



CCW REPORT

Civil society perspectives on the CCW Group of Governmental
Experts on lethal autonomous weapon systems
27–31 August 2018



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IN THIS ISSUE

- 1 | Effectuating our intention
- 3 | News in brief

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EFFECTUATING OUR INTENTION

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The states participating in UN talks on autonomous weapon systems (AWS) finally did engage in negotiations on Thursday—but over the draft conclusions and recommendations from the meeting, not on a treaty. “Negotiation” should also be used lightly, perhaps—some delegations were so extensive in their suggestions and comments that they essentially rewrote the document. While it’s fine for states to have a go at outcome documents, it’s a bit frustrating to watch when we know that what the world needs these governments to do is negotiate a legally binding instrument to prohibit AWS.

An additional frustration was the introduction of new vocabulary by the Chair at the eleventh hour. This included terms such as “human agency”—even though so far everyone has been discussing human control; “intelligent autonomous systems”—as opposed to autonomous weapon systems, which is the mandate of this group to address; and a “technology lighthouse mechanism”—which not a single delegation understood, because no one has raised it before in the context of these discussions. These new terms prolonged the discussions over the report as delegations tried to understand what they meant, and then tried to suggest alternatives that reflected the last few years of talks.

Most of Thursday’s discussion continued to reveal major policy and political differences. A more thorough accounting of the debate is contained in the News in Brief section of this report, but the short version is this: the crux of the policy difference lies in the various approaches to human control over weapons, and the implications those perspectives have for informing next steps. It all comes down to how much control people believe they want or need to have over the use of force and over weapon systems: If you think you need to always have meaningful human control over targeting selection and the execu-

tion of force, for example, then you’re more likely to want to negotiate a legally binding instrument setting this out so that everyone sticks to the same standard. If you want to have more “flexibility,” i.e. if you want to develop weapons that can kill people without any human operators involved in the selection of a target or in firing upon that target, then you’re more inclined to want discussions to continue—preferably at a slow pace. If you fall into this latter category, you might say that you don’t think there is a common understanding of human control. Or, you might put out your own definition that is completely different from everyone else’s and insist that it’s the only thing you’ll accept.

For example, the United States has argued that the concept of meaningful human control is “divisive”. In reality, it is a term around which the majority of states have coalesced over the past few years. As can be seen in the pages of these reports and the statements by delegations is that most countries want to ensure the retention of meaningful human control over the critical functions of weapon systems, including the selection and engagement of targets. Most also seem to believe that human control is necessary over the design, development, and deployment of weapon systems.

Even the US delegation thinks weapons need some human involvement. But it would prefer to talk about human judgment rather than control. In its working paper to this session of the group of governmental experts, it argues that key thing is to make sure that “machines help effectuate the intention of commanders and the operators of weapons systems” (emphasis added). The paper states that the “appropriate” level of human control or judgment will vary across weapon systems and environments, but the bottom line is, it assumes its weapons will carry out tasks in line with what a commander wants, even without human control over

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Editorial, continued

targeting or attack. The US working paper asserts that it can ensure its autonomous weapon systems “function as anticipated” through engineering, testing, and training of operators.

There are a few problems with this approach. One is the issue raised by countless tech workers and scientists that have weighed into the killer robots debate to warn about relying on engineering or programming to be infallible in their performance or reliability. Just today, in an article in *The Guardian* about the fatal mistakes of self-driving cars, professional coder Ellen Ullman explained: “When programs pass into code and code passes into algorithms and then algorithms start to create new algorithms, it gets farther and farther from human agency. Software is released into a code universe which no one can fully understand.”

This is horrifying enough when it comes to self-driving cars. It’s much, much more disturbing in the context of weapons.

A second problem is that the more “flexible” approach to human control is based on the idea that AWS might have benefits for promoting or upholding compliance with international law, as suggested in the Chair’s draft conclusions. The US delegation is in the minority in advancing this perspective, but it is not alone. The Australian delegation is becoming increasingly optimistic about this, for example—perhaps in relation to the growing number of contracts between weapon producers and universities in Australia, or the recent announcements of new investments in the arms manufacturing industry, with the stated goal of becoming one of the world’s top ten arms exporters. Australia asked the Chair to elaborate in the outcome document the references to the possible benefits of AWS—even while several other governments called for the deletion of all such references, noting that the majority of participants do not share this perspective.

