

Under the Global Initiative to Galvanize Political Commitment to International Humanitarian Law (global IHL initiative), Egypt, Indonesia and the International Committee of the Red Cross (ICRC) are pleased to present the:	在“激励对国际人道法做出政治承诺的全球倡议”（简称“国际人道法全球倡议”）下，埃及、印度尼西亚和红十字国际委员会荣幸呈上：
WORKSTREAM 7	工作领域 7
SECOND STATE CONSULTATION ON NAVAL WARFARE	海战规则 第二轮国家咨商
<i>For legal advisers from ministries of foreign affairs and defence in capitals and representatives in permanent missions in Geneva</i>	邀请来自各国首都外交部和国防部的法律顾问和常驻日内瓦代表团的代表参会
THURSDAY 6 NOVEMBER 2025	星期四，2025 年 11 月 6 日
9:00–18:00 (UTC+1)	9:00–18:00 (UTC+1)
FORMAT: IN PERSON (ICRC HUMANITARIUM IN GENEVA) AND ONLINE (ZOOM)	会议形式：线下（红十字国际委员会日内瓦人道中心）和线上（ZOOM 网络会议）
Background	背景
Although no large-scale naval war has occurred since World War II, naval forces have remained central to modern armed conflicts at sea. Several events around the world have starkly illustrated the vulnerability of merchant shipping to modern warfare and the impact	尽管自第二次世界大战以来从未发生过大规模海战，但海军部队在现代海上武装冲突中仍处于核心地位。世界各地发生的若干事件突出表明：商业航运极易受现代战争的影响；武装冲突不仅会冲击全球经济，更

of armed conflict on the global economy and, even more importantly, on the sustainability of essential services. Means and methods of naval warfare have included conventional sea-to-sea, land-to-sea and air-to-sea weapons, submarines and naval mines (although their use is strictly regulated), and blockade, visit and search, diversion and capture. The confluence of armed conflict, merchant vessels' reliance on maritime chokepoints for cost-efficient and timely navigation, and the sheer volume of global trade has created a heightened exposure to risk for the shipping industry and for states, including neutral states, and their civilian populations. The impact on merchant vessels is clear: increased operational costs, heightened security risks, and significant disruptions of trade. In case of armed conflict, merchant or other civilian ships run the risk of being trapped for extended periods in ports, disrupting the flow of essential commodities, or of being sunk, and seafarers killed or shipwrecked. States and civilians on land face higher prices, fewer goods and potential poverty and malnutrition. The indirect consequences of any potential naval warfare – ranging from disruptions to food security, communication systems and essential services to damage to gas and oil pipelines at sea to broader socio-economic harm, including to neutral states and their populations – highlights the urgent need to apply IHL more effectively, in order to take into consideration repercussions beyond immediate conflict zones.	会严重影响基本服务的可持续性。海上作战手段和方法包括常规的海对海、地对海和空对海武器；潜艇和水雷（但其使用受到严格规制）；以及封锁、登临与搜查、改变航向和拿捕。武装冲突、商船为实现成本效益和及时航行对海上咽喉要道的依赖，以及全球贸易的庞大规模等多种因素交织，导致航运业、各国（包括中立国）及其平民居民面临的风险大幅上升。这一情况对商船的影响显而易见：运营成本增加、安全风险加剧，贸易往来受到严重破坏。一旦发生武装冲突，商船或其他民用船只可能长时间滞留在港口，导致重要物资的运输受阻，或面临被击沉的风险，海员也可能因此遇难或遇险。陆上各国和民众则可能面临物价上涨、物资紧缺，甚至可能出现贫困与营养不良的问题。任何潜在海战所引发的间接后果——无论是粮食安全遭到破坏、通信系统与基本服务中断、海上油气管道受损，还是更广泛的社会经济危害（其影响波及中立国及其民众）——均突出表明各方亟需更有效地适用国际人道法，将超出直接冲突地区的后果也纳入考量范围。
A more detailed examination is needed of how international law regulating naval warfare is applied, in particular taking into consideration the contemporary prevalence of civilians and civilian objects at sea – most with no relation to the armed conflict, as well as the severe impact that armed conflict at sea can have on civilians and civilian objects on land.	必须就如何适用规制海战的国际法展开深入研究，尤其应考量以下两点：当代平民与民用物体在海上广泛开展活动（大多与武装冲突无关）的现实，以及海上武装冲突可能对陆上平民和民用物体产生的严重影响。
The naval warfare workstream is creating a space for states to reflect upon several critical humanitarian issues arising from contemporary armed conflict at sea. It seeks understanding and agreement from states on good practices for applying the law and upholding humanity in naval warfare, including clear operational guidelines, proper training, and a strong commitment to humanitarian principles to prevent unrestrained violence and protect civilians and civilian objects. This workstream is occurring in parallel to the ongoing academic process to update the <i>San Remo Manual</i> and may influence the discussions taking place in that regard. ¹	海战规则工作领域为各国共同探讨当代海上武装冲突中的若干关键人道问题创设了对话空间。该工作领域旨在推动各国就海战中适用法律并维护人道原则的良好实践达成共识，包括制定明确的行动指引、开展适当培训，并坚定遵守人道原则，以防止不受约束的暴力行为并保护平民及民用物体。本工作领域开展工作之际，修订《圣雷莫手册》的学术进程也在同时推进，可能会对本领域讨论产生影响。 ²
The first consultation of the naval warfare workstream highlighted several key issues, including: the role of neutral states in armed conflict at sea; the protection of merchant vessels and their crews; the safeguarding of civilians – both at sea and on land – and commercial	海战规则工作领域第一轮咨商重点探讨了一系列关键议题，包括：中立国在海上武装冲突中的作用；商船及其船员的保护；确保海上和陆上平民及商业航运免

