I. Introduction

1. The States Parties of the Non-Aligned Movement (NAM) and other States Parties to the 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 (CCW), re-emphasizes the position of the Heads of State or Government of NAM States Parties to the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects (CCW) and its Protocols as reflected in the Final Document adopted at the XVIII Summit of the NAM, which took place in October 2019, in Baku, the Republic of Azerbaijan.

2. In this regard, the Group of NAM is of the view that Lethal Autonomous Weapon Systems (LAWS) raise several ethical, legal, moral and technical, as well as international peace and security-related questions which should be thoroughly deliberated and examined in the context of conformity to international law including international humanitarian law and international human rights law. NAM States Parties to the CCW welcome the successful adoption by consensus, under the NAM-designated Indian Chairmanship, of the 2018 Report of the Group of Governmental Experts (GGE) related to emerging technologies in the area of lethal autonomous weapons systems (LAWS) and support continued deliberations on this issue in the CCW based on an agreed mandate.

3. The Group of NAM welcomes the efforts of the Non-Aligned States Parties to the CCW to advance their positions during the meetings of the GGE on LAWS, in particular, concerning the need for new legally-binding provisions for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS. The Group agrees that there is an urgent need to pursue a legally-binding instrument on LAWS.
II. Overview

4. The NAM States Parties to the CCW welcome the successful adoption by consensus, under de NAM-designated Pakistani Chairmanship, of the final report of the Meeting of the High Contracting Parties to the CCW in November 2019 and welcome the renewed mandate of the GGE on LAWS to conduct its work for another two years.

5. The NAM States Parties to the CCW recall that the GGE on LAWS will adopt its reports by consensus, one of which is to be submitted to the meeting of High Contracting Parties in 2020, and the other submitted to the 2021 Sixth Review Conference of the CCW.

6. We acknowledge the recommendations included in the report. The Group of NAM supports the continuation of the work of the Open-ended GGE on LAWS, in the context of the objectives and purposes of the Convention.

7. The NAM States Parties and Other States Parties to the CCW looks forward to making progress towards the development of concrete policy recommendations, including elements for new legally-binding provisions for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS. NAM expects this to be reflected in a strengthened mandate for the future work of GGE on LAWS.

8. The Group of NAM believes that the discussions shall always be held in an open, transparent, inclusive and universal participatory nature. The substantive work of the GGE on LAWS shall be carried out in formal settings. This will guarantee that the High Contracting Parties and the international community can be part of the evolution of this debate. It is essential to maintain the principle of consensus. All the decisions by the GGE on LAWS within the CCW Framework should be based on consensus.

9. The work on the legal, technological, and military aspects of LAWS should be undertaken strictly in line with the scope and mandate of the GGE on LAWS, within the CCW framework.

10. The Group of NAM considers the CCW as the most appropriate forum for further clarification, consideration, and development of aspects of the normative framework on LAWS.

11. The Group of NAM recognizes that the debate on autonomous weapons has continued to intensify in recent years and has included lawyers, ethicists, human rights advocates, scientists and diplomats, and others, and there have been mounting expressions of concerns about how these weapons can change warfare.

12. At the same time, artificial intelligence-based technologies are being deployed for tackling economic and social challenges, including by developing countries. Therefore, it must be ensured that the work of the GGE on LAWS should not hinder the development of these technologies for exclusively peaceful uses.

13. The Group of NAM welcomes the successful adoption by consensus of the 2019 Report of the Group of Governmental Experts (GGE) related to emerging technologies in the area of lethal autonomous weapons systems (LAWS) and also welcomes the outcome, as well as the endorsement of the guiding principles affirmed by the GGE, as contained in Annex III of the Final Report of the Meeting of the High Contracting Parties to the CCW held in November 2019.

14. The Group of NAM is of the view that the Guiding Principles adopted by consensus were developed to guide the work of the GGE and constitute an important step in stimulating and crystallizing convergences leading to a consensual outcome of the work of the GGE.

15. The Group of NAM recalls that the mandate of the GGE is to explore and agree on possible recommendations on options related to emerging technologies in the area of lethal autonomous weapons systems, in the context of the objectives and purposes of the Convention, taking into account all proposals (past, present and future) and the agenda items as reflected in paragraph 11 and annex I of the Final Report of the 2019 GGE. In doing so the GGE is to consider the guiding principles, which it may further develop and elaborate,
the work on the legal, technological and military aspects, and the conclusions of the Group, as reflected in its reports of 2017, 2018 and 2019.

16. It is in this sense that the Guiding Principles, being a part of a whole, should not be assimilated to a separate framework intended, itself, to be implemented nor for operationalizing at the national level. The guiding principles, as well as the debate around them is still evolving as the GGE agreed that they might be further developed, elaborated, and refined.

17. The Group of NAM is of the view that the guiding principles, as well as their further development and elaboration, could contribute to elements for a legally-binding instrument stipulating prohibitions and regulations for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS, within the CCW Framework.

18. The Group of NAM believes that the following elements shall be considered in the substantive discussion of this matter:

A. **Characterization of the systems under consideration in order to promote a common understanding on concepts and characteristics relevant to the objectives and purposes of the Convention**

19. The Group of NAM is of the view that the ethical and moral concerns about lethal autonomous weapons systems, the problems of autonomy, lethality and critical functions of these weapons and shared understandings, definitions and other concepts including of semiautonomous weapons, should be included in the substantive discussions of this matter.

