



**Statement by Ms. Charlotte Skerten**

**Group of Governmental Experts on Emerging  
Technologies in the Area of Lethal Autonomous  
Weapons Systems  
Agenda item 5(c): Human-machine interaction**

**22 September 2020**

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Mr Chair,

On behalf of the New Zealand delegation, please allow me to warmly welcome you back to the role as Chair of this GGE. The covid-19 pandemic has derailed many of the disarmament community's plans for this year. But it has also highlighted the importance of multilateral solutions to today's global issues. New Zealand welcomes your efforts, and those of all the others involved, in ensuring that this week's meeting has been able to proceed in an extraordinary format so that we can continue to make progress in addressing the issue of lethal autonomous weapons systems.

As requested by the previous GGE Chair, Ambassador Karklins, New Zealand submitted a joint commentary on the guiding principles earlier this month together with eight other states: Austria, Belgium, Brazil, Chile, Ireland, Germany, Luxembourg and Mexico. Our commentary focusses on the first four guiding principles (A through D) which believe are of utmost relevance in making progress towards a normative and operational framework on emerging technologies in the area of LAWS.

The commentary acknowledges at the outset that in order to ensure compliance with **international law**, control over weapons systems must be retained by humans, which cannot be substituted by autonomous machines or systems. This is because the application of, and compliance with, key IHL rules and principles in the conduct of hostilities – such as the principles of distinction, proportionality, and precautions in attack, the prohibition of indiscriminate attacks, as well as the Martens Clause – require context-specific judgment by a human. That said, that the precise degree and nature of human control over such weapons systems that would be required for ethical acceptability and to comply with international law is clearly a key issue that warrants further discussion by this GGE.

The commentary also highlights the centrality of guiding principle (c) on **human-machine interaction** to our work. It emphasises that "One of the main tasks of the GGE LAWS will be to elaborate a common understanding of the type and degree of human-machine interaction that will be needed to ensure compliance with International Law and, in particular, IHL".

To this end, the paper stresses that an appropriate response to the issue of weapons systems based on emerging technology in the area of LAWS would involve a transparent, process-oriented framework based on a set of criteria for evaluation. The paper sets out a number of contextual and technical and criteria that would, in our view, need to be taken into account in determining the extent and quality of human-machine interaction. These contextual considerations include whether the weapons system can accurately read the operational context, including any changes in it, and relay these to the human agent. Technical considerations include whether adequate limits on tasks and types of targets, and adequate environmental limits, can be put in place.

While the paper acknowledges that human control should be retained across the life-cycle of the weapon, it also recognises that different forms of human-machine interaction are possible – from maintaining meaningful human control over the critical functions of a weapons system, to allowing for human supervision and intervention.

Finally, the paper also considers the implication of guiding principles (b) and (d), that weapons systems based on emerging technologies in the area of LAWS must not be designed, deployed or used without a clear line of **responsibility and full accountability** able to be clearly assigned. These principles further reinforce the need to maintain human control of weapons systems to ensure responsibility and accountability, and underscore the importance of developing a common understanding of human-machine interaction.

We hope that our joint commentary paper, and those submitted by others, will be able to be used as a basis for a more in-depth discussion on the issue of human-machine interaction, which we believe is at the crux of the framework this GGE is mandated to discuss.