

CCW states give the autonomous weapons expert group a three-year mandate to 2026

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2023 CCW falls short of the UN Secretary-General and ICRC calls for a legal instrument by 2026

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The Convention on Certain Conventional Weapons (CCW) agrees to work all the way to 2026 – but only to consider the possible elements of some sort of instrument, and not to actually negotiate anything.

From 16th-18th November the 2023 Meeting of High Contracting Parties to the CCW were supposed to meet to decide on a way forward for their work on autonomous weapons amongst other issues. The meeting was bitter and shambolic, with more than a whole day lost completely because of Russia blocking confirmation of the Rules of Procedure. This forced the meeting to do its work informally and resulted in observers, international organisations and civil society being blocked from participating in the few sections of the meeting where any substantive work was done.

The main outcome was a mandate for further work of the Group of Governmental Experts (GGE) on Lethal Autonomous Weapons that aims:

...to further consider and formulate, by consensus, a set of elements of an instrument, without prejudging its nature, and other possible measures to address emerging technologies in the area of lethal autonomous weapon systems, taking into account the example of existing Protocols within the Convention, proposals presented by High Contracting Parties and other options related to the normative and operational framework on emerging technologies in the area of lethal autonomous weapon systems...

This is a long-winded way of saying that the Group will continue to gather ideas – but it is far from negotiating an actual outcome, let alone agreeing that this outcome should be a legal instrument.

Furthermore:

The Group shall conduct its work and adopt its report by consensus and shall submit a report to the Seventh Review Conference ... The Group would meet for 10 days every year.

The Seventh Review Conference is not due to take place until 2026 – which means that for the next three years the CCW has effectively tied itself to this low level of ambition with little chance of tangible progress.

Where the UN Secretary-General and the President of the ICRC jointly called in October for the conclusion of a legal instrument by 2026, the CCW has immediately responded by agreeing to the lowest common denominator and working all the way to 2026 without negotiating such a legal response. In our statement (see full video below) at the CCW, Stop Killer Robots supported this call and urged states to commit to more meaningful action in advancing a legally binding instrument by 2026.

Of course, the motivation for the long mandate is the hope that this can be used to prevent work from developing effectively on the issue through the UN General-Assembly (a structure where militarised states cannot wield a veto over decisions of the group). In early November, 164 states joined the first UN General-Assembly resolution on autonomous weapons – a number significantly greater than the 126 states that are High Contracting Parties to the CCW.

Given that the CCW cannot even agree its own Rules of Procedure, this approach is an embarrassing, though predictable response to real and pressing challenges. However, the states clinging most desperately to the CCW have now played all their cards. Work on the issue of autonomous weapons in the UN General Assembly, or in a free-standing treaty process, cannot be claimed to 'endanger' the CCW's work given that this long-term mandate

is agreed. States should now feel confident to pursue all available approaches, without needing to fear the claims of militarised states that they would be undermining the CCW's work.

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