

Meeting of the High Contracting Parties to 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

13 December 2019

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Agenda item 15

Consideration and adoption of the final report

Final report

I. Introduction

1. The 2018 Meeting of the High Contracting Parties to 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), held from 21 to 23 November 2018 in Geneva, decided (CCW/MSP/2018/11, paragraph 33):

- The Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapons systems (LAWS) in the context of the objectives and purposes of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, established by Decision 1 of the Fifth Review Conference of the High Contracting Parties to the Convention (CCW/CONF.V/10), shall meet for a duration of seven (5+2) days in 2019 in Geneva, consistent with document CCW/CONF.V/2.
- The Rules of Procedure of the Meetings of the High Contracting Parties shall apply *mutatis mutandis* to the Group. The Group shall conduct its work and adopt its report by consensus which shall be submitted to the 2019 Meeting of the High Contracting Parties to the Convention. In accordance with the goals of the CCW Sponsorship Programme, the Meeting encouraged the widest possible participation of all High Contracting Parties.
- The Group will be chaired by Mr. Ljupčo Jivan Gjorgjinski, Minister Counsellor, Chargé d'affaires a.i. of the former Yugoslav Republic of Macedonia.

2. The 2018 Meeting of the High Contracting Parties agreed to place on the agenda of its next meeting the item "Emerging Issues in the context of the objectives and purposes of the Convention" and encouraged the High Contracting Parties to submit working papers on developments in science and technology relevant to this agenda item. The Meeting also encouraged the High Contracting Parties to submit working papers on any other emerging issues in the context of the objectives and purposes of the Convention.¹

3. The 2018 Meeting of the High Contracting Parties took note of the Chairperson's Report on further measures that could be considered to improve the stability of the Secretariat's support to the Convention and on financial issues related to the Convention and its annexed Protocol and agreed on a set of clarifications. The Meeting decided to continue monitoring the financial situation of the CCW.²

¹ CCW/MSP/2018/11, paragraph 35.

² CCW/MSP/2018/11, paragraph 36-38.



4. The Meeting requested the Chairperson elected to continue consultations in 2019, to consider further measures that could improve the stability of the Implementation Support Unit (ISU) support to the Convention. The Meeting also decided to request the United Nations Office for Disarmament Affairs (UNODA) to provide temporary staff support to the ISU to provide support to CCW activities and services in 2019, provided sufficient funding exists and without prejudice to future staffing arrangements of the ISU.³

5. The 2018 Meeting decided to ask the Chairperson elected to hold informal consultations on issues related to the universalization and implementation of the Convention and its protocols, as appropriate.⁴

6. The Meeting also decided to organize in 2019 the Meeting of the High Contracting Parties to the Convention from 13 to 15 November 2019 and elected Ambassador Farukh Amil of Pakistan as Chairperson.⁵

II. Organization of and participation in the Meeting of the High Contracting Parties

7. The Meeting of the High Contracting Parties to the Convention was held in Geneva from 13 to 15 November 2019.

8. At its first plenary, on 13 November 2019, the Meeting confirmed the nomination of Ms. Anja Kaspersen, Director of UNODA, Geneva Branch, as Secretary-General of the Meeting. Ms. Heegyun Jung, Political Affairs Officer, served as Secretary of the Meeting.

9. The following High Contracting Parties to the Convention participated in the work of the Meeting: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Honduras, Hungary, India, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lithuania, Luxembourg, Mexico, Moldova, Montenegro, Morocco, Netherlands, New Zealand, North Macedonia, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sweden, Switzerland, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of).

10. The following signatory States participated in the work of the Meeting: Egypt and Sudan.

11. The following observer delegations participated in the work of the Meeting: Azerbaijan, Ghana, Mozambique, Myanmar, Oman, Somalia and Thailand.

