**REPUBLIC OF MALTA**

**Group of Governmental Experts (GGE) on emerging technologies in the area of lethal autonomous weapons systems (LAWS)**

**Interventions on Agenda Item 5: Focus of work of the Group of Governmental Experts in 2021**

**3rd – 6th August 2021**

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**5a) An exploration of the potential challenges posed by emerging technologies in the area of LAWS to IHL**

Mr Chair,

Regarding item 5a), it is the opinion of my delegation that emerging technologies in the area of LAWS pose various challenges with regard to ensuring compliance with IHL, especially as LAWS can be unpredictable. Similarly, further challenges arise if algorithms decide what otherwise is decided by humans.

While my delegation is of the opinion that unpredictable autonomous weapon systems should be prohibited, it would be important, for other autonomous weapons systems to be regulated. My delegation is also of the opinion that in order to develop aspects of the normative and operational framework, it would be imperative that international humanitarian law, international human rights law and international criminal law applies fully to any weapons system. It would be important furthermore for this delegation to underline that it is States’ responsibility to oversee that international humanitarian law is observed at all times.

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**5b) 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.**

Mr Chair,

This delegation feels that the GGE should arrive at a characterization of the systems under consideration so that it would be clear for High Contracting Parties of what constitutes LAWS and what weapons systems should be unacceptable.

It follows in the opinion of this delegation, that the articulation of characteristics of LAWS can serve the purpose to promote a common understanding amongst High Contracting Parties.

Furthermore, it is the opinion of this delegation that regulating LAWS would not necessarily mean to prevent these technologies from providing peaceful civilian applications.

**5c) 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.**

Mr Chair,

Regarding item 5c), my delegation agrees with the guiding principle that human control must be retained over weapons system based on emerging technologies in the area of LAWS and that under no circumstances must this responsibility be transferred to machines.

Furthermore, my delegation also believes that human control must be maintained throughout the life cycle of any weapon system.

Lastly, is the opinion of this delegation that weapons systems must not be designed or deployed without a human chain of command and/or human-machine interaction and that the developer and the operator understands and fully takes accountability of the functioning of the weapon system.

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**5d) Review of potential military applications of related technologies in the context of the Group’s work**

Mr Chair,

My delegation believes that conducting reviews as specified in article 36 of Additional Protocol I to the Geneva Conventions provides an important role in weapons development and likewise that through such reviews, it is more likely to establish whether new technologies in the area of LAWS should be prohibited or not.

**5e) Possible options for addressing the humanitarian and international security challenges posed by emerging technologies in the area of lethal autonomous weapons systems in the context of the objectives and purposes of the Convention without prejudging policy outcomes and taking into account past, present and future proposals.**

Mr Chair,

Malta remains concerned with the rapid technological advancement especially in Ai, where as a result, lethal autonomous weapons systems are today capable of functioning with a lesser degree of human control or none. Malta is concerned about such developments especially for world security, for unlike traditional arms, LAWS can independently search for and engage targets based on programmed constraints and descriptions. Malta is all the more concerned, about possible diversion of this technology to irresponsible actors.

At this stage of the GGE discussions, my delegation commends the decision taken by the BE Chair to prepare a report, which will be prepared at this GGE working session, for consideration at the Sixth Review Conference of the CCW. It is the opinion of my delegation that the report should contain 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 LAWS based on the eleven guiding principles and beyond, to include legal, technical and military aspects. This should pave the way, it is hoped for the High Contracting Parties, to decide which option to take forward, (whether a CCW instrument on LAWS, a political declaration or a code of conduct) in addressing the humanitarian and security challenges posed by emerging technologies in the area of LAWS.