¹ *San Remo Manual on International Law Applicable to Armed Conflicts at Sea (San Remo Manual)*, 12 June 1994: <https://ihl-databases.icrc.org/en/ihl-treaties/san-remo-manual-1994>. The drafting phase of the project to update the Manual was launched in December 2024: <https://ijhl.org/wp-content/uploads/San-Remo-Manual-Project-Statement.pdf>.

² 《适用于海上武装冲突的圣雷莫国际法手册》（《圣雷莫手册》），1994年6月12日：<https://ihl-databases.icrc.org/en/ihl-treaties/san-remo-manual-1994>。该手册修订项目的起草阶段于2024年12月启动：<https://ijhl.org/wp-content/uploads/San-Remo-Manual-Project-Statement.pdf>。

shipping from the effects of hostilities at sea; the prevention of civilian harm from maritime interdiction operations such as blockades; and the protection of critical civilian infrastructure such as submarine cables. During the expert meeting in Jakarta,³ experts also stressed that the rules on the conduct of hostilities continued to apply at sea, meaning that, whether civilians are on commercial vessels or fishing boats or are displaced people in precarious conditions, they must never be the object of attack, and all feasible precautions must be taken to protect them from the effects of hostilities. Experts also highlighted the role that neutral states can play in an armed conflict at sea and how they are protected.	受海上敌对行动影响的保障措施；防止封锁等海上拦截行动对平民造成伤害；以及海底电缆等关键民用基础设施的保护。在雅加达专家会议期间，⁴与会专家进一步强调规制敌对行动的规则同样适用于海战，意即：不论是商船或渔船上的平民，还是处境危险的流离失所平民，均不得成为攻击目标，并且必须采取一切可行的预防措施保护他们免受敌对行动的影响。专家们还重点阐述了中立国在海上武装冲突中可发挥的作用及其受到何种保护。
The second consultation will explore in greater depth the humanitarian consequences of certain means and methods of naval warfare, as well as how conduct of hostilities at sea can affect civilians on land. It is aimed at a deeper understanding of how belligerents can, in line with IHL, uphold humanity in naval warfare while balancing military necessity. It will highlight and explore the exceptional nature of attacking and destroying merchant vessels. It will also focus on ensuring protection of civilians both at sea and on land from the direct and indirect consequences of naval warfare (ranging from disruptions to food security, communication chains and essential services to broader socio-economic harm). Some specific rules will be given particular attention: for instance, states will be invited to discuss how the principles regulating the conduct of hostilities should be applied at sea with a view to protecting civilians and merchant vessels, including those of neutral states. In addition, certain means and methods will be addressed during the discussion, such as the prohibition on starvation as a method of warfare and the prohibition on blockades that leave civilians without food and other items essential to survival. Finally, the consultation will be aimed at developing recommendations as to how to apply the law in practice.	第二轮咨商将深入探讨特定海上作战手段和方法引发的人道后果，以及海上敌对行动会对陆上平民产生何种影响。会议旨在推动各方深入理解：交战各方在海战中如何能够依照国际人道法，在兼顾军事必要的同时维护人道。咨商将侧重讨论攻击和破坏商船这一行为的例外性。同时，还将重点探讨如何确保海上和陆上平民得到保护，使其免受海战造成的直接和间接影响（包括粮食安全遭到破坏、通信链和基本服务中断以及更广泛的社会经济危害）。咨商将特别关注部分具体规则：例如，各国将受邀探讨规制敌对行动的规则应如何适用于海战，以保护平民和商船，包括中立国平民和商船。此外，讨论还会涉及特定作战手段和方法，例如：禁止作为作战手段使平民陷于饥饿，以及禁止实施导致平民缺少食物及其他生存必需品的封锁。最后，此次咨商还将着眼于提出有关法律适用的实践性建议。
1. Impact of conduct of hostilities at sea	2. 海上敌对行动的影响
It is often said that the law of naval warfare has traditionally been a platform-based legal system primarily relying on the status of vessels; the people on board were of secondary concern. In the maritime domain, target identification can be difficult. In areas with dense maritime traffic, merchant vessels and seafarers face increased risks from target misidentification and incidental harm during armed conflict at sea. Mistakes can happen, and, owing to encrypted communication and the possibility of spoofing and jamming communication and navigational systems, merchant vessels may be misidentified as enemy vessels. Attacks on, and the sinking of, merchant vessels, along with their seafarer crew, are a real risk if all necessary precautions are not taken beforehand.	通常认为海战法传统上是以前台为基础的法律体系，其适用主要取决于船只的地位，船上人员的地位则属次要考量。海上进行目标识别可能尤为困难。海上武装冲突期间，在海上交通繁忙的区域，商船与海员因目标误判及附带伤害而面临更高风险。由于通信加密以及通信导航系统可能受到欺骗与干扰，存在误将商船错认为敌方船只的可能性。若未能事先采取一切必要预防措施，商船及其船员将面临遭到攻击乃至被击沉的切实风险。

