



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)
Group of Governmental Experts on Lethal Autonomous Weapons Systems (LAWS)
General Exchange of Views
Statement by Sri Lanka
13th November 2017

Mr. Chairperson,

At the outset, let me congratulate you on your appointment as the Chairperson of this historic very first GGE on LAWS, and also thank you for the arrangements made for the meeting, including the 'food for thought paper' circulated, which serves as an important starting point for our deliberations this week.

Sri Lanka extends its fullest support for discussions within the framework of the CCW- a principal instrument of International Humanitarian Law (IHL), which provides a unique structure to adapt in response to the evolving challenges in conflicts and military technologies, through progressive development of subsequent protocols.

The need for the discussion on LAWS to be elevated to a formal State - driven dialogue, is an objective Sri Lanka has advocated since the 2015 Meeting of the State Parties of the CCW, which we had the honour to preside over. In this context, we are pleased to engage in this GGE, following the mandate provided at last year's CCW Review Conference. I also take this opportunity to appreciate the role played by Civil Society in furthering the debate on LAWS into a GGE and we encourage their continued engagement. We also look forward to the side -events that are planned for this week as a means for additional dialogue and exchange of expertise.

At the same time, we regret that the GGE this year, was compelled to limit its work to a 5 day session as against the originally planned 10 day meeting due to financial constraints. That notwithstanding, it is hoped that we would be able to optimize the time available and move this process as was originally intended. Going forward, while extending its support to the continuance of the mandate of the GGE, Sri Lanka calls for considered efforts at overcoming the financial constraints, and avoidance of the recurrence of similar situations in the future.

Mr. Chairperson,

Sri Lanka appreciates the clear assurance given by many key countries during previous meetings, confirming that they do not intend to develop fully autonomous lethal weapons. However, well founded concerns of the international community

underlines the fact that precursors for such weapons are already in existence and failure to take pre-emptive action at this point poses the risk of such weapons being fully developed and deployed in the future. In this context, we look forward to the sessions on *Technology and Military dimensions of LAWS*, to understand the current status of development in this field. We would be particularly interested to understand the different degrees of autonomy in weapons and their correlation with human intervention in the currently existing systems, as well as the possibilities in developments in the future systems. Sri Lanka believes that clarity in these aspects will help in understanding and determining where and how to set limits on the autonomy of lethal weapons, and thereby work towards agreeing on a working definition relating to LAWS, without compromising the dual-use capabilities. In this context, Sri Lanka welcomes the proposed discussion on examining national or regional laws planned or already in place for regulation of autonomous systems, as this would enable us to understand the level of regulations considered, which could feed into a possible international legal instrument.

The issue of **IHL compatibility** is central to our deliberations towards developing an international legal instrument on regulating autonomous technology in weapons. The debate on how and what provisions of IHL should be applied in the case of LAWS and who should be held accountable in the event of any unlawful use are some of the fundamental issues that require answers. We need to take into consideration whether the existing international legal regimes could effectively and sufficiently address the IHL concerns emanating from the future forms of warfare and weapons, in particular the lethal autonomous weapons. Addressing this accountability gap also means defining as to what extent an individual, organizations or a State could be held liable for a crime committed by fully autonomous weapons, which will no doubt be a serious challenge for States.

Furthermore, additional challenges to IHL could be expected in deploying such LAWS in contemporary warfare, where the number of instances of urban warfare is increasing, effectively blurring the difference between legitimate military targets and civilian objects, thereby putting unarmed civilians in harm's way. Whether IHL rules can be applied in the context of autonomous weapons in the first place therefore has to be revisited given that IHL was developed with the aim of regulating the conduct of human beings during warfare.

Mr. Chairperson,

Over and above these technological issues, there are also underlying **fundamental moral questions**. Even if any of the existing IHL principles are found to be inapplicable, the test of public conscience and laws of humanity as referred to in the Martens Clause provides compelling reasons for establishing basic guiding principles on the legality of the use of LAWS. While the primary focus has been on autonomous weapons usage in armed conflicts, once developed, there would be no guarantee that the same would not be used in the domestic law enforcement activities, with lethal or less-lethal force, which can have serious implications on human rights, in particular the right to life and dignity. Sri Lanka also takes serious

note of the need to expedite the deliberations in all aspects of this subject so that the rapidity of technological advancements does not overtake the developing of a consensus agreement on their control.

Mr. Chairperson,

We take note of your intension to keep the policy -related questions to the next stage of our discussion. However, in view of some of the proposals made **with regard to the way ahead**, Sri Lanka wishes to note that, while the focus on national regulatory measures and Confidence Building Measures (CBM) could, to some extent, contribute to deter development of LAWS, such unilateral measures should not be equated to as the final outcome of our deliberations, or confine our focus to 'national efforts', as majority of States believe that the efforts should reach beyond the national levels, culminating in the development of an agreed international framework. In order to reach this goal, Sri Lanka recognizes the need for continued discussion on LAWS within the CCW framework. This is why Sri Lanka supports the continuation of the GGE next year, with minimum of a two -week deliberation process.

Mr. Chairperson,

We look forward to the interactive Panel discussions, aimed to stimulate a State -led dialogue, possibly leading to some concert recommendations acceptable to all States. Let me express my delegation's expectation of a fruitful discussion towards this end over the next five days, and I assure you my delegations strong commitment and support in this regard.

I thank you.