Characterisation of LAWS

10 April 2018

We understand that under this agenda item we are trying to find an agreed understanding of what we mean by LAWS in the context of our mandate. We need to start at the most basic feasible level in order to get agreement on an approach that can help our work on other matters. To try to attain agreement at this stage on a more complex definition could be counter-productive and create greater divergence among states on the issue.

We need to consider what a common working understanding should include and what it should not include. In this context less might be better.

The term LAWS is comprised of three distinct elements, these are weapons systems, autonomy and lethality.

The use of the term weapon system implies in our view that the system under consideration should include the weapon that actually delivers the required effect to a target. The ‘weapon system’ may and probably will include elements of associated detection and targeting processes but it must include the application of the effect to the target.

The term ‘autonomy’ suggests a level of independence which in practice can vary from zero to full autonomy. The degree of autonomy to be allowed would seem to go to the heart of our discussions and we note many delegations have suggested that only fully autonomous systems are a source of concern. If that was accepted then we should add the term ‘fully’ to our title.

The final element of ‘lethality’ is a novel concept in the CCW framework. Lethality was not a prerequisite for the inclusion of weapons such as for example blinding lasers and non-detectable fragments. We need to consider whether a weapons system to be included in this category needs to be specifically designed to have a lethal impact on human beings or whether it should include weapon systems that could have lethal impacts in certain circumstances but where the lethal effect is not the primary purpose of the system. Another approach would be to remove the term ‘lethal’ from the title we are using.

In developing a common working understanding we should avoid debates over whether such systems exist at present and whether future systems should be permitted, prohibited or restricted.

Therefore a simple common understanding could read as follows

A weapon system which can act autonomously in delivering lethal effects to a target and may also act autonomously in detection and target selection prior to engagement of the target.

The level of autonomy can vary from basic levels of automation through a spectrum of increasing autonomy and decreasing human control up to and including fully autonomous systems which can operate without effective human control.