

COUNTRY POLICY POSITIONS

25 March 2015

This compilation of country positions reviews how two dozen nations have engaged substantively to date on the matter of fully autonomous weapons at the Convention on Conventional Weapons (CCW) and elsewhere.¹ It draws from statements made at meetings recorded by the CCW implementation support unit and collected by WILPF's Reaching Critical Will, and referenced in Campaign to Stop Killer Robots reports on activities.²

For more information, please see the campaign's website: <u>www.stopkillerrobots.org</u>

Overview

A total of 52 nations have publicly expressed their views on "killer robots" since 2013, mostly to indicate their support for multilateral talks on concerns raised.³

In May 2014, representatives from 87 states participated in the first Convention on Conventional Weapons (CCW) informal meeting of experts to consider questions related to emerging technologies in the area of lethal autonomous weapons systems. A follow-up CCW experts meeting will be held by the CCW on 13-17 April 2015. Several states have expressed interest in discussing the matter at the Human Rights Council since the first debate on the matter took place in April 2013.

Yet few states have elaborated on their national policy on this issue. Only the UK and US have issued policies on autonomous weapons systems.

¹ Austria, Brazil, Canada, Chile, China, Croatia, Cuba, Ecuador, Egypt, France, Germany, Holy See, India, Ireland, Israel, Japan, Mexico, Netherlands, Norway, Pakistan, Republic of Korea, Russia, South Africa, Sweden, Switzerland, UK, and the US.

² The meetings include the Human Rights Council on 30 May 2013, CCW annual meeting on 13-14 November 2014, UN General Assembly First Committee on Disarmament and International Security in October 2014, CCW first experts meeting on 12-16 May 2014, and CCW's annual meeting on 14-15 November 2013.

³ During 2013, a total of 44 states spoken publicly for the first time in a multilateral forum on the matter of fully autonomous weapons (date of first statement): Algeria (30 May), Argentina (30 May), Australia (14 Nov.), Austria (30 May), Belarus (14 Nov.), Belgium (11 Nov.), Brazil (30 May), Canada (11 Nov.), China (30 May), Costa Rica (29 Oct.), Croatia (15 Nov.), Cuba (30 May), Ecuador (29 Oct.), Egypt (30 May), France (30 May), Germany (30 May), Ghana (14 Nov.), Greece (29 Oct.), Holy See (14 Nov.), India (30 Oct.), Indonesia (30 May), Iran (30 May), Ireland (29 Oct.), Israel (15 Nov.), Italy (14 Nov.), Japan (29 Oct.), Lithuania (14 Nov.), Madagascar (14 Nov.), Mexico (30 May), Morocco (30 May), Netherlands (29 Oct.), New Zealand (30 Oct.), Pakistan (30 May), Russia (30 May), Sierra Leone (30 May), South Africa (30 Oct.), South Korea (14 Nov.), Spain (11 Nov.), Sweden (30 May), Switzerland (30 May), Turkey (14 Nov.), Ukraine (14 Nov.), UK (30 May), and US (30 May). During 2014, eight states spoke on the topic for the first time: Bulgaria (23 Oct.), Colombia (13 Nov.), Czech Republic (13 May), Finland (22 Oct.), Guatemala (16 May), Mali (13 May), Norway (13 May), and Palestine (13 Nov.).

Cuba, Ecuador, Egypt, the Holy See, and Pakistan have endorsed the call for a preemptive ban on autonomous weapons systems while many nations have affirmed the principle of human control with respect to autonomous weapons.

This compilation of country positions looks at how 27 states have engaged substantively to date on the matter of fully autonomous weapons at the CCW and elsewhere. It focuses on the status of national policy development as well as government views on the call to preemptively ban fully autonomous weapons and address the notion of meaningful human control.

Austria

Austria supports the call for a moratorium on fully autonomous weapons and has said that "weapons systems without meaningful human control are in contravention to international humanitarian law." At the CCW's annual meeting in November 2014, it announced that "as an interim measure Austria has called on all currently engaged in the development of such weapon systems to freeze these programmes and those deliberating to start such development not to do so."⁴

Austria has described deliberations on autonomous weapons by the CCW and Human Rights Council as "important and complementary."⁵

Brazil

At the first CCW experts meeting in May 2014, Brazil served as Friend of the Chair on ethical and sociological issues.

