



EU Statement on Lethal Autonomous Weapons Systems (LAWS)

Group of Governmental Experts

Convention on Certain Conventional Weapons

Geneva, 13-17 November 2017

Mr Chairman,

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

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

The European Union and its Member States warmly welcome this opportunity to address within the Group of Governmental Experts (GGE) the complex issue of Lethal Autonomous Weapons Systems (LAWS). We strongly supported the decision taken at the 2016 Review Conference of the Convention on Certain Conventional Weapons (CCW) to establish an open-ended GGE related to emerging technologies on LAWS. We regret that the dire financial situation of the CCW led to the cancellation of one of the two GGE meetings planned to be convened in 2017 and in consequence the postponement of the first GGE meeting to November 2017. We urge all parties to comply with their financial obligations in order to ensure the timely continuation of this important work.

The EU remains of the opinion that the CCW, combining diplomatic, legal and military expertise of many High Contracting Parties, is the relevant forum for the debate on LAWS

* The former Yugoslav Republic of Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.

with the involvement of industry and civil society representatives. The informal CCW meetings of experts have already prepared the ground over the past few years, under the leadership of Germany and France. It is now important that we maintain momentum in our joint efforts to come to grips with the issue of LAWS and achieve further concrete progress.

We would like to congratulate you, Mr Chairman, on your appointment and thank you for the food-for-thought paper which sets out a broad array of relevant questions and concepts to ponder with regard to technology, military effects, and legal as well as ethical issues.

As we have stated in the past, the EU and its Member States believe that the work being carried out in the GGE should, in accordance with its mandate, focus on the following two issues in particular:

- First, on the question of identification of key characteristics and elaboration of a working definition of LAWS in order to facilitate the debate in the GGE and avoid confusion and misunderstandings on the scope of the fully autonomous systems. In this regard, two EU Member States, the Netherlands and Belgium, have submitted reflection papers to enrich the forthcoming discussions. We note that while fully autonomous lethal weapons systems do not exist yet, the GGE should continue to consider issues related to their potential development and regulation, including the question of human control over LAWS. In this context, it is important to ensure that we do not hamper innovation in high-technology industries, in particular research and development in robotics or other related areas in the civilian sector.
- Second, ensuring the application of, and compliance with international law, in particular international humanitarian law and human rights law in the context of possible development and use of LAWS. We note that there was a general understanding at the 2016 Informal Meeting of Experts that a State will bear the legal and political responsibility and establish accountability for action by any weapon system used by the State's forces in accordance with applicable international law, in particular international humanitarian law.

The law of armed conflict remains the overarching framework for assessing the legality of emerging weapons systems. The EU recalls that States Parties to Additional Protocol I to the Geneva Conventions are required to conduct legal weapons reviews which is a key

mechanism to establish, in each specific case, whether or not possible future LAWS can be developed, produced or used lawfully. The EU and its Member States support greater transparency and more information sharing on national legal weapons reviews, as appropriate. In that regard, we welcome the working paper submitted by the Netherlands and Switzerland on Weapons Review Mechanisms.

Mr. Chairman,

With regard to cutting-edge emerging technologies, the onus must be on the scientists, industry, military and political decision-makers to stay within the legal framework which the international community has established. In this context, we emphasise the importance of responsible innovation. All weapon systems, including LAWS, and their possible deployment in armed conflict, must comply with the rules, norms and principles of international law. We expect all parties to reaffirm that international law fully applies to the possible development and use of LAWS and that appropriate human controls are in place to ensure compliance. States and individuals deploying the weapons of any kind maintain the responsibility, if the law is breached.

The European Union and its Member States remain ready to engage in further work on the different ethical, legal, technical and military aspects related to LAWS, in accordance with international humanitarian law. In our discussions, we might devote attention to aspects related to remote interference of future LAWS, which could theoretically alter their set-up and bypass the degree of meaningful human control applied to them.

We recall that the GGE is mandated to "explore and agree on possible recommendations on options related to emerging technologies in the area of LAWS in the context of the objectives and purposes of the CCW". Without prejudice to its outcome, the work in the GGE could pave the way for identifying possible best practices and policy guidelines. France and Germany have tabled proposals in this regard. In general, we support ideas which would help the international community to keep abreast of technological developments and to ensure appropriate follow-up to our discussions.

Thank you, Mr Chairman