

Developing “best practices” in the exports of LAWS

Ms. Chairperson,

In an earlier speech Poland raised the issue of “meaningful human control” and its possible influence on performing more effective state control (“meaningful state control” - MSC) over the development of LAWS.

Discussions in May 2014 in the CCW revealed that from the perspective of a number of states one anxiety-inducing aspect of the debate on LAWS might be the uncontrolled proliferation of these systems and technology. This particular concern might be motivated in part by their dual-use nature and the increasing possibility of adapting civil autonomous systems to military use.

The importance of introducing some form of control over international transfers of LAWS as entire systems, as well as their elements and technology may therefore gradually increase over time. At the present stage it would seem at least advisable to be able to prevent transfers of such systems and their components to undesirable end-users, whether states or non-state actors.

Being aware of such issues is one thing and creating instruments and applying them is another. A possible set of “best practices” in export control of LAWS might be a complementary and useful tool. The scope of such measures would be decided by states themselves and could be reviewed to correspond to the current level of technology, especially in terms of autonomy. It would be an opportunity to reconcile differences on how states view LAWS and also a guarantee that research in the area of civil autonomy will be continued. Furthermore, similar solutions could be extended to other areas: handling, transportation, testing or retransfer of LAWS.

There is a vast array of lessons learned and best practices in the area of conventional arms control that we can draw from. Measures designed to limit illicit flows of small arms and light weapons are widely implemented. There are also best practices that address threats posed by highly dangerous weapons. MANPADS (Man-portable air-defense systems), for example, are regarded worldwide as being able to inflict devastating impact on civil aviation. Transfers of such weapons should be authorized only by governments or agents acting on behalf of governments.

A joint effort of governmental experts to elaborate a set of “best practices” might undoubtedly provide the impetus towards a more conclusive

discussion on definition issues. It would be an occasion to share national know-how and policies and exchange experiences with non-proliferation and arms control regimes. By shifting our attention to more practical and concrete solutions we get a chance to advance our understanding of LAWS.

The ongoing international debate stirred by LAWS, which is growing in relevance and scope requires a more active response from the CCW community. As High Contracting Parties we have the means of influencing and channeling this discussion in an inclusive and transparent way, and most of all taking into account the principles of International Humanitarian Law and International Human Rights Law.

Introduction of a stronger state control over international transfers of LAWS and related technology seems currently the most reasonable way forward.

Thank You Ms. Chairperson.