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Campaign to Stop Killer Robots

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Dear Sir/Madam,

UNGA Resolution on Lethal Autonomous Weapons Systems

Thank you for your email of 4 October to the Foreign Secretary on the UN General Assembly resolution on Lethal Autonomous Weapons Systems (LAWS) which was tabled at the First Committee on Disarmament and International Security at the 78th Session of the United Nations General Assembly (UNGA).

The UK is considering the resolution seriously, and we have engaged with the co-sponsors on the text. We recognise the concerns of Governments, civil society and AI experts around the world. We oppose the creation and use of systems that operate without context-appropriate human involvement. Such systems could not be operated in line with the fundamental principles of International Humanitarian Law (IHL), nor our own values and standards. We believe that AI and autonomy can be used within weapon systems, but that this must be done lawfully and ethically. The UK welcomes that the Resolution text emphasises the valuable work of the Group of Governmental Experts (GGE) on Emerging Technologies in the Area of LAWS established under the Convention on Certain Conventional Weapons, and the progress that has been made in these discussions.

The UK actively participates in international discussions around norms and positive obligations for autonomy in warfare. We believe that existing International Humanitarian Law (IHL) provides the most appropriate and robust framework for the regulation of weapons development and use. It imposes positive obligations that take account of the core principles of IHL when engaging in military activity – distinction, humanity, proportionality and feasible precautions – and it applies to all weapons systems, AI-enabled or not.

We believe that the UN Convention on Certain Conventional Weapons remains the most appropriate forum to discuss and progress this issue. The UK will continue to play an active role in this forum, maintaining our close cooperation with states and civil society to address the opportunities and risks around autonomy in weapons systems. The 2023 sessions of the GGE on LAWS saw good progress as demonstrated by the Joint Statement of 52 States which sent a constructive signal from a cross-regional group of countries to make it clear that – despite certain

differences – many States share a number of common views and that significant conceptual progress that has been made.

We will be working hard to ensure progress and looking forward to continuing our engagement with you as we move forward.

Yours sincerely,

Foreign, Commonwealth and Development Office

BACKGROUND NOTE:

1. The Campaign to Stop Killer Robots is an international coalition of 160 NGOs in 66 countries that, along with some states (e.g., Austria, New Zealand, the Non-Aligned Movement and various African states), is pushing for a pre-emptive ban on 'Lethal Autonomous Weapons Systems' (LAWS).

UN Resolution

2. At the recent First Committee on Disarmament and International Security at the 78th Session of the United Nations General Assembly (UNGA), a resolution on LAWS was tabled by Austria and supported states including Belgium, Costa Rica, Germany, Ireland, Mexico, New Zealand, Philippines, Sierra Leone, Sri Lanka and Switzerland.

3. There were some initial concerns that the original draft potentially expanded the scope of LAWS discussions into global security and undermined the primacy of the UN Convention on Certain Conventional Weapons (CCW). Following positive engagement by the UK and with the co-sponsors, the final proposed resolution, whilst still not removing the possibility of a track outside of the UN CCW, largely addresses UK and likeminded (US, Australia, Canada, RoK and Japan) concerns by including a new reference in an operative paragraph to the work of the LAWS Group of Government Experts. Therefore, and on the understanding that our close partners will also support - and in order to emphasise our collaborative approach to the LAWS discussions – it has been recommended to the Foreign Secretary that the UK should support this resolution. The full text of this Resolution is shown below.

International Discussions on LAWS

2. The UN Convention on Certain Conventional Weapons (CCW) implemented a Group of Governmental Experts (GGE) to discuss this matter in 2014. Discussions are ongoing; Guiding Principles were agreed in 2019 but there is currently no consensus on definitions or characteristics of LAWS. The UK position in the GGE is that:

a. While we have no intention of developing systems that could unilaterally employ lethal force without human involvement, increasing use of AI and AI-enabled systems will deliver significant Defence advantages from front-line to back office.

b. A legal ban on LAWS is neither necessary nor practicable because International Humanitarian Law and the existing regulatory framework for the development, procurement and use of weapons systems remain more than sufficient to regulate new capabilities. Without consensus on the definitions or characteristics of LAWS, a legal instrument would have to ban undefined systems, which could severely impact legitimate research and development of AI or autonomous technologies – both in military and non-military contexts.

