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Working paper by the International Committee of the Red Cross

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Introduction

In 2024, the ICRC documented 130 armed conflicts worldwide – a figure that has more than doubled in the last 15 years. Many of these conflicts have persisted for decades, trapping generations in cycles of violence and trauma. As these conflicts spread, we witness not only an alarming increase in suffering and humanitarian needs but also a concerning retreat by some States from their humanitarian responsibilities and disarmament commitments.

¹ ICRC, <u>Annual Report of 2024</u>, 9 September 2025, p. 5.

In parallel, as detailed in the United Nations Secretary-General's recent report, military spending has grown to extraordinary levels. Many States appear to be re-orienting their policies and capabilities towards preparing for major conflict in ways not seen for decades. Yet the conclusion of the first special session of the General Assembly devoted to disarmament, held almost half a century ago in 1978, remains valid: more weapons mean less security.³

Every day, ICRC staff throughout the world witness the untold suffering of victims of armed conflict. Heavy explosive weapons in populated areas cause devastating civilian casualties and the destruction of essential infrastructure. Anti-personnel mines and cluster munitions, weapons thought to have been relegated to the past, continue to inflict appalling suffering long after their use. Poorly regulated and irresponsible arms transfers fuel vicious cycles of violence, while emerging and new technologies of warfare introduce new risks of harm to civilians. Above all, nuclear weapons continue to pose an existential danger to humanity as a whole. These are all serious humanitarian concerns that the First Committee has the responsibility to address, forcefully and urgently.

The suffering caused by armed conflicts around the world is proof that, despite many instances of respect for international humanitarian law (IHL), compliance clearly falls short of what is required. All too often, violations of IHL are misrepresented as compliant behavior and the most fundamental principles of IHL simply disregarded. The international community must reiterate its political commitment to upholding IHL, in letter and in spirit. As the President of the ICRC stated at the opening of the General Assembly, "every State has a moral and legal responsibility to reverse the erosion of those rules worldwide. The fate of millions living through war today and tomorrow will be defined by the choices leaders make to preserve—or abandon—humanity in war".⁴

In response to these dire circumstances, last year the ICRC, alongside Brazil, China, France, Jordan, Kazakhstan and South Africa, launched a global initiative to renew political will for IHL. To date 90 states have since joined this initiative and this number continues to grow. We urge all States to join the initiative and use IHL as a guiding framework to reduce suffering and work towards a peaceful future. Failure to respect and uphold those rules betrays the foundations of humanity they were designed to protect.

At this critical moment, the work of the First Committee is all the more vital and urgent. Disarmament and non-proliferation are necessary and effective tools to prevent war and strengthen international peace and security. They are also critical means to mitigate the impact of armed conflict when it occurs – in other words, they support and strengthen IHL. In times of increased conflict and tension, the treaties and arrangements overseen by the Committee must be reinforced, developed and expanded – not ignored, neglected or abandoned. Now is the time for States to redouble their efforts to fully and faithfully implement existing disarmament treaties, to bring them closer to universality, and to develop new legally binding and other instruments and mechanisms to address the risks posed by new technologies of warfare. It is with reenergized

² United Nations Secretary-General, <u>The Security We Need: Rebalancing Military Spending for a Sustainable and Peaceful Future</u>, Report, 2025.

³ United Nations General Assembly, <u>Resolution adopted on the Report of the Ad Hoc Committee of the Tenth Special Session S-10/2</u>, 30 June 1978, para. 12.

⁴ ICRC, ICRC President: If states do not act, the brutality of today's wars will become the baseline for conflicts tomorrow, Statement, 22 September 2025.

⁵ For more information on the Global Initiative and for the full list of states joined, see https://www.upholdhumanityinwar.org/#who-is-involved

commitment to humanitarian disarmament and IHL that we may limit suffering and sow the seeds of peace.

Conventional weapons

Conventional weapons are responsible for the large majority of civilian harm in today's armed conflicts. It is essential that States take urgent action to ensure their lawful use and responsible transfer.

