



# CAMPAIGN TO **STOP** KILLER ROBOTS

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Dear Ambassadors,

Thank you for the Franco-German consultation on the Convention on Conventional Weapons in New York on 25 October 2017. As promised, I am writing on behalf of the Campaign to Stop Killer Robots to share our comments on your working paper on lethal autonomous weapons systems, which is now [available online](#).

We welcome the continued engagement of France and Germany as past chairs of Convention on Conventional Weapons (CCW) meetings on lethal autonomous weapons systems. We appreciate the time and effort that has gone into preparing the draft working paper that you will disseminate at next week's meeting of the CCW's Group of Governmental Experts in Geneva.

After consulting with the leadership of the Campaign to Stop Killer Robots and with our NGO contacts in France and Germany, I would like to provide the following feedback on the working paper, particularly on its proposed political declaration and subsequent code of conduct.

Unfortunately, as currently drafted, it is not possible for the Campaign to Stop Killer Robots to endorse and promote the proposals contained in the working paper, due to substantive and process-related concerns. We are disappointed by the lack of ambition of the proposals contained in the working paper contains as well as with the weak language regarding the need for human control and emphasis on weapons reviews.

On process, our campaign believes that the proposed political declaration and code of conduct send the wrong message by indicating that France and Germany do not see a legally binding

instrument to regulate or ban lethal autonomous weapons systems as possible or desirable at this time.

We understand you regard such a political declaration and code of conduct as interim steps that would not represent the end of CCW's deliberations on lethal autonomous weapons systems. We hear, but respectfully disagree with your assessment that there is not yet clear consensus on the need for a legally binding instrument and that such a treaty or protocol cannot be concluded until technological developments in the civilian sector have further evolved.

The draft declaration and proposed code of conduct seem to imply that France and Germany are OK with the development of lethal autonomous weapons systems as long as these weapons comply with existing international humanitarian law. The draft declaration states that action is need on lethal autonomous weapons systems to "guide their development" and this seems to imply there is no need for regulation until these weapons systems have been developed.

A political declaration would be more palatable for the Campaign to Stop Killer Robots if it was explicitly described as a preliminary step towards the negotiation and adoption of a legally binding instrument.

Substantively, the draft political declaration would be much stronger if it contained a clear reference to the need to ensure meaningful human control over the selection and attack of individual targets. The declaration's reference to human control is of the most interest to the Campaign to Stop Killer Robots yet we are disappointed at the weak wording. The qualifiers that "humans *should be able to* make *ultimate* decisions over the use of *lethal force*" make this sounds more aspiration and optional that obligatory. There is no reference to the specific kind of human control needed (for example, meaningful, appropriate or adequate) and the application to the "use of lethal force" is too broad and not focused on the specific, critical functions of weapons systems.

We are concerned that cautious reference to the need for human control could become weaker or be removed altogether to obtain consensus support. That would leave a political declaration and code of conduct on the necessity of national-level weapons reviews as required by article 36 of Additional Protocol I (1977) of the Geneva Conventions. We're not convinced that voluntary steps such as greater transparency and sharing of best practices for conducting such reviews are a necessary or appropriate outcome for the CCW deliberations on lethal autonomous weapons systems, even if billed as an interim measure.

We do not understand how delegating responsibility for monitoring developments relating to lethal autonomous weapons systems to a select CCW group of less than 20 people is an adequate multilateral response to the multiple challenges raised by these weapons. We do not believe such a step is an appropriate response to the CCW's financial challenges, which have been brought on by lack of regular payments by certain states and by implementation of the UN's inflexible Umoja financial accounting system.

Finally, we would like to emphasize the importance of states developing national policy on lethal autonomous weapons systems. Our concern is that the working paper's proposals are weaker than

Germany's stated national position on this topic. National policy development is crucial if states are to substantively address the challenges posed by lethal autonomous weapons systems.

Our campaign delegation would be pleased to discuss these views and related matters with your delegations at the CCW next week. We hope your representatives can attend [our campaign's side event briefing](#) on Monday, 13 November at 13:00 in Conference Room XXII.

Thanks again for consulting the Campaign to Stop Killer Robots. We look forward to seeing you both then

Best wishes,

A handwritten signature in black ink, appearing to read 'Mary Wareham', with a stylized, cursive script.

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