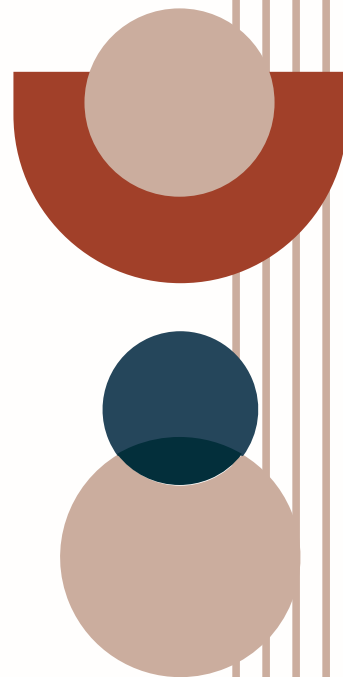
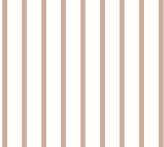


Limiting harmful military technologies in the light of international law

Amela Škiljan

Lausanne, 4 June 2026



Some of the risks

1

Military jets

2

Nuclear weapons

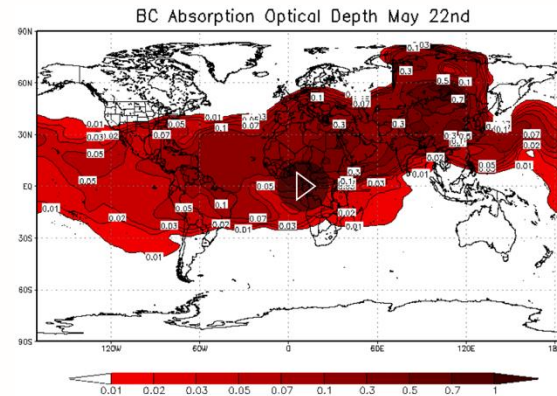
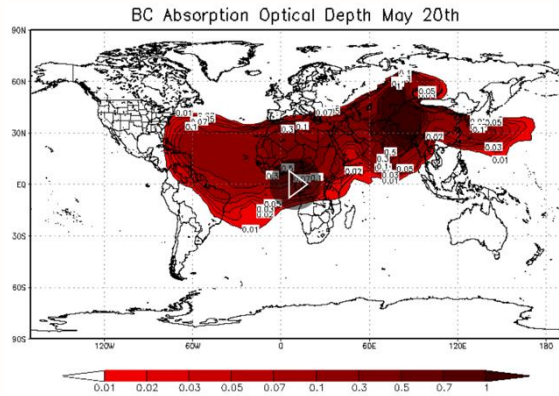
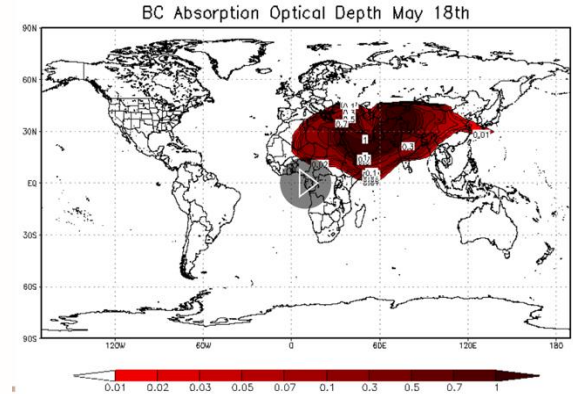
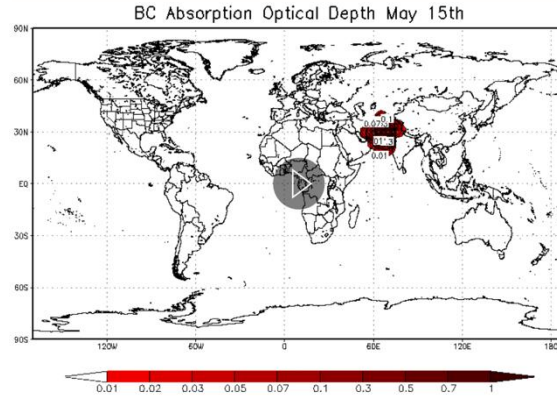
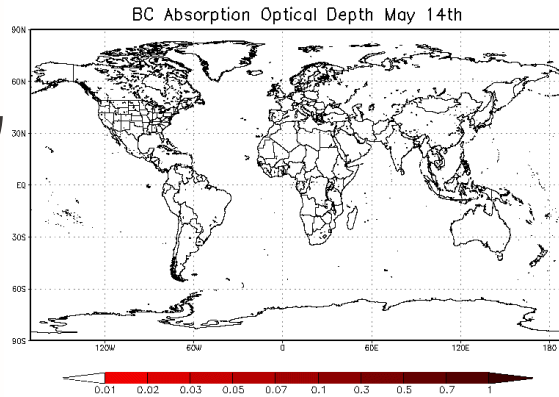
3

