India acknowledges that emerging technologies in the area of Lethal Autonomous Weapons Systems raise challenges and concerns. India is committed to addressing these challenges and concerns and has participated actively and constructively in the consideration of these matters within the framework of the Convention on Certain Conventional Weapons, and since 2016 in its Group of Governmental Experts.

India also believes that emerging technologies can have transformational effects on reducing poverty and improving the lives of our people. This is particularly relevant in the case of developing countries. The stigmatization of such technologies should be avoided.

India is of the view that the laws of armed conflict must be respected at all times. The military use of emerging technologies in the area of lethal autonomous weapons systems must be in accordance with International Humanitarian Law.

Without downplaying many of the legitimate legal and ethical questions that arise from emerging technologies in the area of lethal autonomous weapons systems, India also supports the view that emerging technologies in general have the potential to actually improve compliance with international humanitarian law.

The CCW is the appropriate forum to discuss issues relating to emerging technologies in the area of LAWS, with a view to striking a balance between military necessity and humanitarian imperatives. The Convention can and has brought together relevant stakeholders. It has also been successful in bringing together relevant expertise in legal, military, and technological aspects. The broad and diverse participation, the number of working papers submitted by several countries, and the global interest in those discussions, further testify to the continuing relevance and importance of the deliberations under the GGE.

It is India’s understanding that the accomplishments of GGE in generating concepts and a lexicon that capture some of the elusive characteristics of emerging technologies in the area of LAWS and their possible impacts are considerable. This includes the 11 Guiding Principles, which provide a foundational framework for addressing the potential challenges posed by LAWS, as well as the understandings reached by the Group. These understandings, including the agreement are contained in consensual reports adopted by the Group of Governmental Experts as well as the High Contracting Parties of the CCW. Particular importance is attached to the conclusions contained in the
Report of the 2023 session of the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems which state *inter alia* that:-

“Without prejudice to the future work of the Group that continues to be guided by international law, in particular the United Nations Charter and IHL as well as relevant ethical perspectives, the Group concluded that:

(a) IHL continues to apply fully to the potential development and use of LAWS;

(b) Weapons systems based on emerging technologies in the area of LAWS must not be used if they are incapable of being used in compliance with IHL;

(c) Control with regard to weapon systems based on emerging technologies in the area of LAWS is needed to uphold compliance with international law, in particular IHL, including the principles and requirements of distinction, proportionality and precautions in attack.”

and

“States must ensure compliance with their obligations under international law, in particular IHL, throughout the lifecycle of weapon systems based on emerging technologies in the area of LAWS. When necessary, States should, inter alia:

(a) Limit the types of targets that the system can engage;

(b) Limit the duration, geographical scope, and scale of the operation of the weapon system;

(c) Provide appropriate training and instructions for human operators”

and

“In accordance with States’ obligations under international law, in the study, development, acquisition, or adoption of a new weapon, means or method of warfare, determination must be made whether its employment would, in some or all circumstances, be prohibited by international law. In this context, the voluntary exchange of relevant best practices between States is encouraged, bearing in mind national security considerations or commercial restrictions on proprietary information.”

These understandings and agreements need to be acknowledged, used as a basis for further work, incorporated in the elements, without prejudging its nature, of any possible instrument, and be a primary focus for the future work of the GGE.
India believes that the work of the GGE should continue to accord priority to augmenting understandings on characterization and definitions relating to emerging technologies in the area of LAWS. The importance of achieving uniformity in how conceptual elements, relating to their development and deployment, are practically understood and interpreted, needs to be emphasised.

India supports the consideration of appropriate action to address and mitigate risks associated with emerging technologies in the area of LAWS. Agreement on risk mitigation should take into account existing legal obligations, respect national jurisdictions and competence, and relevant national capacities.

Transparency and Confidence Building Measures have a role in addressing the concerns relating to emerging technologies in the area of lethal autonomous weapons systems.

It is also important for all to acknowledge that member states inhabit differing security realities. Discussions on possible measures should endeavour to find common ground by taking into account the concerns of all. More importantly, deliberations on emerging technologies in the area of LAWS should not lead to a fragmentation of the normative sphere. It is important not to duplicate work being carried out in forums under their existing mandates. Efforts to create ground for generating parallel mandates or parallel sets of rules must be avoided.

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