
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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Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons System

Geneva, 7-11 March, and 25-29 July 2022

Item 7 of the agenda

Adoption of the report (last session only)

Report of the 2022 session of the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems

I. Introduction

1. 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 Have Indiscriminate Effects (hereinafter “the Convention”), held in Geneva from 13 to 17 December 2021, decided, as contained in its final document (CCW/CONF.VI/11):

“(…) 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 10 days in Geneva in 2022.

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

2. The Sixth Review Conference of the High Contracting Parties to the Convention also decided, as contained in its final document (CCW/CONF.VI/11):

“To organize in 2022, in in-person format in accordance with the regular practice under CCW, in accordance with the relevant decisions taken by the Twenty-third Annual Conference of the High Contracting Parties to Amended Protocol II and the Fifteenth Conference of the High Contracting Parties to Protocol V, and subject to available resources, the following CCW related activities:

(...)

(iii) Group of Governmental Experts of the High Contracting Parties related to emerging technologies in the area of lethal autonomous weapons systems (LAWS) on 7-11 March 2022, and 25-29 July and adopted its estimated costs (CCW/CONF.VI/7);”

3. On 11 February 2022, the High Contracting Parties designated, through a written silence procedure, Ambassador Flávio Soares Damico, Special Representative of Brazil to the Conference on Disarmament, as Chairperson of the 2022 Group of Governmental Experts of the High Contracting Parties related to emerging technologies in the area of lethal autonomous weapons systems (LAWS) (hereinafter “the Group”).

4. The Group met from 7 to 11 March, and from 25 to 29 July 2022 in Geneva. The Chair organized informal meetings on 26-27 April, 1 and 3 June, and 27 and 29 June 2022.

II. Organization and work of the Group of Governmental Experts

5. On Monday, 7 March 2022, the session was opened by the Chairperson Ambassador Flávio Soares Damico. The High Representative for Disarmament Affairs, Ms. Izumi Nakamitsu delivered a video statement. From 9 to 11 March, the Group held its meetings in an informal format. The first session was closed on Friday 11 March 2022.

6. The second session took place on 25-29 July. On 25 July 2022, the Group adopted its agenda (CCW/GGE.1/2022/1) and confirmed the rules of procedure, as adopted by the 6th Review Conference (CCW/CONF.VI/11). The Group also considered its provisional programme of work as contained in Annex I. Ms. Heegyun Jung, Political Affairs Officer, CCW Implementation Support Unit, served as the Secretary of the Group, and was assisted by Ms. Juliana Helou van der Berg and Ms. Sophie Guillermin-Golet, Associate Political Affairs Officers of the United Nations Office for Disarmament Affairs (UNODA).

7. The following High Contracting Parties to the Convention participated in the work of the Group: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Guatemala, Holy See, Honduras, Hungary, India, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Lao People’s Democratic Republic, Luxembourg, Madagascar, Malta, Mexico, Montenegro, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Sierra Leone, Slovakia, South Africa, Spain, Sri Lanka, State of Palestine, Sweden, Switzerland, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

8. The following Signatory States to the Convention participated in the work of the Group: Nigeria.

9. The following States not party to the Convention participated as observers: Singapore.

10. The representatives of the European Union, the International Committee of the Red Cross (ICRC) and the United Nations Institute for Disarmament Research (UNIDIR) participated in the work of the Group in accordance with the rules of procedure.

11. The representatives of the following non-governmental organizations participated in the work of the Group: Campaign to Stop Killer Robots (Amnesty International, Article 36, Asociacion para Politicas Publicas – Human Security Network in Latin America and Caribbean Region, DFG-VK, ECAPT, Human Rights Watch, International Committee for Robot Arms Control (ICRAC), Nonviolence International Southeast Asia, Norwegian Peace Association, Pax Christi International, PROTECTION, Women’s International League for Peace and Freedom), Future of Life Institute, Henry Dunant Centre for Humanitarian Dialogue, Maat for Peace, Development and Human Rights, Organisation de soutien à la paix et la sécurité en Afrique (OJAP).

12. The representatives of the following entities also participated in the work of the Group: Accord University (UNASOM), Centre for War Studies at the University of Southern Denmark, ETH Zurich, Geneva Center for Security Policy (GCSP), Geneva Graduate Institute of International and Development Studies, InterAgency Institute, Peace Research Institute Frankfurt, Stockholm International Peace Research Institute (SIPRI), Universidad Pablo de Olavide de Sevilla, University of Bremen - Institute of Intercultural and International Studies, University of Edinburgh, University of Liège, University of Lyon 2, University of Oxford and University of Queensland.

13. In accordance with its Programme of work, the Group considered the following agenda item:

5. Consideration of proposals and elaboration, by consensus, of 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.

14. Discussion on agenda item 5 took place at its plenary meetings on 25 and 26 July. From 26 to 29 July the Group considered its draft final report.

15. The Group considered the oral and written proposals, including those submitted as working papers and listed in Annex II. The Group expressed appreciation to the contributions of the High Contracting Parties, civil society, academia and industry.

III. Conclusions

16. 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, continued to strengthen the Convention. In accordance with its mandate, in the context of the objectives and purpose of the Convention, the Group considered proposals and discussed the elaboration, by consensus, of 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 LAWS, 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.

17. In this regard, delegations presented and discussed a number of proposals on possible measures and options including: legally binding instruments under the framework of the CCW; a non-legally binding instrument; clarity on the implementation of existing obligations under international law, in particular IHL; an option that prohibits and regulates on the basis of IHL; and the option that no further legal measures are needed.

18. The Group recalled that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited. Furthermore, international law, in particular the United Nations Charter and International Humanitarian Law (IHL) as well as relevant ethical perspectives, should continue to guide the work of the Group. The Group reaffirmed the

relevant paragraphs related to emerging technologies in the area of LAWS of documents CCW/CONF.VI/11 and CCW/CONF.V/10.

19. For the purposes of its work, the Group recognized that every internationally wrongful act of a State, including those potentially involving weapons systems based on emerging technologies in the area of LAWS entails international responsibility of that State, in accordance with international law. In addition, States must comply with international humanitarian law. Humans responsible for the planning and conducting of attacks must comply with international humanitarian law.

IV. Recommendations

20. The Group recommends that:
- a. 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 intensify the consideration of 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.
 - b. the rules of procedure of the Sixth Review Conference shall apply *mutatis mutandis* to the Group.
 - c. 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.
 - d. the Group shall meet for a total of XX days in Geneva in 2023.