Cluster munition

4

Herbicides

Some of the risks



See Robock et al., „Climatic consequences of regional nuclear conflicts“, Atmospheric Chemistry and Physics, 2007 and <https://climate.envsci.rutgers.edu/nuclear/>

Development of military technology

1

Treaty Law

- Nuclear weapons (NPT, TPNW)
- Biological weapons
- Chemical weapons
- Cluster munition
- Anti-personnel mines

Development of military technology

2

Customary Law?

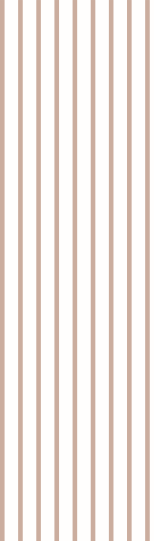
Article 36 AP I

„In the **study, development**, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an obligation to determine whether its **employment** would, in some or all circumstances, be prohibited by this Protocol or by **any other rule** of international law applicable to the High Contracting Party. “



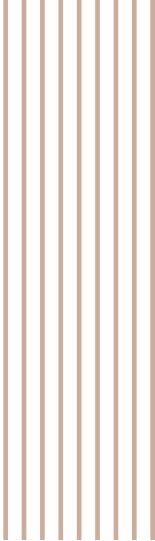
The use of military technology

Treaty Law

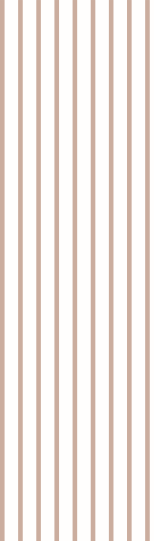
- Nuclear weapons (TPNW)
 - Biological weapons
 - Chemical weapons
 - Cluster munition
 - Anti-personnel mines
 - Non-detectable fragments (by x-rays)
 - Mines, booby traps
 - Incendiary weapons
 - Blinding laser weapons
 - Explosive remnants of war
- 
- 



The use of military technology



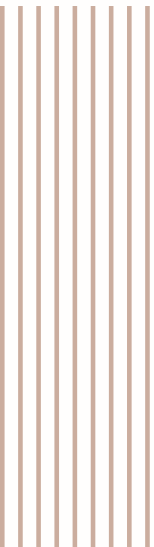
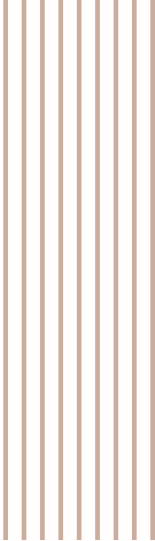
Customary Law

- Due regard for the natural environment in military operations
 - Prohibition of widespread, long-term and severe damage to the natural environment
 - Prohibition of using the destruction of the natural environment as a weapon
- 
- 



The use of military technology

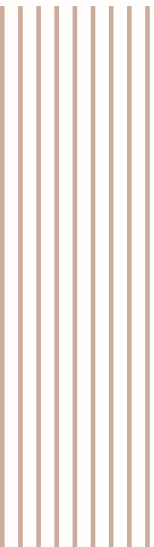
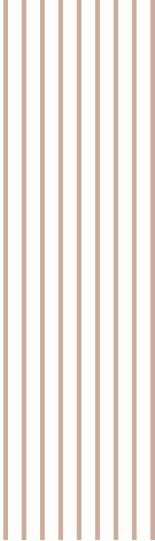
Customary Law/International Humanitarian Law

