



# Global Commons and Technology: Roadmap for India

## The Erosion of Technology-Dominance in the Global Commons

The pyramid of global institutions, with the United Nations at its apex, is now manifestly unequal to the imperative of “de-tensioning” the world; despite having survived two military-technology dominated World Wars and a wave of de-colonisation that followed the second of those; precariously adjusting to the Cold War and its Atlantic end in the last Century, only to to be replaced by another one across the Pacific in this one.

The above statement would not be contested in its essence by the discerning who survey and ruminate on the nature of the global disorder that has been catalysed by what might be characterised as a ‘reverse resentment’ of the United States that,

while powerful enough to disrupt the functioning of global institutions she herself created for the most part, finds herself neither powerful nor persuasive enough to fashion new ones even amongst those who have thus far regarded her as *primus inter pares*.

To compress a geo-political long-story, in pith-and-substance it was “spin-off” from military technologies – particularly from those engineering sciences that enabled nuclear weapons and the unique means of their long-distance delivery – developed by the allies during and WWII, and during the Cold War thereafter, that paved the road to industrial competition amongst and between the US’ allies. That paving, cobbled as it was, was enshrined into “global norms” by the nominally anodyne revival by the United States, through the Bretton Woods institutions, of Western

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European industrial capitalism let loose in 'free markets'.

But what was catalytic "spin-off" for Western industrialisation (nuclear power; Space access; finite automata/computers, and now AI) became 'dangerous dual-use' when the creed of 'free markets' needed unfettered entrepreneurial access to the very markets that decolonisation had relinquished control of. So, "free markets" had to be made unfree for such dangerous technologies: The market-seeking behaviour of entrepreneurial actors had to be chaperoned by the State through, *inter alia*, "export controls". But those same controls spurred the post-colonial South, with India in its democratic lead, to develop and deploy in the global commons of Space, the Oceans, recently in Cyber and in Artificial Intelligence (AI). The era of domination by and through technology is nearing its end.

This policy brief examines the potential role that India could play in global commons management while outlining the power credentials that allow her to shape norms of state behaviour in those commons. It assesses the potential role that a formal multinational trusteeship can play with respect to realising responsible and equitable stewardship of the global commons. It finally makes a case for India to work with the major poles in the international system to repurpose the currently dormant UN Trusteeship Council to institute an effective collective governance mechanism for global commons management.

## India's Power Credentials in the Global Commons

The advances in and diffusion of technology have transformed the global commons into increasingly crowded domains characterised by interstate competition and heightened tensions. (For an elaboration, see Govella, 2019).

India could really have a major influence in curating a New Global Order, one of non-domination, but only if it first constructs *de novo* the norms of international relations in territories beyond national jurisdiction, namely: Space Beyond Earth Orbit, Oceans, Polar, Cyber and AI. Because N-5 resistance to decolonising access-enabling technology is least felt in these territories. India can exercise that influence because it has quite significant autonomous technological capabilities in all the five areas.

India can exercise that influence because it has quite significant autonomous technological capabilities. Through attaining self-reliance in these areas, India has been able to reverse its position from being a 'discriminatee' country which is targeted for technology denial to 'participant discriminator', one that has been invited into technology denial regimes. India's entry into the Missile Technology Control Regime (MTCR), in 2016 is testament to India's power credentials in science and technology. This North-inspired and dominated regime had been instituted in 1987 primarily to target and curb India's nascent space programme (Siddhartha, 2019).

Resisting attempts by major powers of the Global North to create loopholes that would allow for militarisation of the commons, India has for long urged at the United Nations, and in other international fora, tangible measures that advance non-discriminatory, comprehensive and universal disarmament (MEA, 2023). Actively participating in negotiations on the Antarctic Treaty (1959), Outer Space Treaty (1967) and the UN Convention on the Law of the Sea (1987), India's position has emphasised upon preserving their status as "common heritage of mankind".

As such, the emergence of India as a global co-pole, potentially alongside China and the USA is inevitable in many registers, by mid-Century (if not earlier), especially given global demographic changes in Europe, Russia and Northeast Asia. As such, India has historically played a proactive role in shaping key debates on the global order. India's views on global governance have historically been guided by a belief in multilateralism and a strong sense of universalism.

Unlike alignment, either non-, or multi-, "non-involvement" is not an option for India. As the late Director of the National Institute of Advanced Studies, Professor Roddam Narasimha, put it pithily: "*India will not be left alone even if she wishes to be left alone*".

Amid international power alignments changing significantly, even if haphazardly, an India-advocated New World Order(s) can be backed by selectively deployed power, based on the Indra Doctrine.

*"I have broken up countless treaties made on Earth, in the sky and further up in the heavens. But not a hair on my head was disturbed"* [Indra in Aitherya Brahmana, Rg Veda, Circa 3000+ BP.]

With the *Rg Veda* in its DNA, India did that in 1998 with NPT/CTBT; and then again with the ASAT test in 2019 – when an NPT-type exclusionary ASAT-regime was being advocated.

### **Repurposing the Trusteeship Council: The Way Forward**

In the light of the foregoing, it should be evident that the 'global commons' are actually non-governed *territories* beyond national jurisdiction. Even the cyber domain and AI may be conceived of as being 'cognitive territories' for the purposes of their global governance

Only if formal multi-nation Trusteeship, with no *de-facto* or *de-jure* veto-over-action, is assigned over these "commons" – by UNGA repurposing the extant, but dormant, UN Trusteeship Council – can some semblance of responsible equitable stewardship of these "commons" be provided by the increasing number of nations which are becoming technologically capable of access to, and action in these "commons", and therefore capable of resentment-driven disruption of those "commons" – to the detriment of all.

Such proposed repurposing of the Trusteeship Council of the United Nations is not entirely new. It was made, *inter alia*, in the 1997 Kofi Annan Report on the reform of the UN. Para 85 of that report reads:

Member States appear to have decided to retain the Trusteeship Council. The Secretary-General proposes, therefore, that it be reconstituted as the forum through which Member States exercise their collective trusteeship for the integrity of the global environment and common areas such as the oceans, atmosphere and outer space. At the same time, it should serve to link the United Nations and civil society in addressing these areas of global concern, which require the active contribution of public, private and voluntary sectors. (UN Secretary General, 1997, p. 27)

An India-led revival of the Trusteeship Council would be particularly well-suited to the collective governance of such non-governed territories. Counter-intuitively, India can work with the USA based on a shared anti-colonial heritage to convince her to abandon her itch to dominate at least in the global commons, and instead work with India and other major spacefaring nations towards placing those territories, Space in particular, in the anti-dominance trust of the UN (Siddhartha, 2021).

India could harness her technological expertise and quiet-influence, particularly amongst the South countries, to lead the creation

of frameworks of governance-in-trusteeship rooted in the principles of equity, fairness, responsibility, and accountability. One such example is the legally binding *Agreement on Marine Biodiversity of Areas beyond National Jurisdiction*, that was signed in 2023, under the UN Convention on the Law of the Sea.

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