A third problem with the “flexible” approach to human control over weapons, and the argument that AWS could have benefits, is that both are based in a particular approach to weapons and to violence that increasingly relies on technology to make war “cleaner” or “more efficient”. But as Elke Schwartz of the International Committee for Robot Arms Control (ICRAC) argued during Thursday’s side event on feminist approaches to AWS, war is a social institution. It is a human problem, not an engineering problem. “Tech-washing,” as she described it, moves us further away from our responsibility over violence.

Technologically-mediated violence brings with it the increasing abstraction, remoteness, and mecha-

nisation of death and destruction. And as so many governments, lawyers, tech workers, scientists, academics, and activists have pointed out over the last few years, this has serious implications for ethics, morality, and international law. Yet during the debate over the conclusions on Thursday, a few delegations tried to suggest that the “expertise” that could be recognised as relevant to these discussions should be limited to military and technical. The delegation of Austria and others pushed back on this, arguing that legal and ethical expertise is also essential to conversations about AWS. But the fact that this even a point of discussion at all serves to highlight another of the issues raised at the event on gender and AWS—namely, that only certain perspectives, those coded as masculine and thus as “rational”—are treated as credible and relevant in spaces such as this one.

This is a serious problem when we’re talking about the development of weapon systems that kill on the basis of “sensors and software,” as the International Committee of the Red Cross describes it. The exclusion of non-military and non-technical voices inevitably means that women, queer people, people of colour, people of lower socioeconomic status, and people with disabilities will be cut out of the conversation, because these are the people that are vastly underrepresented in the technical and military fields. These are also the people that are likely to be the most impacted by the development and use of AWS. And so, once again, straight, white, cisgender, able-bodied, wealthy men will dominate the discussion and determine the outcomes, while the rest of us will suffer the consequences of their decisions.

Diversity is not about political correctness. It is the only way we are ever going to see change in the way that we confront issues of peace and security, of weapons and war. Involving the marginalised and the affected is how we ensure that weapons will comply with international law, by changing the norms and behaviour of the humans that use weapons. The answer is not to give weapons autonomy to kill after they have been programmed with the biases of the most dominant culture in the world, but to change the way we think about and confront war and violence as social institutions.

A more diverse investigation into the arguments about the purported “benefits” of killer robots might, for example, reveal that the real motivation behind the development of AWS is not about better compliance with international humanitarian law. It might reveal that the motivation is actually about perfecting the ability to kill remotely—to keep one’s own human military personnel out of harms

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Editorial, continued

way while exterminating an “enemy,” or to repress certain segments of a population without having to deploy human police officers or soldiers. Perhaps these are some of the actual motivations for a more “flexible” approach to human control. But if we only allow the dominant perspectives to be heard or to be taken seriously in these spaces, then we will continue to be fed arguments about robots making war safer for civilians.

There is a long way to go to open up space in the CCW for diverse perspectives and approaches. It seemed about as far away as it could be on Thursday night as the meeting went on for an additional few hours, leaving only the last moments to talk about the recommendations for next steps. A number of governments, including Austria, Brazil, Chile, and Cuba, were uncompromising in their demand for serious action on AWS now. We can’t accept a simple rollover of the group’s mandate, was their main

message. “We need to work, with serious urgency, towards something,” said the Chilean delegate.

It remains to be seen what the final version of the recommendation for next steps will say tomorrow, though it sounds like it might include a slightly strengthened mandate to focus on specific outcomes, with the options of a legally binding instrument, political declaration, and enhanced weapon review processes annexed to the mandate. A key lesson of working within the CCW is that there is always a compromise that can be made, but also that it is always made by those who want progress, not by those who want to prevent it. We may not solve this problem on Friday, but we definitely need to decide how much longer we are willing to keep accepting this arrangement—not just in relation to AWS, but for disarmament and for international relations as a whole. •

NEWS IN BRIEF

Katrin Geyer and Allison Pytlak | *Reaching Critical Will, Women’s International League for Peace and Freedom*

The following is a summary, not a comprehensive report, of key discussion points.