At the Human Rights Council in May 2013, Brazil said "My delegation fully agrees with the idea expressed in the report that, if the killing of one human being by another has been a challenge that legal, moral, and religious codes have grappled with since time immemorial, one may imagine the host of additional concerns to be raised by robots exercising the power of life and death over humans "⁶

At the 2014 CCW experts meeting, Brazil described the Martens Clause as a "keystone" of international humanitarian law that "allows us to navigate safely in new and dangerous waters" and feel confident that a human remains protected under the principles of humanity and the dictates of public conscience.⁷

Brazil has said that CCW deliberations shouldn't preclude discussion and action by other UN bodies such as the Human Rights Council.⁸

Canada

In November 2013, Canada said it is "giving due consideration" to the emerging issue of lethal autonomous weapons.⁹

At the 2014 CCW experts meeting, Canada observed that the existing international humanitarian law framework is currently sufficient to regulate use of lethal autonomous weapons systems, but

⁴ Statement of Austria, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://reachingcriticalwill.org/images/documents/Disarmament-

fora/ccw/2014/MSP/statements/13Nov Austria LAWS.pdf.

⁵ Ibid.

⁶ Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics," July 2013, http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportHeynsUN_Jul2013.pdf.
⁷ Statement of Brazil, CCW Meeting of Experts on LAWS, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/12688EA8507C375BC1257CD70065815B/\$file/Brazil+MX +LAWS.pdf.

⁸ Ibid.

⁹ Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11-15 November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC ReportCCW2013 final.pdf.

acknowledged "Canada will play its part ... if after discussion it is determined there is a compelling need to regulate." 10

Canada has expressed interest in discussing the notion of meaningful human control.

Chile

At the CCW's annual meeting in November 2014, Chile <u>highlighted</u> "an ethical imperative for ensuring meaningful human control with regard to decisions to use lethal force" and affirmed "autonomous systems should not be given decision-making power to take human life."¹¹

China

China has expressed support for CCW efforts aimed at studying the issue of fully autonomous weapons to consider actions to be taken in the future.

China <u>said</u> it agreed with the CCW mandate on killer robots in November 2013, because this is "an area we should learn more about" to "further promote our understanding" with respect to humanitarian concerns, legal, and military issues, including definition, scope, and applicability of existing law.¹²

At the 2013 annual meeting, China <u>observed</u> that nations will not be able to accomplish much in a single meeting and described the CCW mandate on autonomous weapons systems as no "one-shot deal."¹³ It noted, "we need to do work gradually and in a progressive manner in order to forge consensus."

At the CCW's annual meeting in November 2014, China <u>described</u> lethal autonomous weapons systems as a "very complicated" issue and supported further discussion "to deepen understanding and build consensus among state parties."¹⁴

Cuba

At the Human Rights Council in May 2013, Cuba said it <u>agrees</u> with the call for a moratorium on the "testing, production, manufacture, transfer, acquisition, deployment and the use" of fully autonomous weapons as new international law is created.¹⁵

At the CCW's annual meeting in November 2014, Cuba <u>called</u> on the CCW to "work towards achieving a legally binding agreement" banning autonomous weapons.¹⁶ Cuba said it has

¹⁰ UNOG, "2014 Meeting of Experts on LAWS," undated,

http://www.unog.ch/80256EE600585943/(httpPages)/A038DEA1DA906F9DC1257DD90042E261?OpenDocumen. ¹¹ Statement of Chile, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://reachingcriticalwill.org/disarmament-fora/others/ccw/2014/meetings-states-parties/statements.

¹² Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11-

¹⁵ November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportCCW2013_final.pdf. ¹³ Ibid.

¹⁴ Statement of China, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/CD0B8EF0EF22A565C1257D97003D639F/\$file/China_M SP_GS.pdf.

¹⁵ Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics,' Geneva, 31 July 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC ReportHeynsUN Jul2013.pdf.

"serious doubts about the compliance and observance of the rules and principles of international law with the use of lethal autonomous weapon systems" including the principles of distinction and proportionality, and lack of accountability for violations.

Cuba said "without denying the importance of the freedom of scientific research, we emphasize the need to ban autonomous weapons before they begin to be used. Now is the best time to address these concerns, as there is a collective opportunity to pause and proactively address the risks arising from the use of lethal autonomous robots."

Croatia

At the CCW's annual meeting in November 2014, Croatia <u>said</u>, "while there is recognition that humans must retain ultimate control, more detailed deliberation is needed about what constitutes adequate, meaningful, or appropriate human control over the use of force."¹⁷ It said the CCW talks have the "potential to eventually grow in to a legally-binding instrument" and have "ushered in a new era of hope for the international disarmament community."

