

Overseas Operations (Service Personnel and Veterans) Bill

AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE

Clause 5

LORD FALCONER OF THOROTON

Page 3, line 29, at end insert—

- “() Where the consent of the Attorney General, or the Advocate General for Northern Ireland, is sought under subsection (2) or (3), the Attorney General, or the Advocate General for Northern Ireland as the case may be, must—
- (a) give consent if he or she considers that failing to give consent would significantly increase the likelihood of the International Criminal Court exercising its own competence in relation to the matter,
 - (b) prepare a report containing his or her reasons for granting or withholding consent, as the case may be, with reference to sections 1 to 3, and
 - (c) lay a copy of the report before Parliament.”

Page 3, line 29, at end insert—

- “() Where the consent of the Attorney General, or the Advocate General for Northern Ireland, is sought under subsection (2) or (3), the Attorney General, or the Advocate General for Northern Ireland as the case may be, must—
- (a) give consent if he or she considers that failing to give consent would lead to a breach of international law,
 - (b) prepare a report containing his or her reasons for granting or withholding consent, as the case may be, with reference to sections 1 to 3, and
 - (c) lay a copy of the report before Parliament.”

Clause 11

LORD FALCONER OF THOROTON

Page 7, leave out lines 7 to 28

After Clause 12

LORD BROWNE OF LADYTON

Insert the following new Clause—

“Liability for using novel technologies: review

- (1) Within 3 months of this Act being passed, the Secretary of State must commission a review of the implications of increasing autonomy associated with the use of artificial intelligence and machine learning, including in weapons systems, for legal proceedings against armed forces personnel that arise from overseas operations, and produce recommendations for favourable legal environments for UK armed forces operating overseas, including instilling domestic processes and engaging in the shaping of international agreements and institutions.
- (2) The review must consider—
 - (a) what protection and guidance armed forces personnel need to minimise the risk of legal proceedings being brought against them which relate to overseas operations in response to novel technologies,
 - (b) how international and domestic legal frameworks governing overseas operations need to be updated in response to novel technologies, and
 - (c) what novel technologies could emerge from the Ministry of Defence and the United Kingdom's allies, and from the private sector, which could be used in overseas operations.
- (3) Within the period of one year beginning on the day on which the review is commissioned, the Secretary of State must lay a report before Parliament of its findings and recommendations.”

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22 February 2021