Agenda items 6 a, b, d

Legally binding instrument

- Venezuela supports establishing specific regulations of a legally binding instrument that regulates autonomous weapon systems (AWS), the use of semi-autonomous weapons, and drones.

Article 36 weapon reviews

- Bulgaria said that weapons reviews are an important tool to assure that the use and development of AWS comply with international humanitarian law (IHL) and other regulations, but stated that because the process is challenging and complex, it values information sharing and sharing of best practices so to enhance transparency and confidence-building.

Political declaration/code of conduct

- Bulgaria and Italy expressed support for the Franco-German political declaration.

Human-machine interaction, degrees of autonomy, and meaningful human control

- Bulgaria said that human control over AWS is to be exerted in line with IHL and international human rights law (IHRL) and that the law pertains to humans, so accountability cannot be re-assigned to machines, as they aren’t legal agents.
- Italy supports elements of general convergence that any existing or future weapon system must

be subject to human control, particularly with respect to the use of force. It asserted that a variety of topics require further consideration.

Consideration of the Draft Conclusions and Recommendations

Section I: Guiding Principles

General

- Pakistan, Belgium, Israel, and the US requested to remove the terminology of “intelligent autonomous weapons” and replace it with “lethal autonomous weapon systems” (LAWS) throughout the whole of the Chair’s document. Chile also said it was good for clarity to choose one terminology.
- Panama, and Costa Rica, amongst others suggest a different heading that does not suggest that the principles are points of convergence but to call them “general aspects” or “general approaches”. Russia said it finds the proposal of “general approaches” interesting. Switzerland would like to retain the current title.

Chapeau

- The US suggested putting the Guiding Principles within the context of the discussion and to have an introductory sentence such as: “It was affirmed that following general principles as well as fundamental principles of IHL should guide the continuing work of GGE.” Switzerland agreed that it is interesting to provide context and suggested using the first paragraph of Section V as a “scene setter”. Russia supported this proposal.



News in brief, continued*Paragraph 1*

- Cuba maintained that the aspect of human control should be contained in one of the first paragraphs, and not in paragraph nine.
- The Netherlands, Austria, China, and Belgium want to add: "international law, including IHL". Costa Rica, Austria, and Panama noted that a large number of states also referred to IHRL, which should be included. Austria highlighted that the scope of international laws is wider than IHL and goes beyond the use of AWS.
- Mexico said IHL does not only apply to the use of AWS, but also to the acquisition and development of weapons systems, and referenced Article 36 weapon reviews. Panama supported this.
- Israel requested to change the wording from "including [LAWS] to "including the potential development and use of LAWS".

Paragraph 2

- Germany, Austria, Republic of Korea (ROK), and Cuba suggested "replacing human agency" with "human responsibility," while Cuba, Ireland, Costa Rica, and Switzerland suggested using "human control" instead. ROK, Panama, and Chile agreed with either replacement for "human agency". Estonia supported the term "human agency".
- Germany, Switzerland, Costa Rica, and the Netherlands suggested replacing "should" with "must". Estonia suggested replacing "should" with "must" or "shall". Belgium and Ireland suggested replacing "should" with "is retained".
- The US noted that the expression "should be retained" implies that human control may sometimes not apply, and should therefore be replaced with "should always be retained". It further suggested replacing "use of lethal force" with "weapon systems" and add at the end of the sentence "including LAWS".
- Estonia suggested replacing "[IHL] continues to apply" with "[IHL] applies".
- Mexico stated that the language of this whole paragraph should be firmer and more forceful.
- Switzerland suggested a new paragraph relating specifically to the central point of human control.

Paragraph 4

- Chile asked to add IHL after "international law".
- Panama suggested the deletion of "in some or all circumstances," which is ambiguous. The Chair noted that this sentence was an exact quote from Article 36.
- Switzerland said to delete "as applicable".