Ecuador

At the 2014 CCW experts meeting, Ecuador <u>said</u> "we believe it's unacceptable that fundamental decisions about life and death could be assigned to lethal autonomous weapons" and expressed serious humanitarian and ethical concerns.¹⁸ Ecuador said it has many questions with respect to compliance with international law and asked who is "responsible for war crimes or violations"? Ecuador said steps must be taken to stop the development of lethal autonomous weapons systems through an international protocol prohibiting their design and use. It described the CCW's Protocol IV, which preemptively banned blinding lasers, as "as excellent example."

At the UNGA First Committee in October 2014, Ecuador <u>reiterated</u> the humanitarian, moral, and legal concerns raised by lethal autonomous weapons and called for them to be preemptively banned.¹⁹

Egypt

Egypt supports the calls for a moratorium or ban on lethal autonomous weapons systems. In November 2013, Egypt <u>stated</u> that until a ban is achieved "we support the calls for a moratorium on development of such technology to allow for meaningful debate and to reach greater

¹⁶ Statement of Cuba, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/2CB8FE76DBCBF86AC1257D97003D84A8/\$file/Cuba_M SP_GS.pdf.

SP_GS.pdf. ¹⁷ Statement of Croatia, CCW Meeting of High Contracting Parties, Geneva, 13 November 2013, http://reachingcriticalwill.org/images/documents/Disarmament-

fora/ccw/2014/statements/13Nov_CroatiaLAWS.pdf.

¹⁸ Statement of Ecuador, CCW Meeting of Experts on LAWS, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/7BFC0D328945A3A8C1257CD7006898F7/\$file/Ecuador_MX_LAWS.pdf.

¹⁹ Statement of Ecuador, UNGA First Committee, New York, 9 October 2014,

https://twitter.com/BanKillerRobots/status/520251632173727744 (accessed March 24, 2015).

international consensus.²⁰ It might be too late after they are developed to work on an appropriate response."

Egypt has repeatedly warned that "technology should not overtake humanity" and expressed support for a preemptive ban on lethal autonomous weapons systems. In November 2013, it highlighted the relevance of CCW protocols on blinding lasers and non-detectable fragments, stating "experience shows that it is necessary to ban a weapon system that is found to be excessively injurious or indiscriminate before they are deployed."²¹

At the 2014 CCW experts meeting, Egypt noted the questions over proportionality and accountability of lethal autonomous weapons systems and overarching international law concerns.²² Egypt reiterated its call for a moratorium and said the need for action is "urgent and timely" as "experience shows it's best to ban weapons before than after" and urged that the CCW process lead to a prohibition on the weapons.

France

At the Human Rights Council in May 2013, France said it "does not possess and does not intend to acquire robotized weapons systems with the capacity to fire independently."²³ France said "our concept is based on the full responsibility of military and political leaders in the decision to use armed force. France believes that the role of human beings in the decision to open fire must be preserved."

As president of the annual CCW meeting in November 2013, France secured consensus for the CCW mandate that established work on lethal autonomous weapons systems and chaired the first meeting on the matter in May 2014.²⁴ France has actively encouraged substantive debate to consider technical, legal, ethical, and operational aspects of the weapons in greater depth.

At the CCW's annual meeting in November 2014, France said the priority should be to "agree on [a] solid common basis before deciding which direction [we] should aim our work" in the CCW²⁵

Former French defense minister Hervé Morin has urged the government to take a strong stance against fully autonomous weapons stating in an April 2014 article: "It is essential to maintain human intervention in the operational loop of military robots.²⁶ Even more when we deal with

²⁰ Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11-15 November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC ReportCCW2013 final.pdf (accessed 24 March 2015). ²¹ Ibid.

²² Statement of Egypt, CCW Meeting of Experts on LAWS, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/2028736E09C48CFDC1257CD7005D76D7/\$file/Egypt M X LAWS.pdf (accessed 24 March 2015).

²³Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics,' Geneva, 31 July 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportHeynsUN_Jul2013.pdf. ²⁴ Ibid.

²⁵ Statement of France, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://reachingcriticalwill.org/images/documents/Disarmament-

fora/ccw/2014/MSP/statements/13Nov France LAWS.pdf.

