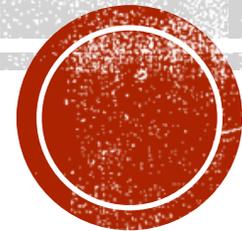
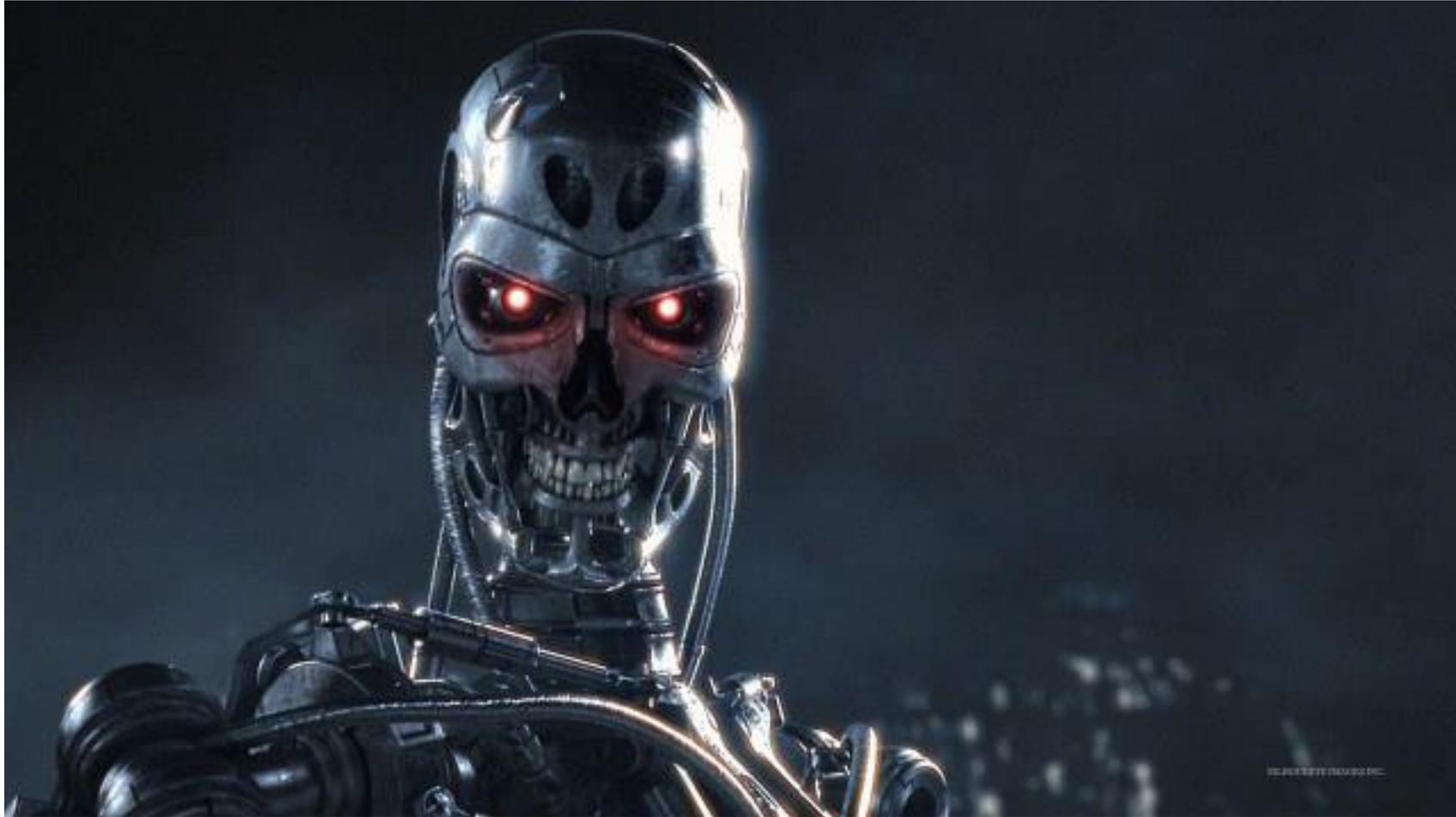


