OPERATIONALIZATION OF THE 11 GUIDING PRINCIPLES
OF LETHAL AUTONOMOUS WEAPONS SYSTEMS

POLAND’S REMARKS

Responding to the call of the Chairman of the Group of Governmental Experts (GGE) Poland presents below its initial position on possible operationalization of the 11 guiding principles (11 GPs) of lethal autonomous weapons systems (LAWS) without prejudice to our national and international future discussions and regulations.

Poland perceives the lack of an agreed definition of LAWS as a fundamental challenge for successful operationalization of the 11 GPs.

Poland believes that further elaboration of the 11GPs would be a convenient way to achieve concise and well-focused base for final outcome of the GGE work based on the current mandate.

In our approach we assessed the viability of possible operationalization of the 11 GPs. It showed us that by regrouping some of the principles a greater clarity of addressed issues would be achieved. Some principles have also raised additional questions.

I. Principles a), e), h) – relations between LAWS and IHL

- Even though it has been reiterated numerous times Poland would like to emphasize the importance of respecting international law, in particular international humanitarian law (IHL). In this regard it must also be underlined that the principles of distinction, proportionality and precaution in attack are the fundamental rules and principles of IHL. They set out legal limits on the conduct of hostilities. The Geneva Conventions enjoy universal acceptance and also many of their provisions, as well as those contained in the 1977 Additional Protocols, are today recognized as customary international law.
- Respect to and compliance with the fundamental principles of IHL guides the use of force by the Polish Armed Forces. The exploitation of LAWS, when acquired or developed, will be also a subject to those rules.

II. Principles b), d), i) – human responsibility and accountability in development, deployment and use of LAWS

- Poland will keep humans accountable for the use of the systems equipped with AI, no matter of its degree of autonomy.
- No matter the status of the system, the accountability for its deployment goes according to the operational chain of command.
• There is possibility to adopt national LAWS definition and LAWS characteristics.
• New weapons are subject to the legal review accordingly to Article 36 of 1977 Additional Protocol I to the Geneva Conventions of 1949, Polish Armed Forces are instructed to fully comply with them.
• Poland supports the establishment of informal and voluntary mechanism in the framework of the CCW enabling information and best practices exchange on national legal reviews and possible regulations related to LAWS.

III. **Principle c) - human-machine interaction and control measures**

• Human control over the weapons systems and the use of force must be maintained to ensure compliance with international law and to respond to ethical concerns.
• Poland takes into consideration the requirement for critical functions of LAWS to be designed in a way that allows its operator to control them, however, to the extent possible in a non-disruptive way for the mission conducted by the system.
• Every military chain of command has ethical component integrated. We should be aware that implementation of excessively intrusive human control can disturb mission effectiveness or its completion. It is important to keep the balance between the level of human control and the need to successfully perform tasks in the context of IHL.

Therefore, Poland came to some detailed questions and problems to be considered:

- Whether it might be possible and advisable to ensure continuous human control over the system on every stage of the mission?
- Whether it might be possible and advisable to design deactivating or self-destructive mode in case of no communication with the system?
- For the testing phase of the system it is important to build knowledge on system performance (predictability and reliability) gained by rigorous testing. It could include deliberately introducing disruptions (recreating in controlled way so-called “fog of war” conditions) while testing.

IV. **Principle f) - Risk of acquisition by terrorist groups and risk of proliferation**

• LAWS should be considered as weapons of a very sophisticated nature and advanced capabilities. To this end they shall remain under special supervisory of all legal possessors.
• Taking into account many security risks that might be associated with future LAWS states should among others consider enhancing proliferation/exports controls over these systems.
V. **Principles j), k) – international efforts on emerging technologies in the area of LAWS**

- We expect that in the near future the attention of individual CCW States Parties will rather focus on elaborating national standards for autonomous systems and preparing a common position through regional organizations. Such bottom-up approach could support the work of the GGE.
- Further development of autonomous dual-use technologies makes continuation of work of the GGE LAWS indispensable/desirable.