IHL prohibits or restricts the use of certain weapons to protect civilians and civilian objects from indiscriminate effects and spare combatants from injuries that serve no military purpose. Beyond specific prohibitions and restrictions in disarmament treaties and customary law, all weapons must be used in compliance with IHL, including the principles and rules on distinction, proportionality and precautions. Addressing the urgent need to limit the unacceptable and intolerable suffering witnessed over the past decades, the workstreams of the abovementioned Global IHL Initiative⁶ focus on the protection of civilian infrastructure, with a view to ensuring that IHL remains capable of fulfilling its object and purpose to provide protection to civilian populations, and fostering an exchange of practical measures to this end.

Explosive weapons in populated areas

Protection of civilians must start where they are most at risk: when war is waged in cities and other populated areas. The use of heavy explosive weapons in cities continues to cause unacceptable civilian harm – death, injury, lifelong disability and severe psychological trauma – on a shockingly large and ever-increasing scale throughout the world. The plight of civilians is exacerbated when basic services on which they rely for their survival – such as water, electricity, health care or waste management – are disrupted. Those who manage to leave have to endure the dangers and hardships of displacement, often for years. Many others are unable to get away because escape routes are blocked, bombed or contaminated by unexploded ordnance that will continue to maim and kill for decades to come.

Despite overwhelming evidence of the destruction it causes, parties to armed conflicts continue to routinely bomb and shell towns and cities, setting development back decades. It defeats the purpose of the 2030 Agenda for Sustainable Development, and many of the Actions of the Pact for the Future;⁹ it takes us further away from a sustainable peace. States must urgently take decisive measures to prevent urban warfare and to protect civilians and civilian infrastructure when urban warfare takes place.

In the last three years States have enshrined the need for action in two landmark documents: the 2022 'Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas', ¹⁰ now endorsed

⁶ See ICRC, <u>Humanity in war: A global initiative for humanitarian law</u>.

⁷ ICRC, ICRC president: We are witnessing a global and collective failure to protect civilians in armed conflicts, Statement, 22 April 2024.

⁸ ICRC and Norwegian Red Cross, <u>Keeping the lights on and the taps running: protecting and facilitating safer access</u> for essential service providers in armed conflict, 2024.

⁹ See, e.g. Actions 13-27 in <u>Pact for the Future, Global Digital Compact and Declaration on Future Generations,</u> September 2024.

¹⁰ Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas (EWIPA Political Declaration), 2022.

by 88 states, and the Pact for the Future.¹¹ Both include commitments to strengthen the protection of civilians and to restrict or refrain from, as appropriate, the use of explosive weapons in populated areas when their use may be expected to cause harm to civilians or civilian objects.

While we welcome these commitments, States must urgently and faithfully implement them for civilians to finally see changes on the ground. This should include avoiding the use of heavy explosive weapons in populated areas, due to the significant likelihood of indiscriminate effects, 12 as the ICRC and the entire International Red Cross and Red Crescent Movement have been calling on all States and parties to armed conflict to do for over a decade. 13 Heavy explosive weapons should not be used in populated areas unless sufficient mitigation measures are taken to limit their wide area effects and the consequent risk of civilian harm. This is necessary to avoid preventable death and destruction and to comply with the IHL rules governing the conduct of hostilities. Indeed, it is very difficult to use heavy explosive weapons in populated areas in compliance with the principles of distinction, proportionality, and precautions.

The ICRC calls on all States that have not yet done so to endorse the Political Declaration, either ahead of or during the Second International Conference to be held in November in San José, and to use this forum as an opportunity to share experiences and accelerate implementation efforts.

Cluster munitions, anti-personnel mines and responsible arms transfers

Production, transfer and use of cluster munitions and anti-personnel mines in armed conflicts is on the rise. Despite the clear humanitarian aims of the two treaties, since 2020 only three States have joined the Convention on Cluster Munitions (CCM) and only two States have joined the Anti-Personnel Mine Ban Convention (APMBC). ¹⁴ Compounding this concern are the very regrettable decisions of some States to withdraw from the Conventions. This is a deeply worrying manifestation of the idea that IHL treaties, such as the CCM and APMBC, are instruments to be adopted in times of peace and stability, but to be abandoned when confronted with an elevated security threat. This is fundamentally at odds with the entire notion and purpose of IHL: it is precisely in times of armed conflict that IHL is designed to apply and to protect civilians.

