

## **Article 36 statement to the Convention on Certain Conventional Weapons**

**Geneva, Switzerland, 12 April 2016**

Thank you, Mr. Chairperson and thank you for your preparations for this meeting.

At a very basic level, it is quite significant that a body including all of the most advanced weapons producing nations is embarking on a third successive round of expert discussions on autonomous weapons. It suggests a general recognition that autonomous weapons are a concern that will need to be resolved collectively by states. In our view this reflects a wider social unease with the concept of autonomous weapons and the erosion of human control over violence.

It is significant also that states have chosen the CCW as the place to address autonomous weapons, as this is the body tasked with prohibiting and restricting weapons deemed unacceptable. Indeed, the negotiating history of the CCW indicates that states brought this body into existence partly because of a realisation that, while the newly adopted provisions for the national review of weapons would hopefully prevent some problems, there would need to be a forum for states to ban or restrict weapons as a collective measure. Bearing this purpose of the CCW in mind would be a helpful step in moving towards a process focused on a legally binding instrument to prevent the emergence of lethal autonomous weapons systems. We hope your recommendations from this meeting and the decisions at the Review Conference will move in this direction.

Mr. Chairperson,

It seems to us there can be little reasonable dispute that human control is required over the operation of weapons systems. Human judgment, for example, implies at least a certain level of human control. In our analysis, acknowledgement of this principle necessarily leads to a prohibition of lethal autonomous weapons systems. This is because we understand those systems to be those that would operate without the necessary human control to be permissible. We recognise, though, that this concept of human control over attacks is complex and that the implications of autonomous weapons technology make it even more complex. We have provided some briefing papers for this session as a contribution to discussion of this theme and we welcome the other input on this topic.

A key finding in our analysis is that ensuring meaningful human control over individual attacks – and specifically delineating what is *necessary* in this regard – is a basic requirement if we are to uphold the structure and effectiveness of IHL as it stands. This law addresses human beings as agents who make decisions about individual attacks. If such functions are to be undertaken by autonomous systems, the law no longer works in the same way. Autonomy is developing rapidly in military technology, just as in other spheres of technology. It poses a fundamental challenge to the body of law that human societies have set out to restrain the use of violent force based on the principles of humanity. In our view, we have a choice to recognize and respond to this challenge or to abandon the law as it stands.

Yesterday some suggested it is difficult to work on this topic because it is hard to define lethal autonomous weapons systems. At the same time, many affirmed that weapons should always be under human control. For those with such views, it might seem logical then to embrace a process of work that sets out how to understand and ensure the necessary levels of human control over individual attacks.

In this regard, two of the papers we have produced are focused on the concept of meaningful human control – the first is the background paper for the expert presentation by my colleague Richard Moyes later today and the second is produced jointly with Dr. Heather Roff of the University of Arizona, who spoke yesterday. Another of our papers focuses on national reviews of weapons in the context of autonomous weapons and we will discuss that paper at a side event on Wednesday hosted by the Campaign to Stop Killer Robots, of which we are an active member. On this theme, the question of how weapons review processes could assess meaningful human control over weapons – in some or all circumstances – might be a useful area of study.

Mr. Chairperson,

In many parts of the world, states are engaged in and affected by the use of military force, with grave consequences for people and societies. Against this background, the fact that discussions such as these, about the future of warfare, weaponry and humanity, can take place at all is surely something positive. These meetings on autonomous weapons should be an opportunity for states to pursue concrete outcomes and decide to operate in ways that express our collective humanity. Establishing a Group of Governmental Experts towards a legally binding instrument on lethal autonomous weapons systems is a good way to grasp that opportunity and we echo the sense of urgency and ambition expressed by states in this regard yesterday. Such an expression of collective humanity would be an important testament to the purpose of the CCW, to the values underpinning the United Nations and to the concept of international law itself.

Thank you, Mr. Chairperson.