

Mines Action Canada
Statement on Article 36 Weapon Reviews
Delivered by Erin Hunt

Thank you Chair. I would like to take this opportunity to share Mines Action Canada's observations about Article 36 reviews.

Like many others, Mines Action Canada was concerned to learn that there is little transparency around Article 36 weapons reviews at last year's experts meeting. The fact that so few states are willing to discuss their weapons review process is a significant impediment to the prevention of humanitarian harm caused by new weapons. Indeed it seems that too few states actually undertake these reviews in a comprehensive manner.

Last year's revelations concerning Article 36 reviews have made it clear that international discussions on the topic are necessary. States need to be more transparent in their weapons review processes. Sharing criteria and standards or setting international standards will do much to shed light on the shadowy world of arms acquisitions. Mines Action Canada believes that Article 36 weapons reviews should be a topic of discussion at the international level to strengthen both policy and practice around the world.

However, better weapons reviews will not solve the problems associated with autonomous weapons systems for a number of reasons.

First, there is the issue of timing. A successful international process to increase the effectiveness of weapons reviews will require a significant amount of time – time we do not have in the effort to prevent the use of autonomous weapons systems because technology is developing too rapidly.

Second, weapons reviews were designed for a very different type of weapon than autonomous weapon systems which have been called the third revolution in warfare. Autonomous weapons systems blur the line between weapon and soldier to a level that may be beyond the ability of a weapons review process. In addition, the systemic complexity that will be required to operate such a weapons system is a far cry from the processes found in current weapons.

Third, Article 36 reviews do not cover weapons used for domestic purposes outside of armed conflict such as policing, border control or crowd control. Mines Action Canada along with many civil society organizations and states present here have serious concerns about the possible use of autonomous weapons systems in law enforcement and uses outside of armed conflict more generally.

Fourth and most importantly, weapons reviews cannot answer the moral questions surrounding delegating the kill decision to a machine. An Article 36 review cannot tell us if it is acceptable for an algorithm to kill without meaningful human control. And that is one of the key questions we are grappling with here this week.

Article 36 weapons reviews are necessary. It is time for a separate effort to strengthen the standards and transparency around weapons reviews. That effort must not distract from nor overtake our work here to deal with the real moral, legal, ethical and security problems associated with autonomous weapons systems. Weapons reviews must be supplemented by new and robust international law that clearly and deliberately puts meaningful human control at the centre of all new weapons development.

The concerns raised by autonomous weapons are urgent and must take priority. In fact, a GGE next year on autonomous weapons will greatly assist future work on weapons reviews by highlighting the many challenges new technologies pose for such reviews.

Overall, there is a need for international work to improve Article 36 reviews, but there is little evidence to back up the claims of some states that weapons review processes would be sufficient to ensure that autonomous weapons systems are acceptable. Article 36 reviews are only useful once questions of the moral and ethical acceptability of a weapon have been dealt with. Until that time, it would be premature to view weapons review as a panacea to our issues here at CCW.

Thank you.