

- REUNIÃO DAS ALTAS PARTES CONTRATANTES

Debate Geral:

[ABRE ASPAS]

Mr. President,

Let me first congratulate you on your assumption as President of the 2018 Meeting of High Contracting Parties. Be assured of our full support and cooperation.

Brazil strongly believes that the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons provides a unique and very important framework to address current and emerging humanitarian challenges in armed conflicts, in particular those related to the weaponization of emerging technologies and autonomous weapons systems. Brazil is part of all CCW Protocols, reflecting our firm commitment to International Humanitarian Law and the protection of human life and dignity in the context of armed conflicts.

The CCW has been paramount in striking a balance between humanitarian concerns and military action when addressing the use of particular means of war in situations of armed conflict, reaffirming the principle according to which the right of Parties involved in an armed conflict to choose methods or means of warfare is not unlimited.

Mr. President,

One of the key tasks ahead of us is to consider the continuation of the GGE on Lethal Autonomous Weapons Systems (LAWS) next year, its duration and, most acutely, its mandate. In our view, the 2018 GGE was successful in considering its agenda, increasing the degree of state-led deliberations and approving a set of conclusions which can be useful moving forward. To sustain the momentum achieved, however, there is a need to further focus and accelerate our work.

To this effect, Brazil has proposed, alongside Austria and Chile, a negotiating mandate for next year, to establish a positive obligation of human control in weapons systems with autonomous functions and we encourage all States to consider this proposal. A mere roll over of the work carried out this year would not do justice to the progress achieved and it would send the wrong message about the quality and intensity of the efforts taken by States Parties on this matter.

Brazil looks forward to a fruitful exchange of views during this Annual Meeting. We are ready to contribute constructively to the implementation of the CCW.

PONTOS PARA ITENS DE AGENDA

LAWS

Mr. President,

This year's GGE on autonomous technologies applied to weapons systems has represented, in my country's view, an important upgrade on the quality and nature of previous discussions. We highlight the enhanced interstate debate and the number of delegations taking the floor, including through regional groups, as important indicators of the maturity of the issue for international action. We also welcome the adopted substantive report, which will constitute important reference for future work of the CCW on the topic.

Credit for such positive outcomes goes to Ambassador Amandeep Singh Gill for his very productive and competent leadership, with strong support from Ms. Kaspersen and UNODA.

With regard to the substantive discussions, Brazil has highlighted in its working paper on "Areas of Convergence on LAWS" the broad areas where an emerging consensus can be identified. The most pivotal and consequential one is the focus on the need for qualified human control over weapons systems. This goes to the heart of the legal and ethical challenges posed by LAWS and constitute the most auspicious path to go forward. Under this assumption, Brazil, Austria and Chile have put forward a draft mandate to start negotiations on a legally binding protocol to the CCW establishing a positive obligation of human control over weapons systems. Such an obligation would effectively outlaw any weapon systems which do not comply with this golden rule. Scope,

details and definitions would be hammered out during negotiations, under a focused effort.

Mr. President,

As we expressed in the general mandate, rolling over the mandate of the past two GGEs would not do justice to the progress already achieved, sending the wrong message about the effectiveness and commitment of the CCW to deal with this pressing issue. To sustain the current momentum, there is need to continue building upon on what has been achieved; it is not enough to rinse-repeat the same steps we have taken before. This also holds true of the structuring of the agenda, independently of the mandate adopted. The agenda used this year has served us well, but it is our appraisal that it has run its course und must be upgraded. We hope that the next Chair of the GGE will consult with State Parties in order to structure the agenda for next year, in line with the overwhelming sentiment that the focus of future discussions should be on the degree and quality of human control over autonomous weapons systems.

EWIPA

[ABRE ASPAS]

Mr. President,

Brazil reiterates that IHL norms and principles are obligatory at all times and under all circumstances, particularly the notion that the choice of means and methods of warfare are not unlimited.

In this sense, one important realization when discussing EWIPA is that the restrictions on the choice of means and methods of warfare posed by IHL are inherently more strict in a urban environment. This is reflected in Brazil's military doctrines in a straightforward manner. I would like hereby to highlight some of the principles and practices adopted by Brazil with regard to EWIPA.

When operating in an urban environment, there is a need to enhance capabilities of Intelligence, Monitoring and Reconnaissance, including the combined use of all sensors available (cyber, orbitals, aerial, terrestrial, etc.) to proceed to target identification and collateral risk assessment.

