

Second Round Table of Experts on Battlefield Laser Weapons

(Geneva, 9-11 April 1991)

ADDRESS BY THE PRESIDENT OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS

I should like to welcome you all to this important meeting which will consider the implications of the possible use in the future of a new type of weapon, and of a new method of warfare.

The International Committee of the Red Cross has the tasks, inter alia, of working for the faithful application of humanitarian law and preparing for its development. Its aim is, and has always been, to attempt to reduce the suffering caused by war as far as possible in relation both to the methods of warfare and to the protection and assistance to be given to victims. Its concern as to the effects of weapons is an old one. I am referring in particular here to the efforts which the ICRC undertook formally to outlaw the use of chemical weapons. We published in February 1918 an appeal that strongly protested against the use of poison gas, referring in particular to the terrible suffering it inflicted on soldiers. The ICRC appealed to the sentiment of humanity of the governments of the time and subsequently sent letters to the League of Nations and to governments urging them to conclude an agreement prohibiting the use of chemical weapons. This eventually led to the signature of the 1925 Protocol. Since that time the ICRC hosted two expert meetings in the 1970s which studied a number of modern weapons. The direct outcome of those meetings was the Convention adopted in 1980 by the United Nations, commonly referred to as the Inhumane Weapons Convention. However, discussions begun during those expert meetings were not completed; in particular it was agreed that further research was necessary on the effects of certain new weapons, and that information on other weapons, including laser weapons, was so scanty and undeveloped at that time as to preclude any real analysis. The present range of the

1980 treaty is thus very limited and does not fully meet the concerns of experts as to the suffering that some weapons may unnecessarily cause.

The terms of the ICRC appeal of 1918 continue to be of importance today. In this appeal the Committee recalled that the purpose of the law of war is to limit cruelty, but that far from achieving this aim, the progress of science had only aggravated suffering so that war would soon become a method of general and merciless destruction. The fears expressed in the appeal of 1918 have unfortunately proved all too justified. The weapons used in the Second World War indeed caused exceptional destruction and now the world has accumulated means of destruction of unprecedented proportions. Wise guidance on the use of new technology is therefore essential for our common good and indeed ultimate survival. The havoc that scientific developments could wreak must not be accepted as inevitable, as if technology were an independent beast that cannot be controlled. Total liberty of arms development, however attractive it may seem from the point of view of certain specific interests, could ultimately lead to disaster for all.

Here we may use an analogy of particular relevance today: industrial developments in the past, which were carried out without concern for the environment, were not undertaken with the intention of destroying the planet, but they have in fact led to this real possibility. Each of these developments, mostly undertaken for perfectly valid reasons, did not seem of dramatic importance when taken separately, but their accumulated effects has led to very serious consequences.

In the same way, inhumane treatment of a few people may be a troubling symptom of a general unconcern as to the treatment of people in general, and this in turn tends to lead to widespread cruelty.

As far as the development of weapons is concerned, the ICRC has become aware of a very disturbing trend which could seriously undermine the essence of humanitarian law. This trend is the increasing indifference to the suffering of soldiers — an increasingly cynical acceptance of horror and cruelty inflicted on them without thought as to whether this is fully necessary for military purposes. Although concern for the civilian population is fortunately taken seriously, it is with alarm that we are witnessing the suffering of soldiers being dismissed as a non-issue. Lip-service is being paid to the rules, but we have seen a tragic lack of real interest in the reason for these rules and even less interest in their conscientious implementation. Soldiers are human beings, yet they are increasingly being treated as objects. The essence of humanitarian law is respect for human beings, to be implemented as best as possible in situations of armed conflict. Inten-

tionally inflicting long-term suffering on soldiers, which will affect their families and the society they live in, has long-term negative implications on the fabric of society and on relations between States. Indifference to the fate of persons undermines the moral force of a society and runs counter to efforts to respect human rights and human dignity. If the tragedy of war cannot be avoided, then at least we surely have the means of reducing the effects of the tragedy. The fundamental philosophy of humanitarian law was already indicated in the 1868 St. Petersburg Declaration and repeated in later treaties, namely that:

“...the progress of civilization should have the effect of alleviating as much as possible the calamities of war...”.

It is interesting to note that this treaty prohibited the use of a type of bullet against soldiers at the request of the very State that developed it.

“Civilization” therefore means wisdom, insight as to the morality and long-term implications of what we are doing. Experience has shown that the desire to be one step ahead in the development of means of destruction has led to a costly and frightening arms race. Costly to everyone, because exclusive ownership of the new means is always short-lived, and the developer is then himself threatened by his own invention. Little or nothing is gained in the long term, and increased suffering, fear and expense ensue.

This true meaning of civilization underlies humanitarian law, and we firmly believe that it is urgent and essential for the modern world to take this seriously. The implementation of this philosophy had led in the past to specific rules prohibiting the use of certain weapons, but there is evidence that much research is being done to discover yet new methods of destruction, doubtless involving large investments of money and effort. State representatives may then be obliged to defend the new inventions simply because they are there and may give a short-term advantage, or because they are still seeking ways to use the new inventions.

This, however, violates the fundamental purpose and spirit both of humanitarian law and also of arms control agreements which are better known amongst the public. Publicly limiting or abolishing existing or old weapons whilst secretly developing new horrors tragically misleads the population, which then believes that progress is being made, and which has the right to look to its leaders for the preparation of a better future. Justifying the development of new horrors by arguing that they are not worse than old horrors, or that

these methods have existed since the Middle Ages, does not lead to the progress of civilization. On such a basis we could never agree to try to eliminate torture for example.

On a more positive note, let me acknowledge that a lot of genuine work for the control of the development and use of weapons is being carried out and is to be encouraged.

All this is, of course, evident to you all, for I am privileged to be addressing an exceptionally experienced group of experts. The ICRC has intentionally invited you all here this week in your personal capacity so that you can carefully consider the particular subject we are discussing in the light of these fundamental considerations, a subject which has been addressed by three different gatherings convened by the ICRC since the International Conference of the Red Cross of 1986. We hope that this will allow a frank and constructive discussion, unencumbered by the limitations of strict prior governmental instructions. I wish you all an interesting and useful week and once again thank you very much for your presence and attention.

PROCEEDINGS OF THE ROUND TABLE

This address was given by the ICRC President at the opening of the fourth of a series of expert meetings which considered the use of new laser weapons to permanently blind enemy soldiers.

The ICRC had initially been alerted to this problem by the mention, in a number of technical and military publications, of the fact that both vehicle-mounted lasers and hand-held laser rifles are being developed which appear to have two purposes: the destruction of sensors on vehicles, and the targeting of soldiers' eyes. Several governments voiced their concern about this development at the International Conference of the Red Cross in 1986 and the ICRC decided to study the subject in more detail.

The ICRC hosted a first Round Table in June 1989 which comprised technical and military experts in laser weapons, ophthalmologists, psychologists specialized in the effects of blindness and specialists in international humanitarian law. This meeting indicated that the problem was sufficiently serious to warrant further study.

On 31 May-1 June 1990 the ICRC hosted a working group of highly specialized experts who studied the characteristics of these laser weapons according to unclassified reports and assessed the effects that they would have. The experts found that for the anti-personnel/anti-