

Poland's position on continuing the discussions on LAWS within the CCW framework

Mr./Ms. Chairperson,

We have gathered here again to decide on whether the discussions on Lethal Autonomous Weapons Systems should be carried forward and what specific issues related to LAWS should prevail in our deliberations. We highly value the views and opinions that emerged from our debates so far and commend France and Germany for their perseverance and efficiency in chairing previous meetings. Poland is convinced that this discussion is timely and necessary and we regard the CCW as the most useful and efficient framework to address the challenges posed by new weapons systems.

Regarding the year 2016, Poland is ready to continue this debate within the informal meeting of experts. We are convinced that it is worth building on the experience gained in the meetings on May 2014 and April 2015 and organize the next meeting in an even more inclusive and open way. It is also important to accommodate a wide scope of views and opinions, expressed by different players since we are dealing with a complex and multifaceted issue.

The discussions held in April 2015 demonstrated that a number of High Contracting Parties regard "Meaningful Human Control" (MHC) as having the potential to advance the debate on LAWS. Poland would like to explore such a possibility. We are interested notably in the practical applications of the MHC concept and its influence on the behavior of state institutions. Also, the concept of MHC may have significant implications for how we understand and define the idea of "Meaningful State Control" (MSC). By this, we mean that states have a special role to play in assuring institutional and procedural control over the development, production, acquisition, handling, storage or international transfers and use of LAWS.

Also, Poland notices direct links and implications of LAWS for international law. In present and future combat situations, the potential uses of such systems should take into account their compliance with international humanitarian law (IHL), international human rights law and principles guaranteed by the UN Charter. The responsibility to uphold the international law on behalf of the state as to the use of LAWS extends to all its actors, including every commander in the armed forces in the so called "accountability chain".

Within available options, Poland would like to reiterate its readiness and flexibility to cooperate in developing a set of "best practices" in the area of exports control. As a basis for our discussion we propose to make a clear distinction between armed, lethal autonomous weapons systems and unarmed autonomous systems for civil applications. We would also suggest the export control of armed systems to be based on a munitions list, while the systems for civil uses on a dual-use goods control list. Details of such a mechanism could be considered by the group of experts in 2016.

Poland would also like to confirm its readiness to exchange information and experiences on the application of Article 36 of the Additional Protocol I and its openness to

develop non-legally binding "best practices" document regarding legal weapons reviews, which could be later adopted by the CCW. It is worth noting that restrictions or prohibitions related to the use of conventional weapons can be found not only in the international humanitarian law but also they result from provisions of international conventions on the same conventional weapons, which define international legal obligations in this respect for the countries that are party to them.

If a consensus is reached among the High Contracting Parties, Poland would be ready to support the establishment of a Group of Governmental Experts and discuss definitions of LAWS as a component of a future mandate of the GGE.

We hope that the present Meeting of the State Parties will decide on the continuation of discussions on the complexities of LAWS. Poland declares its flexibility and willingness to cooperate on other topics of interest to High Contracting Parties.

Thank You Mr./Ms. Chairperson.