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Statement by

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The Convention on Certain Conventional Weapons (CCW)

GGE on Lethal Autonomous Weapons Systems (LAWS)

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Thank you Mr. Chairperson,

Israel would like to address part 1 and 2 together.

Part 2 suggests new legal prohibitions and limitations, which have not been agreed upon in this forum and are outside of our mandate, and we therefore think that it should be deleted.

We do note that paragraph 2 (b) reflects existing IHL obligating all states, which applies to any weapon, including LAWS, and a very similar text was already included in the 2019 report. The same text from the report can certainly be included in the current document, but under a different section.

Regarding Part 1, Israel does not object in principle to discussing characteristics of LAWS in the future work of our GGE. Over the years, Israel has participated in the discussions on this issue.

However, definitions rarely stand alone, but rather, are a practical instrument to be used in a specific context. In this regard, we cannot ignore the unmistakable context of the suggested definitions in the chair's paper, which is to propose new prohibitions and limitations regarding LAWS – as seen in part 2 - which go beyond existing IHL.

In light of this, we suggest to delete part 1.

Other delegations have noted additional reasons supporting the deletion of part 1, which we would agree with and will not repeat.

Mr. Chairperson,

Nevertheless, we would like to offer a few thoughts on the issue of definitions and characterizations. We would like to begin with two general observations, and continue to more specific substantive comments.

First, reaching a definition of LAWS is a highly difficult task, if at all possible, at this point in time. This is not surprising; due to the fact we're actually discussing technology, rather than a concrete type of a certain weapon system, and due to the nascent phase of this technology as well as its ever-evolving nature. It is no coincidence that many experts worldwide do not use a uniform definition when they refer to "autonomous weapons" or to "autonomy" in general, and are unsure as to how this technology would look like in the future.

This does not mean that we can't have discussions on characterizations in the future work of our GGE, but we should be realistic in our expectations from ourselves and bear in mind these objective challenges.

Second, in the chair's original paper, the title of this part contained the word "definitions". In the current version of the paper, however, the title has been changed to state only "characterizations", but as some delegations mentioned this morning, the content has stayed exactly the same. We find this to be puzzling. Isn't there a difference in form and content between definitions and characterizations?

As commonly understood, "definition" is a statement of the exact meaning of a certain word. However, "characterization" is a description of a distinctive feature of someone or something. It follows that characterizations do not necessarily have to be exhaustive, comprehensive or clearly delineated – as opposed to what we usually expect a definition to be. However, paragraphs 1(a) to 1(d) look like definitions and seem to purport to serve as definitions in the context of the current paper, despite the change of title. As we mentioned before, their context of use is clearly outside of our mandate.

Mr. Chair,

We will now offer three non-exhaustive, substantive observations regarding the characterization of LAWS.

First, any characterization of LAWS, must focus on lethal autonomous weapon systems, and not just any weapon systems, in line with our mandate. Similarly, our focus should be on the exercise of lethal force by such systems, and not just any force (for example, electro-magnetic force or kinetic force, which is not lethal). Our discussion must remain within the mandate of this group, which is to discuss only lethal autonomous systems.

Second, any reference to the functions of selection and application of force against targets, should be confined to independent selection of targets and application of force, in order to discern LAWS from automated weapons that are not the focus of our discussion (for example, landmines).

Our third observation regarding characterizations concerns terminology. As we all know, the terminology used to describe appropriate human-machine interaction in the context of LAWS is under a longstanding controversy. Various terms have been proposed in this forum, including "intervention", "supervision", "judgment" and "control", as well as others.

The current text uses the term “direct human control and supervision”, and goes on to use the term “human control” across the paper. However, some States, including Israel, object to using the term “human control” in the context of our discussions. Israel recalls that this distinguished forum already had the same exact discussion in 2019, 2018, 2017, 2016 and before, and in light of this controversy, the term “human control” was not adopted in our consensus outcomes to describe the appropriate type of human-machine interaction. In the spirit of consensus, we suggest using agreed language from previous GGE reports. In this regard, we refer to the Guiding Principles, which use the neutral term “human-machine interaction”, or alternatively, draw from the consensus GGE report of 2016, which referred to “human involvement”, with the support of all delegations.

Mr. Chair,

To summarize, Israel does not object in principle to discussing characterizations of LAWS in the future work of our GGE, however we have not reached the point of agreement on them, and there is still much to be discussed. Therefore, we suggest deleting part 1 completely.

Thank you.