The 13th Meeting of States Parties to the CCM strongly condemned any use of cluster munitions by any actor, under any circumstances. It further deeply regretted Lithuania's decision to withdraw from the Convention. The ICRC commends States Parties for having risen to this unprecedented situation and recognize the humanitarian foundation and objective of the Convention. The upcoming 22nd Meeting of States Parties to the APMBC later this year presents another important opportunity for States to renew and strengthen commitment to the humanitarian principles that lie at the heart of the APMBC. Respect for IHL must be a political priority, especially in times of increasing polarization, insecurity and armed conflicts.¹⁵

The ICRC further calls on States Parties and the international community to further strengthen the stigma against any use of cluster munitions and anti-personnel mines.¹⁶ It is important to recall why these weapons were outlawed in the first place. Because of their indiscriminate effects on

¹¹ See above, Pact for the Future, Global Digital Compact and Declaration on Future Generations.

¹² ICRC, Explosive weapons with wide area effects: a deadly choice in populated areas, January 2022.

¹³ See, Council of Delegates of the International Red Cross and Red Crescent Movement, <u>War in Cities: Resolution 6</u>, CD/22/R6, June 2022.

¹⁴ The full list of States Parties to IHL-related treaties is accessible on the ICRC's webpage at https://ihl-databases.icrc.org/en/ihl-treaties/treaties-and-states-parties

¹⁵ ICRC, <u>ICRC Vice-President: Maintaining and strengthening IHL is a collective responsibility of all states</u>, Statement, 16 September 2025.

¹⁶ ICRC, <u>2024 Challenges Report</u>, pp. 52-54.

civilians and the threat they pose long after conflicts end, prohibitions against their use, transfer, production and stockpiling have rightly been cemented by the international community. All the reasons that led to the adoption of the CCM and APMBC remain just as valid today. The appalling human cost exacted by the use of these weapons is not diminished by a changing security environment.¹⁷

As the ICRC underscored at the Review Conference in Siem Reap in November 2024, the APMBC has delivered significant achievements. In the late 1980s, the ICRC described anti-personnel mines as a "worldwide epidemic," with an estimated 24,000 people, mostly civilians, killed or injured each year. The 1997 adoption of the APMBC marked a turning point. Over 55 million stockpiled mines have been destroyed, vast areas of land cleared, and the production and transfer of these weapons have been drastically reduced. These efforts led to the number of casualties dropping by over 75 percent from its peak in the late 1990s, making the APMBC one of the most successful humanitarian disarmament treaties to date.

At the last Meeting of States Parties to the CCM earlier this year, the International Red Cross and Red Crescent Movement urged States Parties to do far more to promote universalization and adherence to the Convention and defend its core humanitarian norms in times of tension.²¹ This is equally required for APBMC, the Convention on Certain Conventional Weapons (CCW) and its Protocols, and the Arms Trade Treaty (ATT). The ICRC calls on all States that have not yet done so to join all these instruments without delay.

Widespread availability of arms and ammunition, often the result of irresponsible or poorly controlled transfers, comes with a bloody price. The increase in military spending and weapons proliferation further exacerbates the risk of diversion or illicit arms trade. Irresponsible arms transfer takes lives, prolongs conflicts, drives displacement and adversely affects the achievement of development goals. The ICRC is deeply concerned about the gap that seems to exist between the commitments made by States to respect and ensure respect for IHL and to faithfully implement instruments such as the ATT, and the arms transfer practices of too many of them. Of particular concern are exemptions from IHL risk assessments given to certain transfers or recipients; export licenses valid for many years without a requirement for periodic review; and certain measures, aimed at facilitating export of arms produced jointly by several States, that limit contributing States' ability to challenge the export of the final product on humanitarian grounds. ²³

The law is straightforward: States must refrain from transferring arms where there is a risk that they would be used to commit or facilitate IHL violations. In addition, States have a positive obligation to take timely, robust and practical measures that can realistically offset risks of

¹⁷ ICRC, In times of insecurity and conflict, states must work together to uphold and strengthen international humanitarian law, 18 July 2024.

