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delivered by

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Mr Chairman,

The International Committee of the Red Cross (ICRC) is pleased to note, that six months after the historic adoption of the Arms Trade Treaty (ATT), more than half the countries in the world have, by ratifying or signing the treaty, endorsed its objective of reducing human suffering through strict controls on the international arms trade. The treaty’s transfer criteria are vital for ensuring that conventional arms do not end up in the hands of those who may be expected to use them to commit war crimes or serious violations of human rights. As weapons continue to flow to some of the most troubled regions in the world, we call on all States to swiftly join the treaty and to urgently close the gap between the treaty's transfer requirements and actual transfer practices.

With regard to weapons of mass destruction, the ICRC wishes to briefly address recent developments in two areas.

First, regarding nuclear weapons, as is now well known, in 2011 the International Red Cross and Red Crescent Movement stated that the incalculable consequences of any use of nuclear weapons and the absence of sufficient capacity for responding to human suffering on such a scale made it a humanitarian imperative for all States to ensure that these weapons are never again used and to pursue negotiations to prohibit and completely eliminate them through a legally binding international agreement. The ICRC has noted that a growing number of countries, including most of the Member States that addressed the General Assembly’s High-Level Meeting on Nuclear Disarmament on 26 September, are asking that the humanitarian impact of nuclear weapons to be at the heart of deliberations on nuclear disarmament.

Secondly, and of more immediate concern, the ICRC was appalled by the confirmed use of chemical weapons in Syria in August of this year. It remains very concerned about other allegations of use. We recall that customary international humanitarian law absolutely prohibits the use of chemical weapons, by any actor, anywhere in the world. We welcome Syria's recent accession to the Chemical Weapons Convention (CWC) and its commitment to systematically destroy, under international verification, all chemical weapons and associated facilities within its jurisdiction or control, as required by the CWC and despite the formidable challenges posed by the ongoing armed conflict.

Though the use of chemical weapons is indisputably prohibited, recent events highlight the urgent need to achieve universal adherence to the Chemical Weapons Convention. The ICRC
urges the six States that are not yet party to the CWC – Angola, Egypt, Israel, the Democratic People's Republic of Korea, Myanmar and South Sudan – to ratify or accede to this treaty without delay. In August, the world was given a shocking reminder of the horrific effects of these weapons. There can be no justification for any State to remain outside the CWC, which aims, "for the sake of all mankind, to exclude completely the possibility of the use of chemical weapons" through their complete elimination.

Mr Chairman,

While weapons of mass destruction may be foremost in the minds of many, we must not lose sight of the fact that conventional weapons continue to pose the greatest threat to civilians in most conflicts today. Because military operations are, increasingly, being conducted in populated areas, civilians are particularly exposed to the risk of incidental or indiscriminate death or injury, or destruction of property, caused by the use of explosive weapons with a wide impact area. The devastating effects of these weapons can be seen all too clearly in a number of ongoing armed conflicts. In 2011, the ICRC stated its view that, owing to the significant likelihood of indiscriminate effects – and despite the absence of an express legal prohibition for specific types of weapon – explosive weapons with a wide impact area should be avoided in densely populated areas. The ICRC is pleased to note the attention that the UN and non-governmental organizations are giving this issue. It recalls the Secretary General's request, in his May 2012 report on the protection of civilians in armed conflict, that Member States make available "information on harm to civilians from the use of explosive weapons" and issue "policy statements outlining the conditions under which certain explosive weapons may and may not be used in populated areas."

Finally, Mr Chairman, the ICRC wishes to address existing or emerging new technologies of warfare such as remotely-piloted aircraft or 'drones', automated and autonomous weapons and cyber-warfare capabilities. These means of warfare have been the subject of intensive public debate, notably in humanitarian terms. They are not expressly prohibited or regulated by existing treaties, but as with any weapon system, their employment in armed conflict must comply with international humanitarian law, in particular the principles of distinction, proportionality and precaution in attack. In this respect, the ICRC wishes to recall that, before developing or acquiring a new means of warfare, a State must assess its compatibility with international humanitarian law. This is necessary in order to prevent the development of weapons that would violate the law in some or all circumstances.
The ICRC reiterates its humanitarian concerns about cyber warfare, which refers to means and methods of warfare that rely on information technology. The inter-connectivity of military and civilian computer networks gives rise to a number of significant challenges: for instance, the difficulty for the party launching a cyber-attack to distinguish between military objectives and civilian objects or to evaluate the indirect effects on civilian networks. The fact that a growing number of States are developing cyber-warfare capabilities, defensive and offensive, only reinforces the urgency of these concerns.

A salient feature of armed drones is that they allow combatants to be physically absent from the “battlefield”. These weapon systems remain under the control, albeit remotely and often from vast distances, of human operators who select targets and activate, direct and fire munitions carried by the drone. They are similar to manned weapons platforms such as helicopters or other combat aircraft and their use in armed conflict creates some of the same challenges: for instance, ensuring that attacks are directed only at military objectives and avoiding incidental harm to civilians to the greatest extent possible. Under international humanitarian law, those who operate armed drones are, like the pilots of manned aircraft, accountable for their actions.

So what is the problem with drones? Those who advocate their use in combat operations argue that they provide greater precision in attacks, cause fewer casualties and are less wantonly destructive. But others say that drone attacks have wounded or killed civilians on far too many occasions. There are other issues to consider as well. For instance, these remote-controlled weapons facilitate the extraterritorial use of force, which gives rise to the question of the kind and degree of force permissible against targeted individuals. The answer to this question will vary significantly, depending on the context in which the drone is used. It will depend particularly on whether the violence is governed by international humanitarian law or by international human rights law standards on law enforcement, which impose far stricter limits on the use of force. In the ICRC’s view, this can be determined only on a case-by-case basis.

Unlike armed drones, autonomous weapons, or ‘lethal autonomous robots’, are designed to operate with little or no human control. A truly autonomous weapon system would function on artificial intelligence and would be capable of searching for, identifying and targeting an individual with lethal force. Although such weapons do not yet exist, research in this area is advancing at high speed. This should be a cause for concern, as it is far from clear whether autonomous weapons could ever be capable of being used in accordance with international humanitarian law, particularly whether they could fulfil the obligations to distinguish between civilians and combatants, to carry out proportionality assessments and to take all feasible
precautions in attack. But even if it were technologically possible one day to enable autonomous weapons to fully comply with international humanitarian law, their deployment would raise this fundamental question: Would the dictates of public conscience allow machines to make life-and-death decisions on the battlefield? Other questions will have to be dealt with as well. For instance, who would be held accountable if the use of an autonomous weapon results in a war crime: the programmer, the manufacturer or the commander who deploys the weapon? The ICRC is urging States to fully consider the fundamental legal, ethical and societal issues related to the use of autonomous weapons well before they are developed.

Thank you.