



**Convention on Prohibitions or Restrictions on the Use of Certain Conventional
Weapons Which May be Deemed to Be Excessively Injurious or to Have
Indiscriminate Effects (CCW)
Group of Governmental Experts on Lethal Autonomous Weapons Systems
(LAWS)
Statement by Sri Lanka**

**5 (a) An exploration of the potential challenges posed by emerging technologies in
the area of lethal autonomous weapons systems to international humanitarian law**

3-13 July, 2021

Mr. Chair,
Excellencies, Distinguished participants,

At the outset, Sri Lanka would like to congratulate you on your assumption of the Chair of the Group of Governmental Experts on LAWS and for the continuous engagement with states on this issue. Let me assure you Mr. Chair, of the full support and cooperation of my delegation as we approach the preparation of the recommendations of the GGE to the 6th Review Conference of the CCW.

Sri Lanka aligns itself with the position expressed in the Working Paper submitted by Venezuela on behalf of the Non-Aligned Movement (NAM) on possible consensus recommendations.

Since this session is dedicated to exploration of the potential challenges posed by LAWS to IHL, our remarks will be aimed at addressing this particular issue.

It may be important to note, in response to the question on challenges posed by LAWS to IHL, to look back at the objectives and rationale of the IHL. As we are well aware, IHL rules were promulgated to strike a delicate balance between military necessity on one hand and for the protection of human life and humanity on the other. The limitations imposed by the framework of the IHL on the conduct of hostilities are aimed to protect human dignity in the midst of armed conflict. Therefore, challenges posed by fully autonomous weapons should be understood and approached in the context of the underlying rationale of human dignity in warfare. In the words of Art. 22 of the Hague Regulations, “the right of belligerents to adopt means of injuring the enemy is not unlimited.”

As already stressed by many states including us, in the GGE discussions and agreed in the previous consensus reports of the group, international law, and IHL in particular continues to apply to the potential development and use of LAWS. Nevertheless, merely acknowledging that IHL remains applicable to LAWS does not ensure the compliance of autonomous weapons with IHL provisions. This is why we continue to stress on the importance of centrality of meaningful human control in the full cycle of the weapon system.

Mr. Chair,

We are not convinced that autonomous weapons are better equipped to ensure compliance with the IHL. Context specific and complicated judgments in the battle field cannot be taken by a machine and presuming that they could, the element of human dignity and the value of human life remains at the core of the issue. It is not a question about how well a machine can decide when to fire but whether a machine should take such decision at all?

For purposes of ensuring compliance with fundamental IHL principles, accountability and ethical considerations, it is mandatory that a weapon should be predictable. Human control is the only solution to ensure predictability of a weapon system. This may not necessarily mean the physical presence of the human in the battle field. Critical functions of a weapon system should be under human control where selection of the target and application of force are not solely decided by a machine. In case a weapon is designed to select and apply force by its own judgment such weapon is inherently in violation of IHL. Therefore, development and use of such weapon systems should be prohibited by an international treaty.

In conclusion, Mr. Chair, we wish to reiterate the urgency of the situation. Time is of the essence. We have already begun to hear reports of actual use of autonomous weapons to follow, target and attack human beings. The technology is fast outpacing our deliberations in Geneva and without any clear international legal limitations it will be a matter of time that autonomous combat systems take over the battle field. A legally binding instrument based on the centrality of human control on weapons systems would be our only hope. (ends)

