ICRAC Statement on the human control of weapons systems

Mr Chairperson,

We have been very pleased with this mornings session as states begin to contemplate a move towards policies on the human control of weapons systems. On a pedantic note that we cannot talk about the meaningful human control of LAWS as that would make them no longer and autonomous weapon.

In the view of ICRAC, the control of weapons systems is more nuanced than can be captured by terms such as in-the-loop, on-the-loop, the broader loop, looping-the loop, human oversight, and appropriate human judgement. In this way we agree strongly with the statement made by Brazil and several others in this session who believe that the devil is in the detail.

For human control to be meaningful we need to examine how humans interact with machines and understand the types of human-machine biases that can occur in the selection of legitimate targets. Lessons should be learned from 30 years of research on human supervisory control of machinery and more than 100 years of research on the psychology of human reasoning. This combination of this work can help us to design human-machine interfaces that allow weapons to be controlled in a manner that is fully compliant with international law and the principle of humanity.

First, there should be a focus on what the human operator **MUST** do in the targeting cycle. This is control by use which is governed by targeting rules under International Humanitarian Law and International Human Rights Law. Further, international law rules that apply after the use of weapons – such as those that relate to human responsibility – must be satisfied.

Second, the design of weapon systems must render them **INCAPABLE** of operating without meaningful human control. This is control by design, which is governed by international weapons law. In terms of international weapons law, if the weapon system, by its design, is incapable of being sufficiently controlled in terms of the law, then such a weapon is illegal *per se.*

Ideally the following three conditions should be followed for the control of weapons systems:

1. a human commander (or operator) will have full contextual and situational awareness of the target area for each and every attack and is able to perceive and react to any change or unanticipated situations that may have arisen since planning the attack.

2. there will be active cognitive participation in every attack with sufficient time for deliberation on the nature of any target, its significance in terms of the necessity and appropriateness of attack, and likely incidental and possible accidental effects of the attack and

3. there will be a means for the rapid suspension or abortion of every attack.

Thank you Mr Chairperson