²⁶ Antoine Fouchet, "Hervé Morin : 'L'emploi de robots militaires armés sera inéluctable," La Croix, 7 April 2014, http://www.la-croix.com/Actualite/France/Herve-Morin-L-emploi-de-robots-militaires-armes-sera-ineluctable-2014-04-07-1132538.

weaponized robots. The act of war, which consists in delivering death, must involve a substantial human responsibility, both politically and in the various levels of the military chain of command. It must be controlled and mastered by humans. For ethical and operational reasons, human conscience cannot be taken out of the equation."

Germany

Germany served as Friend of the Chair on technical issues at the first CCW experts meeting on lethal autonomous weapons systems in May 2014 and is chairing the second CCW experts meeting in April 2015.²⁷

At the CCW's annual meeting in November 2014, Germany said "We regard the retention of human control over the decision about life and death as indispensable."²⁸ At the 2014 CCW experts meeting, it cautioned "we do not want our society to get used to idea of autonomous weapons deciding life and death."²⁹ Germany declared that it does not intend to have any weapons systems that take life and death decisions away from human control.³⁰ Germany said there should be a common understanding in the international community that it is indispensible to have a human in control, stating "we cannot take humans out of the loop."

Yet is still not clear if Germany will articulate a national policy endorsing the creation of new international law to preemptively ban fully autonomous weapons despite a firm statement of support articulated in the 2013 coalition agreement by Germany's governing political parties, the Christian Democrats and Social Democrats. The 2014 annual disarmament report of the government issued by the Ministry of Foreign Affairs clearly states Germany's position, "As agreed in the coalition agreement, Germany advocates international law outlawing fully autonomous weapons systems."³¹

The Green Group in the German parliament has asked the government if it will propose a negotiating mandate in the CCW to secure a preemptive ban and if not, in what context the government will implement the coalition agreement by working for an international law outlawing fully autonomous weapons systems. The government's Minister of State for Europe, Michael Roth, responded on 4 March that: Germany rejects weapons systems without human control over life and death and believes that the international community should have a common attitude to this topic. The letter states that Germany's aim as chair of the CCW meeting is to help clarify the debate and find consensus for further consideration of the subject.

Holv See

In its first public statement on the matter in November 2013, the Holy See expressed "grave ethical concerns" with autonomous weapons and said most critical is "the lack of ability for pre-

²⁷ UNOG, "2015 Meeting of Experts on LAWS," undated,

http://www.unog.ch/80256EE600585943/(httpPages)/6CE049BE22EC75A2C1257C8D00513E26?OpenDocument. ²⁸ Statement of Germany, CCW Meeting of High Contracting Parties, Geneva, 13-14 November 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/statements/13Nov Germany.pdf. ²⁹ Statement of Germany, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/13E4D339E1D7BEC5C1257CDA0070F6CE/\$file/Germany Ethics_LAWS.pdf. ³⁰ Ibid.

³¹ Germany, "Annual Disarmament Report," 2014, http://www.auswaertigesamt.de/cae/servlet/contentblob/699620/publicationFile/203075/150304-JAB 2014.pdf.

programmed, automated technical systems to make moral judgments over life and death, to respect human rights, and to comply with the principle of humanity."³²

At the 2014 CCW experts meeting, the Holy See <u>expressed</u> concern at the notion of humanity relying on machines to attack human targets and cautioned, "good intentions could be the beginning of a slippery slope."³³ It said that compliance with international humanitarian law and human rights law was "not optional" and expressed concern at an "accountability vacuum." The Holy See expressed concern at the possibility of the "dehumanization of warfare" as lethal autonomous weapons would "makes war too easy."

In answer to the fundamental question of whether machines can be programed to truly replace human control in decisions over life and death, the Holy See firmly replied "no" and affirmed that "humans must not be taken out-of-the-loop … meaningful human intervention must always be present." The Holy See described CCW Protocol IV preemptively banning blinding lasers as showing the "imperative" of acting before the technology progresses and proliferates to "irreversibly alter the direction of warfare in a less humane direction."

At the CCW's annual meeting in November 2014, the Holy See <u>said</u> "the automation of war and therefore the risk of its dehumanization should prompt States parties toward a deeper reflection and eventually to a decision to enact the indispensable measures that are necessary."³⁴ It said consideration "merely from the military viewpoint would be artificially reductive" and urged a global approach with scientific, legal, cultural, economic, ethical, and humanitarian perspectives.

India

At the 2014 CCW experts meeting, India <u>said</u> there is a need for "increased systematic controls" in a manner that doesn't further widen the technology gap among states or encourage lethal force to settle international disputes just because it affords lesser casualties on one side.³⁵ It highlighted the Martens Clause and dictates of public conscience as an important reference point, but said it may not be an adequate filter with respect to development of new weapons contrary to international humanitarian law. India also asked if Article 36 reviews would suffice since the language was developed and agreed when the human role was central in the use of force.