Paragraph 5

- Iraq wants to add "risk of acquisition by terrorist groups" in the second line.
- Estonia suggested replacing "safeguards against hacking or data-spoofing" with "physical and non-physical safeguards, including cyber security". Netherlands also wants to delete safeguards and add "self" to explainability.
- France said to replace "new weapon system based on intelligent autonomous technologies" with LAWS.
- Austria said that the term "intelligent autonomous technologies" wasn't used much, and pointed out the terminology could raise the question what "non-intelligent" autonomous systems are.
- Russia suggested deleting this whole paragraph, as it is a specific case and already covered by paragraph 4.

Paragraph 6

- Russia suggested adding "including" before "realistic conditions". It further suggested to delete the part after "weapon systems," as such testing is already provided under measures related to minimisation of risks and is not appropriate to provide unnecessary details to the general language in paragraph 4.
- Israel noted that issues around testing have not been discussed sufficiently.
- Ireland recommended deleting everything after "development" to make it more comprehensive and inclusive.

Paragraph 7

- Pakistan and Costa Rica maintained that this paragraph sounds prescriptive in nature. Pakistan said that the debate is not mature enough to include such wording. It suggested either deleting the paragraph or striking a balance that consideration should also be given to a legally binding instrument regulating or prohibiting LAWS. Costa Rica also said that this paragraph should be reviewed.
- Costa Rica, Cuba, Estonia, and Brazil do not agree with the definition on autonomy and stated that there is no agreement on the terminology. The US suggested simplifying the sentence by replacing "extending human control" with "effectuating human intention". UK suggested rephrasing of the last part of the sentence relating to autonomy.
- ROK, the Netherlands, UK, Israel, and Australia said to retain the paragraph. ROK said this was

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News in brief, continued

imperative so to highlight the utility of autonomous technology to enhance compliance with IHL. ROK also stated that if this paragraph were deleted, the delicate balance would be broken.

- Estonia said that this paragraph should be retained but does not mind where in the report it should be addressed.
- Mexico and Panama stated that this paragraph could be moved to another section in the report, and if it is retained, risks should also be addressed.
- Austria would like the paragraph to be deleted as it is not a principle and another formulation has to be found that does not include commands.

Paragraph 8

- The Netherlands proposed adding “testing” after “development” throughout the document..

Paragraph 9

- Brazil stated that the terminology of “intelligent autonomous systems” should be replaced by LAWS.
- Costa Rica encouraged consistency to apply the term AWS when referring to autonomous systems.
- Russia asked for further clarification and suggested adding “potential” before “policy measures”.
- Austria also asked for further clarification, specifically with respect to the end of the sentence.

Paragraph 10

- Pakistan, Cuba, Chile, Panama, Costa Rica, Mexico, and Austria suggested replacing “beneficial” with “peaceful” uses.
- Russia said it would be advisable to add “possible” before “policy measures”.
- Israel proposed to change “policy measures” to “discussions and any potential policy or other measures”.

Additional paragraphs

- Russia suggested adding a new paragraph related to the general nature of work being carried out.

Section II: Characterisation

General

- Brazil proposed merging Sections II and III as a way to reflect the progression in the discussion, in which these two topics have started to overlap. This was supported by Chile and Costa Rica.
- Cuba said it could support merging or go along with a preference to not do so.

- Panama would not rule out merging sections but is also comfortable with streamlining them.
- Mexico noted that merging could be helpful, as would an approach to eliminate paragraphs where there is no common ground, stating that what is most important is that the report reflect where there is convergence.
- Russia said merging is premature and best that the sections reflect the GGE’s agenda.
- The UK, the US, and Ireland would prefer to not merge sections.

Chapeau

- Israel would like to change the word “affirm” to “consider”.

Paragraph 1

- Russia noted that the current formulation contradicts its position on definitions, and suggested language noting that the “absence of working samples of LAWS and a common understanding with regard to their working definition, as well as characteristics” is a key obstacle faced by the GGE.
- China noted that the preference it had expressed for having a working definition as a basis for discussion is not reflected in the current draft report. It said this is an important condition for a substantive result, if we want to reach a legally binding instrument.
- New Zealand noted that while it has in past preferred to establish a definition, it supports the approach included in paragraph 1.

Paragraph 2

- US suggested adding other approaches or language that was used to describe these approaches.
- Russia suggested moving this into the Chair’s summary, rather than the negotiated part of the report.

