

United Kingdom

Item 5 - Topic 6: Risk mitigation and confidence-building measures

We have heard interventions this week that have said that risk mitigation and confidence-building measures are no substitute for a legally binding instrument.

The UK would suggest that this position should be switched, a legally binding instrument cannot adequately fulfil the requirement for risk mitigation and confidence building measures. The sharing and collation of good practices for applying IHL to emerging technologies in the area of LAWS is an essential and actionable output of the GGE. Fast developing, complex technologies need to be regulated in a manner that is tailored to the relevant technology, concept and manner of use. This is a dynamic process which requires the development and sharing of expertise and practice that best enables the fundamental principles of the law to be enacted, making a tangible impact in the development and use of future weapon systems, helping to mitigate any risks associated with the integration of autonomous functions within weapon systems whilst maximising the benefits.

Both the UK proposal for an elaboration of a document, or manual, that would constitute an authoritative and comprehensive statement of the application of International Humanitarian Law and agreed best practice; and the paper that the UK is co-sponsoring would be useful and important outcomes that would build confidence that there are rigorous principles of concern that govern the use of autonomous weapons system and ensure accountability in accordance with IHL.

Some States including ourselves, Australia and the US have also shared working papers at the GGE describing our own national practices relating to the development and use of weapon systems. The UK would strongly support further work in the GGE that focussed on sharing and collating good practice relating to the various activities throughout the life cycle of a weapon system which would impact upon compliance with IHL. This includes but is not limited to weapon reviews, human-machine interaction and risk mitigation. In doing this, the GGE would generate a useful resource, above and beyond the progress and consensus already achieved by the GGE, and would make a tangible impact upon the development and use of weapon systems to support compliance with the principles of IHL.

Finally, it is important to state that the adoption of confidence-building measures by the GGE would not preclude any further efforts towards a legally binding instrument if that outcome were to achieve consensus within the GGE. However, similarly, if a legally binding instrument was to achieve consensus it would not be a full stop and further measures including risk mitigation and confidence confidence-building measures would still be required to operationalise the instrument.