



REPUBLIC OF ZAMBIA

Zambia's statement at the informal meeting of experts on Lethal Autonomous Weapons System (LAWS) during the general exchange of views on 11th March, 2016

Thank you Mr. President,

On behalf of the Zambian delegation and indeed on my own behalf, I wish to congratulate you on your appointment as President of this meeting and I wish to assure you of our cooperation to your leadership as you discharge your mandate. We have every trust that you will take us through successfully during the next five days' deliberations for a fruitful outcome.

On this subject of Lethal Autonomous Weapons Systems, Zambia has advocated for discussions that are broad based incorporating other stakeholders for better understanding of the subject before focusing on the way forward. We thus welcome the holding of this meeting in light of the many subjects included on the agenda related to emerging technologies on LAWS, in the context of the objectives of the Convention on Certain Conventional Weapons (CCW).

Mr. President,

My delegation has taken time to go through the food –for- thought paper as well as other working documentations provided by other delegations regarding this meeting. The food for thought paper you issued provides us with a number of questions on the development and use of Lethal and Autonomous Weapon Systems in armed conflict,

bringing out concerns in the hope of coming up with consensus that will improve the state of affairs during this informal meeting of experts. These questions need to be answered or an attempt to answer them should be made.

Based on past and current debate, we have noted that among these debates are advocacies for reviews, based on the understanding that assessing the operational capability of Autonomous Weapon System (AWS) in armed conflict must help shed more light on their safe application or indeed their acceptance in the theatre of war, at the same time we see a dilemma in pursuit of this agenda regarding a fitting legislation to apply to this research in the hope of gaining the acceptance of autonomous weapon system.

Mr. President,

My delegation's view is that we find ourselves in a paradox as we debate the theme on ethics, human rights and the law of armed conflict; if International Humanitarian Law is based on the principal **"making armed conflict as humane as possible,"** to what extent or at what point will this autonomous system assume humanity in order for IHL to justify their adoption for use in armed conflict? The fact that high contracting parties have not yet devised international legislation on the international approach towards AWs is enough reasons why states parties should trade slowly in allowing their use in armed conflict. Without established international rules, national reviews are currently inadequate to guide the use of LAWS in war. We stand ready to get more insight in this meeting and hope to move together with the same understanding with others.

Further, we see a grave weakness in exclusively looking to IHL to spell out whether LAWS are acceptable in armed conflict and how they fit in without causing apprehension. As many have observed and commented before on the subject, the CCW is the right platform for the creation of regulations to uphold current rules such as article 36 of Additional Protocol I to the Geneva Convention and any other international laws on conflict.

In addition, the current debate is unable to justify a legal basis under the International Humanitarian Law or indeed the CCW protocols over the humane application of Autonomous Weapons in armed conflict. A prohibition on their (LAWS) use and to an acceptable degree their proliferation by member states should be on the CCW agenda as a preliminary measure to a conclusive endpoint where a basis shall be developed which should be capable of mitigating our current fears of releasing Lethal Autonomous Weapon Systems in armed conflict.

Mr. President,

While a number of states have suggested that action around national legal reviews of weapons, under the framework of article 36 of Additional Protocol I to the Geneva Convention, could constitute a basis for addressing the serious concerns that states have raised in relation to autonomous weapons, our observation is that national reviews are insufficient to deal with LAWS.

It is against this background that my delegation submits that considering a multilateral agreement at this point is most critical in providing clear margins for all states on the use of LAWS in armed conflict. This direction brings to the fore earlier calls by the ICRC (1987 Commentary 1466 on Article 36) for High Contracting Parties to collectively determine the possibly unlawful nature of a new weapon, both with regard to the provisions of the Protocol, and with regard to any other applicable rule of international law. Where resultant measures from such a forum are not taken, the State becomes liable for any wrongful outcomes in the use of LAWS.

Mr. President,

The above notwithstanding, we have also taken note of the calls for discussions on the dual-use nature of robotic technologies we see the distinction to lie in the definition of LAWS. The characteristics of LAWS therefore will provide a distinguishing factor from other weapons and indeed from the robotic technologies. It would be prudent to ensure the promotion of research and development of the peaceful and sound use of robots by

drawing on the expertise and experiences gained in other regimes dealing with dual-use technologies. As a delegation we remain committed to contributing to this discussion on LAWS in the various themes ahead of this session and meeting of experts.

I thank you Mr. President.