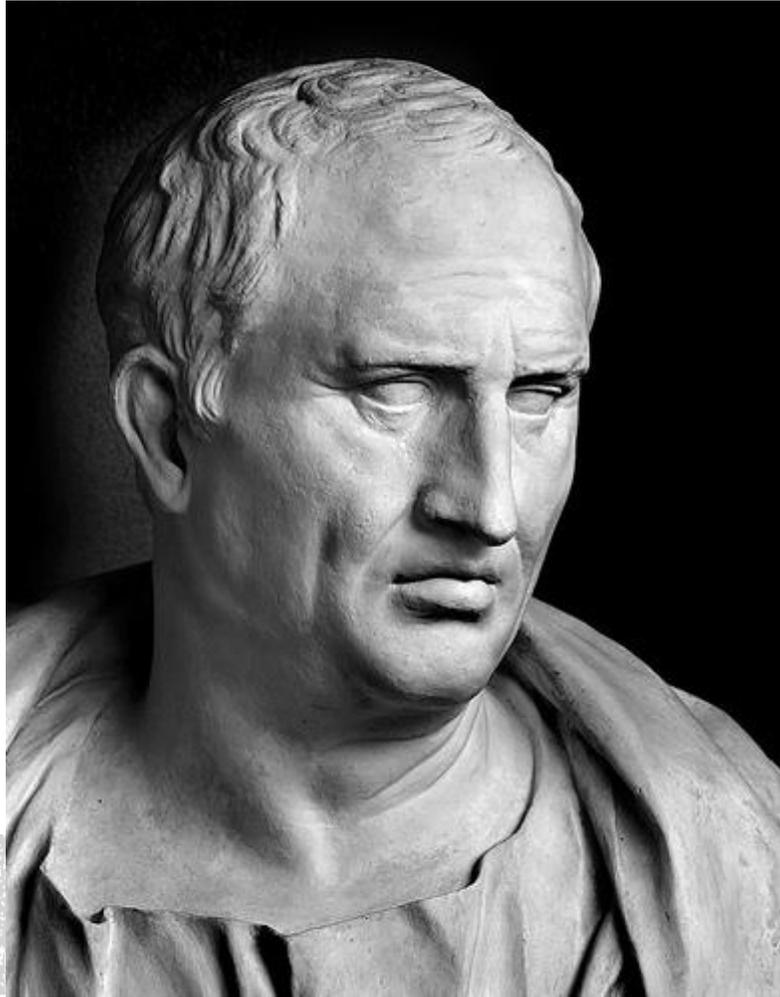
WHAT LAW APPLIES?





WHAT DOES THIS HAVE TO DO WITH KILLER ROBOTS?

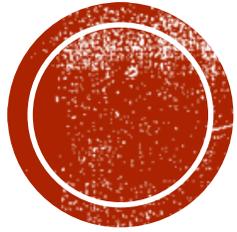




“In time of war, the laws are silent.”

- Marcus Tullius Cicero

SHARED AIMS



“The common underlying purpose of international humanitarian law and international human rights law is the protection of the life, health and dignity of human beings.”

- **Jakob Kellenberger, former ICRC President**

IMPORTANT DIFFERENCES

IHRL

International Humanitarian Law

- Origin story: State relations in armed conflicts
- Applies in armed conflicts and occupations

International Human Rights Law

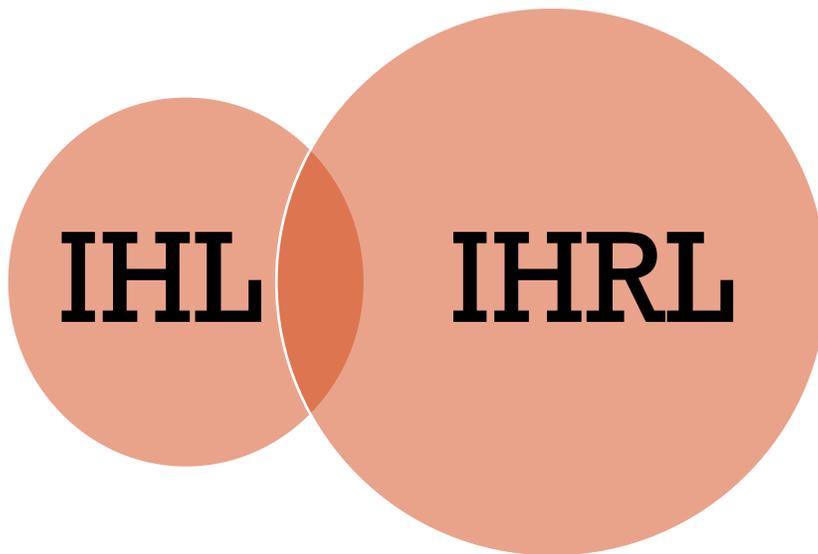
- Origin story: Just relationship between states and individuals
- Complicated application

