



**Statement by Monsignor John D. Putzer, Head of Delegation of the Holy See to the Sixth Review Conference of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW)**  
**Agenda Item – Group of Governmental Experts on LAWS**  
*Geneva, 15 December 2021*

Madam Chairperson,

This Delegation wishes to express its disappointment over the outcome of the most recent session of the Group of Governmental Experts (GGE). The several days available for the discussion compared with the modest outcome are an alarming indicator that LAWS are becoming a matter of national military and political interests. At the same time, we would also like to manifest our gratitude to the laudable efforts of the distinguished Ambassador Marc Pecsteen de Buytswerve of Belgium, Chair of the 2021 GGE on LAWS, in trying to produce a substantial report.

Madam Chairperson,

In his address to the 75<sup>th</sup> Session of the UN General Assembly, Pope Francis warned that *“we are witnessing an erosion of multilateralism, which is all the more serious in light of the development of new forms of military technology, such as lethal autonomous weapons systems which irreversibly alter the nature of warfare, detaching it further from human agency”*.<sup>1</sup>

As affirmed in the preamble of the CCW, the High Contracting Parties recognized *“the importance of pursuing every effort which may contribute to progress towards general and complete disarmament under strict and effective international control”* and reaffirmed *“the need to continue the codification and progressive development of the rules of international law applicable in armed conflict”*.

For these reasons, in order to prevent an arms race and the increase of inequalities and instability, the Holy See deems it urgent that the CCW adopts an ambitious forward-looking approach through the commencement of negotiations of a legally binding instrument to address the issues raised by LAWS. Such negotiations, building on the valuable work carried out in the GGE through the years, will be crucial in agreeing on important elements, including characteristics, the different relevant levels of autonomy encompassed, the scope of operation (defensive/offensive) and specific regulations and prohibitions.

Madam Chairperson,

The Holy See has submitted a position paper on LAWS to this Review Conference. The purpose of such a contribution is twofold: first, to present some of the ethical and legal concerns that the Holy See has raised since the beginning of the discussion on LAWS; and second, to submit to other High Contracting Parties certain elements for a possible way forward.

I will not raise here the many ethical challenges which are listed therein, as the Holy See has raised them time and time again. This Delegation would rather suggest a way forward on how to translate concretely these ethical concerns into a practical, concrete outcome. In the view of the Holy See, it is imperative to ensure adequate, meaningful, and consistent human supervision over weapon systems: only humans are able to see the results of their actions and understand the connections between cause and effect. This would not be the case with LAWS which could never “understand” the meaning of their actions.

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<sup>1</sup> Pope Francis, Video Message to the 75th Meeting of the United Nations General Assembly.

In this regard:

1. Adequate human supervision means that the human being introduces sufficient conditions, in the management of weapons systems, to preserve the aforementioned ethical principles and to ensure compliance with IHL.
2. Meaningful human supervision implies that, ultimately, there is always the reference to the human person that must guide the research, development, and use of weapons systems, even in the absence of specific legal regulations, as implied by the “Martens Clause”.
3. Consistent human supervision entails that at no time the weapons systems would have the capacity to contradict what the human authority has prescribed as the main purpose or result of its intervention. It would be, in fact, inconsistent that a weapon system deployed to fulfill a particular mission begin to adopt behavior inconsistent with its prescribed purposes.

From this point of view, it seems that the mentioned principles imply the requirements of *predictability* and *reliability* of autonomous systems. Indeed, even if LAWS dispose of degrees of freedom of “behavior”, they must be required in all circumstances to achieve the prescribed ends and implement the required intentions and objectives of the responsible authority. If particular behaviors cannot be controlled at all times, *all possible behaviors* must always be *a priori* circumscribed. From this point of view, it would therefore be impossible to accept systems capable of “learning” completely new behaviors.

Madam Chairperson,

This Review Conference presents an opportunity to take ambitious decisions. Besides convening the negotiations of a legally binding instrument to address the challenges raised by LAWS and in the meantime establish a moratorium on their development and use, it could be desirable for States, in the longer term and in a much broader scope than LAWS and the CCW *per se*, to consider establishing an International Organization for Artificial Intelligence, to facilitate, and ensure the right of all States to participate in, the fullest possible exchange of scientific and technological information for peaceful uses and towards the common good of all the human family.

In the midst of the global pandemic, it is important to place emerging technologies at the service of humanity for peaceful uses and integral human development. The research on emerging technologies should be oriented towards combating the real challenges that affect the international community. This fight will not be won by developing sophisticated autonomous weapons systems, but by placing technology at the service of the human person and by orienting it towards the common good. Ultimately, the Holy See is mindful that this will be a choice well beyond the scope of the CCW and the discussion on LAWS. But it is a choice that must be made by, and will have consequences on, humanity as a whole.

Thank you, Madam Chairperson.