

2019 GGE on LAWS  
Military applications – Agenda Item 5 (c)

Intervention by Brazil

Item 5(c)

Mr. Chair,

let me first congratulate you on assuming the Chairmanship of the 2019 GGE on LAWS. Rest assured of my delegation's full collaboration in your endeavors to have a meaningful debate and achieve a successful outcome for this year's deliberations.

First of all, and as this is the first session, let me make some brief considerations on the agenda just adopted. As Brazil has previously stated, there is a clear convergence stemming from previous iterations of this GGE, and the experts discussions prior to that, on the centrality of the human element, most commonly referred to in terms of control, to the characterization of LAWS, particularly insofar as relevant to the purposes and objectives of the Convention. We therefore reiterate our understanding that those issues would have been better dealt with bundled in one agenda item. Nonetheless, we expect that, including through the guiding questions proposed by you, we can continue to assert that convergence and, more importantly, consolidate it when we start discussing our conclusions.

With regard to the amendment just approved, interchanging agenda items 5 (b) and 5 (d), we would like to state for the record that we see no bearing of the order of the agenda items on the substantive work of the GGE, either in terms of relevance or precedence.

We also welcome the strengthened focus proposed by you on IHL, as it is the subject matter of the CCW. We also believe that those discussions will be better served tied up and leading to the deliberation on the policy options available.

Now onto the military applications. Brazil recognizes the importance of this agenda item as it helps us understand and circumscribe the exact sources of concern raised by the use of autonomous technologies in weapons systems, recognize and specify what uses are not of a particular concern, and stave off fears that a regulatory framework ensuring human control over critical functions in the use of offensive weapons would render illegal or stifle the development of functionalities well understood and generally accepted. In other words, the discussion of military applications in the context of the CCW should be carried out insofar as it is relevant for assessing the need for and modality of possible regulations.

In this regard, we understand the analogies proposed by the Chair between legacy systems and LAWS as an approach on successive approximations to highlight specific concerns of the issues most pressing: autonomy in critical functions of offensive weapons, understood as the targeting cycle, including the option to engage, and the possible future ability of weapons systems, or systems of systems, to receive and perform missions which require discretion thus far attributed to a human commander or operator. Human control is, in this regard, also in the center of considerations.

In this sense, we would like to highlight that, also in considering military applications, focus should be always on the use phase of any weapons systems, as therein lie both the most pressing concerns and also the brunt of IHL compliance obligations.

As we recognize the military applications of autonomous technologies in weapons systems, we must also appreciate the fact that those technologies, including when they are intended to enhance IHL compliance, are unequally disseminated, including through the imposition of often arbitrary export controls. In this sense, any agreement or set of conclusions reached at the CCW on this matter should be non-discriminatory in nature and avoid furthering existing asymmetries.