



Group of Governmental Experts (GGE) of the High Contracting Parties to the Convention on Certain Conventional Weapons (CCW): Meeting Related to Emerging Technologies in the Area of Lethal Autonomous Weapons Systems (LAWS)

General Exchange of Views

9-13 April 2018 -Geneva

Statement by Sri Lanka

Mr. Chairman,

At the outset, I congratulate you on your re-election as the Chair of the Group of Governmental Experts (GGE) on Lethal Autonomous Weapons Systems (LAWS) within the framework of CCW, and appreciate your continued efforts in facilitating a focused dialogue within the GGE.

As demonstrated during its Presidency of the CCW in November 2015 by paving the way to enhance the mandate of the LAWS¹, which was subsequently endorsed by the 5th Review Conference of the High Contracting Parties to CCW in December 2016, Sri Lanka has always advanced the view that a dedicated dialogue among States Parties should remain at the center of any discussion on LAWS. In this context, we thank you for the broadest possible consultations that you have been conducting, building on the areas identified at the last meeting of the GGE in November 2017. We are keenly looking forward to engage in the areas identified, with a view to reaching a shared understanding on the issues.

Mr. Chairman,

We have taken due note of the conclusions and recommendations of the 2017 GGE on LAWS and the Chair's summary of the panel discussions held², which brought out the diversity of opinions on key areas. We hope that the formal discussions within the Framework of GGE as in the Agenda presented by you including on 'promoting common understanding on concepts and characteristics of LAWS', 'the human element in the use of lethal weapons', 'Potential military applications of LAWS', and 'Addressing the humanitarian and security challenges posed by emerging technologies', will eventually help narrow these differences and evolve into possible negotiations on a legally binding instrument on LAWS within the international legal framework of human rights and humanitarian law.

¹The 2015 CCW decided that "the meeting of experts may agree by consensus on recommendations for further work for consideration by the 2016 Fifth Review Conference", in addition to the submission of a report of the proceedings of the meeting by the Chairperson in his personal capacity as done previously.

²CCW/GGE.1/2017/3

The assumption that ‘autonomous weapons systems are the seemingly rational and inevitable option for tomorrow’s military technology’, has the potential of being the major trigger of lowering the rules of war fare and encouraging conditions of instability both regionally and globally, absent any consensually developed and legally binding international instrument. This is generally so, as said, it can ‘blur the line between war and peace’³. We therefore believe that, this expert meeting, by bringing to the front burner the ethical, legal, humanitarian and the disarmament dimensions of international policy dialogue on the use of artificial intelligence in warfare, in fact contributes to the broadening of the understanding on all aspects and concerns regarding the development and deployment, of LAWS as well as accountability on their impact both intended and unintended.

We are today faced with several challenges as we address this important topic. First, on the issue of a ‘**working definition**’ for LAWS, opinions can vary depending on the quarters from which they are coming from- military, legal experts, activists or technologists. A definition for LAWS is becoming essential for consideration of regulatory and accountability related issues by States. A careful study of different definitions available so far, and objective consideration of the language used in different national defense doctrines, could serve as a useful starting point, without prejudging what would be the appropriate degree of autonomy or the level of human-machine interaction or control to be acceptable in a regulatory mechanism for this purpose.

As we pursue sustainable development targets with the objective to ‘leave no one behind by 2030, it is becoming apparent that the kind of impact technology can make in realizing the 17 Goals, such as the use of AI to automate UNDP’s Rapid Integrated Assessment (RIA) system in determining a country’s readiness for implementation of the global development agenda and in building interlinkages among national and sectoral policies with the 169 SDG targets. That is clearly the positive narrative of the peaceful applications of autonomous technology and there are too many examples to name.

Mr. Chairman,

The second challenge is, to understand, to what extent these advancements are already being incorporated into **military weapons systems and the accepted degree of autonomy**, in particular related to the critical functions of these weapons. In this context, this Meeting needs to bring clarity on issues such as ‘meaningful human control, ‘appropriate human judgement’ etc. Also associated are, the concerns such as **predictability** on how the weapon system would function, and the **reliability** of an autonomous weapons system to realistically calculate and assess the collateral damage caused to civilians vis a vis the projected military achievements. These issues bring out a clear sense of urgency for serious and pragmatic steps by the States Parties to CCW, to deploy a system of review and regulate, given the inherent risks posed by AI to humanity and human values.

³ CCW/GGE.1/2017/3

The **attribution of accountability** in case of the use of LAWS characterises the Third Challenge. It is noted that the degree of autonomy installed in Weapons Systems blur the degree of ultimate command responsibility for violation of the International Humanitarian Law (IHL) and human rights law. When taking note of the unintended destructions and consequences brought in the past, by autonomous systems used for civilian purposes, similar autonomy when used in military weapons systems may give rise to concerns, pressing for compliance with international human rights and humanitarian law, more than ever before. Furthermore, for an autonomous weapon to pre-calculate the damage prior to the launch of an attack and to maintain such assessment throughout a mission in a rapidly evolving conflict could be a serious challenge. In our well-considered views, even if any of the IHL principles are found to be inapplicable, the **test of public conscience and laws of humanity** as referred to in the Martens Clause provide basic guiding principles on the legality of the use of LAWS. While national legal reviews of new weapons may be a starting point, in the absence of a common definition on LAWS and global regulations, national reviews conducted based on inconsistent interpretations may not fully addressed the seriousness of the threats posed to humanity by LAWS.

We also need to bear in mind the heavy involvement of the non-State actors including private sector in developing AI related applications, and the rapid advancement in the dual – use autonomous technology. Their potential for proliferation and breach in cyber security, are also factors that should be kept in check. Such developments, if not addressed with due diligence, could pose serious challenges in pursuing individual as well as State accountability.

Mr. Chairman,

Given the ambiguous nature of discussions on LAWS, the sense of discomfort among States to move forward, thus calling for slower or rather a ‘cautious’ approach is understandable. It must be noted that discussions on the advancement of the future use of autonomous technology would no longer be limited to mere scientific or academic discourses based on hypothetical questions such as technological singularity, supremacy of AI over human judgement, or whether it would ‘spell the end of the human race’.

In conclusion, Mr. Chairman, the delegation of Sri Lanka calls upon countries that are already in possession of such weapons or have capability to do so, to engage in an open and constructive dialogue with the rest of the Member States to discuss genuine concerns and to consider a way forward within the framework of the CCW. Multi-stakeholder contribution including by the civil society can add value to our discussions as per the practice. We look forward for a fruitful discussion, and assure you of the full support of my delegation for your endeavours in this regard.

Thank you.