³ Report to be published on the website [Humanity in War](#).

⁴ 相关报告将发布在“[战火中的人道](#)”网站上。

<u>Ensuring safe navigation</u>: Merchant vessels and the seafarers aboard also run the risk of becoming incidental casualties. Especially near sea lanes and in maritime chokepoints, merchant vessels may find themselves near warships and other lawful targets and be affected, causing considerable damage and death. The use of naval mines, although lawful in certain limited circumstances, also can have deadly impact on merchant vessels and seafarers. Sea mines can also have significant impacts on the marine environment.⁵ The consultation may explore, for example, the feasibility and imperatives of establishing safe navigational corridors during armed conflict at sea for any merchant vessels passing through their usual maritime trade routes, and other such recommendations.	<u>保障航行安全</u>: 商船及其船员同样面临遭受附带伤亡的风险。尤其在靠近海上航道与海上咽喉要道的区域, 商船可能因临近军舰及其他合法军事目标而受波及, 导致重大损失与伤亡。水雷的使用虽在特定受限情形下具有合法性, 但仍可能对商船与船员造成致命后果。此外, 水雷还会对海洋环境产生严重影响。⁶有鉴于此, 本次磋商可探讨以下议题: 在海上武装冲突期间, 为确保商船沿常规贸易航线安全通行而设立安全航行通道的可行性与必要性, 以及其他此类建议。
<u>Protection of merchant vessels</u>: The role that merchant vessels may play in armed conflict should not be forgotten. They may be converted into warships or hospital ships or act as auxiliaries. They may (inadvertently or deliberately) carry what belligerents have declared to be contraband, lay naval mines, carry out rescues at sea or help in the evacuation of civilians and other protected individuals. Depending on the circumstances, merchant vessels may lose their protected civilian status and become military objectives and consequently be attacked if certain conditions are met. It is also worth asking, in a world where there is a range of cargo, owners, flag states, and masters associated with vessels, whether merchant vessels should be targeted even if they meet the criteria of a military objective.	<u>保护商船</u>: 商船在武装冲突中可能发挥的作用不容忽视。它们可能被改装成军舰或医院船, 或担任辅助船只; 可能(无意或有意)运载交战方所宣布的禁运品、布设水雷、开展海上救援或协助撤退平民及其他受保护人员。根据具体情况, 商船可能会丧失其作为民用船只的受保护地位, 成为军事目标, 进而在满足特定条件时遭受攻击。同样值得深思的是: 在当今全球航运中船舶涉及各类货物、船东、船旗国及船长的背景下, 即使这些船舶符合构成军事目标的标准, 是否仍应成为攻击目标?
The historical preference for capture over destruction of merchant vessels was a cornerstone of traditional naval warfare, rooted in a combination of legal, economic and humanitarian principles. Legally, the practice of so-called prize law governed this process: A belligerent warship could stop, board and seize an enemy merchant vessel, bringing it to a prize court for adjudication. If the court found the vessel to be enemy prize (e.g. an enemy ship or a neutral vessel carrying contraband), the capturing state would gain ownership of the ship and its cargo. Destruction was considered a last resort, after the passengers, crew and ship's papers had first been brought to safety, and was permissible only in exceptional circumstances.⁷ These included situations where taking the vessel to port would endanger the capturing warship. While consideration was given, during the drafting of the <i>San Remo Manual</i>, to the challenges to those rules that arose during World War II from the advent of submarine warfare and practice, it may be timely to give them renewed attention.	传统海战中历来遵循对商船“拿捕优先, 摧毁次之”的做法, 这一基石植根于法律、经济及人道原则的共同作用。在法律层面, 此过程受所谓“捕获法”的规制: 交战方军舰可停止敌方商船航行, 对其进行登临并予以扣押, 将其送交捕获法院进行裁决。若法院判定相关船只为捕获物(例如敌方船只或运载禁运品的中立国船只), 拿捕国即获得该船及其所载货物的所有权。摧毁船只则被视为最后手段, 须在乘客、船员及船舶文书均已转移至安全区域, 且在例外情形下才可实施,⁸例如将商船押送至港口可能危及拿捕任务的军舰等情形。《圣雷莫手册》起草期间虽已考量二战期间因潜艇作战及实践的兴起对上述规则构成的挑战, 但如今对此进行重新审视或许恰逢其时。