12. The representatives of the following organizations participated in the work of the Meeting: United Nations Institute for Disarmament Research (UNIDIR), United Nations Mine Action Service (UNMAS), European Union, Geneva International Center for Humanitarian Demining (GICHD), International Committee of the Red Cross (ICRC).

13. The following non-governmental organizations participated in the work of the Meeting: Article 36, Campaign to Stop Killer Robots, Center for International Security and Policy (CISP), ChangeMaker: Society for Social and Economic Development, Commission of the Churches on International Affairs of the World Council of Churches, Facing Finance, Hiroshima Peace Institute, Human Rights Watch, Humanity and Inclusion, International Committee for Robot Arms Control (ICRAC), International Panel on Regulation of Autonomous Weapons (iPRAW), Mines Action Canada, Mines Advisory Group (MAG), PAX, PAX Christi International, Pax Christi Ireland, Protection, Pugwash Conference on

³ CCW/MSP/2018/11, paragraph 39.

⁴ CCW/MSP/2018/11, paragraph 29.

⁵ CCW/MSP/2018/11, paragraphs 40 (f) and 43.

Science and World Affairs, Red de Seguridad Humana en Latinoamérica (SEHLAC Network), Soka Gakkai International, Stockholm International Peace Research Institute (SIPRI), Sustainable Peace and Development Organization (SPADO) and the Women's International League for Peace and Freedom (WILPF).

III. Work of the Meeting of the High Contracting Parties

14. The Meeting was opened on 13 November 2019 by Mr. Khalil Hashmi, Ambassador Extraordinary and Plenipotentiary of Pakistan, elected as Chairperson *ad personam* through a silence procedure following the departure of Mr. Farukh Amil, the Chairperson-elected by the 2018 Meeting of the High Contracting Parties. The election of Mr. Khalil Hashmi was confirmed during the same session.

15. At the same meeting, on 13 November 2019, Ms. Tatiana Valovaya, Director-General of the United Nations Office at Geneva, delivered a message on behalf of the High Representative for Disarmament Affairs, Ms. Izumi Nakamitsu.

16. The following delegations participated in the general exchange of views, which took place on 13 November 2019 in the morning: Algeria, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, France, Germany, Greece, India, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Lao People's Democratic Republic, Latvia, Mexico, Montenegro, Netherlands, New Zealand, Pakistan, Panama, Peru, Philippines, Poland, Republic of Korea, Russian Federation, Saudi Arabia, South Africa, Spain, Sri Lanka, Sweden, Turkey, United Kingdom, Venezuela (Bolivarian Republic of) on behalf of the Non-Aligned Movement, European Union, UNMAS on behalf of the United Nations Inter-Agency Group on Mine Action, ICRC, Hiroshima Peace Institute, Human Rights Watch, Mines Action Canada and PAX.

17. At the second plenary meeting, Mr. Ljupčo Jivan Gjorgjinski, former Minister Counsellor and Chargé d'affaires a.i. of North Macedonia, and outgoing Chairperson of the Group of Governmental Experts related to emerging technologies in the area of LAWS, presented the report of the Group via video message. The following delegations participated in the discussion on this matter: Argentina, Austria, Brazil, Bulgaria, Chile, China, Costa Rica, Croatia, Cuba, Ecuador, Egypt, El Salvador, Estonia, Finland on behalf of a group of States and in its national capacity, France, Germany, Iraq on behalf of the Arab Group, Ireland, Israel, Italy, Japan, Mexico, Netherlands, New Zealand, North Macedonia, Pakistan, Panama, Peru, Poland, Republic of Korea, Russian Federation, Slovenia, Sweden, Switzerland, United Kingdom, United States of America, Venezuela (Bolivarian Republic of) on behalf of the Non-Aligned Movement and in its national capacity, European Union, ICRC and the Campaign to Stop Killer Robots.

