

Conventional Weapons Convention
Meeting of Experts on Lethal Autonomous Weapon Systems
Geneva, 13-17 April 2015

Statement by Ambassador Thomas Hajnoczi
Permanent Representative of Austria to the United Nations

Mr. President,

Austria is pleased with the decision of last year's meeting of States Parties of the Conventional Weapons Convention to convene this second expert meeting on lethal autonomous weapons systems in the framework of the Convention.

We are grateful to Germany to take on the task of presiding over this debate. Let me assure you of the full support of the Austrian delegation in the conduct of the meeting.

Mr. President,

The first expert meeting in May 2014 was the start of a much needed structured and comprehensive engagement of the international community with this important issue. I remind the delegates assembled here of the statements Austria delivered in the course of that meeting, which still adequately capture our position. Rather than repeating everything that was said then, let me elaborate briefly on a few points which seem particularly relevant for Austria.

First of all, let me clarify that Austria fully acknowledges the fact that many new technologies can be used to great benefit in the military field. Everyone will agree that, for instance, humans should not be exposed to the danger of clearing a territory from mines, when there are robots available to do the job. The more we are relying on technology, however, the more conscious our choice has to be what exactly we expect any particular envisaged application to deliver, and also, what we would rather not want to see. Not everything that is technologically possible is also desirable.

Specifically on LAWS, Austria thinks that, on the basis of what we know or what we can anticipate today, the risks and dangers imminent in this particular future application are considerable. LAWS will likely be some combination of advanced military hardware and sophisticated computer programming, promising a significant leap ahead in terms of military potential for those who will have them early, as opposed to those who will lag behind.

From a political point of view, thus, the development definitely brings with it an additional impulse for accelerating the arms race. This would of course not be something in the best interest of international peace and security. On the contrary, it is our fundamental conviction that the incessant build-up of military resources is not a sustainable solution for the challenges to international security.

As far as the international humanitarian law sphere is concerned, at last year's expert meeting, as the salient point of the discussion emerged the question whether assigning to future LAWS the decision to kill would be compatible with IHL. To take just the example of the IHL principle of distinction: today, clearly only humans are capable to distinguish reliably between civilians and combatants in a real combat situation, thereby ensuring observance of the principle. Whether technology will be able to create at some future point machines with an equivalent capability seems to be a matter of speculation at this stage. In any case, the blurring of the fundamental distinction between the military and civilian spheres, between front and rear, as an ever more prominent feature of modern warfare, does not make this an easy task.

The technological shift towards ever more autonomous weapons will inevitably increase the importance of technology in warfare relative to human actors. At the same time, IHL of course will continue to require human control over armed attacks. The question therefore is how technological change can be managed so that human control can continue to be exercised in a meaningful way. To take an example: It is doubtful whether a single human actor surveilling the pre-programmed activity of a swarm of LAWS from a distance would be able to exercise meaningful, as opposed to purely formal, control over the situation. Rather, we tend therefore to believe that the deployment of lethal force would have to be decided upon in a conscious and informed manner on a case by case basis by a human actor, who could be held responsible under international law. I would like to draw delegates' attention to a working paper on meaningful human control from an IHL point of view which Austria has submitted to this meeting.

As I said, Austria acknowledges that much of the advanced technology associated with the development of LAWS has applications in the civil but also in the military fields that are perfectly acceptable. The essential point is to ensure that technology is applied in a responsible way. In particular, States should pay utmost attention that the pursuit of a particular technological development does not increase political and strategic risks, that it is fully compatible with the universal legal framework, and that it is handled in as transparent a way as possible. Therefore Austria calls on States to stop, or refrain from, any developments which do not clearly satisfy these criteria.

Thank you, Mr. President.