



## **Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems**

Geneva, 27–31 August 2018

### **Statement by Estonia**

#### **Agenda Item 6(d). Possible options for addressing the humanitarian and international security challenges**

Thank you, Mr Chairman!

Estonia fully aligns itself with the statement delivered by the European Union but would like to make a few additional remarks under agenda item 6(d).

The Estonian delegation would like to thank you, Mr Chairman, for the dynamic approach that you have taken to leading our discussions. The uncertainties about the technology and the diversity of views on *some* issues are such that it is important to consider a broad range of policy options, and not to select or exclude any particular model at this stage.

The deliberations in this GGE have made it quite clear that autonomy is a more complex matter conceptually and technologically than many weapons that have been subject to specific regulation in the past. We cannot lightly assume that regulatory regimes developed previously for specific weapons – such as permanently blinding laser weapons – could be easily adapted to weapon systems with autonomous functionality. With regard to the difficulties involved in relying on CCW Protocol IV as a model for our work, we agree with perceptive comments made by Sweden and the United Kingdom.

At the same time, international humanitarian law remains a robust and dynamic regulatory regime. It is capable of dealing with a range of emerging or new technologies. For example, in the context of hostile cyber operations, existing principles and rules of international humanitarian law provide guidance with regard to the use of technology that did not exist at the time many of those principles and rules entered the body of international law.

Estonia is not convinced, at this time, of the need for a new legally binding instrument on weapon systems with autonomous functions. We reiterate, however, that any weapon system, irrespective of its autonomous functionality, must only be used in strict compliance with the principles and rules of international law, in particular international humanitarian law and human rights law. Accordingly, all states must ensure that the weapon systems that they develop or acquire are capable of being used consistently with their obligations under international law, and are in fact so used.

We are not persuaded by the suggestion that weapon systems with autonomous functions are inherently unlawful because of a fundamental incompatibility with international humanitarian law. Weapons systems with autonomous functions need to be assessed for their lawfulness on a case-by-case basis, taking into account their technical capabilities and intended uses.

We acknowledge that weapon systems with autonomous functions create challenges for the interpretation and application of the law. Thus, we see considerable merit in the further examinations of the following three issues:

1. the manner in which existing principles and rules of international humanitarian law apply and should be interpreted with respect to weapon systems with autonomous functions;
2. the unique challenges involved in legally reviewing such weapon systems and the way in which these challenges could be addressed;
3. the desirable nature of human-weapon interaction, in particular, the activities to be undertaken at different stages of the life cycle of a weapon so as to ensure compliance with international humanitarian law.

Mr Chairman,

Estonia is convinced that the CCW is the most appropriate forum for discussing these issues. Therefore, we support renewing the current mandate of the GGE for 2019. We would like to assure you, Mr Chairman, of our commitment to continuing the debate with a view to reaching a practical outcome.

Thank you, Mr Chairman!