18. At the third plenary meeting, delegations addressed financial issues related to the Convention and its annexed Protocols, as well as issues related to the ISU. Delegations also discussed measures that could be considered to improve the stability of the Secretariat's support to the Convention and on financial issues (CCW/MSP/2019/CRP.1), which was presented by the Chairperson pursuant to the request of the High Contracting Parties to the Convention at their 2018 Meeting.⁶ The following delegations participated in the discussions on this matter: Australia, Austria, Canada, Costa Rica, Cuba, France, India, Ireland, Japan, Netherlands, Russian Federation, Switzerland, United Kingdom, United States of America, Venezuela (Bolivarian Republic of) on behalf of the Non-Aligned Movement and European Union.

19. At the same meeting, Mr. Declan Gibbons, Chief of the Programme Planning and Budget Section of the Financial Resources Management Service (FRMS) of the United Nations Offices at Geneva (UNOG), presented the status of contributions and financial outlook of the Convention and responded to questions from delegations. The Secretariat presented the cost estimates for the 2020/2021 activities of the Convention, as per the

⁶ CCW/MSP/2018/11, paragraph 39.

financial measures adopted at the 2017 Meeting of the High Contracting Parties to the CCW and was available to answer questions by the High Contracting Parties.

20. At the following plenary meeting, delegations addressed emerging issues in the context of the objectives and purposes of the Convention. A working paper was submitted by Germany on “practical measures to improve policies and practices to reduce civilian harm from explosive weapons in urban conflict” (CCW/MSP/2019/WP.1). The following delegations made statements and comments: Australia, Austria, Bulgaria, Chile, Costa Rica, Germany, India, Ireland, Israel, Japan, Mexico, New Zealand, Peru, Russian Federation, Switzerland, Turkey, United Kingdom, United States of America, Uruguay and ICRC.

21. During the course of the Meeting, some delegations expressed concern about the issue of explosive weapons in populated areas. Some other delegations were of the view that CCW was not the right framework to address this issue.

22. At the same meeting, delegations also visited the issue of the Universalization of the Convention and its annexed Protocols.

23. At the fourth meeting, the Coordinator of the Steering Committee of the Sponsorship Programme, Ms. Ines Šprem Scigliano of Croatia, presented the Report of the Sponsorship Programme (CCW/MSP/2019/3).

24. Lastly, the fourth meeting addressed the status of implementation of and compliance with the Convention and its Protocols. The following delegations participated in the deliberations: Australia, Austria, Chile, Jordan, Mexico, New Zealand, Russian Federation, Switzerland, United States of America and ICRC.

25. During the course of the Meeting, a number of delegations raised concerns over the recent growing number of reports of use of incendiary weapons against civilians and condemned any use of incendiary weapons against civilians or civilian objects, and any other use incompatible with the relevant rules of international humanitarian law, including the provisions of Protocol III, where applicable. While some delegations called for the reinstatement of a specific agenda item on Protocol III, some other delegations were of the view that there is no need to include the item on Protocol III on the agenda.

26. At the fifth plenary session, delegations addressed “Other matters, including the preparation of the Sixth Review Conference expected to take place in 2021.” Delegations were presented with suggested dates for the meeting of the Preparatory Committee and the Review Conference.

27. During the course of the Meeting, the following documents were considered: CCW/MSP/2019/1 to CCW/MSP/2019/8, CCW/MSP/2019/CRP.1 and CCW/MSP/2018/INF.1, as listed in annex II.

IV. Conclusions and recommendations

28. Reaffirming the commitment to achieving universal adherence to, and compliance with, 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, the amendment to Article 1 and its Protocols, the Meeting recommended that the Secretary-General of the United Nations and the elected Chairperson of the 2020 Meeting of the High Contracting Parties to the Convention work towards achieving the goal of universality of the Convention and its Protocols.

29. Reiterating its appreciation for the report of the CCW Sponsorship Programme and the work of its Steering Committee, the Meeting stressed the importance of the programme to promote the universalization and strengthening the implementation of the Convention and its Protocols. The Meeting also called upon all High Contracting Parties and States not yet party to the Convention and in a position to do so to contribute to the Sponsorship Programme.

