

Article36

Article 36 remarks
CCW meeting of experts on lethal autonomous weapons systems
Monday, 13 April 2015

Mr Chair,

This week, we hope that states will take the opportunity to set a clear direction of work that responds to the challenges raised by the increased autonomy being developed in weapons systems.

It should be possible here at the CCW to identify some key principles that can set discussions in a positive direction. In our view, building consensus around such principles would help to build common ground and a direction for work, and avoid potentially tangled debates about the technology or legality of hypothetical future weapons systems.

No delegation has argued that autonomous weapons should be allowed to operate without human control, or with human control that is devoid of meaning. So this meeting should be used to build agreement that meaningful human control is necessary in the use of weapons. Some states may argue that this needs to be defined before it can be accepted - that it is too vague. We would invite such states, therefore, to push for this theme to be the subject of focused work in future CCW discussions.

International humanitarian law (IHL) is one important legal framework through which autonomous weapons can be approached. However, if discussion is too focused on undefined hypothetical systems then legal arguments can become separated from reality.

In particular, we should be wary of legal discussions that forget that the law is a human framework, addressed to humans. Processes of calculation and computation in a machine are not equivalent to deliberative human reasoning within a social framework. Machines do not make "legal judgements" and "apply legal rules".

The basic IHL rules on the conduct of hostilities are to be applied, by humans, on an attack-by-attack basis, taking into account the specific circumstances of each attack.

Increasing autonomy in weapons systems risks expanding the notion of an attack in ways that undermine the exercise of meaningful human control. This raises a number of important questions to which the CCW needs urgently to apply itself if it is to establish a process of work that gets to the heart of the matter.

Mr Chairperson

Recognising a requirement for meaningful human control over individual attacks is likely to lead towards the prohibition of certain weapons systems, or certain uses of weapons.

If we can understand that arguing in favour of weapons that operate without meaningful human control is morally and legally untenable, it is relatively straightforward to conclude that fully autonomous weapons, those that do not allow meaningful human control, should be prohibited.

The CCW should establish the key principles from which this issue should be approached and then draw the boundaries of the necessary prohibitions. The international community will at some point legislate on this issue, because the moral questions it poses are too fundamental to ignore.

Given that the CCW is specifically designed to produce new prohibitions and restrictions on weapons, we don't think it should be seen as premature that this should be the direction of travel with regard to an outcome of these discussions.

We therefore welcome the many statements by a number of countries, as well as the useful background paper that you circulated, in which the principle of meaningful human control is recognised as a central concern.

The CCW's fifth Review Conference scheduled for November 2016 is an important marker on the landscape. States should consider what might be achieved at that meeting, not only in agreeing a mandate to negotiate new rules on this issue, but also in terms of collectively stating, at that point, a recognition of the key principles from which autonomous weapons can effectively be addressed.

Lastly, we would like to bring your attention to a new publication that we have produced for this week entitled 'Killing by machine: key issues for understanding meaningful human control', these are available at the back of the room and online.

We would very much welcome any views on this and we look forward to an active exchange on the many issues raised by autonomous weapons systems over the course of this week.

Thank you, Mr. Chair.