

New Agenda for Peace

National contribution by the Kingdom of Belgium

On addressing the challenges posed by Lethal Autonomous Weapons Systems (LAWS)

22 December 2022

Belgium positively welcomes the development of a “New Agenda for Peace” as part of the preparations for the Summit of the Future within the framework of the UN Secretary General’s “Our Common Agenda”. We also welcome the Secretary General’s invitation for States to share their views, priorities and potential recommendations for the New Agenda for Peace.

In addition to the contribution presented by the European Union on behalf of its 27 Member States and the joint statement delivered at the UNGA77 1st Committee, which was endorsed by 70 States (see annex 1), Belgium wishes to submit the following considerations in its national capacity on the specific issue of “Lethal Autonomous Weapons Systems (LAWS)”:

1. The **LAWS issue** is mentioned in “**Our Common Agenda**” under the section on “Reducing Strategic Risks”. That section suggests that the New Agenda for Peace could be an opportunity to update our vision for disarmament, among other things, by **establishing internationally agreed limits on LAWS**. This proposal is a positive step which we support.
2. Belgium is of the view that **LAWS should feature prominently** within the New Agenda for Peace. Indeed, emerging technologies and the integration of increasing levels of autonomy in weapons systems pose concrete challenges to global peace & security and raise fundamental legal, ethical and humanitarian concerns. There is an urgent need for the international community to **intensify its efforts to address these particular risks**. The **New Agenda for Peace provides a good avenue for renewed momentum** in this respect after several years of work under the UN Convention on Certain Conventional Weapons (CCW) and the endorsement by the Group of Governmental Experts (GGE) on Emerging Technologies in the Area of LAWS of 11 Guiding Principles in 2019.
3. As a starting point, the New Agenda for Peace should reiterate the importance for **States to commit to upholding and strengthening compliance with International Law**, in particular International Humanitarian Law (IHL), including through ensuring that the **human element remains central** in the use of force as well as maintaining **human responsibility and accountability** in the use of force. With respect to IHL compliance, the New Agenda for Peace could also recall the obligation for States to **conduct national weapon reviews** to determine, in the study, development, acquisition or adoption of a new weapon, means or method of warfare, whether its employment would, in some or all circumstances, be prohibited by International Law.

4. The New Agenda for Peace should further **call on States to develop effective and multilaterally agreed rules and limits** on the development, deployment and use of LAWS. More particularly, **the UN Secretary General should issue a clear call for States to prohibit autonomous weapons systems that cannot be used in compliance with IHL and to regulate other types** of autonomous weapons systems. Those last two years, we have indeed seen growing convergence within the GGE LAWS in support of such a “two-tier approach”.
5. With regard to the regulation of weapons systems that can be used in compliance with IHL but still feature some level of autonomy in the execution of a complete targeting cycle, States should agree to **maintain sufficient human involvement** including through: a) adequate limits on the type of target; b) adequate limits on the duration, geographical scope and scale of use; c) requirements for adequate human-machine interaction/human control to ensure meaningful oversight of a weapon system and allow for timely intervention and deactivation; and d) clear procedures to ensure that human operators are informed and empowered to effect or control autonomous weapons systems.
6. The New Agenda for Peace should also encourage the international community to **continue deepening its understanding** of the particular risks and challenges posed by LAWS, taking into account the legal, military, technological and ethical aspects of the issue. This latter aspect is particularly important to consider as autonomous weapons systems that would select and engage targets without sufficient human oversight would be highly questionable from an ethical perspective, particularly with regard to human dignity.
7. Finally, while risks and challenges posed by emerging technologies in the area of LAWS have long been discussed under the scope of IHL and the compliance of those systems with IHL, it should be underlined that those **risks and challenges should also be considered more holistically**, taking into account compliance with **other relevant bodies of International Law**, such as International Human Rights Law.

Annex 1

Joint Statement on Lethal Autonomous Weapons Systems First Committee, 77th United Nations General Assembly Thematic Debate Conventional Weapons 21 October 2022

Mr. Chair,

I have the honour of delivering this statement on behalf of 70 states:

Albania, Argentina, Australia, Bahamas, Belgium, Bolivia, Bulgaria, Canada, Colombia, Costa Rica, Chile, Croatia, Cyprus, Czechia, Denmark, Democratic Republic of the Congo, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Georgia, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kiribati, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Namibia, the Netherlands, New Zealand, Norway, Peru, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, State of Palestine, Sweden, Switzerland, United Kingdom, United States of America, Uruguay, Venezuela, and Austria.

The research and development of new technologies is progressing at a rapid pace. New and emerging technologies hold great promise for the advancement of human welfare and could help to better protect civilians in conflict in certain circumstances.

However, the introduction of new technological applications, such as those related to autonomy in weapon systems, also raise serious concerns from humanitarian, legal, security, technological and ethical perspectives. We therefore see an urgent need for the international community to further their understanding and address these risks and challenges by adopting appropriate rules and measures, such as principles, good practices, limitations and constraints.

We are committed to upholding and strengthening compliance with International Law, in particular International Humanitarian Law (IHL), including through maintaining human responsibility and accountability in the use of force.

Important work has been done and continues to be done under the UN Convention on Certain Conventional Weapons (CCW), including the endorsement in 2019 of the 11 Guiding Principles that, inter alia, should continue to guide the work of the Group of Governmental Experts (GGE) on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems. We are also encouraged that proposals on possible measures and options were presented and discussed at the GGE.

Although it has proven difficult to translate progress made in the CCW's discussions into further concrete outcomes, the consideration of substantive proposals facilitated the development of shared understandings and convergence on key substantive issues. This included, in particular, the approach based on the prohibition of autonomous weapon systems that cannot be used in compliance with IHL, and the regulation of other types of autonomous weapon systems. States may have different understandings of terms like human judgement, control or involvement. However, there is also a recognition, shared by many, that the human element is and must remain central in the use of force.

Against this background, we emphasise the necessity for human beings to exert appropriate control, judgement and involvement in relation to the use of weapons systems in order to ensure any use is in compliance with International Law, in particular International Humanitarian Law, and that humans remain accountable for decisions on the use of force.

Going forward, we recognise the importance of focusing efforts in particular on elaborating the normative and operational framework regulating, where appropriate and necessary, autonomous weapons including through internationally agreed rules and limits.

We also deem it important to further deepen our understanding of these issues. In this regard we welcome the announcement of an international conference to be hosted by The Netherlands on responsible military development, deployment and use of Artificial Intelligence (AI), and the announcement of a regional conference, to be hosted by Costa Rica, on the social and humanitarian impact of autonomous weapons. We also welcome the work carried out by the Secretary General within the "Our Common Agenda" initiative to develop an Agenda for Peace, which features lethal autonomous weapons systems (LAWS) as one of the core areas. We call on the SG to continue to proactively engage on this important issue, including by urging States to make progress towards an outcome at the GGE.

International organisations, the International Committee of the Red Cross, UNIDIR, civil society organisations and the tech community make important contributions to international discussions on how to address issues related to emerging technologies and autonomy in weapons systems, including the ethical, human rights, societal and technological dimension. Their participation greatly enhances our ongoing discussions.

We urge High Contracting Parties to the CCW, together with all UN Member States, to intensify consideration of this issue. We are committed to strengthen efforts to address the issue of autonomy in weapon systems.