⁵ International Law Commission, *Draft Principles on Protection of the Environment in Relation to Armed Conflicts* 2022, A/77/10, United Nations, Geneva, 2022, Principles 26 and 27.

⁶ 国际法委员会, 《与武装冲突有关的环境保护原则草案》, 第 A/77/10 号文件, 联合国, 日内瓦, 2022 年, 原则 26 和原则 27。

⁷ *Procès-verbal relating to the Rules of Submarine Warfare set forth in Part IV of the Treaty of London of 22 April 1930*, London, 6 November 1936.

⁸ *Procès-verbal relating to the Rules of Submarine Warfare set forth in Part IV of the Treaty of London of 22 April 1930*, London, 6 November 1936.

<u>Status and treatment of seafarers</u>: If merchant vessels are captured or diverted, the vessels will need to be transported or escorted to a port and the crew and passengers released or detained. Consideration must be given to their status, treatment and conditions. It will also be crucial to discuss and develop a common understanding on matters pertaining to a neutral state's flag state jurisdiction, as such issues were not comprehensively discussed in the past. This will be considered in depth during the third consultation in February.	<u>海员的地位和待遇</u>: 若商船遭拿捕或被迫改变航向, 则需将其运送或护送至港口, 船员与乘客需予以释放或拘留。必须将其身份地位、待遇及拘留条件纳入考量。此外, 就中立国船旗国管辖权相关事宜形成共识亦至关重要, 因为过去并未对此类议题展开过全面讨论。这一议题将于明年 2 月举行的第三轮咨商中予以深入探讨。
3. Impact of conduct of hostilities on land	4. 敌对行动的陆上影响
While the potential humanitarian impact of blockades, including on land-based populations, is explicitly recognized and addressed by, for instance, the <i>San Remo Manual</i>⁹ and in many states' military manuals, the impact on land of other aspects of armed conflict at sea is often overlooked in discussions on naval warfare. The interconnected and interdependent nature of international trade relies primarily on maritime transportation. Open sea lines of communication are essential for ensuring the flow of food and other goods vital to the survival of civilian populations on land. If shipping lanes are blocked and belligerents impose too great a burden on merchant vessels and their shipping companies, this can raise the price of goods and fuel essential for civilians not only in belligerent states but also in neutral states and have significant humanitarian consequences.	尽管《圣雷莫手册》¹⁰及多国军事条令等文件已明确承认并规制封锁行动可能产生的人道影响(包括对陆上居民的影响), 但在海战相关讨论中, 海上武装冲突其他层面对陆地造成的后果常被忽视。国际贸易具有互联互通性和相互依存性, 这在很大程度上依赖于海上运输。保持海上交通线开放, 对于确保陆上平民居民生存所需的食物及其他重要物资的流通至关重要。若航道遭到封锁, 且交战各方对商船及其航运公司施加过重负担, 则不仅会导致交战国平民的基本物资及燃料价格攀升, 亦将波及中立国, 从而造成严重的人道后果。
<u>Impact on food security</u>: In particular, the application of maritime exclusion zones, contraband control or potentially prize measures can impact international shipping: shipping companies may become unwilling to transport certain goods through certain locations and change route for fear of attack or capture or of breaching unclear contraband lists. This can have a negative impact on civilians in both neutral and belligerent states, as it might disturb the naval trade of goods essential to civilians' survival given the frequent reliance on imports, including of food, amid increased globalization.	<u>对粮食安全的影响</u>: 海上禁航区的建立、禁运品管制或潜在捕获措施, 尤其可能对国际航运产生影响: 航运公司可能因担忧遭到攻击、拿捕或违反界定模糊的禁运品清单, 而不愿运输特定货物途经特定地点并调整航线。在全球化程度日益深化的背景下, 各国往往依赖物资(包括食品)进口, 此类调整将扰乱平民生存所需物资的海上贸易, 从而对中立国与交战国的平民均造成负面影响。
<u>Protection of infrastructure at sea</u>: Another way in which armed conflict at sea can affect the civilian population on land is the risk of attacks on submarine cables and pipelines. Attacks on key submarine cables could disrupt communication between regions, affecting everything from business operations to hospitals to emergency services. These cables carry over 99 per cent of the world's intercontinental electronic communications, including most financial transactions. The loss of energy infrastructure through attacks on submarine pipelines could also create humanitarian and economic concerns. The destruction of a pipeline could pollute the natural marine and coastal environment and trigger economic consequences, including beyond the regions directly supplied by the pipelines.	<u>保护海上基础设施</u>: 海上武装冲突可能对陆上平民居民产生的另一种影响, 就是海底电缆与管道可能遭受攻击。针对关键海底电缆的攻击将导致各地区之间的通信中断, 从商业运营、医疗机构到应急服务等社会各个方面均将遭受波及。这些电缆承载着全球 99% 以上的洲际电子通信, 包括绝大多数金融交易。海底管道遭到攻击, 致使能源基础设施无法运转, 同样会引发人道关切与经济问题。管道损毁不仅会污染海洋与沿岸自然环境, 还会引发一系列经济后果, 其影响范围甚至可能超出该管道直接供应的地区。