India has consistently urged consideration of the broader proliferation aspects of lethal autonomous weapons systems on international security. At the CCW's annual meeting in November 2014, it <u>said</u> "we would like the CCW process to emerge strengthened from these discussions" with "increased systemic controls on international armed conflicts embedded in

³² Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11-15 November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC ReportCCW2013 final.pdf.

³³ Statement of the Holy See, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/D51A968CB2A8D115C1257CD8002552F5/\$file/Holy+See +MX+LAWS.pdf.

³⁴ Statement of the Holy See, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://www.unog.ch/80256EDD006B8954/(httpAssets)/4757D6E3D3E4093EC1257D97003DB124/\$file/HolySee_ MSP_GS.pdf.

³⁵ Statement of India, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/56839DAAD755FFC9C1257CD8003E65FD/\$file/India+LAWS+2014.pdf.

international law in a manner that does not widen the technology gap amongst states."³⁶ India warned against "a rush to judgment on meaningful human control" as this "would run risk of legitimizing weapons" but does not object to discussing the term further in 2015.

Ireland

Ireland <u>supports</u> the CCW's mandate to regulate or ban the use of specific categories of conventional weapons that have effects which trouble the conscience of humanity.³⁷ In October 2014, it said that the debate over lethal autonomous weapons "reaches far beyond legal and technical complexities, raising fundamental questions about the role of humans in taking lethal decisions in armed conflict." The decisive question may very well be whether such weapons are acceptable under the principles of humanity, and if so under what conditions.

At the CCW's annual meeting in November 2014, Ireland <u>said</u>, "we consider the concept of meaningful human control to be essential ... and an area which requires further and deeper consideration."³⁸

Ireland has <u>expressed</u> concern at the potential use of lethal autonomous weapons systems in law enforcement and other "situations beyond the scope of the CCW mandate" and due to the implications for international human rights law sees value in discussing the topic at the Human Rights Council.³⁹

Israel

At the first CCW experts meeting in May 2014, Israel <u>urged</u> delegates to keep an "open mind" as it is "difficult" to foresee how developments may look 10-30 years from now.⁴⁰ It said it is "unfounded" to argue that autonomous weapons systems could "never" reach certain capabilities and to operate under this assumption affects serious legal discussion. Israel proposed that lethal autonomous weapons systems "be assessed on case by case basis." It said that each system must be adapted to the complexity of the environment of use, which could be simplified by limiting system operations for specific territory, targets, tasks, or other limitations set by a human. The system could if necessary be programmed to refrain from action and await input from a human when the situation is unclear. Israel contended that the weapons might better comply with international humanitarian law because they would be more predictable and unemotional.

Israel did not address the concept of meaningful human control at the CCW's annual meeting in November 2014, but <u>said</u> "human judgment exists all throughout the various phases of

³⁶ Statement of India, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/MSP/statements/13Nov_India.pdf. ³⁷ Statement of Ireland, First Committee United Nations General Assembly 69th Session, New York, October 2014, http://reachingcriticalwill.org/images/documents/Disarmament-fora/1com/1com/1/statements/23Oct_Ireland.pdf.

³⁸ Statement of Ireland, CCW Meeting of High Contracting Parties, Geneva, 14 November 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/statements/13Nov_Ireland.pdf. ³⁹ Ibid.

⁴⁰ Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11-

¹⁵ November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportCCW2013_final.pdf.

development, testing, review, approval, and decision to employ a weapon system, including an autonomous one."41

Japan

At the May 2014 CCW experts meeting, Japan <u>said</u> "our view at this stage is that it is questionable" whether the weapons could comply with international humanitarian law. It also declared that it has "no plans to develop" lethal weapons systems with humans out of the loop.⁴²

In November 2014, Japan <u>supported</u> continued discussion at the CCW to identify future tasks about basic elements related to those weapons, describing the need for an in-depth and holistic approach from various perspectives including technical, legal, ethical, and military aspects.⁴³

Mexico

At the 2014 CCW experts meeting, Mexico <u>said</u> lethal autonomous weapons systems cannot comply with key principles of international humanitarian law and recognized the need for "a significant level of human control" in addition to legal review under Article 36 of new weapons. Mexico warned that the weapons could be used in situations that aren't armed conflict so therefore it is necessary to also consider international human rights law.⁴⁴

At the CCW's annual meeting in November 2014, Mexico <u>described</u> the Martens Clause as "an effective tool to address the issue of the recognized rapid evolution of military technology and corresponding customary international law."⁴⁵

Netherlands

The Netherlands is providing financial support to a research project by the UN Institute for Disarmament Research (UNIDIR) on autonomy in weapons systems.

