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Foreign &
Commonwealth
Office

King Charles Street
London SW1A 2AH

Kate Allen
Executive Director
Amnesty International
UK Section,
The Human Rights Action Centre,
17-25 New Inn Yard,
London,
EC2A 3EA

Dear Kate,

Thank you for your letter of 23 May to the Foreign Secretary which you sent on behalf of yourself, Thomas Nash, Ann Feltham, Steve Goose and Natalie Samarasinghe. Thank you also for the invitation to the side event. Let me apologise for the delay in replying to you. I am replying as Minister responsible for defence policy in the Foreign and Commonwealth Office.

We have studied the report by Christof Heyns very carefully and considered this issue, which I recently covered in the Adjournment Debate on Monday 17th June – a link to which I have attached here
<http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm130617/debtext/130617-0004.htm#13061744000002>

The British Government does not possess fully autonomous weapon systems and currently has no intention of developing them. Such systems are not yet in existence and are not likely to be for many years, if at all. While there are currently a limited number of defensive systems that can operate in an automatic mode, there is always a person involved in setting the parameters of any such mode.

The UK Government has a clear policy on the development or use of fully autonomous weapons which in his letter of 28 May to Thomas Nash, The Right Honourable Andrew Robathan, Minister of State for the Armed Forces, set out:

"Whilst technological advances will likely increase the level of automation in some systems, just as in non-military equipment, the MoD currently has no intention to develop systems that operate without human intervention in the weapon command and control chain".

With regard to the recommendations in Christof Heyns report that you refer to in your letter, I will address the items that you have highlighted.

118 – Place a national Moratorium on LARs

There are a number of areas where United Kingdom policy is currently more restrictive than the legal freedoms allowed. We consider this to be entirely prudent. At present, we cannot foresee a situation in which weapons would be operated without any human oversight; but it is possible that this could change in the future. Given the challenging situations in which we expect our Armed Forces personnel to operate now and in the future, it would be wrong to deny them legitimate and effective capabilities that can help them achieve their objectives as quickly and as safely as possible. We have a responsibility to the people who protect us. However, whilst we reserve the right to develop and use technology as it evolves, we will only ever do so in accordance with international law. We are committed to upholding international humanitarian law, and we encourage other States to meet their obligations. For these reasons we do not call for an international ban or moratorium.

119 - A commitment to abide by IHL and IHRL in all activities surrounding robotic weapons and put in place an implement rigorous processes to ensure compliance at all stages of development.

The Government believes that any system, regardless of its level of autonomy, must only ever be developed or used in accordance with International Humanitarian Law. The Geneva Conventions and Additional Protocols already provide a clear legal framework for regulating the development and use of weapon systems. The laws of armed conflict already address the ethical and moral aspects of these and any other weapons systems. International Humanitarian Law was intended to withstand advances in technology, and to ensure States adhere to the principles of discrimination, proportionality, military necessity and humanity to protect people from unnecessary suffering, now and in the future. We assess that existing International Humanitarian Law provides the right safeguards against the possibility that States might choose to develop lethal autonomous robotics in the future.

120 - Commit to being as transparent as possible about internal weapons review processes, including metrics used to test robotic systems. States should at a minimum provide the international community with transparency regarding the processes they follow (if not the substantive outcomes) and commit to making the reviews as robust as possible.

The UK is legally obliged to ensure that all weapons and associated equipment that it obtains, or plans to acquire or develop, comply with our international obligations. For any equipment to be procured it must satisfy those important legal principles. I attach a copy of the MoD policy on the necessity, responsibility and conduct of Article 36 reviews, which sets out how we meet our obligations through legal weapons review.

121 – Participate in international debate and trans-governmental dialogue on the issue of LARs and be prepared to exchange best practices with other States, and collaborate with the High Level Panel on LARs

Given the importance of this issue, we agree that further international discussion would help to clarify the legal and political implications of any future developments in this technology, even though no State has openly declared their intent to pursue this line of development. As I said in the recent Adjournment Debate on this subject, we stand ready to participate in the international debate, but we would want that debate to take

place within the framework of International Humanitarian Law, for example within the Convention on Certain Conventional Weapons in Geneva.

Van Rijn
A. Burt

ALISTAIR BURT