⁹ *San Remo Manual*, Rules 102–104.

¹⁰ 《圣雷莫手册》第 102 条至第 104 条。

Offshore infrastructure such as oil and gas platforms, pipelines, and wind farms are highly vulnerable to attack during armed conflicts. These installations, which are vital to global energy and communication networks, are at risk of damage from both kinetic strikes and cyber operations. While these installations are in principle civilian objects, they may lose their protection for such time as they become military objectives under IHL. Furthermore, the presence of civilian workers at these sites introduces a critical humanitarian dimension which must be fully considered.	海上油气平台、管道及风力发电厂等海上基础设施在武装冲突期间极易受到攻击。这些对全球能源与通信网络至关重要的设施，面临遭受动能打击与网络行动的双重风险。尽管此类设施原则上属于民用物体，但在其构成国际人道法意义上的军事目标时可能丧失其享有的保护。此外，设施内平民工作人员的存在构成了重要人道维度，必须予以充分考量。
The conduct of hostilities at sea, therefore, extends its profound and often devastating impact far beyond the immediate theatre of conflict, directly imperilling the lives and livelihoods of seafarers and the maritime environment and impacting civilian populations globally. The interconnected nature of modern maritime trade means that damage to merchant vessels, the capture of their crews, or disruptions to vital infrastructure such as submarine cables and pipelines can trigger cascading crises, from communication disruption and economic challenges to severe shortages of food and fuel. Ultimately, the failure to adequately protect civilian maritime activities during armed conflict at sea has dire consequences, underscoring the urgent need for this consultation and the dialogue it entails in order to ensure continued adherence to humanitarian principles to safeguard the well-being of civilians worldwide.	因此，海上敌对行动往往会造成极具破坏性的深远影响，波及范围远远超出直接冲突海域，直接危及海员的生命与生计和海洋环境，并对全球平民居民造成冲击。现代海上贸易的互联互通性意味着，一旦商船受损、船员被扣押，或海底电缆与管道等关键基础设施遭到破坏，就可能引发连锁性危机，造成通信中断、经济震荡，甚至引发粮食和燃料的严重短缺。若未能在海上武装冲突中充分保护海上民用活动，后果将十分严重。这也凸显出本次咨商的紧迫性，即有必要开展相关对话，确保持续遵守人道原则，保障全球平民的福祉。
Objectives	目标
This consultation will pursue the following objectives:	本轮咨商的目标如下：
- provide an update on the workstream and its progress: - brief participants on the findings of the first consultation reflected in the progress report and on insights gained from subsequent supporting events - outline the next steps towards identifying the workstream's final recommendations	- 介绍本工作领域的最新情况及进展： - 向参与方简述进展报告反映的第一轮咨商结论，以及后续支持活动所贡献的见解 - 概述后续工作步骤，推动本工作领域形成最终建议
examine how the rules and principles for the conduct of hostilities should be applied at sea, with a specific focus on ensuring that civilians both at sea and on land are protected from the direct and indirect consequences of naval warfare (ranging from disruptions to food security, communication chains and essential services to broader socio-economic harm)	研究规制敌对行动的规则和原则应如何适用于海上，重点关注确保海上与陆上平民受到保护，免受海战的直接和间接影响（从粮食安全遭到破坏、通讯链和基本服务中断到更广泛的社会经济危害）
understand how civilians on land are affected by the means and methods of warfare at sea	理解陆上平民如何受到海上作战手段和方法的影响
explore how at-risk merchant vessels (including for international shipping and trade), seafarers and civilians can be adequately protected from the effects of the conduct of hostilities at sea	探讨面临风险的商船（包括从事国际航运和贸易的商船）、海员和平民如何能够受到充分保护，免受海上敌对行动的影响