At the 2013 CCW annual meeting, the Netherlands <u>said</u> that lethal autonomous weapons systems "probably are not inherently illegal" but said "predictability" is key and called for the full consequences of the weapons to be addressed.⁴⁶

At the 2014 CCW experts meeting, the Netherlands said its committee of experts rigorously tests and reviews new methods and means of warfare in what is not solely a legal review, but a

⁴¹ Statement of Israel, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/A9D6A596BC5B169DC1257D9700471102/\$file/Israe_LAWS_MSP.pdf .

⁴² Statement of Japan, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/C9406F3B0BB44225C1257CD7005D900D/\$file/Japan_M X_LAWS_2014.pdf.

⁴³ Statement of Japan, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/statements/13Nov_JapanLAWS.pdf. ⁴⁴ Statement of Mexico, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/246B67320C5B1D92C1257CD7005D975E/\$file/Mexico_MX_LAWS_2014.pdf.

⁴⁵ Statement of Mexico, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/2F54FCAF30A2FC98C1257D97004727CE/\$file/Mexico_L AWS_MSP.pdf.

 ⁴⁶ Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11 15 November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC ReportCCW2013 final.pdf.

process that involves ethical, technical, social, and political considerations. In 2013, the Netherlands said it has "started a discussion on this issue" with the Ministry of Foreign Affairs, Ministry of Defense, civil society, and academia.

At the 2014 CCW experts meeting, the Netherlands <u>said</u> the "core of the matter" concerns a weapons system that once activated can select and engage targets without human supervision or intervention.⁴⁷ It said there are many questions on such weapons and urged further substantive discussion, particularly on the notion of meaningful human control, ethical aspects, and weapons reviews.

The Netherlands was one of the only states at the CCW's annual meeting in November 2014 to commit to share the results of its own national research—on the matter of meaningful human control—with the 2015 experts meeting.

Norway

At the 2014 CCW experts meeting, Norway <u>said</u> that lethal autonomous weapons systems would use lethal force to search, identify and attack targets without any meaningful human control.⁴⁸ It noted such weapons raise a number of ethical and legal questions and said Norway's main concern is whether they could be programmed to operate within international humanitarian law. Norway expressed concern that autonomous weapons could "blur lines of accountability" because the "limited human role could end with no one being responsible."

Pakistan

Pakistan first <u>called</u> for a ban on fully autonomous weapons at the Human Rights Council in May 2013.⁴⁹

At the CCW's annual meeting in November 2013, Pakistan <u>pointed out</u> that the CCW is not just a forum for "restricting" weapons and striking a balance between military and humanitarian concerns, but a venue to ban weapons, citing the precedents of the CCW protocols banning non-detectable fragments and blinding lasers.⁵⁰

At the CCW's annual meeting in November 2014, Pakistan <u>said</u> that use of lethal autonomous weapons systems on the battlefield would amount to "a situation of one-sided killing" depriving the combatants of the targeted state the protection offered to them by the international law of armed conflict and risking civilian lives on both sides.⁵¹ It warned of the dangers of an "unchecked robotic arms race" and said "We should not let the blind quest for the ultimate weapon, driven by commercial interests of the military-industrial complex, get the better of us."

15 November 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportCCW2013_final.pdf. ⁵¹ Statement of Pakistan, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

⁴⁷ Statement of the Netherlands, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/statements/13May_Netherlands.pdf. ⁴⁸ Statement of Norway, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/D47349EE647EB6BBC1257CD7005DA52D/\$file/Norway_MX_LAWS_2014.pdf.

⁴⁹ Statement of Pakistan, Human Rights Council, Geneva, 30 May 2013, http://stopkillerrobots.org/wp-content/uploads/2013/05/HRC_Pakistan_09_30May2013.pdf.

⁵⁰ Campaign to Stop Killer Robots, "Report on Activities: CCW Meeting of High Contracting Parties, Geneva, 11-

http://www.unog.ch/80256EDD006B8954/(httpAssets)/A15A209D5C079891C1257D97003E2EA3/\$file/Pakistan_ MSP_GS.pdf.

