

Submission by Finland concerning United Nations General Assembly resolution 78/241 of 22 December 2023 on Lethal Autonomous Weapons Systems to the United Secretary-General

Finland has the honour to refer to note ODA-2024-00019/LAWS dated 1 February 2024, concerning resolution 78/241 on “Lethal autonomous weapons systems” adopted by the General Assembly on 22 December 2023 that requests the Secretary General to seek Member States’ views on “ways to address the related challenges and concerns LAWS raise from humanitarian, legal, security, technological and ethical perspectives and on the role of humans in the use of force”, and submits the following national views:

The adoption of international principles or regulations on the military use of artificial intelligence (AI) and autonomy, including lethal autonomous weapons systems (LAWS), is fundamental to ensure compliance with international law, to increase security and to reduce potential risks of conflicts. At the same time, it is necessary to enable the development of national self-defence capabilities that do comply with international law.

Finland supports negotiations on principles or regulations, such as an international agreement on the development and deployment of lethal autonomous weapons systems. The instrument could be either politically or legally binding. **Finland’s objective is the conclusion of an international instrument**, without prejudging its nature, with the **widest possible group of states** including countries developing, producing and using such weapons, for such an instrument to have a real impact in practice. Finland actively engages in the work of the Group of Governmental Experts (GGE) working under the Convention on Certain Conventional Weapons, and supports it as the forum to continue the discussions on a future instrument. Additionally, other initiatives to ensure the safe and responsible military use of AI and autonomy may also be useful, but must not contravene the objectives of the GGE LAWS.

Finland emphasises the **importance of adhering to international law including international humanitarian law (IHL) in the development and deployment of LAWS**. It is vital that humans retain the decision on the use of force. LAWS that cannot comply with IHL rules and its fundamental principles of proportionality, distinction and precaution are prohibited under existing international law and should not be used, acquired or developed. The rapid development of new technologies requires however additional international regulation to clarify how IHL applies to LAWS. Regulation is also necessary to enable the development and use of new technologies that comply with international law.

LAWS should therefore be regulated using a two-tier approach that combines prohibitions and regulations. The approach

- 1) **outlaws autonomous weapons systems that operate without any form of human involvement** and outside a human responsible chain of command (i.e. systems capable of setting their own objectives or modifying and/or executing, without any human validation of their initial programme or their mission framework), and

- 2) regulates the **development and use of all other weapons systems having autonomous¹ features or functions** ensuring their **compliance with the rules and principles of international law**. The framework should include provisions to guarantee appropriate levels of human involvement and accountability, transparency and foreseeability in testing and operation, legal reviews and risk mitigation measures in the development, production, purchase and deployment of LAWS.

Regulation should not address specific technologies as such but their application that is not compatible with IHL. This allows also for regulations to sustain the test of time and developments in weapons technologies.

¹ **Autonomy should be understood as a capability to perform the given task(s) in a self-sufficient and self-governing manner.** This includes the freedom of self-planning in the tasks and required subtasks. **Contextual assessment** is crucial when assessing LAWS compliance with IHL. It is compulsory to have a **specific and limited mission framework for the use of LAWS** (target setting, spatial and temporal limits, human approval for any substantial modification of the missions parameters) and assurance that the weapon system will act in a foreseeable manner. Meaningful human involvement does not always require constant human-machine connection, if IHL compliance has otherwise been ensured.