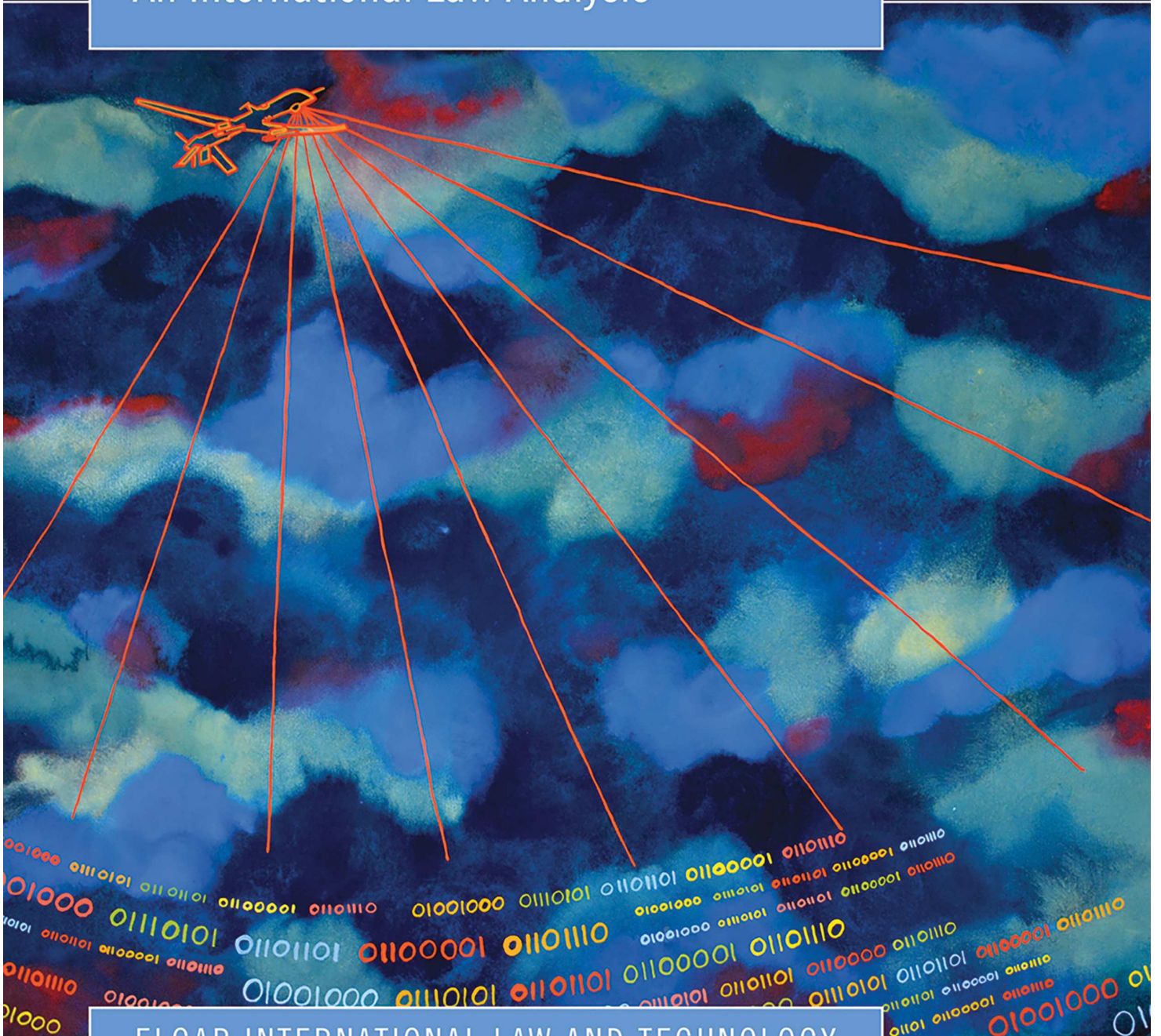


Diego Mauri

Autonomous Weapons Systems and the Protection of the Human Person

An International Law Analysis



ELGAR INTERNATIONAL LAW AND TECHNOLOGY

Autonomous Weapons Systems and the Protection of the Human Person

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Sciences, University of Florence, Italy*

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Foreword

Weapons represent one of the great paradoxes of humanity. Human beings constantly research and develop new weapons—new ways of killing with increased lethality, ease of use, greater precision, and capabilities of all kinds. At the same time, we constantly contemplate the morality of using weapons. Moral assessment leads to efforts at legal regulation, including banning specific weapons. The paradox has been on full display for a decade and a half regarding fully autonomous robotic weapons and the effort to ban or strictly limit their use.

