Mr President,

It is a great honour for me to present as the chair the report of the Informal Meeting of Experts on Lethal Autonomous Weapons Systems (LAWS) which took place from 13 to 17 April 2015 in Geneva. As mandated, the report is submitted under my own responsibility, objectively reflecting the discussions held. The full text of the report has been distributed as an official document of the meeting of the High Contracting Parties to the CCW.

The meeting was attended by a great number of High Contracting Parties to the CCW, observers, International Organizations as well as non-governmental and academic organizations.

In chairing the meeting, I was ably assisted by Friends of the Chair, namely: H.E Ms. Yvette Stevens, Ambassador of Sierra Leone, and H.E. Mr. Urs Schmid, Ambassador of Switzerland, on technical issues; H.E. Ms. Päivi Kairamo, Ambassador of Finland, and H.E. Mr. Youngjip Ahn,
Ambassador of the Republic of Korea, on characteristics of LAWS; H.E. Ms. Zsuzsanna Horvath, Ambassador of Hungary, on possible challenges to IHL due to increasing degrees of autonomy; H.E. Ms. Marta Mauras, Ambassador of Chile, and H.E. Mr. Ravinatha Aryasinha, Ambassador of Sri Lanka, on overarching issues and H.E. Ms. Filloreta Kodra, Ambassador of Albania, on transparency.

Furthermore, the meeting greatly benefited from presentations of a total of 30 internationally renowned scientists and practitioners from fields relevant to LAWS.

I am deeply grateful to all of them for the contributions they made.

In the course of the meeting we were able to cover the following topics

1. Technical issues; in particular State of play in the development of increasingly autonomous functions in technical systems in general; increasing complexity and autonomy in weapon systems, military rationale for autonomous functions in weapons systems, resilience against programming errors and deployment errors, and vulnerability to cyber attacks.

2. Characteristics of lethal autonomous weapons (LAWS); in particular elements for an understanding of defining characteristics, including: meaningful human control, autonomy with reference to context and tasks and critical functions essential to and specific of LAWS,

3. Dual use characteristics of technology; in particular technology elements used in the civilian sphere as well as by LAWS, drawing from experiences in the civilian sphere with reference to decision making, legal responsibility for actions of autonomous systems, regulations regarding civilian autonomous technology and drawing from experiences with other regimes dealing with dual use technology (e.g. chemicals, missile technology).

4. Possible challenges to international humanitarian law (IHL) due to increasing degrees of autonomy; in particular accountability chain, distinction, proportionality, the link between degrees of autonomy and deployment rules (e.g. standard operating procedures) and the implementation of Article 36 of the Protocol additional to the Geneva Conventions.

5. Overarching issues; in particular human rights issues and ethical issues and general security issues.
6. The Way ahead, in particular possible areas for transparency in LAWS development, acquisition and deployment (e.g. standard operating procedures) as well as possible common ground regarding elements such as a Code of Conduct, Regulations and restrictions or prohibitions.

Concerning the presentations given by experts I would like to refer you to the full text of my report and would limit myself in the following to the salient points made in the discussions.

However, I believe it is important to underline, that we managed throughout the meeting to engage in a policy oriented exchange of views.

Certain areas of common understanding emerged from the discussion, including a rejection of fully autonomous weapons systems deciding over the use of force against humans without any human intervention.

Some delegations stated that machines or systems tasked with making decisions on life and death without any human intervention, were they to be developed, would be in breach of international humanitarian law (IHL), unethical and possibly even pose a risk to humanity itself.

A number of delegations stressed that such systems do not currently exist and several delegations expressed that their governments had no intention of developing weapons systems of this nature.

The imperative for unconditional respect of international law, in particular of IHL and international human rights law, was an area of universal appreciation. Irrespective of the nature of a weapon system, delegations expressed their unwillingness to compromise on the implementation of IHL. Important elements of IHL referred to include an unequivocal accountability chain in the deployment of a weapons system, the respect of the principles of distinction, proportionality and precaution in attack.

Some States regarded LAWS as being fundamentally in conflict with the basic principles of IHL and called for an immediate, legally binding instrument providing for a ban on LAWS. Such a ban would encompass the development, acquisition, trade and deployment of LAWS.

