



**Group of Governmental Experts on
Lethal Autonomous Weapons Systems**

Agenda item 6(d)

**Statement by Katy Donnelly
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Conference on Disarmament, Geneva**

13 April 2018

Thank you Mr Chair.

We are pleased to engage in this very important part of our agenda – the discussion of possible options for addressing the very many challenges posed by emerging technologies in the area of Lethal Autonomous Weapons Systems.

It has been clear over the past four days, and indeed over the past four years, that there will always be more that we can learn about these systems, including because of the rapid pace of technological advancements. At the same time, to remain relevant and to fulfil our mandate, our work must move us forward. We must recognise and register where we agree on issues and build on the conclusions we are able to reach.

As many other delegations have emphasised in their interventions this week, we can see a clear convergence of views over the importance – indeed the necessity – of human control over the use of LAWS to ensure compliance with international humanitarian law. We also acknowledge that there a spectrum of views on the form this control must take and that many of these views are still being developed.

New Zealand has stated that meaningful human control is a key criterion for judging LAWS. The ability to exercise human control is critical to whether a weapon would be able to comply with IHL as well as other requirements, such as rules of engagement. Others have used different

formulations but the central message is the same. We continue to support the work of the GGE to develop a common understanding or working definition of what constitutes a lethal autonomous weapon system and would expect to see human control feature centrally in that definition. Such a definition could form a helpful base for our collective response to LAWS, but as has been highlighted by a number of delegations, the absence of an agreed definition does not mean we are not able to move forward.

With respect to options for addressing the challenges posed by LAWS, New Zealand has an open mind. In our view many of the proposals that have been put forward are not mutually exclusive.

At this stage, we are particularly interested in the existing obligation that all States Parties to Additional Protocol 1 have to assess the compliance with IHL of all weapons, means and methods of warfare, including LAWS – through weapons reviews. These reviews serve as an existing barrier to the development and deployment of LAWS and will form an important part of the international community's response to the challenges they pose.

It is clear, however, that further work is needed. We have found particularly valuable the presentations, interventions and exchanges that have drilled down into the detail of the challenges that LAWS would pose for weapons reviews, including the limits of existing certification methods. We have also heard the call from the ICRC for more States Parties to share their experiences with weapons reviews, and there is a clear recognition of the need for more transparency.

In New Zealand's case, and in accordance with our AP1 obligations, each emerging capability will be reviewed by New Zealand Defence Force using a multi-disciplinary approach and a determination by the Director of Defence Legal Services to ensure it is compliant with IHL. Meaningful human control will be a contextual part of that assessment, alongside the cardinal points of IHL. We are looking at our framework for weapons reviews through the lens of emerging technologies and are interested in similar work being undertaken by others.

New Zealand sees real value in further work on this and are considering with interest the proposals relating to Article 36 reviews put forward by other delegations. In particular, we would see additional work on Article 36 reviews in this forum as a concrete recognition that LAWS are a challenge that requires a concerted international response and not just action at a national level.

Mr Chair, New Zealand would wish to see our future meetings place greater emphasis on this agenda item so that we can make real progress in addressing the humanitarian and international security challenges posed by LAWS. It is clear that, as we are considering and elaborating the options, questions may arise which will require further deliberations. But, in this body, we would like to see those deliberations take place in the context of our work on concrete responses, and not as a separate track.

Finally, Mr Chair, as has been recognised by others, New Zealand would like to express its appreciation for the very valuable contributions of the ICRC, UNIDIR, academia, industry and civil society to our work. This will remain a necessary partnership as we move forward.

Thank you.