



Kingdom of the Netherlands

## **Statement of the Netherlands**

### **Group of Governmental Experts on LAWS**

**By H.E. Ambassador Robbert-Jan Gabriëlse, Permanent  
Representative of the Kingdom of the Netherlands to the Conference  
on Disarmament**

**Agenda item 5(e): Possible options for addressing the humanitarian and international security challenges posed by emerging technologies in the area of lethal autonomous weapons systems in the context of the objectives and purposes of the Convention without prejudicing policy outcomes and taking into account past, present and future proposals**

**Geneva, 27 April 2019**

Thank you, Mr. Chair.

The Netherlands aligns itself with the statement delivered by the European Union and would like to make some additional remarks in its national capacity.

Mr. Chair,

Recalling yesterday's intervention, my government considers *fully* autonomous weapons systems that operate beyond meaningful human control to be already prohibited under existing international law. The current targeting cycle enables meaningful human control in relation to a wide variety of tasks, allowing for the consideration and application of the relevant international law, in particular the principles of distinction, proportionality and precautions.

For these reasons, the current legal framework is adequate. An additional legally binding instrument is not necessary. Nor do we believe that suggestions regarding an additional positive legally-binding obligation, regarding the concept of meaningful human control, is feasible, as long as there no consensus on the concept. Moreover, rushing towards additional - legal or political - instruments or obligations without sufficient consensus or understanding of current practices and concepts carries with it a risk of weakening or hollowing out existing humanitarian protections.

We do however acknowledge that in light of technological developments further clarification of existing rules may be necessary.

Mr. Chair,

The Netherlands welcomes the 10 guiding principles that we agreed upon last year. As was already stated by our colleague from the United Kingdom, these principles reflect the areas where we have reached convergence, and should therefore serve as the basis for our continued work.

We believe that a further operationalization of these principles can be a useful exercise in light of reaching common understanding of how they should be implemented in an operational context. In our view, the presentations, best practices shared, and interventions made during this week, have already provided concrete examples of how high contracting parties operate in line with these principles. To further deepen our shared understanding, we believe that we should continue to share such policies and best practices.

In the Netherlands' view it would be especially beneficial to further study and discuss the concept of meaningful human control. This could lead to the formulation of an interpretative guide or codes of conduct, clarifying the current legal landscape. We support the suggestions made by our Estonian colleague in this regard.

The Netherlands believes that such a document should focus, amongst others, on meaningful human control in relation to the deployment of autonomous weapons, as well as on how to properly consider meaningful human control in the Article 36 Review Procedure.

You can rest assured that my government will continue to engage constructively towards this end.

Thank you, Mr. Chair.