¹⁸ "<u>Civilians will pay the price if global commitment to ban landmines allowed to fracture</u>"; Statement by Mirjana Spoljaric, president of the ICRC, ahead of the intersessional meetings of the Anti-Personnel Mine Ban Convention (APMBC) in Geneva on 17 June 2025.

¹⁹ ICRC, ICRC Rresident: Civilians will pay the price if global commitment to ban landmines allowed to fracture, Statement, 16 June 2025.

²⁰ Ibid

²¹ ICRC and IFRC, "<u>It is up to States Parties and the broader Convention community to defend and promote the norms of the Convention on Cluster Munitions</u>", Statement, 10 September 2024,

²² UN Secretary-General, "The Security We Need: Rebalancing Military Spending for a Sustainable and Peaceful Future", §4.4.6, pp. 45-46.

²³ ICRC, <u>2024 Challenges Report</u>, pp. 82.

violations.²⁴ Those who supply the means by which wars are fought assume a special responsibility. They must do everything reasonably in their power to ensure respect for IHL by the recipients of the weapons they provide. Faithful implementation of the ATT and of Article 1 common to the 1949 Geneva Conventions can go a long way in preventing serious violations of IHL.

Weapons of mass destruction

Nuclear disarmament

The risk of nuclear weapons being used remains at its highest in decades. It is fueled by strident nuclear rhetoric and threats of use, accelerated modernization, and potentially dangerous technological developments, including automation and Al. Meanwhile, nuclear doctrines are being revised to strengthen the role of nuclear weapons and to lower the threshold for their use.

In August this year, the world marked the 80th somber anniversary of the atomic bombings of Hiroshima and Nagasaki – cities reduced to ash in seconds, and tens of thousands perishing instantly. Eighty years later, Japanese Red Cross Society hospitals are still treating thousands of survivors for long-term health effects. Today, if a similar weapon, which was much smaller than many currently held in nuclear arsenals, were used in or near a populated area, no State or international organization could mount a humanitarian response capable of adequately addressing the catastrophic humanitarian consequences.²⁵

IHL fully applies to the use of nuclear weapons,²⁶ be it strategic or tactical, for offensive or defensive purposes. In the view of the ICRC, and of the broader Red Cross and Red Crescent Movement, it is extremely doubtful that the use of nuclear weapons could ever comply with the rules and principles of IHL. In addition, any threat to use nuclear weapons is abhorrent to the principles of humanity and the dictates of public conscience.²⁷

States must persist with, and insist on, progress on nuclear disarmament, through universalization and full implementation of the NPT, TPNW and CTBT, as well as the regional nuclear-weapon-free zone treaties. The ICRC urges all States that have not yet done so to join these instruments without delay, and all concerned States should work actively and in good faith to implement the obligations they have undertaken. This must be done not in spite of the current international security situation, but because of it. The strident nuclear rhetoric and threats of use, accelerated modernization, and strengthened roles for nuclear weapons in national security doctrines must be replaced with renewed efforts to move ahead both with implementation of long-standing nuclear disarmament obligations and commitments, and with parallel actions to reduce the risk of nuclear weapons being used. The latter must include efforts to reduce nuclear arsenals and increase transparency, lower the operational readiness levels of nuclear weapons, reduce the role of nuclear weapons in security doctrines, and commit to no-first-use, as well as

²⁴ See Arms Trade Treaty, 2 April 2013, arts 1,6-7; ICRC, <u>Arms transfers to parties to armed conflict: what the law says,</u> June 2024.

²⁵ ICRC, The humanitarian impacts of nuclear weapons are beyond the capacity of any humanitarian organization to address effectively, Statement, 5 March 2025.

²⁶ International Court of Justice, Nuclear Weapons Advisory Opinion, 8 July 1996, paras. 85-87.

²⁷ ICRC, <u>2024 Challenges Report</u>, p. 12.

measures to condemn and suppress nuclear threats, and efforts to increase awareness and understanding of the catastrophic humanitarian consequences of any use of nuclear weapons.

In this respect, the ICRC welcomes the adoption of UNGA Resolution 79/238 on nuclear war effects and scientific research, 28 and the subsequent appointment of the Independent Scientific Panel on the Effects of Nuclear War.²⁹ The ICRC looks forward to collaborating with the Panel and assisting it with its mandated task of examining the physical effects and societal consequences of a nuclear war on a local, regional and planetary scale.

