



CAMPAIGN TO **STOP** KILLER ROBOTS

Statement by the Campaign to Stop Killer Robots to the CCW Group of Governmental Experts on Lethal Autonomous Weapon Systems

10 August 2021

Mr Chair,

I take the floor, on behalf of the Campaign to Stop Killer Robots, with some broad comments across the first three sections of the paper that you have circulated.

The Campaign to Stop Killer Robots would like to congratulate you on the approach you have taken in tabling a document intended to encourage productive, substance-based engagement and to build forward momentum.

For us, while this paper starts to show the contours of a potential future instrument, it lacks some fundamental ingredients that would be necessary to solve the wide range of ethical, legal and practical dangers posed by autonomous weapon systems.

And whilst we will focus on some key points of content and substance here, it is difficult to fully disentangle our more detailed thinking from the question of the **status of the text** under consideration.

As you know, we believe a legal response is needed. Aspects of this paper reaffirm that. For example, where it includes a recommendation “*not to develop, produce, acquire, deploy or use*” certain types of weapons - this is a component of substance that we expect to be given legal expression.

So we will keep our focus on the substance here - but note that the future status of this text also has a bearing on how we think about its content.

On the **General Considerations**,

We welcome the recognition that it is not solely international humanitarian law that is relevant here, but also international human rights law and ethical considerations, along with the ‘principles of humanity’ and ‘dictates of the public conscience.’ We also welcome the recognition that algorithmic processing and data sets can perpetuate and amplify problematic social biases.

In the section on **Characterizations**,

It is very important that this paper takes a broad understanding of ‘autonomous weapons systems.’ This reflects the Campaign’s understanding and of a significant majority of CCW states. Establishing this broad understanding of the basic subject matter - *within which* we will apply prohibitions and regulations - is the key building block for a legal response.

It is important also that in these characterizations or elsewhere in the paper the term 'lethal' does not appear. We do not see lethality as a defining characteristic, for the reasons already explained by the ICRC and other delegations.

We are less positive on the description of fully autonomous weapons systems. While we agree it is necessary to delineate a category of systems that are fundamentally unacceptable and should be prohibited, we think the current description is too narrow. The idea of someone designing a system to operate outside *of any framework* of human command and control seems implausible.

We agree with other delegations that have suggested to frame our concerns around weapons that *cannot be used with meaningful human control*.

Fully autonomous weapons systems, later in the Chair's paper, are subject to clear prohibitions - but those prohibitions are worth little in conjunction with this problematic, narrow characterization.

The characterization of 'Partially Autonomous Weapons Systems' presents the same basic problem. It is not clear that this term is actually needed though, and if we spared ourselves from adopting the acronym PAWSthat would surely be a positive...*(played for laughs!)*

The **Possible Considerations** set out here provide an important basic framework - containing a combination of prohibitions and positive obligations that we think is the necessary structure for a legal response on this issue.

However, these considerations feature an important omission:

We see a prohibition on autonomous weapons systems that would target human beings as a vital component of a legal response. To avoid dehumanisation, to prevent the perpetuation of social biases mentioned in the preamble, to protect human rights and dignity and IHL, and to avoid shifting the burden onto civilians to protect themselves, we see a prohibition on anti-personnel systems as a necessary response.

Whilst it is valuable that the chair's paper highlights 'limits on the types of target' as a possible form of regulation - a clear line should be drawn against the targeting of people by autonomous systems.

The prohibitions on fully autonomous weapons systems are important - though it is fundamentally let down by the narrow characterization we noted earlier.

Paragraph 2(c) approaches the requirement for predictability and controllability more pragmatically. Formulations of this sort, of systems *that cannot be used* with meaningful human control, would provide a better basis for characterizing certain systems that should be prohibited.

Beyond this, the regulations at 2(d) provide a very valuable set of considerations. We would recommend, however, that the term "meaningful human control," which has been used by the majority of high contracting parties, replace "sufficient human control." We also recommend strengthening the list of regulations by recognising that 'understandability' or 'explicitability' of a system is needed if an operator is to use that system responsibly and with sufficient control.

Chair,

We have noted elsewhere that in considering the status that should be given to the outputs of work, form should follow function. These rules are of a type that should be given legal expression. The Campaign agrees with the broad range of states that have stated that IHL rules are currently insufficient to address the concerns raised by autonomous weapon systems. A legally binding instrument would provide a durable framework offering the benefit of legal certainty and stability for the development and use of autonomous weapon systems now and in the future.

In the Campaign's perspective, this paper covers key elements that could be used as a basis for the negotiation of a legally binding instrument. This paper should also point to the form of that instrument. In so doing, it could help the GGE fulfill its mandate of providing recommendations for a normative and operational framework.

We look forward to working with states through that process.

Thank you chair