- ...that cause superfluous injury or unnecessary suffering
 - ... that do not distinguish between civilians and combatants (indiscriminate weapons)
 - ... **that are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment**
 - (Art. 1 (1) ENMOD)
 - Translate into international criminal law as serious violations of IHL are war crimes.
- 
- 
- 



The use of military technology

International Criminal Law

- “intentionally launching an attack in the knowledge that such attack will cause [...] widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated.” (Article 8(2)(b)(iv))
- 
- 
- 

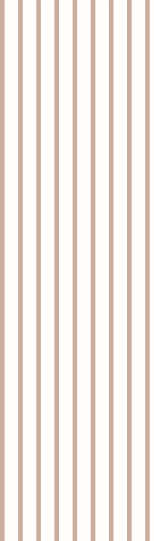


The use of military technology

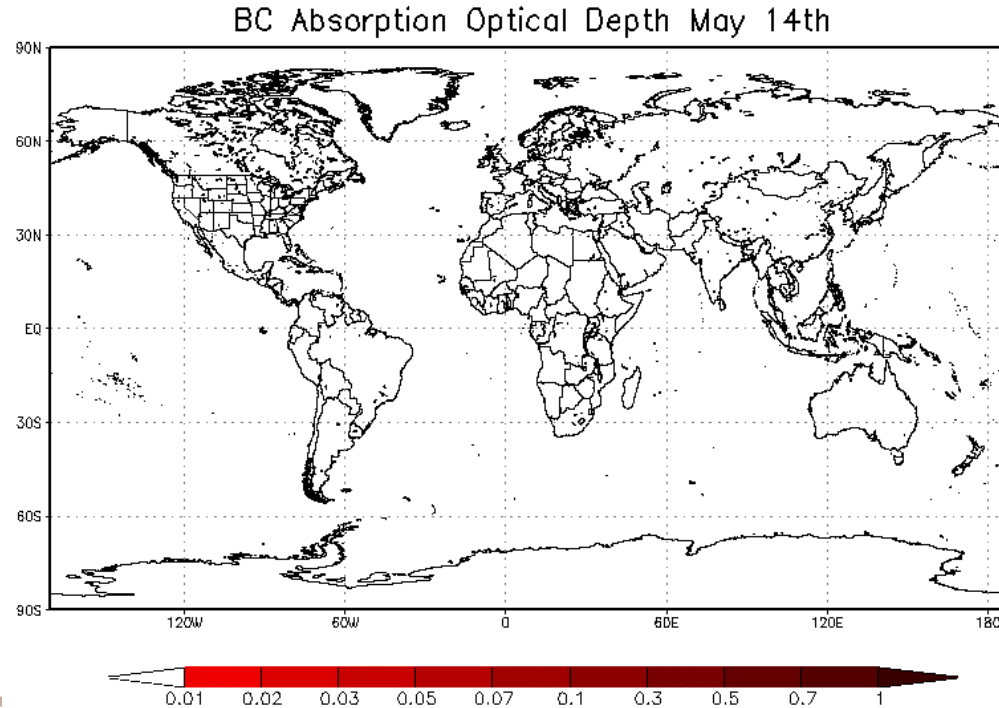
International Human Rights Law

The **right to a clean, healthy and sustainable environment**

(ICJ, Obligations of States in respect of Climate Change,
Advisory Opinion,
23.07.2025, para. 393.)



Some of the risks



See Robock et al., „Climatic consequences of regional nuclear conflicts“, Atmospheric Chemistry and Physics, 2007 and <https://climate.envsci.rutgers.edu/nuclear/>



Thank you for your attention!

„I still maintain modest hope. Modest hope that those in positions of power will realize, before it is too late, that money cannot be eaten.“

Declaration of Judge Dire Tladi,
appended to the Advisory Opinion
on Obligations of States in respect of Climate Change, 23.07.2025, para. 39.