• develop recommendations as to how to apply the law in practice.	• 就如何在实践中适用法律制定建议。
Next steps	后续工作步骤
The results of this consultation will inform the broader work in the workstream on naval warfare and will lead to the formulation of concrete recommendations. One additional thematic consultation will be held in 2026 as part of this workstream and will address how seafarers are collected and cared for when wounded, sick, shipwrecked, detained or dead. This additional thematic consultation will also lead to the formulation of concrete recommendations. All recommendations will be presented in the second quarter of 2026 and will be the object of further discussions among all states.	本轮咨商成果将为“海战规则”工作领域更广泛的工作提供参考，并将促成具体建议的制定。作为本工作领域的一部分，我们于2026年额外举行一次专题咨商，讨论如何对海员中的伤者、病者、遇船难者、被拘留者或死者予以收集和照顾。这一额外的专题咨商也将促成具体建议的制定。所有建议将在2026年第二季度发布，并将作为各国进一步讨论的议题。
Consultations will be complemented with topic-specific interactive expert workshops. All upcoming supporting events are announced on the Humanity in War website.	聚焦特定主题的专家互动研讨会将对咨商予以补充。即将举行的所有支持活动均通过 “战火中的人道” 网站发布。
Participants	参与方
• The consultation will be held primarily in person in Geneva. Online participation is also possible.	• 咨商主要在日内瓦线下举行，也开放线上参会渠道。
• The consultation is open to all interested states. There is a strong preference for military experts and representatives from relevant ministries in capitals who are well versed in the international law applicable to armed conflict at sea, and for representatives from permanent missions in Geneva.	• 咨商欢迎所有感兴趣的国家参会，尤其欢迎来自各国首都、熟悉海上武装冲突所适用的国际法的军事专家与相关部委代表，以及来自各国常驻日内瓦代表团的代表参会。
• Other representatives with specific expertise in the subject matter (e.g. members of international organizations, civil society and academia) will also participate upon invitation.	• 就会议主题事项具备专业知识的其他代表（如国际组织、民间社会和学术界人员）也将应邀参会。
• Kindly register no later than 2 November 2025, using this link: https://forms.office.com/e/bG5CgdbTFB.	• 请迟于11月2日前完成注册，注册链接：https://forms.office.com/e/bG5CgdbTFB。
Procedure	程序事项
• The working languages will be Arabic, Chinese, English, French, Russian and Spanish, with simultaneous interpretation.	• 会议工作语言为阿拉伯文、中文、英文、法文、俄文和西班牙文，会议提供同声传译。
• We ask states to kindly limit their statements to four minutes to ensure sufficient time for all participants to take the floor. At the end of each session, and after all	• 请各国将发言时间限制在四分钟内，确保所有参与方都有足够时间发言。在会议每个部分结束时，待有意发言的所有参与方发言完毕后，

