

Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

23 November 2023

English only

Geneva, 15-17 November 2023

Agenda item 7

General exchange of views

Working paper

Submitted by the United Kingdom of Great Britain and Northern Ireland

I. Introduction

1. The United Kingdom continues to place great value on the CCW as an important forum for States with diverse needs to consider military and humanitarian objectives. We encourage all States not yet party to accede without delay, and therefore welcome Singapore's ratification as the latest High Contracting Party.
2. We regret that the only opportunity we have to express our views on substantive issues we face has been in informal consultations and we also regret the time we wasted in getting to that point.

II. Amended Protocol II

3. We remain gravely concerned by the consistent and widespread reporting of the use by the Russian Federation of weapons falling under the scope of the CCW, particularly Amended Protocol II, in the course of their brutal and illegal war of aggression against Ukraine. Widespread reporting of apparent breaches continues to leave Russia with serious questions to answer with regard to its compliance.

III. Protocol III

4. The United Kingdom regrets that Protocol III issues continue to be absent from the CCW agenda because of the opposition of a single High Contracting Party. While we don't expect an easy discussion, events in recent years continue to highlight the need to focus on this Protocol. With this in mind, we support calls to conduct informal consultations on Protocol III during the intersessional period, and for a specific item on Protocol III to feature on the agenda for our meeting next year.

IV. Lethal Autonomous Weapon Systems

5. The United Kingdom welcomes the report of the Group of Governmental Experts on Lethal Autonomous Weapons Systems. We thank Ambassador Damico and his team for all their efforts during this session of the GGE and over the past two years, acknowledging the challenging brief that he has had to manage this session.



6. The session of the LAWS GGE in March was especially constructive and highlighted convergence in key areas, such as the application of IHL to all weapons, the centrality of human involvement and the importance of legal reviews. This was further demonstrated by the Joint Statement by 52 states that was a positive signal from a cross-regional group of countries to make it clear that – despite certain differences – many High Contracting Parties share a number of common views, in particular around the two-tier approach. It was disappointing that we were unable to translate this constructiveness into a report that was a good representation of those discussions and would offer some positive outcomes.

7. The UK continues to regard the CCW as the prime vehicle for multilateral discussions on LAWS and it is important that it has a mandate to continue its work. Future work of the LAWS GGE should exploit and consolidate existing areas of agreement and identify where divergences exist with a view to a better understand and resolve them. The UK would strongly support further work that focussed on developing a shared understanding of the application of IHL to autonomous weapons systems, and 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.

8. The GGE has a number of proposals before it, including two co-sponsored by the UK: a proposal for an authoritative document, or manual, on the application of IHL and agreed best practice; and the joint proposal on Principles and Good Practices on Emerging Technology in the area of LAWS. The GGE should be given sufficient time to allow full and comprehensive discussion of all proposals. There is still much work to be done, particularly on important aspects such as the need to increase understanding of the concept of human involvement, and the ways in which systems with autonomy can be developed and used ethically, responsibly and in compliance with International Humanitarian Law.

V. Explosive Weapons in Populated Areas

9. Tragically, events continue to demonstrate the salience of the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas, which has its origins in this Convention and which the United Kingdom endorsed last year. We have continued to promote it internally and to support partners to abide by its commitments. We urge all actors to abide by the EWIPA declaration and urge all states to commit themselves to it. Regardless, we continue to expect all actors to act in line with international law in any military operations. Whether or not States are parties to the CCW or its respective Protocols, any attacks which target, or which cause indiscriminate or disproportionate damage to, civilians or civilian objects are serious violations of international law.

VI. Protocol V

10. The United Kingdom continues to believe in the importance of this Convention and its Protocols, and its role in reducing conflict and human suffering. We recognise therefore that the UK's absence as a signatory to one of the Convention's five protocols has limited our full participation and engagement.

11. Protocol V on the Explosive Remnants of War is a vital part of this convention and can help to significantly reduce the humanitarian and long-term impacts of conflict, particularly for civilians. It is important that the parties to armed conflicts recognise and take responsibility for the impacts of ERW, as set out in Protocol V. While we are not currently a signatory to the Protocol, the UK has been committed to its humanitarian aims. We abide by the spirit of the Protocol and our current operational policy and practice are already in line with the Protocol's obligations. As we have noted at previous meetings, the UK has been conducting a review of its potential membership of Protocol V.

12. That review is now complete, and the Government has decided to ratify Protocol V, and thereby to align our international commitments with our existing policy. The instrument of ratification was laid in Parliament on Tuesday 14th November and is now subject to

Parliamentary scrutiny. We hope to be able to deposit our instrument before the end of the year.

VII. Conclusion

13. The United Kingdom continues to believe in the importance of this Convention and its Protocols, and its role in reducing conflict and human suffering. We continue to see this as a forum in which we can explore constructive ways to tackle both existing and emerging challenges, and we remain committed to that task.
