



Doc. 16122

03 March 2025

The need to modernise the International Humanitarian Law

Motion for a resolution

tabled by Ms Olena KHOMENKO and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Russian Federation's ongoing illegal war of aggression against Ukraine, initiated in 2014 with the attempted annexation of Crimea, has starkly exposed the limitations and ambiguities of International Humanitarian Law (IHL). Russian military forces have committed widespread atrocities, gross violations of human rights, and blatant breaches of IHL, including in new fields such as cyber warfare and autonomous weapons. Cyberattacks against civilian infrastructures and the deployment of automated systems in warfare, which the Parliamentary Assembly discussed in [Resolution 2485 \(2023\)](#) present challenges that IHL in its current state fails to adequately address.

These emerging domains also include the protection of environment against acts of ecocide, the clear delineation of responsibilities for the safety of humanitarian actors in conflict zones, and the modernisation and effective implementation of norms governing the treatment of prisoners of war. Each of these areas requires detailed examination and potentially significant updates to existing legal frameworks, including the Geneva Conventions, to ensure that IHL remains effective in addressing the complexities of contemporary conflicts so that humanitarian principles are upheld in all circumstances.

Furthermore, there is a critical need for stronger enforcement mechanisms to ensure that violations of IHL are not only documented but acted upon decisively. To this end, the Assembly should advocate for the development of robust legal instruments, the strengthening of judicial co-operation across jurisdictions, and the establishment of more effective sanctions regimes.

The Assembly should also stress the importance of involving a broad coalition of international actors, including governments, civil society, prominent scholars, and technology companies, in the process of modernising IHL. The Council of Europe, as a leading human rights organisation, is well-placed to spearhead these efforts and drive the necessary reforms to ensure that IHL evolves to meet the challenges of modern warfare and enhance enforcement to protect human dignity and ensure justice.

Signed (see overleaf)



Signed¹:

KHOMENKO Olena, Ukraine, ECPA
ARENT Iwona, Poland, ECPA
BIŁOZIR Larysa, Ukraine, ALDE
BOUYX Bertrand, France, ALDE
BULAI Iulian, Romania, ALDE
CHOPE Christopher, United Kingdom, ECPA
JABŁOŃSKI Paweł, Poland, ECPA
KALCHENKO Serhii, Ukraine, ECPA
KAMELCHUK Yuriy, Ukraine, EPP/CD
KERN Claude, France, ALDE
KOÇAK Konur Alp, Türkiye, NR
KONSTANKEVYCH Iryna, Ukraine, ECPA
KROSS Eerik-Niiles, Estonia, ALDE
KUMPULA-NATRI Miapetra, Finland, SOC
LYDEKA Arminas, Lithuania, ALDE
MEREZHKO Oleksandr, Ukraine, ALDE
MOSHENETS Olena, Ukraine, ALDE
ROMANOWSKI Marcin, Poland
STAMATIS Georgios, Greece, EPP/CD
SUSHKO Pavlo, Ukraine, ECPA
TIBLOM Victoria, Sweden, ECPA
WIECHEL Markus, Sweden, ECPA
ZINGERIS Emanuelis, Lithuania, EPP/CD

1. ALDE: Alliance of Liberals and Democrats for Europe
ECPA: European Conservatives, Patriots and Affiliates
EPP/CD: Group of the European People's Party
SOC: Socialists, Democrats and Greens Group
NR: Representatives not belonging to a Political Group