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With regard to lethal autonomous weapon systems (LAWS), since 2014 the Council has followed the work of the Group of Governmental Experts (GGE) on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems set up by the Convention on Certain Conventional Weapons (CCW), within the UN framework. The GGE is the main international forum, bringing together UN Member States, NGOs, industry, military and researchers, with a view to reaching an agreement on principles and rules for the use of new technologies in weapons. Within the GGE, the EU supports the ‘two-tier’ approach to weapons systems in the area of LAWS, meaning that a distinction should be drawn between on the one hand weapon systems that cannot be used in accordance with international law, and in particular international humanitarian law (IHL), and which States should undertake not to develop, produce or use, and, on the other hand, systems that include autonomous features, requiring regulation to ensure compliance with IHL and other applicable international law. The EU is fully committed to delivering and fulfilling the mandate of the GGE LAWS as soon as possible, preferably before the end of 2025. EU Member States also supported UNGA Resolution 78/241 on Lethal Autonomous Weapons Systems and the EU submitted a contribution to the UNSG Report A/79/88 on LAWS pursuant to this resolution.

To date, no EU Member State has reported any exports of lethal autonomous weapon systems, or the use of any such systems.

Through the European Peace Facility, the EU reimburses Member States for the provision of lethal and non-lethal military equipment and supplies to Ukraine and other partners. According to Article 56(3) of Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, and repealing Decision (CFSP) 2015/528, ‘any assistance measures involving the export or transfer of items on the Common Military List of the Union shall respect the principles laid down in Common Position 2008/944/CFSP and shall be without prejudice to the procedure to be followed by Member States regarding such export or transfer in accordance with that Common Position, including in terms of assessment’.

Additionally, proposals for assistance measures are accompanied by an assessment from the High Representative, including a conflict sensitivity and context analysis and a risk and impact assessment, and include appropriate safeguards, controls, mitigating and flanking elements and arrangements for monitoring and evaluation.

Existing EU defence industry programmes like the European Defence Fund (EDF), EDIRPA and ASAP contain provisions excluding Union funding for actions relating to lethal autonomous weapons without the possibility of any meaningful human control over selection and engagement decisions when carrying out strikes against human beings. The Commission proposal for a Regulation establishing a European Defence Industry Programme (EDIP), which is currently being discussed at the Council, also contains an equivalent provision.