

Statement by iPRAW during the CCW GGE on LAWS: National Weapon Reviews

Delivered by Anja Dahlmann (Twitter: @adahlma) on March 27th, 2019

Thank you Mr. Chair!

The International Panel on the Regulation of Autonomous Weapons would like to address the fourth question you posed with regard to agenda item 5(a) on national weapon reviews:

In our view, **Article 36 weapons reviews are necessary but not sufficient to safeguard human control over the use of force**: First of all, is not applied universally, as very few states have such a process in place. Second, it requires only the assessment that the weapon does not violate IHL in general, a fairly low threshold to meet since just one IHL conform application is sufficient. Given the increasing innovation of weapon systems, it may become more and more difficult for a commander to understand how a system works and to evaluate whether it will be lawful to use it in a given situation absent a supplemental guidance on the use of autonomous functions.

Moreover, the testing and evaluation of systems with data-driven computational methods (referred to as AI or machine learning) present several challenges, which may translate to reviews that include incomplete information or cannot quantify the reliability of the system. Nonetheless, Article 36 reviews remain important, and with additional processes or guidance increase the likelihood of compliance with international humanitarian law. The challenge however is to universalize the practice of weapons reviews and to make it more transparent.

In conclusion, a common position by the CCW States Parties is necessary to ensure human control in the design *and* use of weapon systems – inaction is not a viable option. iPRAW will offer further considerations on its concept of human control in subsequent sessions this week.

Thank you Mr. Chair!