

11 March 2022

Intervention by Switzerland on behalf of 23 States on joint submission of a sign post paper on autonomous weapons systems

Thank you, Mr. Chair

With a view to making a positive contribution to the work of this Group of Governmental Experts, I would like to take this opportunity to introduce a paper that will be circulated following this session. This document that I am presenting today will be introduced by Argentina, Austria, Belgium, Chile, Costa Rica, Ecuador, Guatemala, Ireland, Kazakhstan, Liechtenstein, Luxembourg, Malta, Mexico, New Zealand, Nigeria, Panama, Peru, the Philippines, Sierra Leone, Sri Lanka, State of Palestine, Uruguay and my own country Switzerland. It offers a number of *sign posts* for the Group's work and some common understandings we consider to be important and relevant in guiding our work and assessing any and all past, current and future proposals to the GGE relating to autonomous weapons systems. This joint submission is not mutually exclusive of other proposals, and we invite further co-sponsors at any time.

Our joint submission calls on the GGE to rely on the following considerations and incorporate the following elements in its work:

1. Acknowledge the centrality of the human element in the use of force and recognise that autonomous weapons systems raise important challenges with respect to human control and judgement over the use of force as well as serious concerns from humanitarian, legal, security and ethical perspectives.
2. Emphasise that human beings must make the decisions with regard to the use of force, exert control over weapons systems that they use, and remain accountable for decisions over the use of force in order to ensure compliance with International Law, in particular International Humanitarian Law.
3. Recognise the urgent need for adequate rules and limits on the development, deployment, and use of autonomous weapons systems to ensure sufficient human involvement and oversight.
4. Recall and acknowledge the value of the conclusions and recommendations of the Group of Governmental Experts (GGE) on emerging technologies in the area of Lethal Autonomous Weapons (LAWS); the reports and summaries of the Chairs of the GGE; and the endorsement by the High Contracting Parties of the CCW in 2019 of the 11 Guiding Principles on LAWS.
5. Express deep disappointment that, despite the significant progress made on matters of substance during the 2021 GGE, it did not fulfil its important mandate to make

consensus recommendations on the normative and operational framework with respect to LAWS.

6. Recall the renewed determination, as expressed in the Final Declaration of the 6th CCW Review Conference, to intensify multilateral efforts to address the risks of emerging technologies in the area of autonomous weapons systems, taking into consideration, inter alia, the legal, military and technological aspects bearing in mind ethical perspectives.
7. Emphasise that this determination is based on the shared view that there is an urgent requirement for the international community to address the particular risks and challenges posed by the integration of autonomy in weapons systems through the development of effective and multilaterally agreed rules, limits and other measures for such systems.
8. Note that, in order for the CCW to remain a viable forum to address the challenges posed by LAWS its deliberations must result in a substantive outcome commensurate with the urgency of the issue, and contribute meaningfully to the normative and operational framework governing autonomous weapons systems through their entire lifecycle.
9. Recognise as a fundamental starting point that autonomous weapon systems that cannot be used in accordance with international humanitarian law, must not be developed, deployed or used and are *de facto* already prohibited. Also recognise that autonomous weapons systems that would select and engage targets without any human control, would not only be unlawful; they would also be questionable from an ethical point of view, particularly with regard to human dignity.
10. Commit to work collaboratively to prohibit autonomous weapons systems that are not sufficiently predictable or controllable to meet legal requirements, and in a manner that addresses ethical imperatives.
11. Commit to work collaboratively to identify and agree on limits and other regulations to uphold the rules of international humanitarian law for other types of autonomous weapons systems, including through, for example::
 - Limits on the type of target;
 - Limits on the duration, geographical scope and scale of use;
 - Requirements for human-machine interaction/human control to ensure effective oversight of a weapon system and allow for timely intervention and deactivation;
 - Clear procedures to ensure that human operators are informed and empowered to effect or control autonomous weapon systems.

12. Recall the obligation for States to conduct national weapon reviews, as codified in Article 36 of Additional Protocol I to the Geneva Conventions, to determine, in the study, development, acquisition or adoption of a new weapon, means or method of warfare, whether its employment would, in some or all circumstances, be prohibited by international law. While not sufficient to deal with all issues autonomous weapons systems raise, weapon reviews play an important complementary role and there is value in strengthening such reviews.

13. Acknowledge that voluntary measures, such as the sharing of national policy standards and good practice guidance, can act as confidence building measures that complement, but are not a replacement for, and are without prejudice to, international rules and regulations on autonomous weapons systems.

14. Acknowledge the importance of the contribution of international organisations, the International Committee of the Red Cross, and civil society in collaboratively elaborating the necessary rules and limits on autonomous weapons systems.

This joint submission will be circulated as a working paper following this GGE session.

I thank you, Mr Chair.