



**Second Session of the Group of Governmental Experts
on Lethal Autonomous Weapons Systems, 2023
16th May 2023**

With regard to paragraph 21 on limitations we would like to state at the outset that in our view the purpose of the imposition of these limitations is to ensure ‘ meaningful human control’ in weapon systems on the premise that autonomy in weapon system cannot be unlimited. We do not agree with the argument that the limitations imposed during the stages of development, deployment and use go beyond the existing IHL requirements. To the contrary these limitations are essential to ensure meaningful human control is retained in weapon systems which would be the only way to ensure in turn that these weapon systems in compliance with IHL.

The chapeau of paragraph 21 should refer to international law and to IHL in particular since complexity of these weapon systems pose a challenge not only to IHL but to the broader regime of international law. We also request to remove the qualifier ‘where appropriate’ in this section as these limitations should be upheld at all times. We stress once again the importance of these limitations as well as the prohibitions with regard to autonomous weapon systems codified in the form of a binding legal instrument to ensure their compliance rather than “possible voluntary measures” left for the discretionary implementation of national mechanisms.

With regard to subparas (a) – (d), we welcome the types of limitations that have been identified in the form of positive obligations in the draft report on duration, geographical scope and scale of the operation of autonomous weapon systems as well as the incorporation of self deactivation related limitations. However, given the inherent danger and challenges these weapon systems pose to international law and to IHL in particular, we stress the importance of listing out these limitations with sufficient clarity and specificity and the need for expansion of limitations to include controls in the environment in which the weapon systems would be used. In this respect we suggest to include an additional limitation on the obligation to restrict the use of AWS only in environments where civilians and civilian objects are not present.

On controls related to human machine interaction, we suggest to include an additional regulation on the need for the operator to have adequate situational awareness at the time in which the weapon system is used. With regard to the requirement to deactivate the weapon system by human operators in sub para c, we note that a human operator would

only be able to intervene and deactivate a weapon system if the operator exercises continuous supervision of the weapon system after its activation. Therefore we consider it is important to include this requirement of continuous human supervision as well in this subpara.

We request to delete the phrase qualifier “where necessary” in sub para c.

We heard the argument previously that limitations with regard to weapon systems are only relevant in the case of their development and not in their use, which we find difficult to agree with. We note that the working paper submitted by the State of Palestine provides a number of useful examples of situations where it is necessary and possible to impose limitations during the use of weapon systems in order to retain meaningful human control in weapon systems.

Sri Lanka supports the suggestion of Austria which was also endorsed by several other delegations this morning to use the simpler term autonomous weapon systems throughout the text, since the word ‘lethality’ is not an essential prerequisite for our discussion here on the centrality of human control in weapon systems. We also agree fully with Austria this morning of the need for specificity particularly since a more general framework cannot respond adequately to the uniqueness of the weapon systems in question here.

Thank you Chair