

Human Rights Watch
Statement to the CCW Group of Governmental Experts
Options for Future Work on LAWS
Delivered by Steve Goose, Director of Arms Division
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Thank you for the floor Mr. Chairman.

Human Rights Watch is a co-founder of the Campaign to Stop Killer Robots.

The only viable option is a legally-binding instrument, one that comprehensively prohibits the development, production, and use of fully autonomous weapons, or Lethal Autonomous Weapon Systems, and one that requires meaningful human control over critical combat functions.

The partial measures, or more accurately the baby steps, that have been proposed are not justified after six years of work. The lack of ambition and of urgency on the part of some states is shameful.

In fact, there is widespread support for a legally-binding instrument and for a ban on Lethal Autonomous Weapon Systems. The vast majority of states in this room support moving to negotiation of a legally-binding instrument. Only a very small number of states have expressed opposition to a legally-binding instrument.

Some of those states that have expressed opposition seem to be looking for a green light to develop and field fully autonomous weapons. They not only reject the notion of a red light for their efforts, they also reject even a yellow caution light.

In the past, we heard loud and insistent proclamations that there was no need for new law, and certainly not for a ban, on antipersonnel mines and on cluster munitions. Yet, many of those proclaiming the loudest changed their views, participated in negotiations of a legally-binding instrument outside of the CCW, and joined the Mine Ban Treaty and the Convention on Cluster Munitions.

If there is anything that demands legally-binding measures, it is autonomous weapons. This is because of their novel and unique character, and because of their far-reaching implications, including changing the very nature of warfare. Lesser measures simply will not suffice to address the many potential dangers of fully autonomous weapons.

A non-legally-binding political declaration has been touted by some as a useful interim measure, as a step toward a legal instrument. This may have made sense four years ago, but not now. Moreover, based on the way CCW usually operates, one can confidently predict that consideration of a political declaration would involve negotiation of every word, would take

years to conclude, and would be the end point. There would be no further action on Lethal Autonomous Weapon Systems in the CCW.

It appears that some states are thinking of substituting additional deliberations on the 10 Guiding Principles agreed to last year for the notion of a political declaration. But this would suffer the same downsides as a political declaration, most notably that it would not be legally-binding. Some have advocated further discussion of the principles, others have said to build on them, and still others have said to “operationalize” them. I would welcome clarity on what such operationalization would entail.

In any event, this would likely result in a continuation of the “talk shop” approach that has dominated the past five years. It is unlikely to produce a concrete outcome or to have any real impact.

We appreciate the efforts to enhance, strengthen, and universalize Article 36 on weapons reviews. This is an admirable and worthwhile goal. But, as many states have said, this is not enough in and of itself to address the issue. Others have pointed to the small number of states that carry out such reviews and to the complete lack of transparency by all states. Moreover, this is not the right place for a thorough and comprehensive examination of Article 36. The task of this GGE is to deal with Lethal Autonomous Weapons Systems, and not to have that effort turned into consideration of weapons reviews. That should be a separate undertaking.

Mr. Chairman, we urge CCW High Contracting Parties to adopt a negotiating mandate at the November annual meeting. We would hope that would result in a new Protocol VI that prohibits fully autonomous weapons and requires meaningful human control over the use of force.

We have strongly supported the CCW’s work on this issue since 2013, and we have sincerely hoped for a successful outcome in this forum. But if High Contracting Parties are unable to agree to a negotiation mandate in November, other paths must be explored, such as the UN General Assembly or an independent process like the Ottawa Process on landmines and the Oslo Process on cluster munitions.

Thank you.