

Sixth Review Conference 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

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Geneva, 13–17 December 2021
Agenda item 18
Reports of the Main Committees

Report of Main Committee II

Submitted by the Chairperson of Main Committee II

1. Rule 35 of the Rules of Procedure of the Sixth Review Conference 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 provides that:

“There shall be two Main Committees, which shall receive their assignments from the conference and report to it.”

2. The Sixth Review Conference on 13 December 2021 decided to entrust Main Committee II with the mandate of “Consideration of proposals for additional protocols to the Convention and other proposals.”

3. The Committee held meetings on Tuesday, 14 December, Thursday, 16 December, and Friday, 17 December 2021 chaired by Ambassador Maria Teresa Almojuela of the Philippines, as Chairperson of the Committee. Mr. Aleksandr Pytalev of Belarus served as Vice-Chairperson of the Committee. Ms. Heegyun Jung, Political Affairs Officer of the CCW Implementation Support Unit, served as Secretary of the Committee.

4. The Committee adopted its agenda (CCW/CONF.VI/MC.II/1) and programme of work (CCW/CONF.VI/MC.II/2).

5. In the course of its consideration of item 14 of the Sixth Review Conference titled “Consideration of proposals for additional protocols to the Convention and other proposals,” the Committee considered the following documents:

- Report of the 2017 Group of Government Experts (GGE) on emerging technologies in the area of lethal autonomous weapon systems (LAWS) (CCW/GGE.1/2017/3)
- Report of the 2018 GGE on emerging technologies in the area of LAWS (CCW/GGE.1/2018/3)
- Report of the 2019 GGE on emerging technologies in the area of LAWS (CCW/GGE.1/2019/3)
- Report of the 2021 GGE on emerging technologies in the area of LAWS (CCW/GGE.1/2021/CRP.1). The Chair of the 2021 GGE on emerging technologies in the area of LAWS, under his own responsibility and initiative, has prepared a Chairperson’s summary contained in annex III of the document CCW/GGE.1/2021/CRP.1. The Committee noted that this paper had not been agreed and had no status. It was the Chair’s view that the Chairperson’s summary could assist delegations and could constitute a useful basis for future work of the GGE.



6. The Committee approved and recommended that the following text be included in the Final Declaration of the Sixth Review Conference:

The High Contracting Parties solemnly declare:

Their acknowledgement of the value of the conclusions and recommendations of the Group of Governmental Experts, and of the endorsement by the Meeting of High Contracting Parties in 2019 of the Guiding Principles affirmed by the Group of Governmental Experts on emerging technologies in the area of lethal autonomous weapons systems;

Their affirmation that international humanitarian law continues to apply fully to all weapons systems, including the potential development and use of lethal autonomous weapons systems;

Their recognition that a weapon system based on emerging technologies in the area of lethal autonomous weapons systems must not be used if it is of a nature to cause superfluous injury or unnecessary suffering, or if it is inherently indiscriminate, or is otherwise incapable of being used in accordance with international humanitarian law;

Their conviction that humans must at all times remain accountable in accordance with applicable international law for decisions on the use of force;

Their recognition that the CCW offers an appropriate framework for dealing with the issue of emerging technologies in the area of lethal autonomous weapon systems within the context of the objectives and purposes of the Convention, which seeks to strike a balance between military necessity and humanitarian considerations.

Their renewed determination to continue and intensify their efforts to address emerging technologies in the area of lethal autonomous weapons systems, taking into consideration, inter alia, the legal, military and technological aspects bearing in mind ethical perspectives.

Their affirmation that international law, in particular the United Nations Charter and international humanitarian law as well as relevant ethical perspectives, should guide the continued work of the Group of Governmental Experts.

7. The Committee approved and recommended that the Sixth Review Conference adopt the following decision:

“The Sixth Review Conference decides that the work of the open-ended Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems established by Decision 1 of the Fifth Review Conference as contained in document CCW/CONF.V/10, adhering to the agreed recommendations contained in document CCW/CONF.V/2, is to continue, to strengthen the Convention.

In the context of the objectives and purpose of the Convention, the Group is to consider proposals and elaborate, by consensus, possible measures, including taking into account the example of existing protocols within the Convention, and other options related to the normative and operational framework on emerging technologies in the area of lethal autonomous weapon systems, building upon the recommendations and conclusions of the Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems, and bringing in expertise on legal, military, and technological aspects.

International law, in particular the United Nations Charter and international humanitarian law, as well as relevant ethical perspectives should guide the continued work of the Group.

The rules of procedure of the Review Conference shall apply *mutatis mutandis* to the Group.

The Group shall conduct its work and adopt its report by consensus and shall submit a report to the meeting of High Contracting Parties. The widest possible participation

of all High Contracting Parties is to be promoted in accordance with the goals of the CCW Sponsorship Program.

The Group shall meet for [XX] days in Geneva in 2022.

The GGE Chair will be designated by consensus through a written silence procedure.”

8. The Committee notes that the issue of the number of meeting days of the 2022 GGE on LAWS will need to be considered by the plenary.

9. At its final meeting on 17 December 2021, the Committee adopted its draft report, as contained in CCW/CONF.VI/MC.II/CRP.1, which is being issued as document CCW/CONF.VI/MC.II/3.