Group of Governmental Experts
Lethal Autonomous Weapons Systems
Convention on Certain Conventional Weapons
25-29 March 2018

Statement by Ireland

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Agenda Item 5(b): Characterization of the systems under consideration in order to promote a common understanding on concepts and characteristics relevant to the objectives and purposes of the Convention

Chair,

At the outset, let me congratulate you in your appointment as chair of the Group of Governmental Experts on LAWS. We express our continued support for this important work under the framework of the Convention on Certain Conventional Weapons (CCW) and we are hopeful that this meeting will advance progress towards the fulfilment of our mandate.

My delegation aligns with the Statement made by the European Union. I make the following remarks in a national capacity.
Chair,

My delegation was encouraged by the progress made during the 2018 meetings of the Group of Governmental Experts (GGE) on LAWS, most notably on the agreed emerging guiding principles which reaffirm that international law applies to autonomous weapon systems and that any future weapons must remain under human control.

We welcome continued focus on agenda item 5 (b) on the characterisation of lethal autonomous weapon systems. Ireland maintains the view that working to promote a common understanding of what we mean by LAWS in the context of our mandate should remain central to our discussions. Identifying and reaching a common understanding on the concepts and characteristics relevant to LAWS will aid in our consideration of the most suitable response for addressing the humanitarian and international security challenges posed by LAWS.

Chair,

A variety of characteristics and concepts have been presented by States as relevant to the LAWS discussion since 2017. In 2016 my delegation put forward a proposal to reach a common understanding on a working definition. We started by considering what attributes or elements a common working understanding should include and what it should not include, while adopting an approach that simplicity is best. To try to attain agreement on a more complex and potentially legally binding definition could be counter-productive and would likely create greater divergence among states on the issue. This remains our position.

We approached this task by breaking the term LAWS into its constituent parts: lethality, autonomy and weapons systems.

First, it is important to acknowledge that lethality is a novel concept in the CCW framework. Lethality was not a prerequisite for the inclusion of any weapons including inter alia blinding lasers and non-detectable fragments. The focus on lethality has tended to omit concerns about the development of autonomous “less than lethal” weapon systems. Therefore, we need to consider whether a weapons system needs to be specifically designed to have a lethal impact.
on human beings or whether the scope of our discussions should include non-lethal weapon systems that could have lethal impacts in certain circumstances but where the lethal effect is not the primary purpose of the system. On this aspect, we welcome the agreed guiding principle that lethality does not prejudice the application of and respect for all rules relevant to the conduct of hostilities.

Second, the term autonomy suggests a level of independence which in practice can vary from zero to full autonomy. Greater autonomy means more independence, either in the form of undertaking more tasks, with less supervision, for longer periods in space and time, or in more complex environments. The level of autonomy or independence permitted is at the heart of our discussions. A determination of the type and level of human control required to ensure compliance with IHL will be an important step in progressing this issue. As noted in the guiding principles agreed last year, we agree that different functions of a weapons system could have different degrees of autonomy some of which are inherently more problematic and of more concern than others. Finally, 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.

Chair,

The inability to converge on an agreed working definition or common understanding of LAWS should not hamper our efforts to make progress on our mandate. However, we should continue our efforts to promote a common understanding on the concepts and characteristics relevant to LAWS under the CCW. Indeed, the fast-pace of current technological developments present a compelling incentive for us to accelerate our efforts.

Building on the guiding principle that IHL applies fully to all weapons systems, including the potential development and use of lethal autonomous weapons systems, we suggest focusing discussions on the specific characteristics of lethal autonomous weapons systems that would make these weapons problematic from a legal point of view. This will involve a deeper understanding of the necessary level and type of human control in various phases of the life
cycle of the weapons system to ensure compliance with international law. The Food for Thought paper submitted by Belgium, Luxembourg and Ireland this week aims to offer a practical framework for considering the question of characteristics and generate a shared understanding among States on this issue.

Thank You