

Brazilian Intervention GGE on LAWS CCW 2018 - 1st Week

General Debate

Mr. Chairman,

Let me congratulate you on assuming the chairmanship of this GGE for the second time. We are confident in your ability to guide us towards a successful outcome and pledge our full cooperation to you and your team in the search for convergence among States Parties.

Mr. Chairman,

The 2018 GGE on Lethal Autonomous Weapons Systems inherits a solid base to build upon, as laid out by the extensive discussions held in previous years within the context of the CCW. We are now reaching a turning point, whereby there is enough critical mass to move forward with the interstate discussions necessary to achieve concrete legal as well as political results.

Brazil understands that the four thematic issues into which the GGE's debates have been structured are a platform to carry out and ultimately fulfill the mandate set out by the Fifth Review Conference, which remains valid. Brazil expects that the 2018 GGE will be able to make recommendations on options related to emerging technologies in the area of LAWS, on the basis of an agreed working definition.

Mr. Chairman,

Brazil reiterates its position that LAWS should be understood and dealt with on the basis of its impacts on human decision making, accountability and dignity. Therefore, the focus of the GGE, both in terms of arriving at a suitable definition of LAWS and of deciding on options to address the challenges they pose, should always be on persons, not on the technology.

The discussion on human-machine interaction, for instance, should go beyond schematic models and consider in more depth the qualitative relationship between the operator or supervisor and the automatic or autonomous weapons systems. It is necessary to assess the concrete operational environment, taking into account how the machine can influence the human as well as the human limitations in reacting timely to ultra-fast machine calculations and actions.

There are several military applications for automation and artificial intelligence. Particularly anti-material and defensive weapons have been fielded for several years and have not proven to be controversial. However, as automation increases and such systems become more complex, questions arise as to the possibility of conversion of these technologies, existing and prospective, for offensive use. Such systems, both existing and prospective, ought also to be the subject of international guidelines and regulations, in order to prevent abuse and consequent violations of international humanitarian law and international human rights law.

Mr. Chair,

Brazil believes that the ultimate goal of this GGE is to prepare negotiations on a legally binding instrument on LAWS, establishing specific prohibitions and regulations. This does not preclude other measures, as long as they are conducive to that goal and contribute to the wider purposes of the Convention, which are to give effect to the norms and principles of international law, alleviate human suffering and promote peace.

In accordance with discussions held in 2017, my Delegation sees three different approaches to our work:

Some want to legally bind states to a multilaterally agreed standard of what is acceptable autonomy in weapons systems from the point of view of compliance with international humanitarian law, and clearly this is the preferred course of action for Brazil in light of the clarity, harmony and stability it would bring to such a sensitive emerging issue.

Others appreciate the exchange and deepening of discussions on the challenges ahead, but do not readily accept that LAWS exist, or that entirely autonomous weapons systems will ever exit, because there will always be some degree of human oversight. They believe national assessments under Article 36 of Protocol I of the Geneva Conventions suffice, though this evidently does not lead to an internationally harmonized procedure that can be verified or peer reviewed under a common set of rules and principles.

A third perspective seems to be that increase in automation in weapons systems actually enhances compliance with IHL. This is a positive view of LAWS that seems to be the most controversial of the three approaches. The idea that IHL can be embedded into LAWS is ethically and morally

counterintuitive, and dangerous. Embracing such a view would require a leap away from caution, leading us to condoning automation in lethal systems and to praising its effectiveness beforehand, ignoring the fact that many states do not and will not operate LAWS any time soon, but may very quickly become the victims of such systems.

Perhaps the solution to these non-convergent views might be to agree on a carefully crafted and well balanced working definition of what LAWS actually are, so that a red line can be drawn as to their acceptability on the basis of unequivocal compliance with IHL.

I thank you.