

**Statement by India: An exploration of the potential challenges posed by  
Emerging Technologies in the area of Lethal Autonomous Weapons  
Systems to International Humanitarian Law**

**Tuesday, 26 March 2019**

Mr Chairperson,

- At the outset, Indian delegation would like to emphasize that technology should not be stigmatised and would like to reiterate, related possible Guiding Principles mentioned in the 2018 report of the GGE on LAWS that, discussions and any potential policy measures taken within the context of the CCW should not hamper progress in or access to peaceful uses of intelligent autonomous technologies. In the Indian context, A Task Force on 'AI for India's Economic Transformation', bringing together government and industry representatives as well as researchers and academicians, has submitted its recommendations in ten important domains of relevance to India, wherein AI based technologies can make a valuable contribution, in particular, achieving 17 Sustainable Development Goals and accordingly plans are underway to use these technologies in health and safety domains, for improving the quality of life of people.
- Having said that, I would like to highlight some of the likely challenges posed by emerging technologies in the area of LAWS to IHL:-
  - ✓ Emerging technologies will have impact on future of warfare and they have potential to change the way a lethal force is applied and critical decision is arrived at, in battle field. Military application derived from these technologies must strengthen transparency and cooperation in the area of humanitarian and international security laws.
  - ✓ The lawfulness of weapon and weapon systems itself and whether it is qualified for use in an armed conflict is determined under the principles of LAW of Armed Conflict (LOAC). To be lawful, a weapon must satisfy all the requirements i.e. the weapon must be able to discriminate between military and non-military targets, it must not cause unnecessary suffering and it must not be uncontrollable.
  - ✓ Autonomy in critical functions of weapon systems may be viewed from two perspectives- one that potentially such systems would be precise and accurate in targeting, not prone to human error in judgement and the corollary that human interface is necessarily

compliant on the distinction, proportionality and precautions principles of IHL in carrying out any attack, though such interface may not be quite safe in execution.

✓ Autonomy in critical functions would challenge the maintenance of combatant and commanders' responsibility for decisions to use force, however such autonomy parameters may be made compliant to IHL during the conceptualisation, design and development of the system for its intended use.

✓ The responsibility for development, production and deployment of LAWS, should rest with the concerned State. The associated risks as regards proliferation (including to non-state actors), need to be covered under dual responsibility of the State and by strengthening international regulations. India is compliant with the principles of IHL and respects the universality of Martens Clause from humanitarian perspective.

Thank You, Chair