20. It is essential first to identify the key attributes that would characterize a given weapon system as LAWS, including the level of autonomy. Weapons that can autonomously select and engage a target, also known as its critical functions, without the direct control or supervision of a human, should be characterized as LAWS.

21. The sessions of the GGE held in 2018 and 2019 demonstrated that while there are still divergences between the positions of Member States, some areas of convergence are also emerging. NAM is pleased that a general sense has developed among High Contracting Parties that all weapons, including those with autonomous functions, must remain under the direct control and supervision of humans at all times and must comply with international law, including International Humanitarian Law and International Human Rights Law.

B. **Further consideration of the human element in the use of lethal force; aspects of human-machine interaction in the development, deployment and use of emerging technologies in the area of lethal autonomous weapons systems**

22. The Group of NAM is of the view that all weapons, including those with autonomous functions, must remain under the direct control and supervision of humans at all times and must comply with international law, including International Humanitarian Law and International Human Rights Law.

23. Concepts such as “meaningful” and “effective” human control have gained some relevance in the context of LAWS. NAM is of the view that these concepts provide an approach to discussing the weaponization of increasingly autonomous technologies. While the concepts do not provide all answers to the technical, legal, moral, and regulatory questions posed by LAWS, a common understanding of what “meaningful” or “effective” human control entails in practice is, therefore, important.

24. Fundamental concerns persist on LAWS predictability, interaction with the dynamic environment of warfare, and human-machine interaction, and require further deliberations to achieve a common understanding.
C. An exploration of the potential challenges posed by emerging technologies in the area of Lethal Autonomous Weapons Systems to International Humanitarian Law

25. The Group of NAM is of the view that the problems in the implementation and enforcement of International Law, including international humanitarian law and international human rights law, in the context of lethal autonomous weapons systems, as well as the responsibility of States for internationally unlawful acts caused by lethal autonomous weapons systems, should be included in the substantive discussion of this matter.

26. The Group of NAM continues to support the humanitarian objectives aimed at the regulation of lethal autonomous weapons to minimize the occurrence, effects, and the potential risks posed by these weapons within the mandate of the GGE and in accordance with the CCW objectives.

27. All weapons, including those with autonomous functions, must remain under the direct control and supervision of humans at all times. Delegating to machines the power to make life and death decisions is not only unethical but will also pose grave challenges for compliance with IHL.

28. In that sense, it is also necessary to bear in mind the possible challenges and indiscriminate effects, that LAWS and their use may have, in an armed conflict, derived from, interalia:

   (a) The inherent risk of having indiscriminate effects from such weapons if they are not designed to be capable of identifying and engaging a specific single target object.

   (b) The inability of these weapons to exercise human judgment in compliance with IHL, in particular its cardinal rules of distinction, proportionality, and precaution.

   (c) The legal obligations on the conduct of hostilities, addressed to those who plan, decide upon, and carry out an attack that cannot be transferred to a machine, a computer program, or a weapon system, from the perspective of IHL.

   (d) The need to ensure the responsibility of States for internationally unlawful acts caused by the use of these weapons.

29. Based on these considerations, NAM is of the view that new legally-binding provisions for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS are necessary.

D. Review of potential military applications of related technologies in the context of the Group’s work

30. The Group of NAM is of the view that military technology applications, the risk of an arms race of fully autonomous weapons, and the technology gap amongst States, as well as the impact on international and regional peace and security, should be further discussed in the framework of the GGE on LAWS.

31. The military advantage of possessing LAWS may change the nature of armed conflict and have a strong bearing on regional and international peace and security. A legally binding instrument on LAWS is essential to guard against the risk of establishing a new arms race with States competing, either to gain a technological or strategic advantage.

32. Furthermore, the risk of these weapons falling into the hands of unauthorized actors requires serious attention.

33. New legally-binding provisions stipulating prohibitions and regulations, for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS would contribute to prevent trade restrictions and export controls being put in place, which in turn would hamper peaceful civilian applications, especially in developing countries.
E. Possible elements of the normative and operational framework

34. The Group of NAM believes that the following elements shall be included for consideration and development of aspects of the normative and operational framework on emerging technologies in the area of lethal autonomous weapons systems, in accordance with the current mandate of the GGE on LAWS:

(a) The implementation and enforcement of International Law, including international humanitarian law and international human rights law, in the context of lethal autonomous weapons systems. A strengthened and reinforced multilateral approach, with new legally-binding provisions for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS, is vital. There is an urgent need to pursue a legally-binding instrument on LAWS.

(b) The responsibility of States for internationally unlawful acts caused by lethal autonomous weapons systems.

(c) Ethical and moral concerns about lethal autonomous weapons systems. The discussion on the autonomy, lethality, and critical functions of these weapons.

(d) Common understandings, definitions, and other concepts including of semiautonomous weapons.

(e) Military technology and risk of an arms race of fully autonomous weapons, and the technology gap amongst States.

(f) The impact on international and regional peace and security.

35. Regarding different proposals on a political declaration, code of conduct and other voluntary measures, including national weapons review process, Confidence Building Measures (CBMs) as well as the establishment of a Committee of Experts, NAM believes that these measures cannot be a substitute for the objective of concluding a legally-binding instrument stipulating prohibitions and regulations.