International Committee for Robot Arms Control

General Statement to United Nations Group of Governmental Experts on LAWS (4-8 March 2024)

Delivered by Professor Thompson Chengeta

Thank you Chair for granting the International Committee for Robot Arms Control (ICRAC) an opportunity to make its general statement.

Chair, it has been over a decade since the issue of lethal autonomous weapon systems (LAWS) was brought to the attention of states within the United Nations. Throughout these years, stakeholders have highlighted the legal, ethical and security concerns that are raised by LAWS and the urgent need for a legally binding instrument. ICRAC calls on states to urgently move towards negotiations on a legally binding instrument that contains both prohibitions and positive obligations.

Chair, during this week’s discussions, ICRAC calls on states to remember that civilian protection lies at the center of the CCW framework. Indeed, the CCW Preamble recalls the “general principle of the protection of the civilian population against the effects of hostilities.” It is critical to note that the general principle on the protection of civilians is found in various branches of international law, including international human rights law, the UN law against use of force (jus ad bellum), international criminal law, international environmental law etc. Thus, while the UNGGE on LAWS has, for the past decade, more fully focussed on the international humanitarian law (IHL) implications of LAWS, it is critical, for the sake of comprehensiveness and civilian protection, to also discuss implications of LAWS to other legal regimes such as jus ad bellum – the UN law against use of force.

Indeed, the CCW Preamble refers to jus ad bellum where it notes that “every State has the duty, in conformity with the Charter of the United Nations, to refrain in its international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State.” Further, the CCW notes that in creating this Convention, one of the nations’ desires was “ending of the arms race” and move towards “the realization of the aspiration of all peoples to live in peace.” LAWS have implications on many peoples’ right to live in peace and is not, at all, a move towards ending arms race.

For more discussions on jus ad bellum implications of LAWS, ICRAC encourages stakeholders to participate in the upcoming intergovernmental conference in Freetown, Sierra Leone on the Peace, and Security Aspect of Autonomous Weapons Systems from 17-18 April 2024. Equally, the intergovernmental conference in Vienna, Austria, titled Humanity at the Crossroads: Autonomous Weapons Systems and the Challenge of Regulation, from 29-20 April 2024 has a particular focus on humanity and civilian protection.

Chair, this concludes the general statement of ICRAC. ICRAC will seek to make specific interventions on agenda item 5, topic 2 on the application of IHL, including the relation of IHL with the concept of human control and on topic 3 on risk mitigation and confidence building.

Thank you Chair.