International Institute of Humanitarian Law
Institut International de Droit Humanitaire
Istituto Internazionale di Diritto Umanitario

in cooperation with

ICRC

48th ROUND TABLE ON CURRENT ISSUES OF INTERNATIONAL HUMANITARIAN LAW

From Peace to War and Back: Putting IHL at the Center

Villa Ormond, Sanremo (Italy), with live broadcasting online
10-12 September 2025

SANREMO CALL TO ACTION FOR IHL

Findings

Summary of the panels

PANEL 1 - *The Role of the Development of IHL in Safeguarding Peace*

This panel explored the critical role of International Humanitarian Law in drawing attention to the impact of armed conflict and in preventing its escalation. Discussions ranged from the growing importance of IHL dissemination among different categories of stakeholders, to the role of UN peacekeeping missions and other humanitarian actors in promoting compliance through training and advocacy in conflict-affected areas. The panel further emphasized the need for military training to instil instinctive application of IHL under stress to soldiers on the ground, also highlighting how IHL dissemination in peace processes can foster civic empowerment and enhance the active role of the civil society in them. Overall, the panel underscored that IHL understanding and awareness-raising must remain a priority even in times of peace, fostering a culture of compliance in both public institutions and the civil society at large in case of armed conflict.

PANEL 2 - *Humanitarian Disarmament and Its Value for Peace*

Through an examination of multilateral disarmament and arms control tools and initiatives driven by humanitarian considerations, the panel explored both the progress achieved and the open challenges in conventional disarmament. The discussion also addressed broader aspects of the theme, including the survivor-centered approaches to disarmament (as, for instance, through explosive ordnance clearance) and the integration of gender perspectives in new weapons technology and civilian protection. In particular, the panel highlighted the risks of gender-related and other forms of bias in military AI-integrated systems and emphasized the importance of collecting and analyzing sex- and gender-disaggregated data in after-action reviews and assessments. As a case study, NATO's arms control policy and crisis management operations were presented, demonstrating how disarmament can serve as a strategic instrument for both crisis prevention and post-conflict peacebuilding.

PANEL 3 - *Conflict Classification, Hybrid threats, use of Proxy Groups, and the Risk of Escalation*

The panel addressed the difficulties in defining armed conflicts amidst modern warfare trends. Its discussions started by mentioning the complexity posed by the multiplicity and diversity of armed groups currently engaged worldwide, oftentimes further entangled by foreign involvement and the implementation of proxy warfare by different governments. While technology and cyber threats tend to contribute to such intricacy, blurring the connection between the action and its agents, the legal system emerged from the panel as flexible enough and capable to cope with such developments. In this regard, the development of, and the

emerging broad interpretation of, the IHL concept of "attacks" in the cyber context, including certain forms of loss of functionality, was largely welcomed on specific protective grounds. Nonetheless, caution was also expressed against overly inclusive legal approaches to hybrid activities, which risk extending the applicability of IHL beyond its proper boundaries.

PANEL 4 – *The Role of IHL Compliance during Armed Conflict and in Negotiation*

The panel explored how IHL can shape peace negotiations and post-conflict processes, framing compliance and non-compliance as interconnected forces influencing legitimacy, trust, and stabilization. IHL was conceived primarily as a gateway to peace processes, with particular emphasis on post-conflict justice mechanisms encompassing both post-war amnesties and criminal accountability for grave breaches and serious violations. In peacebuilding processes, the agency of refugees and IDPs was also framed as paramount, as it paves the way for inclusive conflict resolution within societies as well as meaningful return to adequate living conditions. The issue of food insecurity was also addressed, as it often arises from violations of IHL obligations in wartime, such as the prohibition against using starvation as a method of warfare and the duty to allow humanitarian assistance. In fact, the resulting malnutrition has profound implications for the establishment of lasting peace. Finally, the specific role of bodies such as the International Humanitarian Fact-Finding Commission (IHFFC) was introduced as an additional mechanism, with the potential to encourage parties to restore respect for IHL through consent-based fact-finding and good offices.

PANEL 5 – *If the Sea Becomes the Key: the Growing Importance of Maritime Scenarios in Waging War*

At a time when the sea is increasingly at the center of military operations, representing a nexus of overlapping strategic private and public interests, and in light of the need to ensure respect for the principles and rules of IHL in maritime warfare, the panel focused on some of the most critical emerging challenges in this domain. This focus was further informed by the ongoing revision process of the *San Remo Manual on the Law Applicable to Armed Conflicts at Sea*. The discussion addressed, among other topics, the evolution of means and methods of warfare, with the aim of identifying key emerging issues arising from new technologies and the actors capable of employing them. The exchange also considered the protection of civilian vessels and crews, the legal qualification under international norms of unmanned maritime vehicles, the status of sensitive underwater infrastructures as potentially legitimate military targets in the absence of adequate legislation, and the impact of naval warfare on regions dependent on critical underwater infrastructure for civilian survival.