participating entities that wish to contribute have done so, states and other participants will be given an opportunity to discuss ideas proposed by others.	各国及其他参与方将有机会就他方提出的观点进行讨论。
When preparing their statements, participants are kindly requested to consider the guiding questions provided in the agenda below.	在准备发言内容时，请各参与方对以下议程中所列的引导性问题进行考虑。
Given the technical challenges of hybrid meetings, we encourage delegations who are in the room to make their statements in person and in all cases to give their full attention to delegations speaking online.	鉴于线上线下混合会议存在的技术限制，我们鼓励线下参会的代表团进行现场发言，并务必在一切情况下认真听取线上代表团的发言。
The inclusive, constructive, non-politicized and solution-oriented nature of the discussions will be maintained throughout the consultation. While participants are encouraged to refer to their state’s domestic practice during the consultations, they are asked to kindly refrain from discussing specific contexts or the practice of other states.	咨商全程的讨论将始终保持包容性、建设性、非政治化，并以解决方案为导向。鼓励各参与方在咨商会议中提及其本国国内实践，但请避免讨论具体国家和地区或其他国家的实践。
To facilitate interpretation, we invite participants to share a copy of their statements by 3 November 2025, via email to ihlinitiative@icrc.org, with “Naval warfare second consultation” in the subject line. We also encourage participants to send their full written statements by email after the meeting. Unless confidentiality is explicitly requested, these statements will be published on Humanity in War.	为协助会议口译，请各参与方在 2025 年 11 月 3 日前将发言稿通过邮件分享至 ihlinitiative@icrc.org，邮件标题栏请注明“海战规则第二轮咨商”。我们也鼓励各参与方会后通过电子邮件提交完整的书面发言稿。除非明确提出保密请求，上述发言稿均将通过“战火中的人道”网站公开发布。
The consultation will be recorded, but the recording will not be made public.	咨商会议将进行录像，但录像不会公开。
Agenda	会议议程
Naval warfare	海战规则
Second round of consultations	第二轮咨商
9:00–18:00, 6 November 2025	2025 年 11 月 6 日，9:00–18:00
ICRC Humanitarium, 17 avenue de la Paix, 1202 Geneva	红十字国际委员会人道中心（17 avenue de la Paix, 1202 Geneva）
<i>*Please note that the timing below is for information purposes only and subject to change.</i>	*以下所有时间安排均将基于发言数量进行调整。
Registration and coffee / Log-in and connection 8:30–9:00	现场注册和茶叙/线上登录和接入会议 8:30–9:00

Opening of the meeting and introduction	9:00–9:30	会议开幕、情况概述	9:00–9:30
Session 1: Impact at sea of the conduct of hostilities	9:30–11:00	第 1 部分：敌对行动的海上影响	9:30–11:00
Expert presentations		专家发言	
Guiding questions		引导性问题	
1. How can the conduct of hostilities principles of distinction, proportionality and precautions be applied more effectively in the maritime domain? 1.1. With respect to rules governing the conduct of hostilities during an international and non-international conflicts at sea, how do states interpret and apply the principle of distinction (with regard to civilians and civilian objects) particularly as it relates to merchant vessels and offshore infrastructure but also to the presence of civilians on vessels and offshore infrastructure? 1.2. What are relevant factors for assessing proportionality at sea and in what ways is it similar or distinct from proportionality in other domains? 1.3. What practical measures need to be taken when applying precautions at sea, including measures to mitigate pollution of, and other damage to, the natural environment? 2. How can international law be implemented in the current age to address the vulnerability of merchant shipping and seafarers? 2.1. How would belligerents determine that vessels have become military objectives in contemporary armed conflict at sea? Is a vessel-based construct appropriate? What challenges arise from the varied cargo (contraband and otherwise) that may be aboard the same ship and from the potential divergence between the nationalities of the		2. 规制敌对行动的区分原则、比例原则和预防措施原则如何更有效地适用于海战? 2.6. 就海上国际性武装冲突和非国际性武装冲突期间规制敌对行动的规则而言，各国如何解释并适用（事关平民或民用物体的）区分原则，尤其是涉及到商船和海上基础设施，以及位于其上的平民？ 2.7. 在海战中进行比例性评估时需要考量哪些相关因素，与在其他领域适用比例原则相比有何相同或不同之处？ 2.8. 在海战中适用预防措施原则时需要采取哪些实际措施，包括减轻对自然环境的污染或其他损害的措施？ 3. 现阶段应如何通过实施国际法来应对商船和海员面临的脆弱性？ 3.1. 交战各方在当代海上武装冲突中如何认定船只已构成军事目标？以船只为基础的判断框架是否适当？当同一艘船同时装载不同的货物（禁运品及非禁运品）时，以及船员国籍、船旗国以及所有权所在地可能不一致时，会带来何种挑战？	

ship's crew, its flag state and the location of its ownership? 2.2. To what extent are neutral states obliged to ensure that their merchant vessels are not carrying any contraband or other goods that could offer a military advantage to belligerents? 2.3. Traditionally, the primary mode of action by a belligerent against a merchant vessel was capture, and only in exceptional circumstances could a merchant vessel be destroyed. In contemporary conflicts at sea, where does this remain the relevant and appropriate standard, and does its application need to be re-emphasized? What challenges are raised by the use of uncrewed maritime systems in the exercise of what are often referred to as "belligerent rights" against merchant vessels? 2.4. How would you apply the law in a non-international armed conflict? 2.5. Are there any practical measures (such as unanimously endorsed notification systems or transit protocols) that should be developed by both belligerent and neutral states to protect merchant vessels? What are the measures you can put in place to ensure seafarers are protected from the effects of an attack?		3.2. 中立国在多大程度上有义务确保其商船未携带任何可能为交战各方提供军事利益的禁运品或其他物品? 3.3. 传统上, 交战方针对商船的主要行动模式为拿捕, 只有在例外情形下, 商船才能被摧毁。在当代海上冲突中, 这一标准在何种情况下仍然是重要且适当的, 以及其适用是否需要予以重申? 在对商船行使通常称为“交战方权利”的过程中, 使用海上无人系统带来了哪些挑战? 3.4. 贵国在非国际性武装冲突中如何适用该法? 3.5. 交战各国和中立国应共同制定哪些切实可行的措施(例如一致认可的通告系统或过境协议), 以保护商船? 贵国能够采取哪些措施, 以确保海员受到保护, 免遭攻击带来的影响?	
Coffee break	11:00–11:20	茶歇	11:00–11:20
Session 2: Impact at sea of the conduct of hostilities (continued)	11:20–12:30	第2部分: 敌对行动的海上影响(续)	11:20–12:30
Guiding questions Continuation of discussions from Session 1 as needed.		引导性问题 视情继续讨论第1部分和第2部分的内容。	
Lunch (not provided)	12:30–13:30		
	13:30–15:00	午餐(自理)	12:30–13:30