Paragraph 3

- Chile felt that the last sentence could become a standalone point, but not be deleted.
- Russia said it does not understand what “other characteristics” beyond technical ones could be used to define AWS.
- Israel suggested replacing “would not alone” with “may”, to indicate that the discussion about characterisations is still ongoing with no conclusion.
- Belgium agreed this paragraph is too dense and could be simplified, along with paragraphs 4 & 5.

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News in brief, continued*Paragraph 4*

- Brazil noted that states had emphasised that there is a range of autonomy, and that defining a threshold in the level of autonomy relevant for determining when to apply IHL is feasible and necessary, but the current formulation of this paragraph denotes the opposite.
- Russia proposed deleting this paragraph.
- Cuba would like to delete the second sentence, indicating that this is red line.
- Estonia would like to retain it but make it more precise, to indicate there is no clear line at which point a system can become fully autonomous. It suggested that the word “technically” could be replaced “by technical criteria alone”.
- New Zealand expressed concern about lack of clarity in this paragraph.

Paragraph 5

- Mexico requested that the principle of lethality not be considered in this way in the negotiations of this working group, and said it is important to reflect the views of all delegations on this issue.
- Switzerland pointed out that it and other delegations had argued that any use of force should be considered, not just that intended to be lethal. It recommends rewriting the paragraph, which was supported by Estonia, Austria, and New Zealand.
- Russia would like to keep it as is.

Paragraph 6

- Brazil requested its deletion, noting that the manner of the paragraph denotes an agreement or consensus on this point, which is not accurate. Re-drafting it to reflect that it was the view of “some states” would be acceptable. This was supported by Chile and Cuba.
- ROK suggested changing “further” to “for instance” as the second sentence seems like an example for the first sentence, in the current formulation.
- Estonia and Russia are not comfortable with the second sentence in this paragraph, given differing understandings of terminology. Estonia suggested alternative wording. Israel and New Zealand also had reservations about this paragraph.
- Austria supported re-wording it or deletion.
- UK had reservations that were addressed by the Chair’s comments on this paragraph.

Paragraph 7

- US proposed a clarification and new text.

- Australia would like to remove “intention and”.
- Chile said this could serve well as a general principle and proposed moving it to Section I, which was supported by Austria.
- ROK would like to clarify the second sentence.
- Estonia shared the concerns about the phrase “human cognitive abilities” and proposed “mental states and higher mental processes” as an option.
- Russia proposed deletion of the paragraph.

Paragraph 8

- US feels the formulation unnecessarily narrows the scope of the GGE work.
- Russia suggested deleting it or moving to the Chair’s Summary.
- Brazil suggested merging this paragraph with paragraph 10 in Section III.

Section III: The human element*General*

- Cuba proposed deleting paragraphs 2, 3, 4, 5, and 6 because of duplication with points in Section II.
- Israel noted the varied terminology in this section.
- Australia requested to add a new point: “The potential benefits of human-machine teaming for enhancing compliance with IHL and mitigating the risk of human error should be further explored”.
- Chile and Brazil urged that a “human-centric approach” be better reflected in the section.
- China noted the existence of duplicate language in the paragraphs of this section.
- New Zealand would like to see more points about transparency and information in Section III.

Chapeau

- Switzerland, Austria, and New Zealand expressed appreciation for the Chapeau.
- US would like to add the word “judgment” after “intervention and control”, or add “or” to replace “and” so as to present these as options.
- Russia proposed moving the sentences beginning with “Instead, a cumulative effect” and the following one to the summary as well as deleting “critical” and keeping “important”. Cuba supported this.
- Israel requested to replace “supervising” with “throughout the life cycle of the weapon system”.

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News in brief, continued

Paragraph 1

- ROK suggested using the term “lethal autonomous weapons” in place of other words such as “machines” or “computer programs”.
- Belgium suggested adding “lethal” into the last sentence ahead of “autonomous weapons” and Germany proposed language.
- Russia suggested deleting “these various human-machine touch points”. It also proposed deleting the final phrase to have a full stop after “related to the use of force”.
- Ireland suggested inserting “the principle of” ahead of “accountability”.

