



Permanent Mission of Pakistan to the UN Geneva

Statement

CCW Group of Governmental Experts (GGE) on Lethal Autonomous Weapons Systems, 21-25 September 2020

Agenda item 5(c): Further consideration of the human element in the use of lethal force; aspects of human-machine interaction in the development, deployment and use of emerging technologies in the area of lethal autonomous weapons systems (23 September 2020)

Mr. Chairman,

Pakistan believes that the absence of human control over weapons with autonomous functions will fundamentally change the nature of war. Any weapon that delegates the power to make life and death decisions to machines, which inherently lack compassion and intuition, would be unethical. They will make war even more inhumane.

As was noted by my delegation yesterday organic links permeate our overall discussions on the issue of LAWS, even as we split them up into specific items for organizational purposes of our work.

In our view, LAWS cannot be programmed to comply with International Humanitarian Law, in particular its cardinal rules of distinction, proportionality, and precaution. These rules can be complex and entail subjective decision making requiring human judgment.

The consideration of human element in the use of force, therefore, is at one instance a recognition of this requirement and at time same time one of the avenues to further examine the legal, ethical, humanitarian and security dimensions of LAWS.

Mr. Chairman,

A positive development over the course of discussions, this year and previously, has been the emergence of a general understanding that weapons with autonomous functions must remain under meaningful human control at all times, as necessitated by the fundamental requirement of upholding International Law, particularly IHL.

Delegations have observed that concepts such as “human-machine interface” and “human judgement” have provided us entrypoints for our discussions in the context of LAWS. In our view as well, these concepts only provided us an approach to discussing the weaponization of increasingly autonomous technologies. The concepts in themselves are not an end as they do not provide solutions to the technical, legal, moral and regulatory questions posed by LAWS.

Part of these solutions, in our view, stem from utilizing our conversations on IHL and elsewhere to arrive at the next phase of our discussions on human element with an aim to examine and ascertain the scope and extent of human control necessary to address these various concerns associated with LAWS to ensure that it is meaningful.

Mr. Chairman,

My delegation has stressed on the capability aspect of such weapon systems vis-a-vis acting autonomously, regardless of whether the possessor intends to use them under human supervision or not, as the key concept which would be instrumental in the consideration of a weapon system, as well as the appropriate response required to ensure compliance with IHL.

As my delegation elaborated yesterday, by definition autonomy entails an absence or lack of a human being in control of an element or more of a weapons system. If this lack or absence relates to any of the critical functions, at any stage, it creates incompatibilities with IHL. This then provides one of the elements of scope and extent necessary to make human control meaningful.

Problems related to predictability and reliability, which for a complex machine system such as LAWS could arise for a variety of reasons including human error, biases, malfunctions, degraded communications, software failures, cyber attacks, jamming and spoofing, environmental conditions etc. have also been elaborated by various delegations. The ensuing levels of uncertainty about the way an autonomous weapon system will interact with

the external environment, therefore, provides another element of the scope of human control. It translates into the requirement of human control on certain aspects, particularly the critical functions, at all times to make it meaningful.

Mr. Chairman,

Concerns on LAWS creating an accountability vacuum and providing impunity to the user due to the inability to attribute responsibility for the harm caused have also been raised by delegations and is a concern my delegation shares. The scope and extent of meaningful human control must clearly establish this attribution, at all stages and times. However, if the very nature of a weapon renders responsibility for its consequences impossible, its use should be considered both unethical and unlawful.

My delegation is of the view that the discussion on human control must move forward in a result oriented manner to clearly identify the scope and, extent of human control to make it meaningful in addressing the various concerns related to LAWS. This could form one of the elements in the legal normative framework required to bring LAWS under the scope of appropriate international regulations and prohibitions.

I thank you, Mr. Chairman.