

Brazil's Intervention on Characterization Tuesday from Afternoon

We would like to echo the many delegations, such as Ireland and Pakistan, which pointed out that, at this point, we must make an effort to streamline and simplify the terms of the discussion. In this sense, we would also like to thank you for your compilation with the Chair's understanding of the possible approaches to characterization.

With regard to the caveats wisely outlined by yourself to keep us from going astray, while we agree that we should not prejudge the outcomes, we must bear in mind that, in the context of the objectives and purposes of the CCW, there is a general understanding that there should be some kind of regulatory outcome from these meetings. In light of that, and notwithstanding the interesting technical discussions and considerations put forward by many delegations, we should try to narrow down our discussions in a way as get to the substance relevant to policy making.

A possible non-exhaustive list of criteriae for considering LAWS, in the line of what has been proposed by China, could be a way to orient the discussions. Such a list could be included in our final report. As stated by Austria and Switzerland, among others, Brazil believes that the issue of autonomy, and consequently of human-machine interaction, should be at the heart of these considerations. We note that there is a growing convergence that the human control over decisions of life and death, as put by Germany, should be the focus of a characterization of LAWS.

In line with this, we consider, as with other delegations, that the ICRC proposal of considering "autonomy in critical functions" is a good and practical basis for characterizing LAWS. However, we do not see "critical functions" as a fixed category. We should not over-define and restrict ourselves ahead of time, thus leaving room for a more contextualized consideration of autonomy and functions;

With regard to the discussions on the existence or not of LAWS, we reiterate that a preliminary exclusion of existing systems from consideration is arbitrary and in contradiction with our discussions. In this sense, we don't think that the discussion of whether LAWS exist or not is productive. We should move toward common understandings and gradually see where systems, either existing or prospective, fall.

In the same vein, we also do not think that discussions on the terminology and whether specific weapons systems are semi-autonomous or fully autonomous are particularly useful, as UNIDIR has pointed out in our general debate. In the context of the objectives and purposes of the CCW, which guides our mandate, the relevant question is whether those systems can comply with International Humanitarian Law, Human Rights Law, the principles of humanity and the dictates of public conscience. We must not lose sight of the overarching principles of IHL in general and of the Convention in particular, lest we risk being bogged down on unending semantical discussions.

We will further elaborate our views on this issue in the next thematic discussion, which we consider the natural continuation of the debate on characterization.