



Federal Republic of Germany
Foreign Office

CCW EXPERT MEETING LETHAL AUTONOMOUS WEAPON SYSTEMS

Geneva, 13 – 16 May 2014

General Statement by Germany

Mr. Chairperson,

First of all, Germany wishes to thank you and your staff as well as the staff of the UN Office in Geneva for the preparation of this expert meeting. You have managed to bring here an impressive number of well-known experts on robotics, ethics and international law. As this is the first time we will discuss the issue of lethal autonomous weapon systems in depth in the framework of the CCW, we very much welcome to have this expertise present to help us. In this first round of discussions the main task will be to ask the right questions in order to more clearly define the topic we are talking about.

Mr. Chairperson,

Let me be very clear from the beginning. Germany does not intend to have any weapon systems that take away the decision about life and death from men. We firmly believe that there should be a common understanding in the international community that it is indispensable to maintain human control over the decision to kill another human being.

For Germany, this principle of human control is the foundation of the entire international humanitarian law. It is based on the right to life, on the one hand, and on

the right to dignity, on the other. Even in times of war, human beings cannot be made simple objects of machine action.

Mr. Chairperson,

Scientific and technological progress over the last decades has been stunning. In robotics, we see cars that take over more and more tasks from the driver, e.g. parking or holding speed on the highway. In the household, we see little robots for vacuum-cleaning or mowing the lawn. Many things we would have thought science-fiction in the 70s and 80s such as humanoid robots interacting with humans are still only imagination, but their realisation has become much more tangible. People are already working on the development of robots helping in elderly-care.

Despite all this impressive progress, there is a general understanding that there are no lethal autonomous weapon systems yet. On the one hand, this makes dealing with this topic very complex as we talk about a target that has not materialized yet. We do not have a crystal ball to tell us what kind of weapon systems might be possible in the future and what their exact features will be like. We will certainly have to adapt our thinking over time. This is all the more true as our lives and our societies are likely to change dramatically with the arrival of more and more autonomous machines in our daily lives. On the other hand, it is a great advantage being able to make ourselves aware of many possible consequences of new weapon systems before they exist.

Mr. Chairperson,

Many questions are on the table for this expert meeting. It would not be fair to expect all the answers from just four days of discussions. As said before, at this time it is more important to ask the right questions. Therefore, Germany deems this expert meeting very timely in order to initiate a thorough and systematic international debate.

Above all, there is the question of the definition of lethal autonomous weapon systems. There is a general understanding that a machine might act without human

intervention. But didn't men programme the machine and thus intervene at the very beginning? We will have to thoroughly look into the definition of what is "autonomous" in contrast to "automatic" and "automated". Furthermore, we have to take into account that automated systems are already an integral part of our defensive posture and our efforts to protect the life of our soldiers. This will and must also be the case in future. In scientific literature, there are a number of different proposals as to where to draw the line between "autonomous" and "automated". And, probably, our understanding as to where to draw this line will even evolve over time as technological advances are made and machines become more and more part of our daily lives.

There is the question whether lethal autonomous weapon systems would ever be able to abide by international humanitarian law. Because one thing must be clear: international humanitarian law does apply also to new weapon systems. Its principles are not negotiable. But would a lethal autonomous weapon system be able to discriminate between combatants as legitimate targets and non-combatants? Would a lethal autonomous weapon system ever be able to apply the principle of proportionality in order to assess whether the possible collateral damages of a military attack are justified by the achievable military advantage? Many experts and scientists express serious doubts whether a computer will ever be able to make such qualitative evaluations.

There is the question of legal accountability and responsibility for the actions of lethal autonomous weapons. Is our current legal system adapted to receive machines as actors? Do existing laws on the national and international level apply? Who will be held accountable in cases of mistakes and malfunctions? Do we really need a human being to be held accountable?

And, of course, there is the question of how autonomous weapons systems would change our attitude to war and our methods of warfare if they ever came into being. Would states be really more willing to start wars if their own soldiers face fewer

risks? Wouldn't risks for the governments just emerge on a different level? Judicial? Criminal? Diplomatic? Political?

Mr. Chairperson,

We firmly believe that there should be a common understanding in the international community that it is indispensable to maintain meaningful human control over the decision to kill another human being. We cannot take humans out of the loop.

We do believe that the principle of human control is already implicitly inherent to international humanitarian law which, as said before, remains our binding guiding line also with regard to new weapon systems. And we cannot see any reason why technological developments should all of a sudden suspend the validity of the principle of human control.

Therefore, we suggest that in the discussion about the definition and legal evaluation of lethal autonomous weapon systems we should also talk about what we as an international community understand as meaningful human control and declare it an indispensable principle of international humanitarian law.

We therefore highly appreciate the possibility to discuss the perspectives and possibly the risks for such a development in the framework of the CCW in the upcoming days in order to look for common positions.

Thank you very much for your attention.