Paragraph 2

- Russia questioned what is meant by “ethics reviews” and what “interdisciplinary” refers to, and suggested deleting the paragraph as being superfluous.
- New Zealand appreciated the reference to “interdisciplinary,” requesting it be added to paragraph 4.
- France proposed edits that would reflect related changes the US proposed to Section I.
- Israel suggested to “and appropriate”.

Paragraph 3

- UK would like to strengthen the paragraph by changing “capable of” to “receptive to”.
- Austria, Chile, and Brazil would like a modification to strengthen the paragraph.
- Russia suggested deleting the words “and other applicable international law”.
- Israel proposed deletion of the paragraph.

Paragraph 4

- New Zealand proposed changing “should be reviewed” to “must be reviewed,” which Switzerland, Ireland, Austria, and Belgium supported.
- New Zealand requested a specific reference to Article 36 reviews.
- US suggested deleting “where computational features are employed” as a confusing and distracting phrase.
- Brazil pointed out that there is repetition to paragraph 4 in Section I, but there are some relevant differences and distinctions.
- Mexico suggested adding “as applicable” to follow “should be reviewed” to be consistent with the Section I reference.
- Panama requested a reference to IHL.

Paragraph 5

- Germany asked to delete the word “all”. Estonia made a related suggested to change “all” to “intended”, or “likely”. The US made a similar suggestion, supported by France.
- UK would like to change “certification” to “verification and validation procedures”.
- Russia proposed deletion because the paragraph is duplicated by the first part of paragraph 6.
- Ireland suggested replacing “against” with “covering”.
- Israel would like to add the words “without prejudice to national security considerations”.

Paragraph 6

- Germany suggested changing “should” to “must” at the end of the first line, which Costa Rica, Switzerland, Brazil, and Chile supported.
- Estonia noted the problems that some have with the reference to the word “lethal”.
- Mexico would welcome drafting suggestions on this paragraph to reinforce the point that discussions in the GGE need not be limited to the lethality of AWS.
- Chile suggested re-drafting along the lines of points made by Estonia and Mexico.
- US requested to change the last clause to say “including through the operation of weapon systems within a responsible command”.
- Switzerland and Brazil noted parallels to paragraphs in Section I, with Switzerland suggesting a textual change to avoid conflict between them, supported by Chile.

Paragraph 7

- Netherlands made a proposal to amend this paragraph, which Sweden, Estonia, Republic of Korea, New Zealand, Belgium, Switzerland, the UK, and Israel supported.
- Brazil said that if the paragraph wants to specify “aborting” weapon systems in use, then there should also be a counterpart reference to activating them. Cuba supported.
- Germany noted that there are two concepts in this paragraph, which could be separated into two sentences.
- Austria highlighted issues with this paragraph.
- US suggested deleting the phrase “for aborting weapon systems in use,” feeling that it is unnecessarily specific. It proposed an amendment to replace.

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News in brief, continued

Paragraph 8

- New Zealand requested a reference to information sharing and transparency on post-use assessments.
- Israel suggested deleting the point because, while relevant, this aspect has not yet been widely discussed.
- Panama requested an IHL reference.

Paragraph 10

- ROK wants to add a reference to accountability, on the basis that all delegations agreed that humans are accountable for violations of law and IHL. It proposed adding “as well as clarifying accountability threads along the human-machine touchpoints”.
- US suggested a reference to IHL. It asked the Chair to confirm its understanding that this paragraph is meant to indicate that the focus of the GGE’s work in future will continue to on all elements contained in the “sunrise slide”. US thinks it’s especially important to focus on weapon reviews.
- Brazil suggested language to merge paragraph 8 of Section II with this point and provided a specific textual suggestion. Cuba and Austria supported this.
- Russia would like to delete this paragraph because it draws the debate toward a concept that risks politicisation.
- Israel suggested streamlining the terminology to match the Chapeau.

Section IV: Review of potential military applications

- US, Chile, and Russia asked for clarification about what is meant by a “light house mechanism”.
- US suggested tightening generic references to technology to indicate specific reference to LAWS.
- Chile noted that Brazil had earlier requested to move Principle 7 into this section.
- Austria would like to see a reference to legal and ethical standards alongside references to the value of industry and other actors.

