

## **Non-Lethal Capabilities Facing International Humanitarian Law Dominique Loye (ICRC)**

In the on-going debate about emerging technologies which are to be used as so-called "non-lethal weapons" it has proven not only useful but necessary to address questions related to the rules pertaining to international humanitarian law, also called the law of war. A number of questions in this field have been discussed over the last years but the correct understanding and implementation of these rules with regard to "non-lethal weapons" has shown many times to be more complex than expected. The law of war contains obligations and in this sense it goes much further than just addressing ethical, moral or even public opinion issues.

Our paper would address the legal obligations which are contained in the law of war and which are pertinent to "non-lethal weapons", in particular when they are developed for use in times of armed conflicts, including military operations other than war or military operations in urban terrain. The basic principles of the law of war and existing treaties which restrict or prohibits some "non-lethal weapons" will also be mentioned. In the law of war there is also an obligation to carry out legal reviews in a multidisciplinary approach which is very much relevant to emerging technologies since often their wounding effect is not known.

Finally it is also the intent to present findings about the wounding mechanisms and the effects on humans of currently used weapons in most of the conflicts. This would help putting the term "non-lethal" in a more realistic perspective, in particular compared to other weapons, so-called conventional "lethal" weapons.