

Autonomous weapons fall onto a spectrum. They range from systems that, once deployed, would need no further human involvement in targeting and engagement decisions, to systems that have some scope for human control and decision-making.

## Comments from the petitioner

### Summary of ethical, legal, technical, operational, and human security concerns

The petitioner outlined a variety of concerns about autonomous weapons systems:

- Ethical questions include whether it is ever acceptable for machines to make independent decisions to kill human beings.

- Legal questions include whether it is possible to ensure that machines act in accordance with principles of international humanitarian law that require judgments about context, proportionality, and the distinction between civilians and combatants.
- Technical and operational concerns include programming bias and unpredictability, as well as vulnerability to hacking.
- Human security concerns include the potential that autonomous weapons may reduce the distance and direct risk to combatants, which could result in a lower threshold for the use of lethal force. This could in turn lead to an increase in armed conflict.

### **International and local dialogue**

The petitioner outlined the multilateral dialogue taking place through bodies of the United Nations on the use of lethal autonomous weapons. This has included consideration by the UN Human Rights Council, and state parties to the Convention on Certain Conventional Weapons.

The International Committee of the Red Cross has called for states to adopt legally binding rules on the use of autonomous weapons. The European Parliament and Belgian Parliament are among national legislative bodies that have passed resolutions on autonomous weapons.

The petitioner's submissions included letters of support from artificial intelligence (AI) academics and researchers. Letters of support were also included from other local non-governmental organisations, faith leaders, and youth networks.

### **Petition requests: New Zealand national legislation and international treaty**

The petition requests action in two areas: national legislation and support for a new international treaty.

Ms Hughes urges that New Zealand work with like-minded states for an international treaty prohibiting and regulating autonomous weapons systems.

She also advocates that New Zealand act, even before international agreements, to develop national legislation. This would ensure that New Zealand researchers, companies, and defence forces do not become involved in the development or deployment of autonomous weapons systems.

## **Comments from the Ministry of Foreign Affairs and Trade, and the Ministry of Defence**

A joint submission from the Ministry of Foreign Affairs and Trade and the Ministry of Defence acknowledges the ethical, legal, technical, and security concerns outlined in the petitioner's submission.

The ministries agree that autonomous weapons are best understood on a spectrum, from partially to fully autonomous. They note that fully autonomous systems do not yet exist, while New Zealand already uses some systems that include elements of autonomy but are considered legally and ethically acceptable.

The submission referred to a paper taken to Cabinet by the Minister for Disarmament and Arms Control in November 2021 which outlines New Zealand's policy position on

autonomous weapons.<sup>1</sup> The Cabinet paper recognises legal, ethical, and security concerns about unregulated autonomous weapons. It also acknowledges that global militaries, including some of New Zealand's close military partners, are pursuing the potential military benefits of autonomous weapons.

The Cabinet minute notes agreement that New Zealand will engage in international fora to develop appropriate prohibitions, regulations, and oversight of autonomous weapons.<sup>2</sup> This includes advocating for a legally binding instrument to set rules and limits for autonomous weapons, while also supporting interim measures such as non-binding guidelines.

However, the ministries do not see the development of national legislation as the most effective way forward. They submit that New Zealand's concerns are best addressed through an international multilateral response. Adopting domestic legislation in advance of this response could reduce New Zealand's flexibility and limit New Zealand's ability to influence outcomes.

### **The term “killer robot”**

Following the hearing of evidence, the Petitions Committee asked the ministries whether killer robots are used only for the purposes of dispatching life or if they are used for other purposes, such as rescue.

The ministries provided a written reply explaining that the framing of autonomous weapons systems as “killer robots” focuses on a narrow definition of autonomous weapons systems. Autonomous systems potentially could be used for broader purposes. These could include military purposes such as targeting of infrastructure and weapons. But they could also include wider aims such as humanitarian support, search and rescue, or monitoring the maritime environment for illegal fishing.

### **Our response to the petition**

We thank the petitioner for her petition, and for articulating ethical and legal issues concerning the use of autonomous weapons.

We are satisfied that the Minister for Disarmament and Arms Control has an active work programme on this issue. It includes advocacy in international fora for a legally binding agreement, as well as for interim measures such as non-binding guidelines.

We accept that the development of national legislation and guidelines should accompany this international multilateral work, rather than precede it.

We will continue to follow the progress of this issue with interest.

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<sup>1</sup> Cabinet paper, [Autonomous weapons systems: New Zealand policy position and approach for international engagement](#).

<sup>2</sup> Cabinet minute, [Autonomous weapons systems: New Zealand policy position and approach for international engagement](#), 22 November 2021.

## Appendix

### Committee procedure

The petition was initially considered by the Petitions Committee from 25 November 2021, before being referred to us on 2 June 2022. We met between 30 June and 27 October 2022 to consider it. We received the written submissions from the petitioner, and the Ministry of Foreign Affairs and Trade and Ministry of Defence, and reviewed the oral evidence from the 7 April 2022 hearing with the Petitions Committee.

### Committee members

Hon Jenny Salesa (Chairperson)  
Hon Gerry Brownlee  
Golriz Ghahraman  
Ingrid Leary  
Hon Todd McClay  
Ibrahim Omer

### Evidence received

The documents we received as evidence in relation to this petition are available on the [Parliament website](#).

Video of the hearing with the petitioner, the Ministry of Foreign Affairs and Trade, and Ministry of Defence can be viewed [here](#) (starting at 16.21 and ending at 43.10).