Session 3: Impact on land of the conduct of hostilities		第 3 部分：敌对行动的陆上影响 13:30–15:00	
Expert presentations		专家发言	
Guiding questions		引导性问题	
1. How can states carrying out military operations account for and effectively mitigate broader, indirect repercussions on civilians on land, including in neutral states? (Such repercussions may include disruptions to food security and essential services, wider socio-economic harm and adverse impacts on maritime trade and civilians, as outlined above.) 1.1. How would you interpret existing law to ensure the protection of civilians and civilian objects on land? Do certain laws and practices of traditional naval warfare need to be retained and re-examined, or should some be considered obsolete? 1.2. In what ways does the implementation of prize measures, contraband control and other maritime interdiction operations need to be re-evaluated if it impacts global maritime trade and causes significant humanitarian consequences for civilian populations on land? 1.3. What are the legal limits on the use of naval blockades, when should their application be considered a violation of international law applicable to armed conflict at sea, and what obligations do occupying powers have to ensure access to food, medical supplies, and essential services for the civilian population? 2. What measures can be implemented to ensure the protection of critical civilian infrastructure – such as submarine communication, gas and oil cables and pipelines, and other offshore infrastructure –		2. 开展军事行动的国家如何能够充分考虑并有效减轻对陆上平民（包括中立国平民）造成的更广泛的间接影响？（如上所述，此类影响可能包括粮食安全遭到破坏，基本服务中断，更广泛的社会经济危害以及对海上贸易和平民的不利影响） 2.4. 贵国如何解释现有法律，以确保陆上平民和民用物体得到保护？传统海战中的某些法律与实践是否需要保留并重新审视，抑或应视其中某些部分为过时？ 2.5. 如果实施捕获措施、禁运品管制和其他海上拦截行动会对全球海上贸易产生影响，并对陆上平民居民造成严重的人道后果，那么上述措施实施工作的哪些方面需要进行重新评估？ 2.6. 实行海上封锁存在哪些法律限制，在何种情况下，其实行应被视为违反适用于海上武装冲突的国际法，占领国又负有哪些义务，以确保平民居民能够获得食物、医疗物资以及基本服务？ 3. 从法律和实践层面能够实施哪些措施，以确保在海上武装冲突期间关键民用基础设施（如海底通信设施、油气管缆及其他海上基础设施）能够得到保护，免遭攻击、破坏或损害？	

from attacks, destruction or damage during armed conflict at sea in law and practice? 2.1. In a targeting decision, how would you consider the impact on civilians of damage to submarine cables, pipelines and other offshore infrastructure? 2.2. What measures can states put in place to protect civilians from the effects of attack on or damage to submarine cables, pipelines and other offshore infrastructure? 2.3. Do you have examples from your own practices, training or military manuals regarding how such activities can be undertaken?		3.1. 在目标选择决策过程中，贵国如何考量海底电缆、管道及其他海上基础设施受损对平民造成的影响？ 3.2. 各国能够采取哪些措施，以保护平民免受海底电缆、管道和其他海上基础设施遭到攻击或受损所带来的影响？ 3.3. 贵国能否从自身实践、培训经验或军事手册条令中举例说明应如何开展此类活动？	
Coffee break	15:00–15:30	茶歇	15:00–15:30
Session 4: Impact on land of the conduct of hostilities (continued)	15:30–17:30	第 4 部分：敌对行动的陆上影响（续）	15:30–17:30
Guiding questions		引导性问题	
Continuation of discussions from Session 3 as needed.		视情继续讨论第 1 部分和第 2 部分的内容。	
Concluding remarks and next steps	17:30–18:00	总结发言和后续工作步骤	17:30–18:00