



**European Union**

**EU Statement**

**Meeting of the High Contracting Parties  
to the Convention on Certain Conventional Weapons (CCW)**

**Agenda Item 8**

**Consideration of the report of the Group on Governmental Experts on  
emerging technologies in the area of Lethal Autonomous Weapons Systems  
Geneva, 21-23 November 2018**

Mr. Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries Montenegro\*, Serbia\* and Albania\*, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova and Georgia align themselves with this statement.

At the outset, let me express our appreciation to the Chair of the Group of Governmental Experts on Lethal Autonomous Weapons Systems (GGE LAWS), Ambassador Amandeep Gill, whose knowledge and diplomatic skills greatly facilitated the GGE's work and led to an agreed outcome.

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\* Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

The EU welcomes the agreed Guiding Principles, which provide a good basis for further progress in 2019. The CCW is the relevant international forum in this regard, combining diplomatic, legal and military expertise and involving industry and civil society. We consider it important that it remains responsive to new developments in the field of weapons technology.

In line with the Guiding Principles, we reaffirm that international law, including International Humanitarian Law (IHL) and International Human Rights Law, fully applies to existing and emerging weapons systems and that States remain responsible and accountable for their development and use in armed conflict.

We consider that legal weapons reviews, as required by Article 36 of Additional Protocol I to the Geneva Conventions, remain a relevant tool to achieve this objective. As highlighted in the UN Secretary-General's Agenda for Disarmament, it is important that all States conduct legal weapons reviews, and share information and good practices that will contribute to transparency and confidence-building between States, and can help to respond to challenges posed by emerging technologies in weapons systems.

Despite the difficulty in trying to agree on a working definition on LAWS, we should continue efforts to find further common ground on the concept and characteristics of LAWS and on the issue of human control, inter alia, how to ensure compliance with international law, including International Humanitarian Law and International Human Rights Law, of emerging weapons systems with increasingly autonomous functions. We agree that technical attributes alone are inadequate to agree on a working definition on LAWS, given the fast-paced evolution of emerging technologies, including in the civilian sector that are applicable to weapons systems with increasingly autonomous functions. We should pursue further work to assess the necessary level and nature of human control in various phases of the life cycle of the weapons systems, rather than purely technical criteria, to ensure compatibility with IHL. We reiterate our

position that non-autonomous systems such as automated, remotely operated, and teleoperated systems are not LAWS.

We appreciate the work of the GGE in identifying various human-machine touchpoints related to the development, deployment and use of emerging technologies in the area of LAWS. We consider that appropriate human control must be built into the entire life cycle of the weapons systems. Human control is essential to ensure compliance with fundamental IHL principles, including the protection of civilian populations through distinction, proportionality and precautions in attack and the protection of sick, wounded, prisoners of war and those who are considered *hors de combat*. We firmly believe that humans must make the decisions with regard to the use of lethal force, exert control over lethal weapons systems they use, and remain accountable for decisions over life and death.

As for the review of potential military applications of related technologies in the context of the Group's work, we appreciate that some States already shared their national practices and experiences. The EU considers it worthwhile to review more regularly and systematically the fast-paced technological developments relevant for the GGE's work. Given the dual-use nature of emerging technologies, we should not hamper progress in civilian research and development, or innovation in high-technology industries like robotics. At the same time, we must ensure that emerging technologies including Artificial Intelligence that are used in weapons systems are developed and applied according to the principles of responsible innovation and ethical principles, such as accountability, and that they comply with international law. Humans need to remain in control of the development, deployment and use with regard to possible military applications of emerging technologies, including AI, and prevent the creation and use of undesirable applications. In this context, further awareness-raising and training activities should be considered to encourage all

stakeholders – scientists, industry, military and political-decision makers – to stay within the normative framework which the international community has so far established.

On possible options for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS, we support the continuation of the GGE's work in 2019 within the framework of the CCW with the aim to achieve further substantive recommendations, including options for work on an outcome document. This might include possible regulatory options as regards the use of emerging technologies in weapons systems with increasingly autonomous functions to ensure compliance with International Humanitarian Law, Human Rights Law and other provisions of international law, including on the protection of the environment. For this purpose, the Guiding Principles could be elaborated further to set out the necessary key elements of human control. We believe that the way to achieve further progress is to focus on substance, without closing off any particular future option for our work. As the UN Secretary-General stated in his Agenda for Disarmament, "we must work together to make sure that developments in science and technology are used for the good of human kind".

Despite the severe financial situation that the Convention is facing, we consider the work of the GGE LAWS a priority. At least the same number of days should be reserved for its meetings as in 2018.

Thank you, Mr. Chair