



**Permanent Mission of Pakistan to the United Nations
Geneva**

**Remarks by Ambassador Zaman Mehdi, Deputy Permanent Representative of
Pakistan at the meeting of Group of Governmental Experts (GGE) on Lethal
Autonomous Weapons Systems (LAWS)
06 March 2023**

Mr. Chairman,

On behalf of Pakistan delegation, I congratulate you on your appointment as Chair of this GGE. I assure you of my delegation's support in steering the important work ahead of us.

We align ourselves with the statement delivered by Venezuela on behalf of the Non-Aligned Movement (NAM).

Mr. Chairman,

2023 marks the tenth anniversary of commencement of deliberations within the ambit of the Convention on Certain Conventional Weapons (CCW) on the various facets of lethal autonomous weapons systems, their devastating impacts and destabilizing effects.

Ten years on, there is reasonable level of understanding and varying degree of convergence among High Contracting Parties (HCPs) over the technical, legal and ethical dimensions of these weapon systems.

However, the decade long discussions have yet to yield a set of legally-binding rules, principles and norms while the military applications of Artificial Intelligence (AI) in general and integration of autonomy in these weapon systems continues apace.

Concerns persist at a fundamental level over the compatibility of these autonomous systems with the existing principles and norms of applicable international law, UN Charter and International Humanitarian Law (IHL).

Meanwhile, LAWS, like any other category of weapons or weapon systems, do not exist in isolation. Nor are these weapon systems separable from their development and deployment to use as well as their broader security impacts.

LAWS are not one or two types of weapons but a capability category i.e. a weapon system capable of incorporating autonomy in its critical functions, specifically in target selection and engagement. The challenges associated with these weapon systems stem from this capability, which lends itself to layers of unpredictability and cascading impacts.

Mr. Chairman,

My delegation and many others have previously elaborated the challenges, risks and dangers associated with LAWS in detail, including consequences which could further weaken compliance with existing IHL.

Let us be clear, the known challenges of unpredictability, the possibility of anonymous and clandestine operations as well as the force multiplication and asymmetry factor tied to LAWS could entail significant human costs and destabilizing effects.

There will be increased risks of miscalculation and lowered threshold for starting wars, thereby triggering conflict escalation. The possession of LAWS could also appeal to destabilizing notions of pre-emptive strikes, thereby posing serious risks and dangers for regional and international stability, including possibilities of unintended or uncontrolled levels of escalation based on scenarios programmed in algorithms. In crisis situations or settings, these could turn into a recipe for an ever expanding conflict.

The fact of the matter is that these weapon systems are already being factored into strategic and security doctrines of states. Absent any meaningful restraints, these developments are bound to trigger costly arms races in the area of LAWS, including possible access, production and use of these weapons by non-State actors, with unimaginable consequences. Accordingly, the military and security dimensions of LAWS are not just relevant but absolutely critical to the work of the GGE.

Mr. Chairman,

The following CCW provisions are clear with respect to prohibitions and regulations due to their security dimension and therefore remain central to the work of the GGE i.e. (i) ending of the arms race and building of confidence among States; (ii) pursuing efforts which may contribute to progress on disarmament; (iii) the need for continued codification and progressive development of the rules of international law applicable in armed conflict; (iv) the agreed framing that the right of parties to an

armed conflict to choose methods or means of warfare is not unlimited and that certain weapons and methods of warfare are prohibited.

While the aforementioned provisions speak to the object and purpose of CCW, its Protocols clearly demonstrate that the production and use of certain categories has been banned and the development, deployment and use of others specifically regulated.

Mr. Chairman,

The fundamental principles of IHL i.e. distinction, proportionality, precautions in attack, humanity and military necessity must be upheld at all times, particularly during the dynamic and complex environments of war.

Delegating critical functions of a weapon system i.e. target selection and engagement, including application of force, is extremely problematic for upholding these principles. IHL is designed with “humans” at its center and continues to rely on “human agency” for IHL to be applied in its true spirit. Machines, algorithms and software, regardless of their sophistication cannot replace the “human factor”. Machines cannot be anthropomorphized, nor can they substitute for singular human judgments and decisions. Thus any weapons system with critical functions outside “human control” becomes non-compliant with IHL.