This book is the rare study of all three aspects of the weapons paradox as regards autonomous weapons. It is a fully integrated account of what we need to know in order to understand the current debate about using autonomous weapons with some regulation or banning them altogether. The author expertly explains the complex new technological research involved in autonomous weapons. These are weapons that remove the need for a human responsibility for the decision to take the life of another person. He has appropriately chosen human rights as the standard against which to assess the morality of this recent development in weapons technology. He is then able to consider issues such as whether to ban or regulate, and how to do so. The discussion is engaging, allowing readers to come to their own, informed conclusions.

I have had the privilege of discussing the law and morality of high-tech weapons with Diego Mauri since his research visit to the University of Notre Dame in 2018. I found him to be one of the rare human beings with the ability to write comprehensively on one of the greatest challenges to the law and morality of arms control. He came with a wealth of knowledge, which he generously shared, as well as experience in the Holy See's delegation to the principal negotiations concerned with regulating autonomous weapons. He came also with a determined purpose to deepen his knowledge and understanding. This book is a testament to his success and an important contribution to law and ethics.

Mary Ellen O'Connell
Robert and Marion Short Professor of Law
University of Notre Dame, USA

Acknowledgments

This book is the result of a long-running journey that would not have been possible without the travelling companions I was undeservedly lucky enough to have.

Ideally, this journey started during my internship at the Permanent Mission of the Holy See at the United Nations in Geneva in summer 2015: it was then that, accidentally, I came across some paperwork on a subject that was totally unknown to me, ‘Lethal Autonomous Weapons Systems’ (LAWS). That curious assonance with the English term for the rules of law—paradoxical for a weapons system which, on first impression, threatened to clash head-on with every moral and legal rule—was too precise to be left aside. I later had the unique privilege to join, first, the Holy See’s Delegation to the Meeting of Experts and, later, the Group of Governmental Experts, which gave me access not only to a wealth of technical documents and insights into the diplomatic arena, but also—and above all—to a network of faces and expertise that I would rarely meet outside. This is why I am grateful primarily to the Mission’s personnel, from Msgr Tomasi and Msgr Jurkovič (who served as Permanent Representatives during my stays) to all colleagues and friends I have had the chance to meet during these years.

My sincerest and affectionate thanks go to my mentor, Pasquale De Sena, who fatherly supported me not only in structuring this book, but also in taking my first steps in the academia. I really lack the words to properly thank Micaela Frulli, with whom I have the honour to work in Florence: her encouraging attentions and enthusiastic spurs, especially at the beginning of this adventure, have been an unexpected gift for me. I was then lucky enough to dock, for a few months, at the University of Notre Dame (US), where I met Mary Ellen O’Connell—her strong inclination towards the need to combine law and morality was a real source of inspiration for my reflections—and at the European Centre for Constitutional and Human Rights (ECCHR) in Berlin, where I worked closely with Chantal Meloni on related projects. My research also benefited from several presentations and discussions, for which I am grateful to Andrea Saccucci, Luisa Vierucci, Deborah Russo, Maria Chiara Vitucci, Gabriele Della Morte, Giulio Bartolini, Alessandra Gianelli and Chiara Venturini. Lastly, I have to dedicate a special mention to the personnel of the Istituto di Scienze Militari Aeronautiche of the Italian Air Force and, in particular, to Colonel Andrea Rossi: they have always been available to meet

me during the drafting process and share their views on the military implications of autonomous weapons systems (AWS).

Those who agreed to dedicate their time and energy to my work are many—and now that I think about it, I feel I have to apologize. The first is, beyond doubt, Daniele Amoroso, with whom I have consumed hours (especially during vacation days) discussing AWS: without his brilliant intuitions and witty critiques, my modest reflections on this topic would have been trivial. Laura Magi and Olivia Lopes Pegna accepted to read and review portions of the book, giving me thoughtful suggestions on what to insert and change. Martina Buscemi's sharp eyesight was indispensable for strengthening the structure; the same goes for Marco Roscini, who helped me with the book project. Lorenzo Acconciamezza and Francesca Tammone—whom I regard as friends even before colleagues—read previous versions of the book and shared their stimulating views with me. Finally, Edward Elgar's publishing team (Caroline Cornish, Amber Watts and Ben Booth in particular) provided me with superb and prompt assistance through the editorial process.

As an antidote to solitude characterizing works such as writing a monograph, doctors recommend companionship by trustworthy and friendly faces. I listened to them. Thus, the number of people who have contributed to make my heavy days lighter is so great that I cannot name names here. But this relieves me, because I know from the affection that binds us that, when they read these lines, they will immediately understand I am referring to them. I am thankful beyond words for what their support and friendship means to me. To Gloria, my love, and to my parents and family goes one last, heart-felt thank you for being my compass through this journey.