2026 will be a critical moment for nuclear disarmament, a year where Review Conferences will be held for both the NPT and the TPNW. All States need to work hard to achieve meaningful results at the 11th Review Conference of the NPT, in particular on the NPT first pillar, nuclear disarmament. In an era of heightened geopolitical tensions globally, the importance of multilateral collaboration has never been greater. The 2010 NPT Action Plan commitments remain a solid basis for all States to advance their treaty obligations, including those on nuclear disarmament.³⁰ States with nuclear-weapons bear a particular responsibility to pursue concrete, transparent, and irreversible steps towards the total elimination of their nuclear arsenals, while their allies should diminish reliance on nuclear deterrence in their security doctrines and thereby contribute to creating the necessary conditions for sustained nuclear disarmament progress.

The TPNW, by prohibiting nuclear weapons, makes a crucial and effective contribution towards nuclear disarmament. Today, 74 States are party to the TPNW and 25 others have signed it. Signing and ratifying the TPNW is a concrete and practical step towards the only solution for safeguarding humanity from the threat of nuclear weapons: the complete elimination of these weapons. In 2026, States parties will convene for the First Review Conference of the TPNW, reaffirming their unequivocal commitment to achieving a world free of nuclear weapons. This conference will also serve as a pivotal opportunity to demonstrate the treaty's tangible benefits, particularly in victim assistance and environmental remediation.

States should sustain and deepen their preparatory efforts to ensure both Review Conferences are successful and impactful, including by supporting the nuclear disarmament resolutions to be considered by this Committee.

Biological and chemical disarmament

The prohibitions on chemical and biological weapons stand as clear evidence that disarmament can deliver lasting and effective outcomes, preventing immense human suffering and contributing to a safer international community. The 100th anniversary of the 1925 Geneva Protocol earlier this year presented an opportunity to both remember the time it took to achieve a full prohibition of these weapons and how much human suffering could have been avoided if it had been achieved earlier; and to underscore the eventual success of these prohibitions.

The humanitarian principles and norms underpinning the Biological Weapons Convention and the Chemical Weapons Convention remain robust, and today the use, development, production or transfer of such weapons is regarded as morally, legally, and militarily unacceptable. Sporadic incidents involving chemical weapons in past years have been met with unequivocal condemnation by the international community, confirming that humanitarian norms must and can be fiercely defended. Similar resolve is urgently required when addressing other categories of

²⁸ UNGA, Nuclear wear effects and scientific research, UN Doc A/RES/79/238, 31 December 2024.

³⁰ For the 64-point Action Plan, see 2010 Review Conference of the NTP, Final Document, NPT/CONF.2010/50 (Vol. I).

indiscriminate or inhumane weapons,³¹ including in particular nuclear weapons, the last remaining and most horrific weapon of mass destruction.

Emerging and new technologies

The ICRC has observed a steady increase in the use of emerging and new technologies of warfare in current conflicts. Such technologies create new dangers for civilian populations and new forms of harm that compound the devastation caused by more traditional weapons. The ICRC remains convinced that the international community must act now to address the unacceptable humanitarian, ethical and legal risks posed by the unconstrained development and use of new technologies.

Autonomous weapon systems (AWS)

This need for action is particularly acute in the field of autonomous weapon systems. We reiterate the joint appeal made by the President of the ICRC and the Secretary General of the United Nations in October 2023, calling on world leaders to launch negotiations for a new legally binding instrument to set clear prohibitions and restrictions on autonomous weapon systems and to conclude such negotiations by 2026. Given the rapid pace of development of such systems, and their increasing use on the battlefield, States must act now to prohibit unpredictable autonomous weapons, and autonomous weapons designed or used to apply force against persons, and to impose strict international legal restrictions on the development and use of all other autonomous weapons.

The publication of the Secretary-General's report on lethal autonomous weapon systems,³³ and the high number of submissions to this report, indicates the importance of this issue to the international community. The submissions to the report, as well as the informal consultations convened in May 2025 pursuant to UNGA Resolution 79/62,³⁴ show broad support for the development of new international law to regulate autonomous weapon systems. This support must now be translated into action.

