

Warsaw, 11 June 2021

Republic of Poland contribution to possible consensus recommendations in relation to the clarification, consideration and development of aspects of the normative and operational framework on emerging technologies in the area of lethal autonomous weapons systems
(in response to GGE LAWS Chair letter from 26 April 2021)

1. The Group of Governmental Experts (the Group) emphasizes the overarching principle of compliance of emerging technologies in the area of LAWS with international law, in particular international humanitarian law (IHL). We underline that the principles of distinction, proportionality and precaution in attack are the fundamental rules in this regard.
2. Compliance with the fundamental principles of IHL should guide the use of force by armed forces, as well as their deployment, exploitation through the whole life cycle, including development and acquisition.
3. State authorities will keep humans in control of and accountable for the use of emerging technologies in the area of LAWS, no matter of their degree of autonomy. No matter the status of the system, the accountability for its deployment will be always executed according to the operational chain of command.
4. The Group will further study the characteristics of emerging technologies in the area of LAWS and consider the feasibility of adopting a definition of emerging technologies in the area of LAWS, as it would in the Group's understanding strengthen compliance with IHL, human accountability and provide a tool for national operationalization.
5. Because of the complexity and challenges associated with emerging technologies in the area of LAWS, and its dual-use nature, the Group will facilitate the exchanges of national approaches and best practices in minimizing the risk of diversion and proliferation of these technologies.
6. The Group will also consider facilitating a voluntary exchange of national practices and experiences, where they exist, in the area of legal reviews of new weapons, according to Article 36 of 1977 Additional Protocol I to the Geneva Conventions of 1949.
7. In view of fast and multi-faceted developments in the technological domain and the need to be properly informed, the Group will further enhance its expertise and knowledge of emerging technologies in the area of LAWS. To this end, the Group will

consider supporting ways of sharing national approaches in the subject of national practices regarding, in particular, new developments in artificial intelligence, including machine learning and autonomy.

8. In light of previous work and for the sake of continuity the Group will, without any preconditions, further support operationalization of 11 Guiding Principles (11 GPs) and study the possibility of expanding the scope of 11 GPs.
9. In principle, the Group will undertake efforts to broaden common understanding/common denominators, views and “commonalities”¹ of emerging technologies in the area of LAWS.
10. The Group will underline in its considerations that the Group of Governmental Experts remains the most appropriate format to discuss the implications of emerging technologies in the area of LAWS. It will consider, if consensus is reached, the extension of the GGE’s mandate beyond the present timeframe.
11. The Group will also underline that the Convention on Certain Conventional Weapons (CCW) remains the relevant international forum in this regard, combining diplomatic, legal and military expertise and involving industry and civil society.

¹ according to and as depicted in „Commonalities in national commentaries on guiding principles” prepared and presented by Ambassador Janis Karklins of Latvia. Although the document is informal in status the “Commonalities” provides a useful outlook, a way forward and proposes a coherent perspective on emerging technologies in the area of LAWS.