



European Union

EU Statement

Group of Governmental Experts

Lethal Autonomous Weapons Systems

Convention on Certain Conventional Weapons

Geneva, 27-31 August 2018

- Further consideration of the human element in the use of lethal force; aspects of human-machine interaction in the development, deployment and use of emerging technologies in the area of lethal autonomous weapons systems

Mr. Chairman,

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

The November 2017 GGE LAWS meeting confirmed that international law, including International Humanitarian Law (IHL) and Human Rights Law, fully applies to all existing and emerging weapons systems and that States remain responsible and accountable for their development and use in armed conflict.

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. Appropriate 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*.

Compliance with IHL is a key requirement that States need to fulfil in any case and without prejudice to any possible outcome of the GGE LAWS. In this context, we recall that States already have an important tool at their disposal to establish whether or not any existing or new weapons system, can be developed, produced or used lawfully. We encourage all States to conduct legal weapons reviews, as required by Article 36 of Additional Protocol I to the

Geneva Conventions, and would welcome further sharing of information that will contribute to transparency and confidence-building between States and help to disseminate good practices to respond to challenges posed by emerging technologies in weapons systems.

At the April 2018 GGE LAWS meeting, there was broad agreement to continue work to ensure that appropriate human control is built into the full life-cycle of the weapons system.

We note that within current military targeting practices, it is usually not one single operator who is in control of the complete targeting cycle. The control is distributed. In current practice, people, with different roles (e.g. commander, information analyst, pilot, etc.) exercise together sufficient levels of human control over the complete targeting cycle.

As also reflected in the Chair's summary, deployment and use of a weapons system in armed conflict must allow for human control over the application of lethal force. We should continue discussion on the type and degree of human involvement to ensure that development, deployment and the use of emerging weapons systems, with an increasing level of autonomous functions, are compatible with the requirements of international law, in particular IHL and Human Rights Law, and respect ethical principles.

Thank you, Mr. Chairman