The fear that LAWS could fundamentally change the nature of warfare was expressed. It was argued that LAWS would be unethical by their very nature as they lack human judgment and compassion, their existence would increase the risk of covert operations and intentional breaches of
IHL, and they would exacerbate asymmetric warfare and lead to impunity due to the impossibility of attribution.

The concern was raised that LAWS would generate new risks of proliferation and could lead to a new arms race. They could challenge regional balances and possibly global strategic stability as well as affect general progress on disarmament and non-proliferation. In particular, the concern was expressed that LAWS would prolong hostilities for longer than was necessary and could lower the threshold for starting or escalating military activity.

Finally, LAWS could fall into the hands of non-state actors and increase the risk and potential of terrorism.

However, most delegations expressed the view that it was too early to draw far-reaching conclusions as the subject of the discussions needed further clarification. Some delegations saw the debate as being only at an early stage, with the need for the development of further common understanding.

The term “meaningful human control” was raised frequently as a possible notion to advance the understanding of the nature of LAWS. However, several delegations expressed scepticism over the utility of “meaningful human control”, assessing it as being too vague, subjective and unclear. The term “human judgment” was proposed as an alternative. Some delegations held that when characterising LAWS, “autonomy” would be a more precise and appropriate technical term. Other delegations highlighted the concept of “critical functions” as potentially helpful in identifying defining elements of LAWS.

Many delegations underlined the dual-use character of the technology necessary for the development of LAWS and stressed the benefits of autonomous technologies in the civilian sphere.

Some delegations underlined the usefulness of autonomy for the implementation of important military functions such as mine clearance, rescue operations and the protection of civilians.

Delegations referred to the important contributions by civil society organisations, industry, researchers and scientific organisations to understanding the technical and legal challenges posed by LAWS.
Enhancing transparency as a trust-building measure was mentioned by several delegations. Specifically, procedures for a legal weapons review process in accordance with Article 36 of Protocol Additional were proposed as a possible area for further work.

Furthermore I would like to highlight some of the more detailed points made in the discussion:

There was an appeal for further work in identifying a definition of autonomy.

Civil society organisations articulated the concern that the design of LAWS for areas without apparent challenges to IHL (e.g. underwater, air, outer space) may pave the way for the legitimization of LAWS.

Several delegations pointed to lethality as the crucial characteristic which implies the necessity for regulations and raises the core ethical concern regarding the transfer of life-and-death decisions to machines.

Some delegations stressed that autonomous functions were evolving step-by-step and total and full autonomy as such could be considered a fundamentally theoretical notion. Some States doubted the military utility of fully autonomous weapons systems and underlined that such systems may never exist.

Other issues raised included the need to address the accountability gap LAWS would seem to create.

Concerning Article 36, Additional Protocol I, there were proposals to establish an informal mechanism to exchange best practices on national legal weapons reviews.

In the discussion, several delegations found that it may be premature to discuss transparency measures at such an early stage. Other delegations supported the idea of transparency in the field of autonomous systems.

It was further proposed that concerning LAWS, besides IHL, international human rights law had to be considered. However, pure legal considerations might not be sufficient; hence the call for a pre-emptive ban on the basis of ethical considerations was a logical consequence.
A number of delegations cautioned against drawing premature conclusions while the nature of LAWS was still unclear and neither possible risks, nor possible benefits could be assessed on a solid basis.

Concerning the way ahead I would like to retain form the discussion:

There was a general understanding that the debate needs to be further deepened. Delegations supported the CCW as the right forum in which to continue the discussions. Some delegations indicated that other fora could complement the CCW debate.

Regarding the next steps implementing such a continued discussion, some delegations saw the need for a continued informal discussion, before a more formalised approach might be envisaged.

Other delegations expressed their willingness to take the process a step further and signalled support for a more focused mandate, specifying the issues to be considered in detail. Several delegations proposed the establishment of a Group of Governmental Experts.

Issues that were mentioned for further consideration included an in-depth examination of legal weapons reviews (Article 36, Additional Protocol I), a discussion on the general acceptability of LAWS in reference to the Martens Clause, ethical issues and the notions of meaningful human control, autonomy in the critical functions, autonomy, command and control, and system-human interaction.

Thank you.