

Group of Governmental Experts on Lethal Autonomous Weapons Systems

New Zealand statement General debate, 13 November 2017

Thank you Mr Chair. At the outset I would like to express New Zealand's appreciation for your work in preparing for this meeting – a challenging task that was further complicated by the shortening of time available to us. Your food-for-thought paper reflects the intensity of your preparations and has highlighted the breadth of issues connected to lethal autonomous weapon systems.

New Zealand is also grateful for the working papers that have been submitted by a number of delegations over the past few weeks and which have highlighted the varying approaches that can be taken to this issue. Against that backdrop, we are particularly appreciative to UNIDIR for its circulation of a primer on concerns, characteristics and definitional approaches to the weaponisation of increasingly autonomous technologies. By providing a common language, and suggesting a constructive way in which we can pull together the different approaches to defining LAWS, the primer gives us an optimism that – despite the complexity of the issues to hand – it will be possible to work methodically through those that we need to address in this forum.

Drawing on these documents, as well as the many useful papers that have been provided by the ICRC, the Campaign to Ban Killer Robots, UNODA and others, it is clear we have the resources we need to chart a course forward.

Mr Chair,

New Zealand is firmly of the view that meaningful human control must be retained over lethal weapon systems. This is a view borne of the requirements of international humanitarian law, which remain the primary framework through which we view the issue of LAWS. We are well aware, however, that recognition of the central importance of meaningful human control is not an answer to every question that arises around defining LAWS; nor does it predetermine a decision about whether – or what – additional legal, regulatory or political controls might be required.

These are issues that we are still considering. Over the past three years we have found ourselves drawn to various approaches and priorities identified by a number of our partners. We have commented during previous sessions of the

Open-Ended Working Group, for example, on the resonance of the ICRC's focus on autonomy in the "critical functions" of a weapons system, and of Switzerland's proposal for a compliance-based approach to LAWS. We can also see much value in pursuing greater transparency and information exchange regarding the conduct of Article 36 reviews. At the same time, we can see that no one approach is sufficient to resolve the many concerns that have been raised about LAWS, in particular the challenges they pose to compliance with IHL.

Mr Chair,

We welcome efforts to ensure that delegations have an appreciation of the broader benefits and risks around the development of autonomous technologies. At the same time, however, as we approach the international community's fifth year of deliberations on the issue, New Zealand considers that we must focus our efforts on defining and resolving the problem. We cannot ignore the calls of experts – in many cases the leading experts in artificial intelligence – for this GGE "to work hard at finding means to prevent an arms race in these weapons, to protect civilians from their misuse, and to avoid the destabilizing effects of these technologies". Expert opinion that "we do not have long to act" should focus our attention on identifying, agreeing and doing what needs to be done. As High Representative Nakamitsu has stated, the disturbing prospects of LAWS are not only concerning, but urgently so.

With this in mind we are encouraged by the approach proposed in the latest UNIDIR paper to defining the issue at hand. UNIDIR suggests that governments should first explicitly agree on what role they want to maintain for humans (for operational, legal and ethical reasons), and then identify the tasks where autonomy might call these roles into question. Governments would then be able to describe what technological features and characteristics they would need to see or avoid in future weapon systems, and would thus be able to determine appropriate regulatory responses.

We see UNIDIR's approach as a sensible way to organise our thinking around this issue, and to sequence our work on what can otherwise seem to be competing or contradictory aspects of the task ahead. We also see merit in the fact that this approach does not predetermine any outcomes and, as such, provides a useful tool to help draw together the differing views that have been expressed within the CCW on the issue of LAWS.

New Zealand looks forward to the opportunity provided by the forthcoming panels to broaden our understanding of the legal, military and technological aspects of LAWS, and to hear reactions from our fellow delegations. Perhaps

most critical, however, will be Thursday's discussion on the way ahead. We are hopeful that delegations will be able to agree on recommendations that give clear guidance to future meetings on LAWS – for example, on the priority and method to be followed in agreeing a working definition of LAWS, as well consideration of the full range of tools at our disposal for addressing the concerns they raise, including (but of course not limited to) weapons reviews.

In so doing, Mr Chair, you can count on New Zealand's constructive engagement in the process.

NZ disarmament statements online www.converge.org.nz/pma/nzdist.htm