



**CCW Group of Governmental Experts  
on Lethal Autonomous Weapons Systems  
Geneva, 25-29 March 2019**

**Statement by Ambassador Gianfranco Incarnato  
Permanent Representative of Italy to the Conference on Disarmament**

**Items 5(e)  
Possible options**

Thank you Mr. Chairman,

Since the CCW first started addressing the LAWS issue, much progress has been made, particularly in the last two years.

For the way forward, we continue to believe that a legally-binding instrument, particularly one establishing a preventive prohibition, is not the most suitable option.

Discussions held so far demonstrate that there is no agreement on some basic elements, including a definition on LAWS. We note the general recognition of the centrality of the human element, and of the need for human beings to maintain control over weapons systems, particularly in their critical functions. However, important discrepancies remain among States' understandings of the key characteristics of LAWS and their possible implications for compliance with IHL.

At this stage, we do not see consensus on starting negotiations on a legally binding instrument, nor do we have any clarity on the possible mechanisms of verification of such an instrument.

Finally, we remain of the view that our efforts should not impact negatively on progress in civilian research, development and use of dual-use technologies. This cannot be prevented in the absence of an agreed understanding of what LAWS are.

Italy continues to believe that a political declaration spelling out key principles concerning LAWS represents the best and more realistic option. Such a Declaration should build on and further refine the Guiding Principles agreed by the 2018 GGE. It could also constitute the basis for further instruments, of a political nature, that could provide further operational guidance on the concrete application of existing international law in the area of LAWS.

In this regard, we note that several proposals have been presented, which merit further consideration, such as the idea of a Code of Conduct or the proposal made by Portugal on a document compiling current applicable norms and relevant best practices, following the example of the Montreux Document.

In general, we believe that there is great value in pursuing further exchanges in the CCW concerning national policies and practices on the development and use of weapons with

autonomous functions. Such exchanges, that should be conducted with due respect for national security needs and industrial property rights, could help identify good practices, challenges and related possible solutions. One area on which such exchanges would be very beneficial, as underlined by many delegations, relates to the implementation of the obligation to conduct legal reviews ex art. 36 of Additional Protocol I to the Geneva Conventions. In addition to providing useful, practical input, exchanges on national experiences in legal reviews could also help build confidence among High Contracting Parties on the continued conformity of emerging weapons systems with international humanitarian law.