

## **The position paper submitted by the Chinese delegation to CCW 5<sup>th</sup> Review Conference**

Over recent years, as a result of the continued advance in AI technology, the autonomous warfare platform has been developing rapidly in terms of its R&D and application, and the weaponization of relevant technologies has caused humanitarian concerns.

LAWS, a complex product of S&T development and new military revolution, involves a wide array of areas. LAWS is closely related to existing weapons and to new types of weapons systems still under development. There is currently still a lack of a clear and agreed definition of LAWS. Most states deny the existence of such systems. Given the trends in S&T developments, the international community should monitor and accord due importance to such weapons. The position and views of China are essentially as follows:

I. The definition and scope of LAWS are the precondition and basis for discussion on its other aspects. It is necessary to focus extensive and in-depth discussion on the definition and scope now with a view to achieving consensus.

Discussions about definitions should focus on a number of core issues: 1. Levels of autonomy and criteria for their determination; 2. Relations and distinctions between automation, autonomy and remote control; 3. The mode of human involvement and the human role which requires a strict definition and cannot be replaced by such vague concepts as 'human judgement' or 'meaningful human control'.

As to the scope, distinction should be made between civilian and military, offensive and defensive, anti-personnel and auxiliary, and lethal and non-lethal uses.

II. As a method of warfare, use of LAWS should be governed in principle by international humanitarian laws, such as the 1949 Geneva Convention and its two 1977 Additional Protocols, including the principles of restriction, distinction and proportionality. However, such weapons systems present, in the application of the above principles, considerable uncertainties: 1. Whether such a weapons system is capable of distinction remains doubtful; 2. Such a weapons system is incapable of proportionate decisions; 3. Such a weapons system presents difficulty in terms of accountability for its use.

Although the new weapons review process of states has a positive role to play in this regard, it cannot address relevant concerns arising from LAWS, as such reviews vary from state to state and the relevant evaluations have no binding legal force. China supports the development of a legally binding protocol on issues related to the use of LAWS, similar to the Protocol on Blinding Laser Weapons, to fill the legal gap in this regard.

III. LAWS with its high adaptability to the environment is especially suited to highly dangerous missions in environments where threats exist from nuclear, biological or chemical weapons. As a

hi-tech product, the development and use of LAWS will lower the threshold and cost of war, thus making the outbreak of wars easier and more frequent. Such systems cannot effectively distinguish between soldiers and civilians and can easily cause indiscriminate killing or wounding of the innocent. Consequently, pending an appropriate solution, we call on states to exercise caution in their use and especially to prevent their indiscriminate use against civilians.

IV. China welcomes the positive progress made in the discussion of LAWS within the CCW framework and supports the continuation of in-depth discussion of the issue in the form of expert meetings within the CCW framework.