# Convention on Certain Conventional Weapons

The Fifth Review Conference of the **Convention on Certain Conventional Weapons (CCW),** ended recently in Geneva.

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The parties to the conference agreed to establish a formal process, via a Group of Governmental Experts (GGE), to kick-start talks on **Lethal Autonomous Weapon Systems (LAWS)** in 2017, with India as its chair.

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## What are LAWS?

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- **LAWS, simply understood, are weapons that can be deployed without human intervention**.
- While in popular imagination, such weapons are equated with Terminator style robots, they can include anything from such infantry replacing machines to smart missile defence shields.
- No country has yet deployed fully autonomous weapons, however given the current rate of technological development; the emergence of such weapon systems is bound to happen sooner or later.
- So far, LAWS have been discussed on the sidelines of the main conference through an informal meeting of experts.
- The decision to constitute a formal GGE is significant in this regard, as previous **GGEs have led to legally binding international instruments** that have prohibited or restricted certain weapon systems, thereby dramatically increasing the possibility of a similar instrument being adopted for LAWS.

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## Why there is objection from certain sections?

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- This possibility has led to a growing number of people and institutions asking for a pre-emptive ban on the development and deployment of these weapons.
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- The first reason is **moral.** A number of commentators have argued that using LAWS places the decision to kill, always a weighty question, in the hands of machines.
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- Given the sanctity of human life, this decision it is argued, must always rest with a human being.
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- The second deals with **compliance.** The conduct of war today is governed by a host of international treaties, the compliance of which is often a subjective undertaking.
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- Machines operating on pre-programmed codes and using objective criteria to make battlefield decisions, would not be able to comply in any substantial manner with these treaties.
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- Here also arises the **question of liability**. In case of any violations of these treaties, individual soldiers or their commanders can be held responsible for their actions.
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- **If an autonomous machine commits a war crime, where does the responsibility lie?**
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## Why there is support for the LAWS?

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- On the other hand, a number of people have pointed out that LAWS provide **immense strategic and efficiency benefits** that cannot be overlooked.
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- Further, autonomy in weapon systems will in all likelihood be incremental and any pre-emptive ban may have negative fallout on research in related fields, such as driver-less vehicles, which have significant civilian uses.
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- These positions are also split between smaller weapons importing countries, which have tended to advocate for a pre-emptive ban and larger, weapons exporting countries, which have been more circumspect on the issue.

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## What is India's stand?

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- **A major defence market and a global technology hub,** India has its own stakes in the outcome of this debate.
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- Unlike a few countries, including Pakistan, India has not expressed support for a pre-emptive ban.
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- At the recent CCW conference **India outlined what it considers to be the major issues at stake:** compatibility with international law; impact on international security; technology gap among states; and possible increase in the use of military force to settle disputes.
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- As the Chair of the GGE, it can be safely assumed that India will set the parameters of the debate with these four issues as touchstones.
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## What is importance of GGE?

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- The recommendations of the GGE will be important for two reasons: First, quite simply **it will determine the course of future warfare.**
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- Second, it will have a knock-on effect on research and development in future technologies.
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## What is the way ahead for India?

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- The importance of ‘technology gap’ to India means that a pre-emptive ban is likely out of the question at the moment, as India would not seek to let go of a situation where it could possibly achieve technological parity with more advanced nations.

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- What India **should do instead is push for some form of regulations with emphasis on two points** – the circumstances governing use of LAWS, and prohibition of sale of autonomous weapon technology to non-State actors.
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- Beyond these, as chair, India will also need to evolve a consensus to answer two questions: When is a weapon system ‘autonomous’?; and, whether the scope of the regulations, if any, will only be on future systems or will also include already developed systems that show elements of autonomy.
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- Each of these questions is politically and diplomatically loaded, with the weapons programmes of several states, including the United States, Russia, and China at stake.
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- The establishment of the GGE is only the first step in what will likely be a long drawn out process and it is highly unlikely that any significant decision will be reached by next year.
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- It is, however, **a very vital first step in shaping the future of war.** India’s elevation as chair provides it with a unique opportunity to take a leadership role in global debates on this issue.
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**Source: Hindustan Times**

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