PANEL 6 - *When the Guns Fall Silent: the End of IHL Applicability in the Aftermath of Armed Conflict*

The panel explored how IHL defines and regulates the cessation of hostilities, examining both the legal and practical criteria for determining when an armed conflict, international or non-international, has effectively ended. The discussion emphasized the concept of the "general close of military operations" as the key benchmark for establishing the end of conflict, while highlighting that certain IHL obligations, such as the repatriation of prisoners of war, clarification of the fate of the missing, and clearance of explosive remnants, continue well beyond that point. Speakers reflected on the challenges posed by contemporary conflicts that fluctuate in intensity and geography, warning against overly formal or narrow interpretations that could create uncertainty in IHL applicability. The role of preparedness and institutional readiness was underscored as essential to ensuring effective implementation of humanitarian obligations before, during, and after hostilities. The panel also examined practical mechanisms for restoring family links, facilitating detainee repatriation, and preventing disappearances, noting that compliance with IHL during hostilities can serve as a foundation for reconciliation and sustainable peace. Case studies, including the Korean War and ongoing conflicts in Ukraine and Sudan, illustrated both the humanitarian costs of delayed implementation and the value of legal clarity.

PANEL 7 - *From Conflict to Closure: IHL Obligations After an Armed Conflict*

The panel explored the critical intersection of transitional justice and accountability in post-conflict settings, focusing on mechanisms such as truth commissions and tribunals to address IHL violations. A spectrum of transitional justice mechanisms was discussed, it was emphasized that their effectiveness is highly context dependent, due to historical, cultural and political specificities. Attention was also devoted to the interaction between international and domestic approaches. While international mechanisms bring impartiality and jurisprudential precedent, they risk detachment, selectivity, and resource constraints. In turn, domestic mechanisms foster local ownership and legitimacy, but may face politicization, institutional weakness, and inconsistent enforcement. Victim's rights were also discussed, as justice, particularly when transitional, is critical for individual healing and broader societal reconciliation. In this sense, post-conflict justice was defined as inherently forward-looking, aiming not only to address past atrocities but also to prevent future violence by strengthening institutions, promoting accountability, and upholding the rule of law.

CALL TO ACTION

This Call to Action (CTA) aims to turn the discussions and recommendations emerged during the Sanremo Round Table into concrete commitments, motivating stakeholders to adopt practical measures that uphold and strengthen humanitarian principles. It serves as a bridge between theoretical analysis and tangible operational change.

Panel 1: *International Humanitarian Law (IHL) Development and Dissemination*

1. Expand IHL dissemination strategies beyond traditional lectures to include experiential and practice-based methods, such as IHL clinics, case-study analysis, and scenario-based exercises.
2. Establish a global recognition mechanism to encourage innovation and excellence in IHL dissemination initiatives.
3. Develop a coordinated network of IHL training and dissemination institutions, as well as advisors and trainers, to facilitate knowledge sharing, consolidate lessons learned, and avoid duplication of efforts.
4. Explore the deployment of different emerging training technologies for military practitioners and civilians at large, to enhance instinctive IHL compliance by armed forces and other relevant actors.
5. Better integrate the extensive understanding of both the legal principles and the underlying IHL moral precepts in decision-making under operational stress, ensuring dissemination not only fosters knowledge but also principled behavior.
6. Ensure IHL dissemination is context-specific, politically supported, and integrated into institutional culture, recognizing the importance of local communities' trust and political backing.

Panel 2: *Humanitarian Disarmament and Arms Control*

1. Integrate survivor-centered approaches into disarmament discussions, policies, and arms control juridical tools, ensuring that affected communities actively participate in setting operational priorities.
2. Advocate for transparency and continued humanitarian commitment from States that withdraw from disarmament treaties, including contributions to mine clearance and victim assistance programs.
3. Address gaps in future arms control instruments, particularly regarding specific types of weapons (e.g. incendiary weapons, white phosphorus, and anti-vehicle mines),

ensuring comprehensive prohibition and promoting innovative enforcement mechanisms.

