

13. Conventional arms control and new weapon technologies

Overview

Conventional arms control by states usually falls within one of two broad approaches: limiting and/or prohibiting weapons considered to be inhumane or indiscriminate; or regulating and managing weapons procurement, production, transfers and trade, with a view to preventing their destabilizing accumulation, diversion and/or misuse. Section I reviews the developments and negotiations that took place in 2019 in three of the main global instruments for regulating the production, trade and use of conventional weapons: the 1981 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 (the CCW Convention); the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the APM Convention); and the 2008 Convention on Cluster Munitions (CCM). The 2013 Arms Trade Treaty (ATT), another major instrument, is discussed in chapter 14.

Despite growing international concern over the use of incendiary weapons and explosive weapons in populated areas (EWIPA), including the use of improvised explosive devices (IEDs) by non-state armed groups, discussions in the CCW failed to generate new concrete outcomes. The lack of progress within the CCW is leading some states to explore the creation of new arms control instruments. Ireland convened the first of a series of open consultations on a political declaration on EWIPA in Geneva in November 2019, with a view to finalizing and adopting a declaration in 2020.

International differences on the development of norms of responsible state behaviour in cyberspace led to two parallel processes starting in 2019: an Open-ended Working Group and a new Group of Governmental Experts. However, in the absence of consensus, a binding agreement within either seems unlikely in the near future.

While new uses of APMs by states are now extremely rare, their use by non-state armed groups in conflicts is a growing problem, especially their use of victim-activated IEDs. APMs were used by such groups in at least six states between mid-2018 and October 2019: Afghanistan, India, Myanmar, Nigeria, Pakistan and Yemen. The non-state armed group Polisario Front of Western Sahara completed the destruction of its stockpiled landmines in 2019. The Maldives and the Philippines became states parties to the CCM in 2018, taking

the total number of states parties to 107. There was continued use of cluster munitions in Syria in 2019.

Section II look at efforts to regulate lethal autonomous weapon systems (LAWS). As was the case in 2017–18, the discussions on LAWS took place in the format of a group of governmental experts (GGE) within the framework of the CCW Convention. While a consensus has emerged among states that autonomy in weapon systems cannot be unlimited, there is still disagreement on whether additional regulation is needed. In 2019 the GGE adopted 11 guiding principles (10 of which had been proposed in 2018) and agreed to meet again in 2020 and 2021 to continue discussions. A majority of states would like the GGE to present substantial and politically ambitious recommendations at the 2021 CCW Review Conference, but a handful of technology advanced military powers continue to impede progress.

Section III discusses developments related to the United Nations agenda item: the Prevention of an Arms Race in Outer Space (PAROS). Since 2017, some states, most notably the United States, have openly declared space to be a domain of war or an area for both offensive and defensive military operations. Others, including France, India and Japan, announced new dedicated military space units in 2019, and in March 2019 India tested an anti-satellite weapon. The North Atlantic Treaty Organization also announced in 2019 that outer space is now a domain of operation. Despite the growing risk of a conflict in outer space, international discussions on both security and safety aspects of space activities, including PAROS, remained blocked.

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