



Human Rights Council**Fifty-first session**

12 September–7 October 2022

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development****Austria,* Costa Rica,* Ecuador,* Panama,* Peru* and Uruguay*: draft resolution****51/... Human rights implications of new and emerging technologies in
the military domain***The Human Rights Council,**Guided* by the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,*Recalling* the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant instruments of international human rights law, as well as the Vienna Declaration and Programme of Action,*Recalling also* the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977 and other relevant instruments of international humanitarian law,*Acknowledging* that international human rights law and international humanitarian law are complementary and mutually reinforcing,*Recalling* General Assembly resolution 60/251 of 15 March 2006, by which the Assembly established the Human Rights Council and, inter alia, acknowledged that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing that development, peace and security and human rights are interlinked and mutually reinforcing,*Recalling also* the Guiding Principles on Business and Human Rights, as endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011, in which it is noted that the responsibility to respect human rights is a global standard of expected conduct for all business enterprises wherever they operate and recognized that addressing adverse human rights impacts requires taking adequate measures for their prevention, mitigation and, when appropriate, remediation, and encouraging States and business enterprises, including those involved in the design, development, manufacture, procurement, supply, sale and transfer of products and services involving new and emerging technologies in the military domain, to implement the Guiding Principles,*Recognizing* that human rights derive from the inherent dignity of the human person, and in this regard stressing the importance of human decision-making over the use of force and the imperative that the human element remains central in the use of force,

* State not a member of the Human Rights Council.



Recognizing also that the use of new and emerging technologies in the military domain, especially certain forms of automated decision-making, may, in certain circumstances, cause, contribute to or facilitate the commission of human rights violations and abuses, as well as violations of international humanitarian law, and recognizing further the risk that these technologies can be acquired and misused by non-State actors,

Noting that new and emerging technologies in the military domain may rely on non-representative data sets, algorithm-based programming and machine-learning processes and that their use can reproduce and exacerbate existing patterns of structural discrimination, marginalization, social inequalities, stereotypes and bias and create unpredictability of outcomes,

Recognizing the need to ensure that international human rights law is respected in the conception, design, development, deployment, evaluation and regulation of data-driven technologies and to ensure that they are subject to adequate safeguards and oversight, and stressing that States have a duty to promote the rule of law, adequate accountability, legal certainty and procedural and legal transparency,

Acknowledging, in the light of the above, the need to study the human rights implications of new and emerging technologies in the military domain, while taking into account ongoing discussions in the field of international humanitarian law,

Welcoming the role of human rights defenders and civil society organizations in raising awareness about the human rights impacts of the use of new and emerging technologies in the military domain,

1. *Requests* the Human Rights Council Advisory Committee to prepare a study examining the human rights implications of new and emerging technologies in the military domain, while taking into account ongoing discussions about the applicable legal framework, and to present the study to the Human Rights Council at its sixtieth session;

2. *Also requests* the Advisory Committee to seek the views of and inputs from and to take into account relevant work already done by stakeholders, including States, United Nations agencies, entities, funds and programmes within their respective mandates, international and regional organizations, the Office of the United Nations High Commissioner for Human Rights, the special procedures of the Human Rights Council, the treaty bodies, national human rights institutions, civil society, the private sector, academic institutions, multi-stakeholder initiatives and other relevant stakeholders, when preparing the above-mentioned study;

3. *Decides* to remain seized of the matter.