IHL

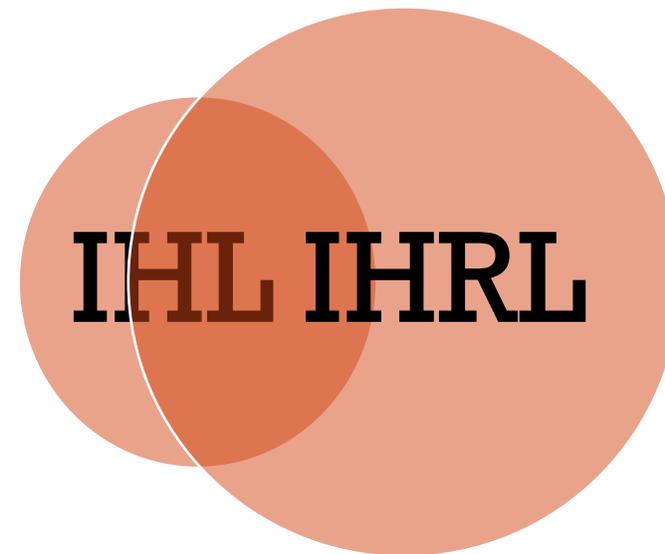


RELATIONSHIP

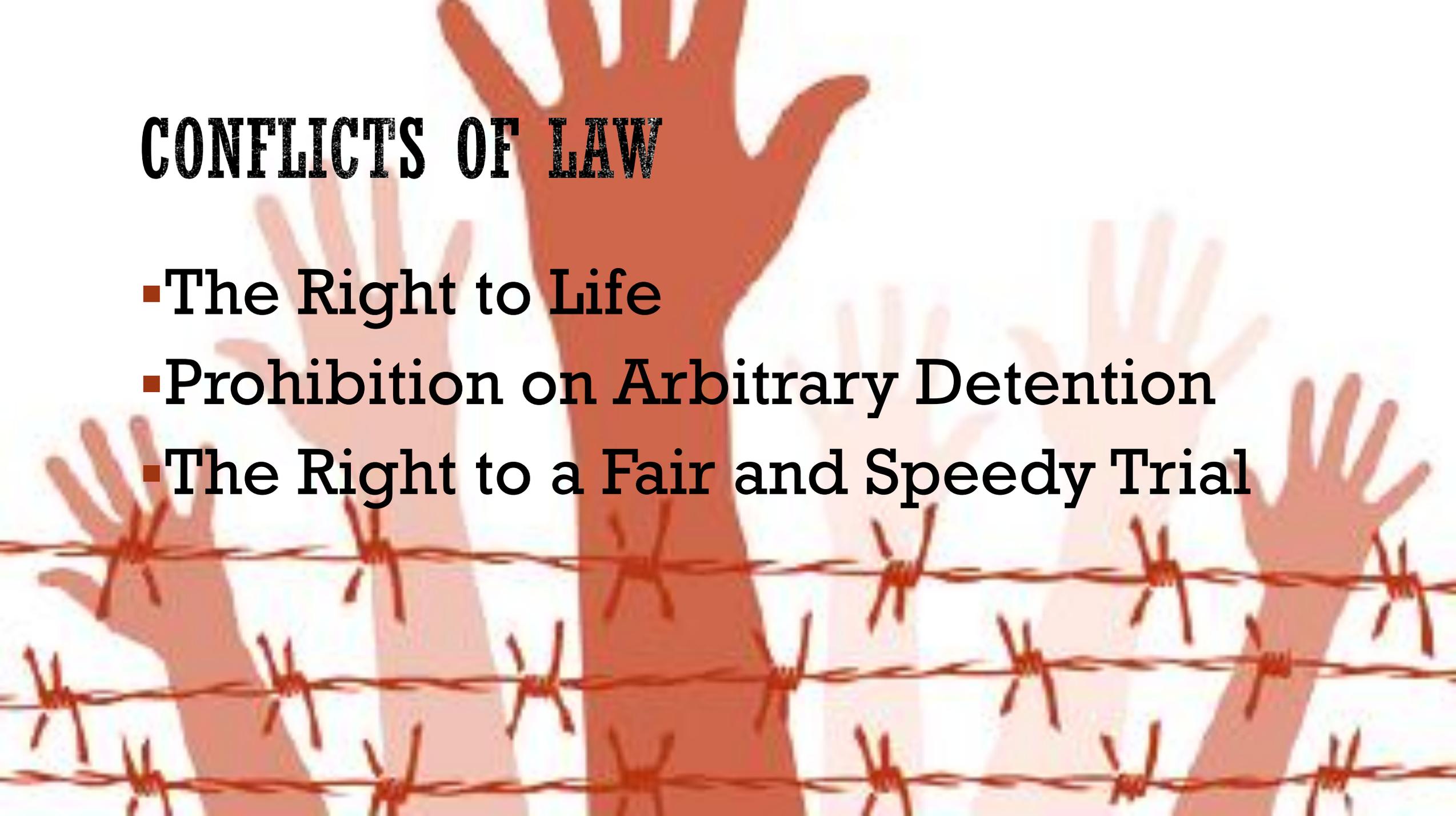
This talk / Scholarship



Realistically



CONFLICTS OF LAW

The background of the slide features several silhouettes of human hands raised in the air, positioned behind a horizontal line of barbed wire. The hands are