4. Systematically integrate gender perspectives across disarmament and arms control activities, including:
    - Application of sex-, age-, and disability-disaggregated data in operational planning, targeting, and victim assistance.
    - Deployment of AI-enabled tools only with human oversight and after accurate audits for demographic bias.
    - Active engagement of survivors and affected communities in monitoring and risk assessments.
5. Promote cooperative security mechanisms, confidence-building, and risk reduction strategies as complements to traditional deterrence and arms control, also leveraging already existing multilateral frameworks such as NATO partnerships.

Panel 3: *Conflict Classification and Cyber Operations*

1. Maintain pragmatic interpretations of IHL to avoid expanding the scope of conflict beyond operational and legal necessity.
2. Discuss and better clarify the applicability of IHL thresholds for cyber operations, defining the differences between "attacks" of different natures in armed conflict, and direct participation in hostilities.
3. Adapt armed forces' operational and institutional capabilities to address contemporary concealment strategies, hybrid threats, and the use of emerging technologies.
4. Ensure State-based legal classifications of conflicts are consistent and performative, promoting credibility, predictability, and the mitigation of escalation risks through straight-forward classification standards.

Panel 4: *IHL Compliance and Peace Processes*

1. Advance compliance with IHL as an entry point for peace negotiations by establishing shared humanitarian objectives among parties to armed conflict.
2. Ensure meaningful participation of refugees, internally displaced persons (IDPs), and other affected communities in conflict resolution mechanisms, negotiations, and post-conflict planning.
3. Recognize and address violations affecting humanitarian access and food security as critical components of conflict mitigation and post-conflict stability.

4. Leverage independent fact-finding and good offices mechanisms, both existing and developed ad hoc, to encourage compliance and prevent further violations of IHL, fostering stabilization and restoration of social peace after conflict.

Panel 5: *Naval Warfare and Maritime Security*

1. Clarify the legal status of unmanned maritime vehicles (UMVs) under international law and the law of naval warfare, including their classification for the exercise of belligerent rights.
2. Develop and update existing legal frameworks for the protection of sensitive underwater infrastructure, including subsea cables, pipelines, and sensors, to address contemporary operational and humanitarian risks for civilian populations.
3. Enhance the protection of civilian vessels, crews, and cargo in modern naval operations, accounting for the complexity of global shipping and multi-use maritime zones.
4. Promote regional and local cooperation to strengthen maritime security governance and safeguard critical infrastructure.
5. Promote the progressive modernization and clearer interpretation of maritime law, IHL rules and principles, and, consequently, internal codes of conduct, balancing operational requirements with humanitarian imperatives to address the challenges posed by the use of emerging technologies in the maritime domain.

Panel 6: *When the Guns Fall Silent: the End of IHL Applicability in the Aftermath of Armed Conflict*

1. End-of-conflict obligations such as repatriation of prisoners, tracing missing persons, and clearing explosive remnants must be planned from peace time or the earliest stages of conflict. Preparations started before or at the onset of conflict ensure legal clarity and a smoother transition to peace.
2. The end of hostilities does not end humanitarian responsibilities. Effective protection for detainees and the missing requires sustained cooperation among all relevant actors, including governments, armed actors, together with humanitarian organizations operating at the local, national and international levels.
3. Preventing disappearances and restoring family links must be central to end-of-conflict strategies. Reliable tracing systems help families find answers and support social recovery from the trauma of war.
4. Respect for IHL during conflict shapes the quality of peace that follows. Compliance fosters trust, reconciliation, and legitimacy in post-conflict governance. Integrating IHL into domestic justice, reintegration, and recovery policies helps achieve durable peace.
5. Sustained investments in training, research, and operational readiness are essential to uphold IHL beyond active hostilities. A clear understanding of the intensity thresholds and legal aspects of conflict termination enhances in-combat compliance, strengthening humanitarian protection in all phases of conflict.

Panel 7: *Post-Conflict Accountability and Transitional Justice*

1. Design and implement transitional justice mechanisms that balance accountability, reconciliation, and political stability, recognizing the inherent trade-offs in post-conflict societies.
2. Ensure the combination of international and domestic justice processes to maximize legitimacy, fairness, and local ownership.
3. Prioritize the recognition of victims' rights, including adequate compensations for violations, and the meaningful participation of affected populations in justice mechanisms to foster civic trust, reconciliation, and societal resilience.
4. Adapt transitional justice approaches to the specific historical, cultural, and political context of each society, ensuring both effectiveness and sustainability.
5. Consider both post-conflict IHL compliance and political commitment as key components of stabilization and reconstruction, addressing, for instance, duties on missing persons and humanitarian disarmament, while balancing accountability, reconciliation, and political pragmatism.