Mr. Chairman,

As explicitly enshrined in its mandate, the GGE’s work is governed by the purposes and objectives of the CCW, and is meant to strengthen the Convention. For the GGE to fulfill its mandate faithfully, its work and outcomes must be aligned with the Convention’s principles and objectives.

Logically, thus, the GGE’s outcomes must explicitly outlaw those weapon systems which are non-compliant with IHL principles and rules. Further, for weapon systems which are not prohibited, adequate rules must be evolved to ensure that the development, deployment and potential use of these weapons strictly conforms to IHL principles and rules as well as the imperatives of security and stability at all levels.

On account these considerations, there is a clear case for developing an international legal instrument envisaging prohibitions and regulations on the development, deployment and use of LAWS to achieve the object and purpose of the CCW. The GGE’s direction, therefore, ought to remain very clear. Even as consensus is yet to be reached on the level of prohibitions and regulations at this

stage, the GGE's primary purpose remains developing such internationally agreed legal norms and their codification to plug existing legal gaps.

National regulations and responses alone such as national weapons reviews are useful but not sufficient. The GGE is not the platform to confer legitimacy on national measures, which cannot be verified.

National measures related to LAWS will also lack harmonization and consistency of their application by all states. Nor can questions surrounding compliance with IHL and possible further codification of IHL in response to development and use of these weapon systems left to the sole prerogative of national authorities. Compliance and verification provisions are key ingredients for developing international legally binding rules.

Non-legally binding options, including Transparency and Confidence Building Measures (TCBMs), find their meaning, context and purpose in the backdrop of internationally agreed binding rules, which such non-binding measures complement but cannot replace.

It is vital, instead, to create conducive environment for crafting such international rules, inter alia through demonstration of responsible state behaviour and restraint in security doctrines, including the development, deployment and possible use of LAWS. States must eschew measures that propel arms races and instead invest in trust and confidence-building.

Mr. Chairman,

It is in line of these considerations that Pakistan has submitted a working paper to this GGE, proposing elements for the development of an international legally binding framework on Lethal Autonomous Weapons Systems (LAWS), under the Convention. The proposal is designed to ensure compliance with international humanitarian law, encapsulates the objectives and purposes of the CCW, and caters to ethical imperatives and security dimensions.

Our proposal envisions prohibition on development, deployment and use in all circumstances of an autonomous weapon system that:

- takes decisions on the use of force without “human control over the decision to use force”.
- cannot distinguish between civilian population, hors de combat, and combatants or indiscriminately targets civilian objects.
- causes unnecessary suffering or superfluous injuries.
- is not able to take all feasible precautions to protect civilians and civilian objects during an attack.

- causes incidental harm to civilians and civilian objects that exceeds the direct military advantage anticipated.
- has effects which cannot be adequately predicted, understood and explained.

Moreover, we propose the following restrictions and regulations:

Weapons with “human control over the decision to use force” shall:

- not be able to change their situation of use without explicit approval by a human;
- not be able to change their targeting parameters without explicit approval by a human.

Other restrictions, such as limiting targeting capability to only objects which are military objectives by nature; on the scope and scale of use, including temporal and spatial limits; transparency, reliability and predictability in the identification and selection of potential targets; limitations on situations where civilians and civilian objects are not present; and being interruptible during all stages by a human would also be required.

Mr. Chairman,

We hope to work with all delegations to come to a common agreement on these possible measures, including on the basis of our proposal, to address the various issues in a comprehensive and meaningful manner.

We trust that all delegations would do their part in enabling the GGE to develop a meaningful normative framework that responds to all challenges and concerns associated with LAWS.

Failure to do so would not only entail dire humanitarian consequences, but also oblige states to defend themselves with the capabilities at their disposal vis-à-vis their perceived adversaries. Failure to evolve legal norms would have the undesirable but likely consequences of a spiraling arms race, weakening of the already stressed arms control architecture, and lead to a more precarious regional and international security environment.

I thank you.