30. Stressing the importance of national implementation and compliance with the provisions of the Convention and its Protocols, the High Contracting Parties reaffirmed their

commitment to the Compliance Mechanism of the Convention and its Protocols and reiterated the call for all High Contracting Parties to submit national reports on compliance in accordance with the decision taken at the Fifth Review Conference. The Meeting took note of the national reports on compliance submitted by the High Contracting Parties and posted on the website of the Convention.

31. The Meeting took note of the Report of the Group of Governmental Experts on emerging technologies in the area of Lethal Autonomous Weapons Systems (CCW/GGE.1/2019/3) and "Conclusions and recommendations" contained therein. The Meeting decided:

- To endorse the guiding principles affirmed by the Group, as contained in Annex III of this Report.
- The Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapons systems in the context of the objectives and purposes of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons will meet for a total of ten days in 2020 and between ten to twenty days in 2021, to be decided by the Meeting of the High Contracting Parties in 2020, in Geneva in accordance with Decision 1 of the Fifth Review Conference of the High Contracting Parties to the Convention (CCW/CONF.V/10), consistent with CCW/CONF.V/2 and subject to the financial situation of the Convention.
- The rules of procedure of the Review Conference will apply *mutatis mutandis* to the Group. The Group will conduct its work and adopt its reports by consensus, one of which is to be submitted to the meeting of High Contracting Parties in 2020, and the other submitted to the 2021 Sixth Review Conference. In accordance with the goals of the CCW Sponsorship Programme, the Meeting encouraged the widest possible participation of all High Contracting Parties.
- In this period, the group is to explore and agree on possible recommendations on options related to emerging technologies in the area of lethal autonomous weapons systems, in the context of the objectives and purposes of the Convention, taking into account all proposals (past, present and future) and the agenda items as reflected in paragraph 11 and annex I of the Report.⁷ In its discussions under each agenda item the Group shall consider the legal, technological and military aspects and the interaction between them, and bearing in mind ethical considerations. Delegations are encouraged to include legal, technological and military experts.
- The Group is to consider:
 - the guiding principles, which it may further develop and elaborate
 - the work on the legal, technological and military aspects
 - the conclusions of the Group, as reflected in its reports of 2017, 2018 and 2019

and use them as a basis for its consensus recommendations in relation to the clarification, consideration and development of aspects of the normative and operational framework on emerging technologies in the area of lethal autonomous weapons systems, in accordance with Decision 1 of the Fifth Review Conference of the High Contracting Parties to the Convention (CCW/CONF.V/10), consistent with CCW/CONF.V/2. The Group's recommendations will be reported, as appropriate, for consideration at the 2020 Meeting of High Contracting Parties and 2021 Sixth Review Conference.

- In 2020, the Group will be chaired by Mr. Jānis Kārklīņš, Ambassador Extraordinary and Plenipotentiary of Latvia. The Chairperson for the meetings of the Group in 2021 will be designated by the 2020 Meeting of the High Contracting Parties to the Convention, taking into account the principle of equitable geographical rotation.

32. The Meeting decided to place on the agenda of its next meeting the item "Emerging Issues in the context of the objectives and purposes of the Convention". The Meeting

⁷ CCW/GGE.1/2019/3.

encouraged the High Contracting Parties to submit working papers on any emerging issues in the context of the objectives and purposes of the Convention.

33. The Meeting reaffirmed the importance of Protocol III and its provisions and called for their full implementation by all High Contracting Parties to the Protocol and invited States not yet party to it to accede as soon as possible.