Pakistan called on states currently developing such weapons to put in place an immediate moratorium on their production and use, stating "the introduction of lethal autonomous weapons systems would be "illegal, unethical, inhumane and unaccountable as well as destabilizing for international peace and security with grave consequences." It called for their further development and use to be pre-emptively banned through the conclusion of a legally binding and dedicated CCW protocol.

South Korea

At the 2014 CCW experts meeting, South Korea <u>called</u> for an "objective review of relevant technology" and cautioned that the discussions not impose restrictions on robots used for peaceful purposes, highlighting military use of robot technology to protect soldiers and clear explosive devices.⁵²

At the 2014 CCW experts meeting, South Korea <u>announced</u> that it is working to enact an "ethics charter" on robotic technology with provisions on ethical values and a code of conduct on the development, manufacture, and use of robots.⁵³

At the CCW's annual meeting in November 2014, South Korea <u>urged</u> that the next meeting of experts not just repeat what was done in past and proposed that the types of targets that lethal autonomous weapons systems could attack and the context of use be considered.⁵⁴

Russia

At the Human Rights Council in May 2013, Russia <u>welcomed</u> the report by the UN special rapporteur on lethal autonomous robots and said particular attention should be paid to the serious implications that the use of such weapons could have for societal foundations, including "the negating of human life."⁵⁵

Russia was the only nation at the CCW's annual meeting in November 2014 to <u>express</u> "severe doubts" as to what could develop during the discussions, warning, "the further we go into discussions—even at the informal level—the greater the expectations will be from international community in terms of results."⁵⁶

South Africa

At the CCW's annual meeting in November 2014, South Africa <u>expressed</u> interest in further discussing the question of what is meant by meaningful human control as well as whether autonomous weapons would be compliant with the laws of war, including those of distinction,

⁵² Statement of South Korea, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/15FD27B028D31769C1257CD8003E25CB/\$file/ROK+LAWS+2014.pdf.

⁵³ Ibid.

⁵⁴ Statement of South Korea, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://www.unog.ch/80256EDD006B8954/(httpAssets)/3C9FC80B3414C5AFC1257D9700471D83/\$file/Korea_LA WS_MSP.pdf.

⁵⁵ Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics,' Geneva, 31 July 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportHeynsUN_Jul2013.pdf.

⁵⁶ Campaign to Stop Killer Robots, "Report on Activities: Convention on Conventional Weapons Annual Meeting of High Contracting Parties United Nations, Geneva, 13-14 November 2014," http://www.stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportCCW2014_22Dec2014.pdf.

proportionality and military necessity.⁵⁷ South Africa has expressed concern at the potential impact of autonomous weapons on human rights law.

Sweden

At the 2014 CCW experts meeting, Sweden said that while some automatic systems already exist, it is not clear that fully autonomous weapons systems will be developed in the near future and "not clear to us that there is a move towards systems giving full combat autonomy."58 Sweden said that "humans should never be out-of-the-loop." It said there is a threshold after which a weapon should be considered autonomous. Sweden noted its obligation to assess new weapons systems and be responsible legally.

At the CCW's annual meeting in November 2014, Sweden said "as a starting point ... humans should not delegate to machines the power to make life-and-death decisions on the battlefield" and commented that states have an obligation to assess the legality of new weapons.⁵⁹

Switzerland

Switzerland is providing financial support to a research project by the UN Institute for Disarmament Research (UNIDIR) on autonomy in weapons systems.

At the 2014 CCW experts meeting, Switzerland said "none of us want to see a battlefield with machines entrusted with deciding who lives and dies" and called for a "much better understanding of developments and potential implications" to assess and identify the necessary approach before taking action.⁶⁰ Switzerland said the legal basis that can be applied to lethal autonomous weapons systems is "quite solid." It affirmed the right to life and human dignity and the need for consideration of the ethical dimension as well as change to the concept of war altogether, lowering the barrier of initiation of armed conflict. Switzerland asked what could constitute meaningful human control.

At the CCW's annual meeting in November 2014, Switzerland proposed to consider in more detail the concept of meaningful human control in thinking more systematically about the challenges faced in technological, legal, ethical, and military fields.⁶¹

⁵⁷ Statement of South Africa, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://www.unog.ch/80256EDD006B8954/(httpAssets)/292599E4E73B8415C1257D97003E516A/\$file/SouthAfrica MSP GS.pdf.

