

Thank you Mr Chair.

The debate over the past three days has been wide-ranging and illuminating - we have been very grateful for the presenters that have enriched our learning here this week and appreciative too of the fact that they did so without resorting to equations.

The presentations and exchanges on machine learning have been particularly fascinating. They have also helped clarify that LAWS may, or may not, have machine learning and that there is nothing to be gained - and indeed much we could lose - by delaying our work until experts figure out how to develop smart AI. Dumb AI, and indeed autonomous systems with no AI, can also pose challenges for compliance with IHL and should be within the scope of our consideration.

There have been many statements that LAWS don't exist today and are instead a "prospective issue", with some suggesting that this leads to a conclusion that current systems therefore fall outside the scope of our discussion. We take note of this view but consider that, in order to work out why and which future systems may not be acceptable, we should be informed about the characteristics that States have deemed necessary to ensure that current systems are. This would seem to necessitate a *discussion* of those systems, even if we recognise that they would not be affected by future policy, legal and regulatory responses.

Mr Chair, we have also been interested by the very high number of States that have been keen to move from knowledge-gathering about LAWS to the consideration of concrete outcomes - this reinforces our view that States know enough about the challenges posed by LAWS to know also that a response is necessary and must not be delayed.

With very few exceptions States have shown a strong enthusiasm for agreeing a working definition of LAWS - as I noted in an earlier intervention, this is an enthusiasm New Zealand shares and we are of the view that this should be the first priority of our work next year. We would also echo the factors raised just now by the distinguished representative of Ireland with respect to the elaboration of a working definition and to the importance also of understanding the human/machine interface.

Most States have also emphasised the need to ensure a focus on the application of, and compliance with, IHL - a focus that also seems imperative to New Zealand, including because our work is taking place within the CCW. That is

not to say that other areas of law such as IHRL are not relevant and we should not shy away from identifying and addressing connections where they arise.

Mr Chair, States have also shown a preference for moving on to examine the suite of options for addressing the challenges posed by LAWS. Such options have been put forward by a growing number of States and, as one might expect, vary in their scope and ambition. Beyond differing working definitions, we have also seen thoughtful proposals for additional discussions, a moratorium, a political declaration, a legally-binding instrument, future work on weapons reviews, enhanced transparency and confidence-building, a code of conduct, and a group of technical experts among others. While it is already clear that some of these proposals face challenges, we are of the view that the CCW community is ready to *deliberate* on these concrete options and that we should do so next year.

The mandate that we agree for a continued GGE in 2018 must allow us to do so. As we head into our fifth year of deliberations on LAWS, we have a preference for a more focused and action-oriented framing for the GGE next year – a “change of gear” as the Brazilian Ambassador has just mentioned. That said, if a more ambitious or focused mandate cannot be agreed this week or next, New Zealand considers that the current mandate of the GGE as agreed at the 2016 Review Conference is broad enough to allow the necessary deliberations to happen.

Finally, Mr Chair, we have been privileged to have to hand a broad range of resources from international organisations, civil society, academia, industry and others – I don’t want to miss anyone out but would like to highlight in particular the very helpful papers and side events held by UNIDIR, the ICRC, the campaign to ban killer robots, SIPRI and others. We are grateful for these and for the confirmation from these actors that their expertise will continue to be made available to us in future deliberations.

Thank you Mr Chair.