GROUP OF GOVERNMENTAL EXPERTS ON EMERGING TECHNOLOGIES IN THE AREA OF LETHAL AUTONOMOUS WEAPONS SYSTEMS OF THE CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Geneva, 27 March 2019

Statement by Germany – On Agenda Item 5(e) Possible options for addressing the humanitarian and international security challenges posed by emerging technologies in the area of lethal autonomous weapons systems in the context of the objectives and purposes of the Convention without prejudicing policy outcomes and taking into account past, present and future proposals.

1. Given the rapid pace of technological advances and as we are entering yet another year of GGE deliberations Germany suggests we now focus the work of this group on developing concrete options for addressing the humanitarian and international security challenges posed by lethal autonomous weapons systems.

2. A number of options have already been put on the table ranging from a legally binding instrument on the one side to no-regulation-at-all on the other side. In respect of this diverse range of approaches, France and Germany have recommended this group should work out the elements of a Political commitment, to take the form of a Declaration, middle ground so to speak.

3. A Political Declaration i.e. a politically binding instrument should take the set of “Possible Guiding Principles” agreed on in the Final Report of the 2018 GGE as a basis. We should thus operationalize these principles, which in our view, contain all of the central issues such as human
responsibility, human accountability and a clear reference to responsible chains of human command and human control.

4. We believe that this approach would allow us to agree on overarching principles to guide technological developments and military planning. It would set clear red lines with regard to the development of autonomous functions in future lethal weapons operating outside sufficient human control.

5. Effective arms control fully capturing the challenges of new technologies needs to take a networked approach. This involves research and science, industry, national legislation as well as multilateral agreements. The principles laid out in a Politically Binding Instrument could be used to guide regulation at all of these levels.

6. On the basis of such a Political Declaration a Code of Conduct or a Compendium of Military Best Practices could be developed, which would spell out in the necessary detail how the agreed principles of the Political instrument are to be translated into military practice. This Code of Conduct or the Military Best-Practice Document would be politically binding.

7. In terms of national regulation, Germany has already taken important steps in issuing a Joint Service Regulation on the Review of New Weapons, Means and Methods of Warfare. Therefore, Germany determines strictly, in a procedure pursuant to Art. 36 of Protocol I, that any new weapon, means or method of warfare, introduced in its armed forces, is in accordance with international law.