Use of autonomous weapons is increasing, and research into, and development of more complex and capable systems is advancing rapidly. The ICRC concurs with the Secretary-General's conclusion that time is running out for the international community to take preventive action on this issue. We endorse his call for the Convention on Certain Conventional Weapons Group of Governmental Experts (GGE LAWS) to fulfil its mandate as soon as possible. The Group is now working on a rolling text, and States must move ahead decisively and develop this as the basis of a new legally binding instrument. In this respect, the ICRC welcomes the joint statement by 42 States at the September 2025 session of the GGE LAWS that they are ready to move to negotiations on the basis of the current rolling text. The ICRC reiterates the need to use all available channels, including the CCW and the General Assembly, to move ahead with international regulation of AWS.

³¹ See, ICRC Customary IHL Study, Rule 71.

³² ICRC, Joint call by the United Nations Secretary-General and the President of the International Committee of the Red Cross for States to establish new prohibitions and restrictions on Autonomous Weapon Systems, 5 October 2023

³³ UN Secretary-General, Lethal autonomous weapons systems, Report, UN Doc. A/79/88, 1 July 2024.

³⁴ UNGA, <u>Lethal autonomous weapons systems</u>, UN Doc. A/RES.79/62, 10 December 2024.

³⁵ Joint statement to the September 2025 session of the CCW GGE LAWS.

AI in the military domain

Military applications of artificial intelligence (AI) can have important humanitarian implications. The Pact for the Future acknowledged the need to "continue to assess the existing and potential risks associated with the military applications of artificial intelligence and the possible opportunities throughout their life cycle". The adoption of UNGA Resolution 79/239 and the subsequent report by the Secretary-General on AI in the military domain and its implications for international peace and security were important steps forward in this regard. The adoption of the secretary-General on AI in the military domain and its implications for international peace and security were important steps forward in this regard.

The ICRC welcomes the strong support expressed by States, including in Resolution 79/239, for the need to ensure that AI in the military domain is only used in compliance with this existing legal framework. IHL provides essential principles and rules that regulate the use of means and methods of warfare, including emerging military applications of AI, to protect those affected by armed conflict.

As the ICRC underscored at the Security Council open debate on AI and international peace and security on 25 September, in all considerations related to the development and use of AI in military applications, States and parties to armed conflicts must ensure that human control and judgement are preserved in decisions that pose risks to the life and dignity of people affected by armed conflict.³⁸ This is essential for ensuring respect for applicable laws, including IHL, and upholding ethical standards.

Al-based decision-support systems (AI-DSS) are becoming an increasingly prominent military application of AI. Provided they are appropriately designed and used, AI-DSS may help to avoid or reduce civilian harm. But AI-DSS also create additional risks for civilians and other protected persons in armed conflict, because of the difficulties inherent in predicting and understanding how and why AI systems produce a given output; the lack of quality data in conflict zones; and human cognitive tendencies such as 'automation bias' or over-trust.

AI-DSS must be designed and used only to support, rather than hinder or replace, human decision-making. Furthermore, AI-DSS must be used only within legal, policy and doctrinal frameworks that respect IHL. Otherwise, these tools will serve only to replicate and exacerbate unlawful or harmful outcomes at a faster rate and on a larger scale.

To support efforts by States and other actors to ensure that military uses of AI-DSS remain consistent with IHL and humanitarian principles, the ICRC has formulated a non-exhaustive set of preliminary recommendations relating to the development and use of AI-DSS in armed conflict. These recommendations reflect the ICRC's *human-centred approach* to the development and use of AI in armed conflict. They focus on 1) ensuring human control and judgement; 2) system design requirements; 3) testing, evaluation, verification and validation; 4) legal reviews; 5) operational constraints on use; 6) user training; 7) after-action reviews; and 8) accountability, among others.³⁹

³⁶ See above, Pact for the Future, Global Digital Compact and Declaration on Future Generations, Action 27.