Section V: Possible options

General

- Japan is open and flexible to any good suggestions or proposals if the GGE reaches consensus on them.
- Cuba and US reiterated that “intelligent autonomous systems” should be replaced with “LAWS”.
- Russia proposed deleting the first three para-

graphs, stating they are too prescriptive and more suitable for the Chair’s summary. China supported this.

First paragraph

- The US maintained that challenges are articulated as though they exist today. It recommended also referring to “potential risks in the future.”
- Switzerland proposed moving the first paragraph into the chapeau and was supported by Netherlands.
- US supported this in principle but not as substitute for its own suggested language that includes references to the benefits of AWS. Israel also suggested describing the positive aspects of AWS.

Second paragraph

- Germany suggested an expansion to the reference to its proposed mandate for a joint politically binding declaration. Cuba, Austria, Netherlands, and Chile reiterated that each state, as authors of a suggested mandate, has the right to clarify its suggestions.
- Switzerland, Brazil, and Austria wish to have the different policy options retained.
- Austria, Chile, and Brazil wish to add to the policy option of a legally binding instrument: “a mandate to negotiate a legally-binding instrument to ensure meaningful human control over critical functions in LAWS was proposed”.
- US highlighted that a number of proposals are falling under the third proposal and language could be included to better draw out the options under this category, emphasising the value in exchange, confidence building, and transparency that can lead to the most tangible benefits and a realisable outcome. Israel supported this.
- Israel proposed deleting “enhance” before “implementation of existing obligations” since it believes that LAWS do not exist yet.
- Israel and China suggested deleting references to Article 36 weapons reviews since not all states are party to Protocol I of the Geneva Conventions. New Zealand suggested instead re-wording that weapons reviews should be conducted pursuant to Article 36 and international customary law. Australia supported this.

Fourth paragraph

- Russia would like to add a phrase in line three to specify that this pertains to LAWS.

Recommendations

- Germany suggested adding “with a focus on exploring and agreeing options for an outcome

News in brief, continued

document". The Netherlands supported this.

- Russia cited various remaining points of disagreement that have deepened during this GGE's discussions and stated that therefore, changing the GGE's mandate from discussions to negotiations would be unreasonable and counter-productive. It does not see the conditions in place to launch a legally binding instrument for AWS and finds that discussions on a code of conduct are "premature". It proposed to continue discussions in 2019 and to focus on substantive and constructive discussions in accordance with the goals and objectives of CCW.
- Russia later suggested referencing the mandate and session in brackets in order to keep the discussion open until the Meeting of High Contracting Parties in November.
- Russia proposed the next GGE include a five-day session against the apparent backdrop of fatigue.
- Austria said five days is not enough.
- Switzerland suggested ten days.
- Cuba stated that developing countries do not have the funds to travel to two GGE meetings per year to Geneva, and pointed at the absence of developing countries in the discussions. Cuba prefers to combine the meetings.
- China was of the view that due to the lack of consensus on the key characteristics, it is reasonable to continue discussions but maintained that it has always supported the negotiation of a legally

binding instrument on AWS.

- China and Japan are open to negotiate the mandate but would support the Chair's mandate as it is.
- New Zealand would prefer a new, more focused mandate but understands the difficulty in achieving this.
- UK supports the mandate as it is and is not prepared to move to a negotiating mandate.
- Austria, Chile, and Cuba highlighted that a simple roll-over of the mandate is not sufficient. In light of rapid technological progress, Austria stated that the GGE has to "shift gears" to becoming operative and negotiate. Brazil insisted strongly that the mandate indicates the urgency to "shift gears". Austria suggested annexing all existent proposals to the report. Cuba proposed adding a paragraph with factual references recommending states parties to proceed with consideration/examination/review of the mandate of the GGE so to recognise states parties' interest to move forward.

Correction

- In the edition published on 29 August, we incorrectly presented the position of Costa Rica with respect to a legally binding instrument. It supports a legally binding instrument and sees merit in other proposals presented, in general. Costa Rica requested an open-ended working group with a negotiating mandate. •



Side event on Feminist approaches to autonomous weapon systems, 20 August 2018. Photo: Allison Pytlak / WILPF



Campaign to Stop Killer Robots, 26 August 2018. Photo: Clare Conboy / CSKR