

LAWS GGE 13-17 November 2017
Australian Statement - General Exchange of Views

Mr Chairman,

Australia welcomes the commencement of the GGE process here in Geneva. We would like to congratulate you, Ambassador Gill on your appointment as chair and to assure you of Australia's support through this important inaugural meeting.

Australia appreciates the significance of the issues we will discuss this week. It has been said that the emergence of Autonomous Weapons Systems would represent a third revolution in warfare after the invention of gunpowder and nuclear weapons. Weapons that changed the way wars are fought.

The international community has been considering the technical, legal and ethical issues arising from development of autonomous weapons including Lethal Autonomous Weapons Systems (LAWS) for a number of years. The international community is yet to reach a common understanding on the characteristics of LAWS, an agreed working definition of LAWS or how international law applies. This GGE can advance the international community's consideration of these issues in concrete ways.

Mr Chairman,

We recognise the potential value which autonomy could bring to military and civilian technologies. Systems with more advanced artificial intelligence and enhanced autonomous functions are becoming increasingly more prevalent in both contexts. In particular, we understand that militaries throughout the world are incorporating ever more automation into their systems.

The point where these systems move from automated to autonomous may be on the horizon. Systems with Autonomous Functionality that are able to conduct military targeting operations that could kill and injure combatants or civilians may be closer than many of us had imagined. These systems must comply with International Law. We see the legal framework for reviewing new weapons, means and methods of warfare under Article 36 of Additional Protocol I to the Geneva Conventions of 12 August 1949 as being of particular importance in ensuring this compliance .

While Australia considers a sweeping prohibition of autonomous weapons systems to be premature, we recognise the possible risks associated with these systems.

Australia would like to encourage further discussion of Article 36 reviews . As a party to Additional Protocol I, Australia fully supports and adheres to the obligation to undertake a review of any new weapon, means or method of warfare to determine whether its employment would, in some or all circumstances, be prohibited by International Humanitarian Law or other international law by which Australia is bound.

We recognise the potential complexity of reviewing weapons systems that include increasingly automated functions and look forward to discussing this further. The complexity of weapons reviews is destined to increase as artificial intelligence and machine learning evolves. However, Australia remains committed to the existing legal framework for reviewing new weapons under Article 36 of Additional Protocol I.

Mr Chairman,

We think it is important that the GGE addresses the proliferation risks associated with autonomous weapons systems in its discussions. Advances in autonomous weapons systems have the potential to negatively affect regional or global dynamics. The proliferation of low cost autonomous

weapons systems is a significant concern. Such technology whether software or hardware, will likely not remain exclusively in the hands of the State in which it is first developed. It will not have traceable precursor materials and there is a risk of its transfer to non-state armed groups or irresponsible actors.

We also consider it important for the GGE to address the challenges arising from the dual use nature of autonomous technology. Where governments were previously at the forefront of technological breakthroughs in support of military or civilian applications, private companies are now taking the lead. Technology, which may be designed for civilian use, may easily be converted for military use.

Mr Chairman,

We look forward to thorough discussions this week on the technological, military, legal and ethical dimensions of emerging technologies in the area of lethal autonomous weapons systems. We will follow with particular interest the discussions on how international law applies to weapons systems with autonomous functionality, including the laws of armed conflict and the weapons review framework.

Thank you, Mr Chairman