⁵⁸ Statement of Sweden, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/1E2F8F22E2F4F32EC1257CDA00725F47/\$file/Sweden+L AWS+2014.pdf. ⁵⁹ Statement of Sweden, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/statements/13Nov Swe.pdf.

⁶⁰ Statement of Switzerland, CCW Meeting of Experts on LAW, Geneva, 13 May 2014,

http://www.unog.ch/80256EDD006B8954/(httpAssets)/5F8BCC604DF5F6BFC1257CD7004543F1/\$file/Switzerlan d+MX+LAWS.pdf.

⁶¹ Statement of Switzerland, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://reachingcriticalwill.org/images/documents/Disarmament-

fora/ccw/2014/statements/13Nov SwitzerlandLAWS.pdf.

United Kingdom

The United Kingdom's Ministry of Defence stated in a 2011 <u>Joint Doctrine Note</u> that it "currently has no intention to develop systems that operate without human intervention in the weapon command and control chain, but it is looking to increase levels of automation where this will make systems more effective."⁶²

In Parliament, the government has <u>stated</u> that, "meaningful human control is an emergent concept which the UK is mindful of and working to define with interested parties in step with technological and doctrinal developments ... in UK operations every target is assessed by a human, and every release of weapons is authorised by a human; other than in a very small number of instances, all targets are also acquired by a human.⁶³ The exception is in a small number of defensive anti-materiel systems e.g. Phalanx. However, in those instances a human is required to authorise weapons release."

At the Human Rights Council in May 2013, the UK <u>said</u> it considers existing international law as "sufficient to regulate the use" of lethal autonomous weapons systems and "therefore has no plans to call for or to support an international ban on them."⁶⁴

At the CCW's annual meeting in November 2014, the UK <u>welcomed</u> further discussions on autonomous weapons systems, which it said do not include existing weapons systems.⁶⁵ It encouraged all states to engage in a legal weapons review process before adopting any system.

United States

At the Human Rights Council in May 2013, the US <u>said</u> "we agree that lethal autonomous weapons may present important legal, policy, and ethical issues, and we call on all states to proceed in a lawful, prudent, and responsible manner when considering whether to incorporate automated and autonomous capabilities in weapons systems."⁶⁶

At the CCW's annual meeting in November 2014, the US <u>proposed</u> a focus on the policy, technical, legal, and operational challenges related to autonomy.⁶⁷ It said that looking at "the weapons review process could provide the basis to identify fundamental issues and provide guidance for states that are considering any new weapons system" and indicated that "such a discussion could result in a set of best practices applicable to the future development of lethal autonomous weapons systems." It has said it is "premature to decide" where discussions at the CCW "might or should ultimately lead."

⁶² DCDC, "Joint Doctrine Note 2/11: The UK Approach to Unmanned Aircraft Systems," 30 March 2011, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/33711/20110505JDN_211_UAS_v2 U.pdf.

⁶³ Statement of the UK, House of the Lords Session, London, 17 November 2014,

http://www.theyworkforyou.com/wrans/?id=2014-11-17a.92.0.

 ⁶⁴ Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics,' Geneva,
31 July 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportHeynsUN_Jul2013.pdf.

⁶⁵ Statement of the UK, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014,

http://reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2014/statements/13Nov_UK.pdf.

⁶⁶ Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics,' Geneva, 31 July 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC_ReportHeynsUN_Jul2013.pdf.

⁶⁷ Statement of the US, CCW Meeting of High Contracting Parties, Geneva, 13 November 2014, http://reachingcriticalwill.org/images/13Nov_US.pdf.

The 2012 Department of Defense <u>policy directive</u> seeks to "minimize failures of autonomous weapons systems to protect from unintentional consequences" and requires "appropriate levels of human judgment over the use of force" in the full range of human input in their development, fielding, and use, including decision to deploy in particular circumstances.⁶⁸ The US <u>has</u> <u>described</u> the policy as establishing "a prudent, flexible, and responsible framework for the development and use of autonomous capabilities in weapons systems, including a stringent review process for certain new types of autonomous weapons that might be propose in the future."⁶⁹

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⁶⁸ US Department of Defense, "Directive on Autonomy in Weapons Systems," 21 November 2012, http://www.dtic.mil/whs/directives/corres/pdf/300009p.pdf.

⁶⁹ Campaign to Stop Killer Robots, "Report on outreach on the UN report on 'lethal autonomous robotics,' Geneva, 31 July 2013," http://stopkillerrobots.org/wp-content/uploads/2013/03/KRC ReportHeynsUN Jul2013.pdf.