34. The Meeting noted measures that could be considered to improve the stability of the UN Secretariat's support to the Convention and on financial issues related to the Convention and its annexed Protocols, proposed by the Chairperson (CCW/MSP/2019/CRP.1) pursuant to the decision of the 2018 Meeting of the High Contracting Parties.⁸ The Meeting decided on the following financial measures, the implementation of which will be kept under annual review by the High Contracting Parties:

(a) High Contracting Parties in arrears should endeavour to pay outstanding amounts at the earliest possible date;

(b) Arrears for unpaid contributions should remain the amount of the initial assessment invoiced to the relevant High Contracting Parties for the year in question;

(c) High Contracting Parties whose arrears equal or exceed the amount of the contributions due from them for the preceding two full years will inform the Meeting of High Contracting Parties of the reasons for non-payment and will be encouraged to contact the Chairperson to explore the possibility of multi-year payment plans with the United Nations Office for Disarmament Affairs and the United Nations Office at Geneva;

(d) All High Contracting Parties should endeavour to pay invoices at the earliest possible date and, where feasible, in advance of the beginning of the year;

(e) In order to stop accumulating unfunded liabilities, the UN Secretariat will ensure that the annual expenditures remain below the average year-end collection rate of the prior three years.

35. The High Contracting Parties decided to establish a voluntary Working Capital Fund (WCF) to provide liquidity during the financial year with a view to ensuring the stability of ISU support to the Convention. The Working Capital Fund will operate in accordance with the Terms of Reference stipulated in Annex IV of this report. The functioning of the WCF is to be reviewed at the Sixth CCW Review Conference in 2021. The High Contracting Parties decided to ask the United Nations Secretariat to submit a report on the status of the WCF to the 2020 Meeting.

36. The High Contracting Parties stressed that the payment of annual assessed contributions by the High Contracting Parties in a timely manner and in full is of utmost importance and is prerequisite for the sustainability of the CCW and urged all High Contracting Parties to honour their financial obligations under Convention.

37. The High Contracting Parties decided that the ISU is the essential element for effective implementation of the CCW and its operational continuity. Some High Contracting Parties expressed the view that financing the ISU staff contracts should be prioritised. The Meeting requested the incoming Chair to consult the High Contracting Parties and the United Nations Secretariat in March 2020 to address the question of prioritization of funding for the CCW implementation.

38. The High Contracting Parties also decided to continue monitoring the financial situation of the CCW.

39. The Meeting decided to organize in 2020, in accordance with the relevant decisions taken by the Twenty-first Annual Conference of the High Contracting Parties to Amended

⁸ CCW/MSP/2018/11, Paragraph 39

Protocol II and the Thirteenth Conference of the High Contracting Parties to Protocol V, and subject to available resources⁹, the following CCW related activities:

(a) The Meeting of Experts of the High Contracting Parties to Protocol V on 17 June 2020 for one day;

(b) The Group of Experts of the High Contracting Parties to Amended Protocol II from 18 to 19 June 2020 for a day and a half;

(c) The Group of Governmental Experts of the High Contracting Parties related to emerging technologies in the area of lethal autonomous weapons systems (LAWS) from 22 to 26 June 2020, and from 10 to 14 August 2020. The meeting also adopted the relevant cost estimates for 2020 as contained in CCW/MSP/2019/4. The document will be re-issued as document CCW/MSP/2019/4/Rev.1 to provide cost estimates for 2021;

(d) The Fourteenth Conference of the High Contracting Parties to Protocol V on 9 November 2020;

(e) The Twenty-Second Conference of the High Contracting Parties to Amended Protocol II on 10 November 2020;

(f) The Meeting of the High Contracting Parties to the Convention from 11 to 13 November 2020. The meeting also adopted the relevant cost estimates contained in CCW/MSP/2019/5.

40. The Meeting decided on the following dates for the Sixth Review Conference of the High Contracting Parties to the Convention and the meeting of the Preparatory Committee for the Conference to take place in 2021 and adopted the relevant cost estimates contained in CCW/MSP/2019/7 and CCW/MSP/2019/8.

(a) Preparatory Committee: 23-25 August 2021;

(b) Sixth Review Conference: 13-17 December 2021.