rendered in a reddish-brown color, and the barbed wire is a darker shade of the same color. The overall composition suggests a theme of human rights, protest, or conflict.

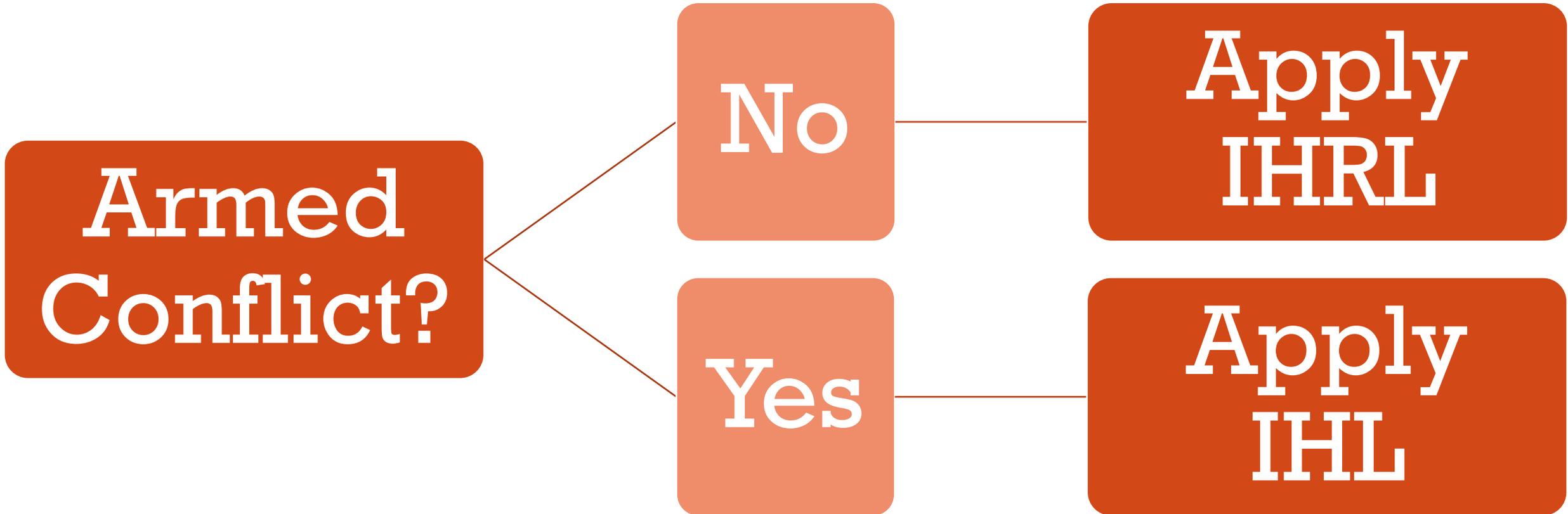
- **The Right to Life**
- **Prohibition on Arbitrary Detention**
- **The Right to a Fair and Speedy Trial**

