Statement Austria

Mr. President,

Austria aligns itself with the EU Statement, and wishes to add the following remarks in a national capacity.

The CCW with its prohibitions and restrictions is a crucial instrument of international law.

Mr President,

The fact that last week’s GGE could not agree on substantive results is disappointing and deeply disconcerting. This is all the more concerning the GGE was allocated four weeks for substantive work as for the first time ever, discussing a comprehensive substantive draft report. We thank the Chair of the Group Amb. Pecsteen of Belgium for the tireless efforts to reflect progress in the group. For the CCW to be an appropriate forum to address the challenges posed by emerging technologies in the area of LAWS it must be able to find a credible way forward on this issue. Last week’s development puts this notion under severe pressure.

After five years of GGE, and eight years of discussion in the CCW this is not only disconcerting. It is not good enough, especially given the urgency of the legal, ethical and security risks posed by LAWS. Development of technology is spiraling, yet the GGE kept turning in cycles.

Not everything that is technologically possible is also legally, politically and morally acceptable. We are at the crossroads of crossing red lines of humans being killed by algorithms and systems that humans potentially do not even understand retrospectively. Red lines of humans losing control of armed conflict, while they, of course, continue to bear the consequences of armed conflict. It must be clear that humans remain responsible and accountable for the use of force, but also that they remain in control. Without this, the principle of accountability cannot be maintained. Therefore, Austria together with Chile and Brazil proposed already in 2018 a mandate for the GGE to negotiate a protocol to ensure meaningful human control over LAWS. While compliance with international humanitarian law has been the primary focus of our LAWS debates in the GGE, the very nature of new technologies highlights the relevance of international human rights law and international criminal law, as well as the fundamental ethical challenges posed by LAWS.

Mr President

The CCW does not exist in a vacuum. Against the backdrop of rapid technological advancements, there is a responsibility of all High Contracting Parties not to lose more time to define the unacceptable from the acceptable uses of emerging technologies in the area of LAWS. Austria would like to clearly state the need for urgent negotiations on prohibitions; to define the red lines that must not be crossed. These prohibitions need to be complemented
by regulations putting limits on acceptable uses of emerging tech in the area of LAWS. There is simply no other way to address the fundamental legal, ethical and security challenges. Failing to do so will undermine the Convention and ultimately come at the expense of the security of us all.

Mr. President,

The lack of substantive progress of LAWS, is the most urgent source of concern for the CCW. During the Review Cycle, however, Austria was increasingly concerned about the emerging credibility deficit in the CCW. While we welcome the intended reaffirmation by High Contracting Parties of the importance of the CCW, words also need to be matched by actions. Consensus is seeking agreeable outcomes for all but it is not intended as a blank check for veto on all possible accounts.

Against this background, we are concerned that it was not possible to continue discussing the Convention’s very own protocol III in a structured manner and as a dedicated agenda item. Given the severe humanitarian concerns posed by incendiary weapons, we expect that the agreement on a dedicated agenda on protocol III from the last Review Conference, will be continued at the 2021 Review Conference.

Mr President,

Austria’s ambition remains clear: strengthening the CCW, including by demonstrating that this body can produce credible and relevant answers for today’s challenges. This is also of utmost relevance in the context of universalization of the Convention and its protocols, which regrettably achieved little progress during the last review cycle. We hope that the Review Conference can adopt ambitious actions and commitments on universalization.

Improving the financial sustainability of our Convention remains crucial. The proposed consolidation of the financial measures is an important step and the introduction of a contingency provision will reduce the recurrent liquidity problems. But we have to reiterate that there is only one real solution for all these problems, namely for all High Contracting Parties to live up to their financial obligations, to pay in full and on time.