41. The Meeting adopted an operational budget for 2020 and a preliminary budget for 2021 (as contained in CCW/MSP/2019/6, to be re-issued as document CCW/MSP/2019/6/Rev.1).

42. The Meeting elected Mr. Robbert Jan Gabriëlse, Permanent Representative of the Kingdom of the Netherlands to the Conference on Disarmament, as Chairperson of the 2020 Meeting of the High Contracting Parties to the Convention.

43. The meeting expressed deep appreciation to UNODA and the ISU for the work carried out in supporting the CCW in 2019. The Meeting requested the ISU to continue to report annually on its activities, including on its estimated costs and actual costs.

44. At the final plenary session, the Meeting adopted its final report, as contained in document CCW/MSP/2019/CRP.2/Rev.1, as orally amended, to be issued as document CCW/MSP/2019/9.

⁹ Subject to the continued availability of rooms and subject to adjustment of dates in full consultation with the High Contracting Parties.

Annex I

Provisional agenda

(as recommended by the 2019 Meeting of the High Contracting Parties at its sixth plenary session on 15 November 2019)

1. Opening of the Meeting
2. Adoption of the agenda
3. Confirmation of the rules of procedure
4. Confirmation of the nomination of the Secretary-General of the Meeting
5. Organization of work, including that of any subsidiary body of the Meeting
6. General exchange of views
7. Consideration of the report of the Group of Governmental Experts (GGE) related to emerging technologies in the area of lethal autonomous weapons systems (LAWS)
8. Financial issues related to the Convention and its annexed Protocols
9. Issues related to the Implementation Support Unit
10. Emerging Issues in the context of the objectives and purposes of the Convention
11. Universalization of the Convention and its annexed Protocols
12. Consideration of the report of the CCW Sponsorship Programme
13. Status of implementation of and compliance with the Convention and its Protocols
14. Other matters
15. Consideration and adoption of the final report
16. Closing of the Meeting

Annex II

List of documents

<i>Symbol</i>	<i>Title</i>
CCW/MSP/2019/1	Provisional agenda
CCW/MSP/2019/2	Programme of work
CCW/MSP/2019/3	Report of the CCW Sponsorship Programme
CCW/MSP/2019/4	Estimated Costs of the 2020 Meeting of the Group of Governmental Experts on Emerging Technologies in the area of Lethal Autonomous Weapons Systems (LAWS)
CCW/MSP/2019/5	Estimated Costs of the 2020 Meeting of the High Contracting Parties to the Convention
CCW/MSP/2019/6	Summary of the estimated costs for 2020 and 2021 CCW meetings and conferences
CCW/MSP/2019/7	Estimated costs of the Preparatory Committee for the 2021 Sixth Review Conference of the High Contracting Parties to the CCW
CCW/MSP/2019/8	Estimated costs of the Sixth Review Conference of the High Contracting Parties to the CCW
CCW/MSP/2019/9	Final Document
CCW/MSP/2019/WP.1	Practical Measures to Improve Policies and Practices to Reduce Civilian Harm from Explosive Weapons in Urban Conflict
CCW/MSP/2019/CRP.1	Further suggested measures that could be considered to improve the stability of the Secretariat's support to the Convention and on financial issues related to the Convention and its annexed Protocols
CCW/MSP/2019/CRP.2	Draft final document
CCW/MSP/2019/CRP.2/Rev.1	Revised draft final document
CCW/MSP/2019/INF.1	List of participants
CCW/MSP/2019/MISC.1	Provisional list of participants
CCW/ MSP/2019/SR.6	Summary record of the second part of the 6th meeting

Annex III

Guiding Principles affirmed by the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons System

It was affirmed that international law, in particular the United Nations Charter and International Humanitarian Law (IHL) as well as relevant ethical perspectives, should guide the continued work of the Group. Noting the potential challenges posed by emerging technologies in the area of lethal autonomous weapons systems to IHL, the following were affirmed, without prejudice to the result of future discussions:

(a) International humanitarian law continues to apply fully to all weapons systems, including the potential development and use of lethal autonomous weapons systems;

(b) Human responsibility for decisions on the use of weapons systems must be retained since accountability cannot be transferred to machines. This should be considered across the entire life cycle of the weapons system;

(c) Human-machine interaction, which may take various forms and be implemented at various stages of the life cycle of a weapon, should ensure that the potential use of weapons systems based on emerging technologies in the area of lethal autonomous weapons systems is in compliance with applicable international law, in particular IHL. In determining the quality and extent of human-machine interaction, a range of factors should be considered including the operational context, and the characteristics and capabilities of the weapons system as a whole;

(d) Accountability for developing, deploying and using any emerging weapons system in the framework of the CCW must be ensured in accordance with applicable international law, including through the operation of such systems within a responsible chain of human command and control;

(e) In accordance with States' obligations under international law, in the study, development, acquisition, or adoption of a new weapon, means or method of warfare, determination must be made whether its employment would, in some or all circumstances, be prohibited by international law;

(f) When developing or acquiring new weapons systems based on emerging technologies in the area of lethal autonomous weapons systems, physical security, appropriate non-physical safeguards (including cyber-security against hacking or data spoofing), the risk of acquisition by terrorist groups and the risk of proliferation should be considered;

(g) Risk assessments and mitigation measures should be part of the design, development, testing and deployment cycle of emerging technologies in any weapons systems;

(h) Consideration should be given to the use of emerging technologies in the area of lethal autonomous weapons systems in upholding compliance with IHL and other applicable international legal obligations;

(i) In crafting potential policy measures, emerging technologies in the area of lethal autonomous weapons systems should not be anthropomorphized;

(j) Discussions and any potential policy measures taken within the context of the CCW should not hamper progress in or access to peaceful uses of intelligent autonomous technologies;

(k) The CCW offers an appropriate framework for dealing with the issue of emerging technologies in the area of lethal autonomous weapons systems within the context of the objectives and purposes of the Convention, which seeks to strike a balance between military necessity and humanitarian considerations.

Annex IV**Terms of reference of the Working Capital Fund**

- (a) Contributions to the Working Capital Fund (WCF) are strictly voluntary;
 - (b) Only CCW High Contracting Parties may contribute funds to the WCF;
 - (c) Voluntary contributions to the WCF should be accepted in accordance with the Financial Regulations and Rules of the United Nations;
 - (d) The voluntary contributions to WCF are irrevocable, i.e. they cannot be withdrawn by the donor till such time that the WCF is abolished;
 - (e) Any interest on funds held in the WCF should accrue to the WCF and be transferred to the donors when the WCF is abolished;
 - (f) The minimum target of WCF, for planning purposes, is 100% of one year's estimate for ISU staff costs;
 - (g) The WCF cannot be used to cover arrears of assessed contributions in any circumstance;
 - (h) The purpose of the WCF is to provide liquidity to the CCW over the course of the calendar year. The WCF is to be used solely as a source of short-term financing pending receipt of reasonably anticipated contributions;
 - (i) Funds may only be withdrawn from the WCF to provide short-term liquidity to finance the contracts of the staff of the CCW Implementation Support Unit (ISU). Withdrawals from the WCF in a calendar year may not exceed the amount of reasonably anticipated contributions in a calendar year, defined by applying the average year-end collection rate over the preceding three years;
 - (j) Withdrawals from the WCF will be immediately replenished by deposits from assessed contributions as soon as the assessed contributions are received;
 - (k) The UN Secretariat will administer the WCF according to these Terms of Reference and shall provide a financial report on the use of funds prior to each meeting of High Contracting Parties;
 - (l) If and when the High Contracting Parties will decide to dismantle the WCF, funds will be returned to the respective contributing High Contracting Parties, along with the interest accrued, or used otherwise in accordance with their instructions.
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