In a urban environment, and considering the possible cumulative effects of the use of explosive munitions, it is essential to consider not only the immediate risk to civilians, but also conditions of supply, environment, climatic conditions, infrastructure, including its cultural significance.

Information is necessary on specific details, including compositions of targets and nearby structures; the resistance of the materials those structures are made of; the distance between the medium impact point and civilian installations; the kinetic energy generated by the weapons used; the fragmentation envelope; and detailed data on supply infrastructure, including water, energy, and communications as well as the location of plants and transmission networks.

In this context, the fighting forces have a general obligation to use all means necessary to avoid collateral damage, including the use of special forces and intelligence operations; use of armaments with lower calibers; the use of guided munitions with lower yields, and other feasible precautions.

Additional measures to minimize the humanitarian impact of EWIPA also include: selfprotection; warning systems, evacuation; fire protection; facilities protection, health protection; health services; decontamination of remnants of war; biological, chemical, radiological and nuclear protection, as well as containment and decontamination systems of these hazards; emergency supply of water, food, shelter, energy and cash; adequate management of emergency information; and the training of and support to civil defense services.

Mr. President,

At its core, Brazil believes the fundamental issue with regard to EWIPA and the humanitarian risks posed by military operations in areas with concentrations of civilians in general relate to the level of compliance with and accountability for existing international law and principles.

Brazil supports the continuations of discussions on this topic and the exchange of information on best practices, procedures and mitigation measures among States and with international organizations, with a view to strengthening and implementing existing IHL obligations. This must be carried on in a voluntary manner and within the context of the existing normative framework, which is, if fully complied with, sufficient to deal with the humanitarian challenges posed by EWIPA.

I thank you,

[FECHA ASPAS]

MOTAPM

[ABRE ASPAS]

According to Brazilian military doctrines, the eventual employment of anti-vehicle mines can only be carried out within clearly defined and marked areas, previously assessed in a strict evaluation process, with detailed records on location and employment being rigorously kept.

With regard to the discussion of the topic on the CCW, it is clear to my delegation that States Parties have been unable to overcome the divergence of views regarding MOTAPMs, despite exhaustive discussion since 2001.

Brazil is open to participate in all discussions, but we continue to believe that any new obligations with respect to Anti Vehicle Mines must not entail additional costs in terms of financial and technological requirements, which could impact developing countries disproportionately.

We do not favor the adoption of any requirement that would bring about the need of adapting or even replacing existing stocks of AVMs at an excessive financial and operational cost.

Any new obligations to be consensually adopted would have to take into account, therefore, assessment of the costs involved and the balance between military utility and humanitarian impact. These include, but are not limited to, the establishment of sufficiently long transition periods as well as international cooperation, particularly with regard the transfer of technology.

[FECHA ASPAS]

FINANÇAS

[ABRE ASPAS]

Mr. President,

First of all, Brazil would like to commend your efforts to further address the challenges to the financial sustainability of the Convention and the transparency and openness in which you have conducted consultations on this matter.

Brazil supports clarification of the measures agreed on in 2017, particularly with regard to those proposed to increase liquidity, in order to allow for its full implementation. The Meeting of High Contract Parties had decided to keep the measures agreed then under review in order to ensure the financial sustainability of the Convention. It is my country's view that, particularly in light of its partial implementation, there has been not enough time to assess the adopted measures effects. We hope the clarifications being currently discussed can address the questions raised by UNODA and by the UN financial services, which we understand have been properly consulted.

With regard to the Chair's other two proposals on finance, while Brazil can join consensus the establishment of a voluntary reserve dedicated to support mandated activities, we cannot support measures that will increase the CCW regular budget, such as the contingency mechanism proposed.

With regard to the ISU, Brazil will continue to engage in the discussions to develop a sustainable model for the substantive and secretarial support to the Convention. Meanwhile we commend UNODA, particularly Under-Secretary General Izumi Nakamitsu, for extending additional support to the CCW. While Brazil remains open to the different options, we highlight that the unique role and humanitarian significance of the CCW, as well as the size of its membership, makes it an international framework of the highest order. Inclusivity and universalization remain key to its continued relevance and success and any administrative and financial model to be agreed upon needs to accommodate or account for different realities in Members capacity to pay as well as better express support of the regular UN budget resources to ensure the stability and sustainability of the CCW.

[FECHA ASPAS]