

Item agenda 6 d

University Pablo de Olavide, Seville (Spain)

Ms. Reyes JIMÉNEZ-SEGOVIA

Thank you very much, Mr. President.

Thank you and congratulations for such diligent and efficient management and leadership of this Group of Experts.

My University is reluctant to accept that the decisions taken by the Delegations are final and that their positions are already immovable. Therefore, and following the path of flexibility and non-exclusion of the various options proposed, to which the Swiss Delegation referred yesterday afternoon, we would like to contribute with some proposals in the quest of an equitable path, realistic with the circumstances, consensual and that reflects the sincere commitment of the States in the issue that concerns us.

In his recent Program for Disarmament, the Secretary General begins by stating that Humanity, the International Community, is immersed in a new Cold War characterized, *inter alia*, by " an unrestrained arms race". We consider that this is an incontestable reality that, in a certain way, is reflected in this room and in the content of its debates: National Security confronts the Principle of Humanity, pushing the International Community to the dangerous spiral of the Security Dilemma and to the exacerbation of the inequality gap between the States, as Chile stated last Monday.

It is not by chance that the States that invest the most in the research and development of the AWS are also those who are more reluctant to move towards legal commitments. Neither is the result of chance the reluctance of the same States to formulate definitions of autonomous weapons systems, since defining involves delimiting, materializing an idea, making it tangible. And perhaps, if the autonomous weapons systems were defined based on the delegation of the critical functions of selection and engagement of targets, it would turn out that a preventive prohibition of them would no longer make sense, because they already exist and have been deployed for a long time ...

We think that any option that you decide must necessarily adhere to a double precondition of transparency: transparency of the design, functioning and deployment of the current autonomous weapons systems; and transparency of the internal procedures of legality review thereof, in application of Art. 36 of AP I to the Geneva Conventions of 1949.

Likewise, all options require the real commitment of the States that any weapon, means or method of combat is respectful of IHL and IHRL. But, at the point where we are, this commitment can only be manifested through acts, not words (*Facta, non Verba*).

We think, therefore, that, given the current state of the positions, an initial joint Political Declaration that reflects the commitment not to develop weapons systems that are not under the effective control of humans could be provisionally satisfactory, provided that it is accompanied by concrete acts that represent it.

A Political Declaration and a Code of Good Practices can amount to nothing without the above. Consider, for example, the experience of the Hague Code of Conduct against the proliferation of Ballistic Missiles. After sixteen years since its adoption and having been signed by 139 States, currently it would not pass an assessment of efficiency. The work of the Groups of Governmental Experts created by the General Assembly to deal with this issue (our President was a member of the one constituted in 2008) was not completed due to lack of consensus.

During the previous days, several States have offered the rest to share their national procedures for reviewing the legality of the autonomous weapons systems that they develop or acquire. Others have expressed the importance of all States having specific and transparent regulations for this purpose.

On the other hand, the presentation by Sweden on Tuesday of an artillery bomb system against tanks, has been very well received among the delegations, who have encouraged the others to continue with this dynamic. Yesterday, the United States proposed that, in future meetings of the Group of Experts, the States present their different applications in the *Swedish way* and demonstrate how their systems effectively comply with the principles of IHL.

Having explained all the above, we think that, to generate a greater confidence in the true sincerity of the States when renewing the mandate of the Group of Governmental Experts to elaborate a Political Declaration and a Code of Good Practices, the States would need to execute the transparency they wish to commit themselves to already in the sessions of the Group. And they would need to share the points previously mentioned, submitting to the questions of the other delegations and non-governmental entities and thus removing any suspicion that with a Political Declaration they only intend to avoid a legally binding commitment.

Thank you very much, Mr. President.

Ms. Reyes JIMÉNEZ-SEGOVIA.
Universidad Pablo de Olavide de Sevilla, España.

