

United Kingdom

Item 5 - Topic 2: Application of International Humanitarian Law (IHL): possible prohibitions and regulations;

Mr Chair it is core to our mandate - as a group convened under the Convention on Conventional Weapons - and the first of the 2019 guiding principles that International humanitarian law continues to apply fully to all weapons systems, including the potential development and use of lethal autonomous weapons systems.

The UK is pleased to see that this core principle is a point of consensus in almost all of the proposals that have been submitted to this group.

These proposals also go on to seek to elaborate the means through which we can understand Autonomous Weapons Systems and provide for their compliance, whether that is proposals to prohibit certain systems or through setting out clear rules, norms and practices for their use. These proposals are at their heart about supporting the existing framework of International Humanitarian Law .

As this GGE undertakes its work considering these proposals for prohibitions and regulations on the basis of IHL, the UK would like to address a fundamental point on the nature of this task. In responding to proposals that call for the GGE to recognise the need for new legally binding rules and principles, because these are **NEEDED** to safeguard against the risks and challenges presented by autonomy in weapons systems, the UK would reiterate our long-held position. There is no gap in the application of IHL in respect to AWS.

IHL constrains states in respect of their development and procurement of weapons, methods and means of warfare – including those with advanced technologies.

As we have already said in this meeting AI is a functionality rather than a weapons system in itself. We have heard this morning that Blinding Lasers are an example of a weapon system that is banned on the basis

of effect rather than type. This is true, and there are a number of other examples of legal instruments that adopt the same approach, including those that apply to chemical and biological weapons. Nevertheless, AI enabled autonomy is neither a particular type or weapon nor is it a particular type of effect. IHL regulates the conduct of hostilities, the manner of use of a weapon and its effect. It provides a robust framework to regulate armed conflict and the use of weapons systems precisely because it is technology-agnostic.

As we said during our intervention on characteristics, outcomes of the GGE must be resilient to rapid development. A retroactive ban on technology as we understand it today will not achieve that resilience. It behoves this group to drive understanding and behaviour in this field – we are, after all, the group of experts. An outcome of this group that focuses on the ability to comply with well understood principles of IHL and ensures that States develop norms of practice which meet the rigorous requirements of IHL within the context of a system and its use is the way to ensure resilience.

The Joint Proposal co-sponsored by Australia, Canada, Japan, the Republic of Korea, the United Kingdom, and the United States demonstrates the clarity that can be obtained through clear examination of the principles of IHL against that characteristics of these systems. Further collaborative work identifying the application of the binding rules of IHL provides the most effective means of ensuring that no state is left behind in understanding or application of rules. This approach ensures a clear, shared, picture of what levels or uses of autonomy would and would not be acceptable in what circumstances, creating a springboard for further work such as the establishment of expert groups, the sharing of good practice, and a set of positive measures on the development and use of LAWS.

Lastly, we should also point out that autonomous systems have the potential to support the better application of IHL by improving the

evidence, analysis and timeliness of decision making and more responsive precautions. This is a principle that is mentioned in some of the proposals. Better decisions mean better outcomes - in compliance with IL's fundamental principles.