³⁷ See, UNGA, Artificial intelligence in the military domain and its implications for international peace and security, UN Doc. A/RES/79/239, 31 December 2024; UN Secretary-General, Artificial intelligence in the military domain and its implications for international peace and security, Report, UN Doc. A/80/78, 5 June 2025.

³⁸ ICRC, <u>UN Security Council: We cannot let AI be deployed on the battlefield without oversight and regulation</u>, Statement, 26 September 2025.

³⁹ For the full preliminary recommendations, see ICRC, <u>Submission to the United Nations Secretary-General on artificial intelligence in the military domain.</u>

Existing and emerging normative proposals on the military application of AI should build upon established international legal frameworks and mechanisms, including IHL. Where necessary, these frameworks can be reinforced through the development of additional legal instruments, operational guidance or policy measures to address specific risks or challenges posed by emerging technologies. The ICRC urges states to pursue structured discussions on military AI in the General Assembly and other relevant fora, drawing on the ICRC's preliminary recommendations, the Secretary-General's report, and other resources.

Cyber and information operations

As our world digitalizes, the vulnerability of civilian populations to cyber operations is growing. Today, information and communication technologies (ICTs) have immense potential benefits in the social, economic, development, and humanitarian spheres. ICTs can help save and improve lives, including in situations of armed conflict. At the same time, however, in times of armed conflict, State and non-state actors use cyber operations to disable civilian infrastructure and systems, or disrupt the provision of essential services, especially civilian government services.

The ICRC calls on States to deepen discussions and find a common understanding of how IHL applies to and restricts such operations. Over the past year, significant progress has been made. In October 2024, States parties to the Geneva Conventions and the International Red Cross and Red Crescent Movement adopted a resolution on 'Protecting civilians and other protected persons and objects against the potential human cost of ICT activities during armed conflict'.⁴⁰ The ICRC also welcomes the consensus report of the UN Open-Ended Working Group on ICTs, which agreed to establish a Global Mechanism on ICTs.⁴¹ These are significant steps forward.

The ICRC stands ready to support States in any future discussions concerning the use of ICTs in situations of armed conflict. Relevant in this regard is the ICT Workstream of the Global IHL Initiative mentioned above. 42 Complementing existing multilateral processes, this workstream provides a dedicated humanitarian space for in-depth exchanges aimed at fostering a shared understanding on how IHL protects civilian populations against the dangers arising from ICT activities during armed conflicts.

Overall, four issues need States' urgent attention with regard to cyber and information operations:

First, IHL protections must be upheld when the world and conflicts digitalize. Interpretations of IHL that focus on the protection of civilian objects only against physical damage are inadequate. Most cyber operations conducted in contemporary armed conflicts disrupt services, disable computers and networks or damage or delete data without causing physical damage. When existing rules of IHL are interpreted in ways that do not address this reality, it undermines the protective function of IHL in the ICT environment. ⁴³ If the new kinds of harm resulting from the use of ICT during armed conflict remain unaddressed, additional rules will have to be developed to strengthen the existing legal framework.

Second, the digitalization of armed conflicts is increasingly drawing civilians – individuals, hacker groups and tech companies – closer to hostilities. It is the responsibility of States to ensure that

⁴⁰ Protecting civilians and other protected persons and objects against the potential human cost of ICT activities during armed conflict, Resolution 34IC/24/R2, October 2024.

⁴¹ See Final report of the open-ended working group on security of and in the use of information and communications technologies 2021–2025, UN Doc. A/AC.292/2025/L.1, 1 July 2025.

⁴² See above, ICRC, <u>Humanity in war: A global initiative for humanitarian law.</u>

⁴³ ICRC, <u>2024 Challenges Report</u>, pp. 57-59.

these actors respect IHL when operating in armed conflict, and to make them aware of the risks they take when participating in armed conflict.

Third, ICT activities enable an unprecedented scale, speed, and reach of harmful information. States must take all feasible measures to prevent the use of ICT to spread information that violates IHL, including spreading information that incites or encourages IHL violations such as sexual violence, the recruitment and use of children in hostilities; exposing images and videos of persons deprived of liberty; and information campaigns aimed at undermining the work of medical services and humanitarian operations. It is our collective responsibility to ensure that State and non-State actors that spread information online respect IHL.

