STATEMENT BY

AMBASSADOR ZAMIR AKRAM
PERMANENT REPRESENTATIVE

AT

2013 MEETING OF THE HIGH CONTRACTING PARTIES TO THE 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

Geneva,
14 November 2013
Mr. Chairperson,

It gives me great pleasure to congratulate you on your election as Chairperson of the 2013 meeting of the High Contracting Parties to the CCW. We are confident that your able leadership will guide this Meeting to a successful conclusion. You can count on my delegation's full support and cooperation.

We thank the Implementation Support Unit (ISU) for the work that they have carried out in the fulfilment of their mandates, and for preparing the background documentation of this meeting.

Mr. Chairperson,

The CCW has become an indispensible element of contemporary humanitarian, disarmament and arms control machinery, as well as a forum to consider how best to protect both civilians and soldiers from the effects of certain conventional weapons. The strength of this Convention lies in its legal framework that strikes the delicate balance between the need to minimize human suffering without sacrificing the legitimate security interests of states.

Pakistan played an active role in the negotiations of this Convention as well as its Protocols. Pakistan is a party to all the five protocols of the CCW and is fully compliant with their provisions. We regularly submit all the requisite reports concerning Pakistan’s compliance, including for the reporting period of 2012.

Pakistan remains fully committed to its obligations arising from the CCW in letter and spirit. We are also proud of our active contribution towards the de-mining efforts in different parts of the world in the context of the UN peace-keeping operations, to which Pakistan is one of the largest troop contributors.

In order to further enhance the positive impact of this Convention and its Protocols, there is a need for enhancing their implementation as well as broadening the membership. In this regard, we welcome and appreciate the work carried out by you, Mr. Chairperson, and the ISU in promoting the universality of the Convention. In order to further promote the implementation, steps may be considered to calibrate the reporting mechanisms, without creating additional reporting burden for the State Parties.
Mr. Chairperson,

The issue of Mines Other Than Anti Personnel Mines (MOTAPM) continues to generate divergent viewpoints and perspectives from the States Parties. There exist wide differences in terms of their scope, definitions, transfers, cooperation and assistance, in addition to the technical details.

Pakistan considers all types of mines as legitimate defensive weapons, which deter aggression and avert war, especially in situations of conventional military imbalances. The humanitarian concerns arise from the “irresponsible use” of mines by non-state actors, since their legitimate use by States Parties is already regulated by the existing provisions of the CCW and International Humanitarian Law (IHL).

At this juncture, we need to strengthen the implementation of the existing instruments and provisions of the CCW. Further amendments to these instruments would hamper efforts to universalize the Convention, thus undermining our collective effort in this endeavour.

Mr. Chairperson,

I will now address the new and emerging technologies and their impact and implications. I will touch upon two issues here: armed drones and Lethal Autonomous Robotics (LARs).

In our view, the use of armed drones especially against civilians constitutes a violation of international law, the UN Charter, International Humanitarian as well as Human Rights laws. Their use contravenes State sovereignty and the UN Charter restrictions on legitimate use of force for self-defence, in the absence of imminent danger and without express permission from States in whose territory the armed drones are used.

The use of drones does not fulfill the criteria of the zone of conflict as defined in International Law. As is well known, the drones are being operated and used against civilians outside the conflict zone as defined by IHL.

Drone use is also characterized by lack of transparency, responsibility and accountability. Information on chain of command and responsibility is opaque or unavailable. Civilians are targeted and killed through signature strikes. In the absence of credible information against the targeted individuals warranting use of drones, their use is tantamount to extrajudicial killings since no due process of law is followed.
Even from an operational and pragmatic point of view, the use of drones is counter-productive in fighting terrorism. Since no information or due process is visible to the general public, drone use is perceived as a blunt tool to use brute force to kill humans.

Notwithstanding the few tactical gains, the proliferation of drone technology over time would make their use more dangerous and vulnerable.

Even more challenging could be the task of preventing and deterring the non-state actors and terrorists from developing, deploying and using drones against people or even States. When technology spreads, their use could create uncertainties, leading to miscalculations and even eruption of inter-State conflicts.

Mr. Chairperson,

Lethal Autonomous Weapons System, such as Lethal Autonomous Robotics (LARs) or drones, pose serious legal and moral questions and have implications for laws of war. In the absence of any human intervention, such weapons in fact fundamentally change the nature of war. Consequently, the resort to use of force may become a more frequent phenomenon.

The use of LARs raises serious concerns about targeting of civilians and non-combatants. It may also flow into the ‘signature’ targeting domain. There is no clarity on affixation of responsibility, no human control in the judgment on the use of these weapons.

In the light of these factors, the use of LARs violates international law including International Humanitarian and Human Rights laws. As in the case of armed drones, the important issues of transparency and accountability have not been addressed. For instance, in case of use of LARs against another State, who would be held responsible? Would it be the user or the State that programmed or produced such LARs?

In certain Western quarters, it is being argued that a ban on such weapons is unnecessary and even dangerous. This is based on twisted thinking. In fact, it is the military-industrial complex, with huge electoral contributions to politicians which is pushing for production of such weapons and thereby shaping the thinking on evolving defence policies.
Moreover, their argument that automated weapons can save lives of soldiers ignores the obvious consequence that the targeted groups or states will retaliate by killing the civilians of the concerned countries if its soldiers are being kept out of harms’ way. This is already happening which demonstrates how elusive the search for the ultimate weapon will always remain.

Also, the states that currently possess and use such weapons cannot afford to be complacent that such capabilities will not proliferate over time and hence they too shall become vulnerable, unless such weapons’ production is curtailed forthwith under an international regime. Evolution of legal norms and laws are urgently needed for drones and LARs. The CCW provides an ideal forum to address these issues.

We thank you, Mr. Chairperson for conducting extensive informal consultations and presenting a proposal for convening an informal meeting of experts in 2013 to discuss issues related to Lethal Autonomous Weapons system. My delegation supports this proposal and looks forward to a detailed discussion on all aspects of this important issue.

I thank you Mr. Chairperson.