



PAKISTAN

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Statement

by

Mr. Khalil Hashmi,

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United Nations, New York**

at the

First Committee Thematic Debate

on “Other disarmament measures and international security”

(68th Session of the UNGA)

New York, 30 October 2013

Mr. Chairman,

Pakistan aligns itself with the statement made by the Non-Aligned Movement.

The fast pace of technological innovations is changing the way international law can and should govern their development, deployment and use. The way some of the new and emerging technologies are used has impact on and implications for international peace and security.

First, a few words on the use of armed drones.

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-defense, in the absence of imminent danger and without express permission from States in whose territory the armed drones are used. The established principles of distinction, proportionality and pre-caution are also violated when armed drones are employed.

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

Mr. Chairman,

Drone use is also characterized by lack of transparency 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, 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. Chairman,

Secondly, let me now address the related issue of the Lethal Armed Robotics(LARs) and its implications for international peace and security.

The autonomous or independent target selection and use of lethal force against them poses serious legal and moral questions and has implications for laws of war. In the absence of any human intervention, LARs may in fact change the nature of war. Wars, use or resort to use of force may become more frequent phenomena.

The use of LARs also 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 and 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 are also missing in terms of LARs. 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? The role of civil society needs to be determined as well.

Mr. Chairman,

In recent years, other challenges linked to the use of information and communications technologies have also emerged on the horizon. Recent reports of indiscriminate surveillance and use of computer malware amounts to violation of the international legal regime, including the right to privacy, freedom of expression and information.

The nature of contemporary challenges arising from ICT technologies has been highlighted by the UN Group of Governmental Experts in its reports. We take note of the assessment, conclusions and recommendations of the GGE on Information Security.

Misuse and un-regulated use of ICT could lead to serious implications for international peace and security in the event of a cyber attack launched on critical infrastructure such as electricity grids, disruption of satellites, weather forecasting. In this context, the hostile use of cyber technologies can indeed be characterized as weapons of mass destruction and disruption.

As proliferation of such technologies is inevitable, it is both useful and essential to regulate their use sooner than later. Evolution of legal norms and laws are urgently needed for not only ICTs, but also drones and LARs as well.

I thank you, Mr. Chairman.