Finally, with the growing use of digital technologies in armed conflicts, it is important to develop digital tools to ensure that long-standing protections remain fit-for-purpose. ⁴⁴ The Digital Emblem project – spearheaded by the ICRC – shows how existing agreements can be meaningfully adapted to new domains, and how new technologies can be harnessed to limit harm and suffering. Building on the Red Cross, Red Crescent and Red Crystal distinctive emblems enshrined in the Geneva Conventions and their Additional Protocols, the project explores ways to digitally signal protected medical and humanitarian infrastructure, assets and data in cyberspace. Over the past years, the ICRC, with the support of States, the Red Cross and Red Crescent Movement, technical experts and organizations, and others, has advanced the legal and technical tracks of the project. ⁴⁵

Military space operations

The expanding role of space systems in military operations during armed conflicts increases the likelihood of their being targeted, putting at risk the functioning of essential civilian services on earth that rely on such systems.

Military space operations do not take place in a legal vacuum, but are constrained by existing international law, in particular, the Charter of the United Nations, space law treaties, the law of neutrality and IHL.⁴⁶ In particular, IHL contains rules that prohibit the development and use of certain weapons, means and methods of warfare, and thereby reduces the potential human cost of military operations in outer space while contributing to the prevention of an arms race.⁴⁷

The 2024 Pact for the Future strives to "advance further measures and appropriate international negotiations to prevent an arms race in outer space in all its aspects". Given the indispensable role of space systems in the provision of essential civilian services, humanitarian considerations should be a cornerstone of any multilateral discussion or normative development regarding space security. The recent acknowledgement in multilateral fora of the risks posed to these systems marks significant progress. Building on this momentum, the ICRC will continue contributing our

⁴⁴ See ICRC, <u>2024 Challenges Report</u>, p. 74; D'Cunha, S., <u>Conceive, standardize, integrate: the past, present, and future of adopting distinctive emblems and signs under IHL</u>, Humanitarian Law and Policy blog, 12 September 2024.

⁴⁵ See ICRC, <u>Digitalizing the Red Cross, Red Crescent and Red Crystal Emblems: Benefits, risks and possible solutions, 2022.</u>

⁴⁶ For a detailed discussion on existing limits under international law, including IHL, on military operations in or in relation to outer space during armed conflicts, see ICRC, <u>Constraints under international law on military operations in outer space during armed conflicts</u>, 5 May 2022.

⁴⁷ See ICRC, IHL contributes to the prevention of an arms race in outer space, Statement, 6 March 2024.

⁴⁸ See above, Pact for the Future, Global Digital Compact and Declaration on Future Generations, Action 27.

expertise and recommendations to the 2024-2028 Open-ended Working Group on space security, to further strengthen the protection of essential civilian services.⁴⁹

Conclusion

Humanitarian disarmament and the effective restrictions of means and methods of warfare are challenges we face collectively on many fronts, and therefore demand concerted action by all States. Humanitarian disarmament treaties and commitments remain some of the international community's greatest successes, demonstrating that multilateralism can significantly reduce the suffering caused by armed conflicts. These instruments are both a vital component of, and means of giving effect to, IHL. They continue to serve as highly effective tools available to the international community to save lives, reduce the inhumanity of war, prevent arms races, and create the conditions for sustainable peace. In a decade defined by war, IHL offers a pathway to peace. So It is the legal and moral responsibility of States to uphold their international obligations and place disarmament at the forefront of their political priorities.

The First Committee has a critical responsibility to ensure that disarmament treaties and commitments are preserved, strengthened, and expanded. The ICRC remains committed to supporting States in their efforts to ensure that humanitarian disarmament and the protection of civilians not only remain at the center of the work of the Committee, but are promoted and strengthened through political resolve and concrete action.

⁴⁹ ICRC, <u>Protecting Essential Civilian Services on Earth from Disruption by Military Space Operations</u>, Report, June 2024; ICRC, <u>Preliminary recommendations on possible norms</u>, <u>rules and principles of responsible behaviours relating to threats by States to space systems</u>, January 2023.

⁵⁰ See ICRC, ICRC president: "International humanitarian law only as strong as leaders' will to uphold it", Statement, 18 August 2025.