3. The UK stance is shared by most of the UK's NATO allies (in particular the USA and France) and other militarily advanced states and we are often considered a leader in international discussions.

4. The recent GGE ended disappointingly for some States and NGOs. This may increase calls from some parties for an alternative track to be established outside the CCW to secure a legal mechanism. The UK opposes this approach.

International Humanitarian Law (IHL):

5. IHL already constrains states in respect of their development and procurement of weapons, methods and means of warfare. It provides a flexible, principle-based technology-agnostic framework that is specifically tailored for the regulation of armed conflict and the use of weapons - including those with advanced technology - in armed conflict. The deployment in armed conflict of any weapon system which does not distinguish between combatants and civilians; involve context specific assessment of feasible precautions; nor assesses the proportionality of potential action, would be contrary to IHL and therefore unlawful.

Text of Draft Resolution on LAWS

The General Assembly

PP1: *Affirming* that international law, in particular the Charter of the United Nations, International Humanitarian Law and International Human Rights Law applies to autonomous weapons systems,

PP2: *Recognizing* the rapid development of new and emerging technologies and recognizing further that they hold great promise for the advancement of human welfare and could, inter alia, help to better protect civilians in conflict in certain circumstances,

PP3: *Mindful* of the serious challenges and concerns that new technological applications in the military domain, including those related to artificial intelligence and autonomy in weapons systems, also raise from humanitarian, legal, security, technological and ethical perspectives,

PP4: *Concerned* about the possible negative consequences and impact of autonomous weapon systems on global security, regional and international stability, including the risk of an emerging arms race, lowering the threshold for conflict and proliferation, including to non-state actors,

PP5: *Welcoming* the interest and sustained efforts on these issues, in particular through the ongoing and valuable work of the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems established under the Convention on Certain Conventional Weapons, and in this regard underlining the significant progress made in these discussions as well as the various proposals presented,

PP6: *Noting* also the adoption by consensus of Resolution A/HRC/RES/51/22 on human rights implications of new and emerging technologies in the military domain by the Human Rights Council on 7 October 2022,

PP7: *Acknowledging* further the important contribution of international and regional conferences and initiatives such as the summit hosted by The Netherlands and co-organized by the Republic of Korea on 15 and 16 February 2023, the regional conference hosted by Costa Rica on 23 and 24 February 2023, the conference hosted by Luxembourg on 25 and 26 April 2023, as well as the regional conference hosted by Trinidad and Tobago on 5 and 6 September 2023,

PP8: *Recognizing* the valuable contributions made by United Nations entities and international and regional organizations, the International Committee of the Red Cross, civil society organizations, academia, industry and other stakeholders in enriching international discussions on autonomous weapons systems, encompassing legal, ethical, human rights, societal, and technological dimensions,

PP9: *Recognizing* the efforts of the Secretary General within the "New Agenda for Peace" initiative to address the issue of autonomous weapons systems,

OP1: *Stresses* the urgent need for the international community to address, the challenges and concerns raised by autonomous weapons systems, in particular through the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems, and to continue furthering its understanding of the issues involved.

OP2: *Requests* the Secretary-General to seek the views of Member States and Observer States on lethal autonomous weapons systems, inter alia on ways to address the related challenges and concerns they raise from humanitarian, legal, security, technological and ethical perspectives and on the role of humans in the use of force, and to submit a substantive report reflecting the full range of views received with an annex containing these views, to the General Assembly at its seventy-ninth session for further discussion by Member States,

OP3: *Also requests* the Secretary-General to invite the views of international and regional organizations, the International Committee of the Red Cross, civil society, the scientific community and industry and to include these views in the annex of the aforementioned report.

OP4: *Decides* to include in the provisional agenda of its seventy-ninth session the item entitled "Lethal Autonomous Weapons Systems".