



Agenda item 6d) Possible options for addressing the humanitarian and international security challenges posed by emerging technologies in the area of lethal autonomous weapons systems in the context of the objectives and purposes of the Convention without prejudging policy outcomes and taking into account past, present and future proposals

Mr. Chair,

We are taking the floor under this agenda item after having listened to a number of delegations.

The initial, principled Swiss position has been that an approach seeking to secure and facilitate compliance with existing international law (particularly IHL) represents a good starting point for better understanding and addressing the issue of Autonomous Weapons Systems.

Based on this, our delegation has argued that, given the current state of robotics and artificial intelligence, there is no question “*whether* States have a duty to control or supervise the development and/or employment of autonomous weapon systems, but *how* that control or supervision ought to be usefully defined and exerted” to comply with IHL and International Law.

From that starting position, we have laid out that existing IHL sets out stringent requirements that would need to be met in the development or employment of AWS. We are confident that this legal framework provides us with sufficient guidance to ensure that we are not going to see weapons systems which detect, select and engage targets without appropriate or necessary human control.

- We have actively participated in discussions on how to translate this commitment into practice.
- We have made suggestions how this control and supervision can be embedded and exerted over the entire life-cycle of weapons systems.
- We have outlined a number of ways for practical work.

Mr. Chair,

With regard to concrete policy options, we continue to see a variety of possible avenues. The report of this GGE should, in our view, factually reflect and describe all options – ranging from continuing discussions, to working towards a political declaration, to negotiating a legally binding instrument. It would be beneficial if the report highlighted that these approaches, to a certain extent, contain options that are not mutually exclusive.

The exchanges on the options to carry our work forward indicate that there is a continuing divergence among states on the appropriate approach. In this context, we see particular value in avenues that provide sufficient flexibility, so that the CCW can both continue to deepen the various topics related to Autonomous Weapons Systems, and start working towards concrete results.

Mr. Chair,

Given the views in the room and the differences on how to move forward, a political declaration could, from our standpoint, represent a promising option and represent a much needed middle way.

In our view, a political declaration would not represent an endpoint. It could direct further work and provide guidance on the way forward.

A political declaration

- Could recall the applicability and the centrality of ensuring respect for IHL under all circumstances. Closely linked to this point, a declaration could also highlight that states remain responsible for wrongful acts and that individual responsibility must be guaranteed.
- Could capture the emerging consensus around the fact that no weapon should be used without appropriate human control.
- And it could spell out a number of measures such as transparency, legal reviews, best practices, technical standards or other policy measures.

A declaration would require extensive work. The very process of working towards a political declaration could give our discussions the necessary focus (could represent a roadmap for the CCW).

At this stage, and considering the diverging views in the room, we are of the view – as just stated before - that a political declaration would represent the most promising avenue forward and would not necessarily be an endpoint.

Mr. Chair,

One of the points we have stressed, as part of the compliance-based approach, is that anything we do at this stage should be without prejudice to contemplating further regulatory responses as may be deemed required.

Consequently, should a consensus emerge on the need for the start of negotiations in the CCW on a legally binding instrument, Switzerland would stand ready to participate.

With regard to proposals to move to negotiations on a legally binding instrument on meaningful human control, and notably on the proposal formally introduced by Austria, Brazil and Chile, we would underline the following elements:

- We thank these States for their proposals,
- These proposals draw our attention to a key element that we have also underlined: The need to look in greater detail at the issue of critical functions – selecting and engaging targets.
- This work still remains to be done and it would enable us to answer a number of questions that such proposals raise,
 - 1) Is it possible, at this stage, to draw the line between acceptable and unacceptable weapons, or technology?
 - 2) If we prohibit the “tip of the iceberg” of AWS do we risk legitimizing systems that might still raise concerns with regard to IHL compliance?
 - 3) How could a legal norm on meaningful human control be operationalized, given the different conceptual understandings and different contexts?

Mr. Chair, such questions would need to be looked at in detail before coming to the conclusion that an instrument focusing solely on meaningful human control in critical functions of AWS may be the answer to the challenges we face.

I thank you for your attention.