THREE MODELS FOR RESOLVING CONFLICTS

- Displacement Model
- Complementarity Model
- Conflict Resolution Model



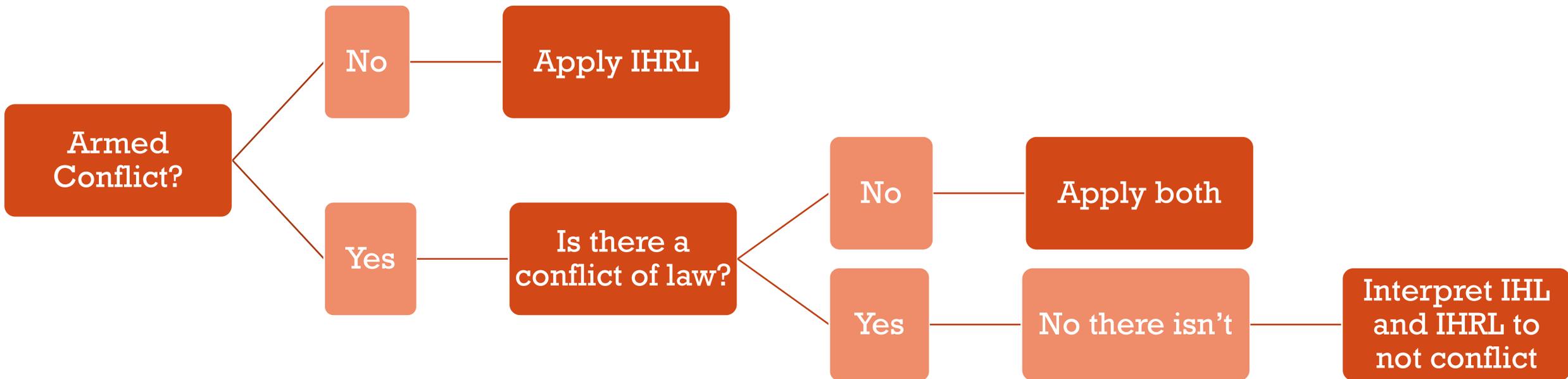
DISPLACEMENT MODEL



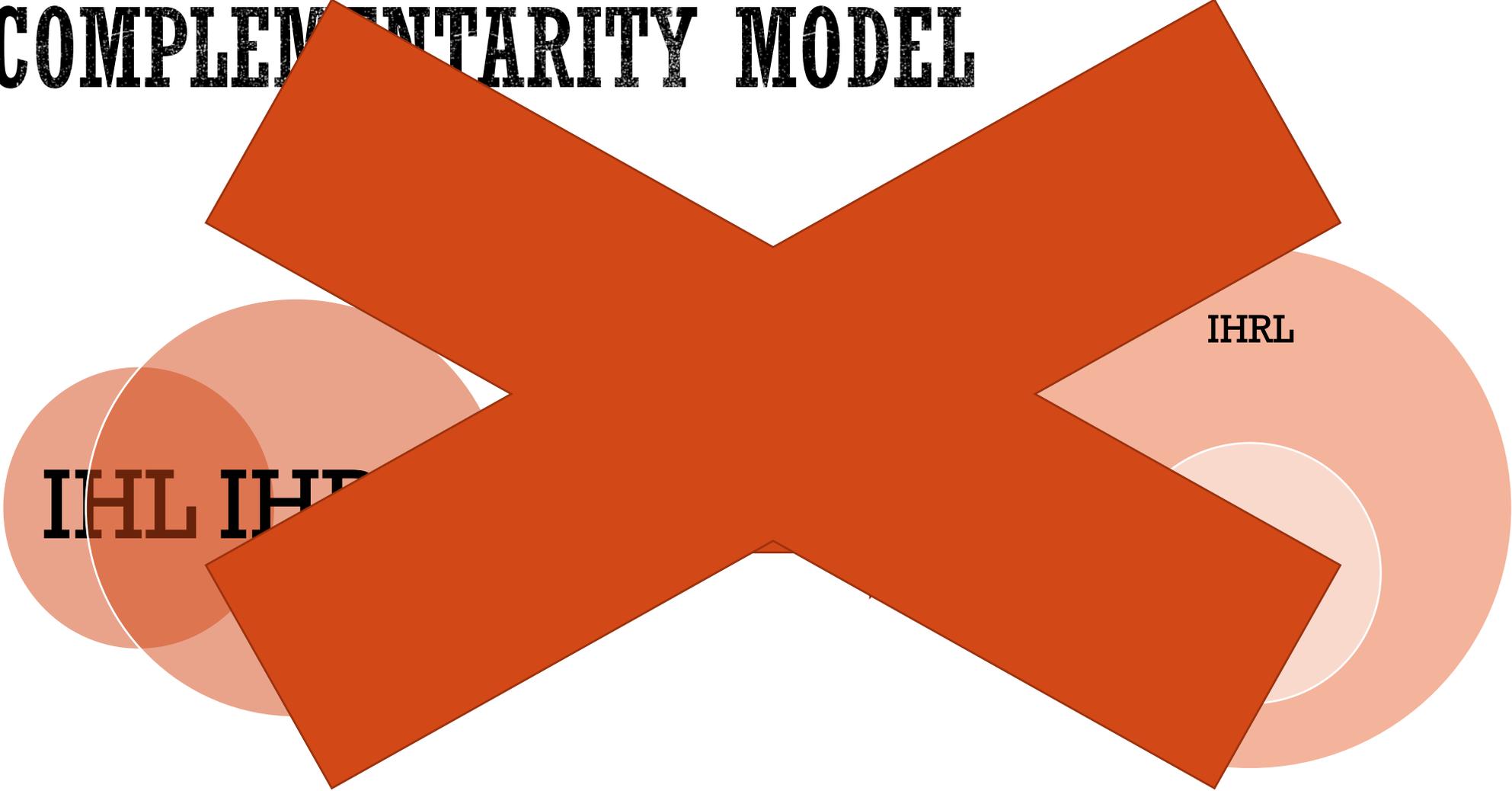
DISPLACEMENT MODEL



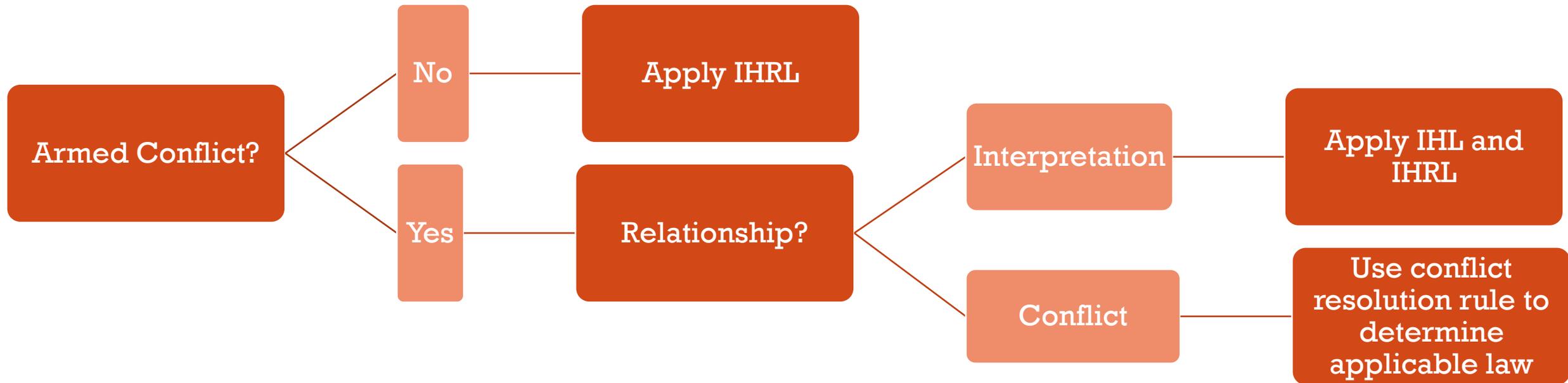
COMPLEMENTARITY MODEL



COMPLEMENTARITY MODEL



CONFLICT RESOLUTION MODEL

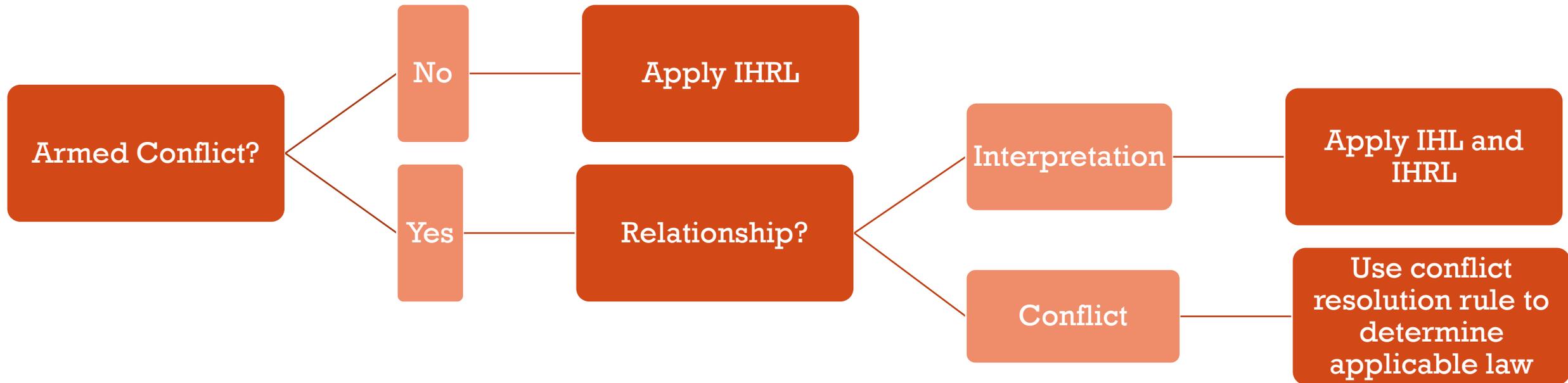


CONFLICT RESOLUTION RULES

- Event-Specific Displacement
- Reverse Event-Specific Displacement
- Specificity

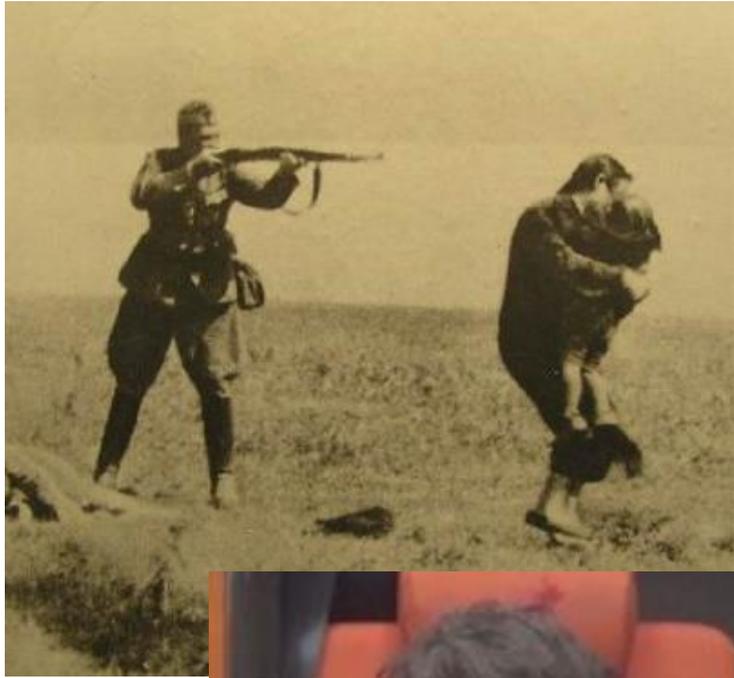


CONFLICT RESOLUTION MODEL



CONFLICT RESOLUTION MODEL





AREAS OF OVERLAP



IHIL IHRL



TAKE AWAY POINTS

- The existence of an armed conflict need not mean human rights law goes out the window.
- Determining the actual relationship between the legal regimes is messy.
- However, some of that confusion can be alleviated with forethought – which is the point of military manuals, rules of engagement, and other military policies.



IMPLICATIONS: HIGHLIGHTS IMPORTANCE OF OTHER QUESTIONS

- Is there an armed conflict?
- When does an armed conflict end?
- Type of armed conflict? (IAC v. NIAC)
 - Recall: Different rules apply
- What about consent-based interventions?
 - Way to evade HR requirements?



IMPLICATIONS: CREATES DEBATES

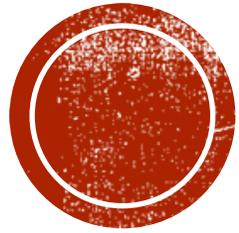
- Extraterritoriality application of human rights
- Capture / Kill
- Duty to use most humane weapon?
 - Duty to use precision-guided weapons (smart bombs)
 - “Duty to Drone”
 - “Duty to Hack”





WHAT DOES THIS HAVE TO DO WITH KILLER ROBOTS?





REBECCA CROOTOF

www.crootof.com

@RebeccaCrootof