

Intervention
by the Government of the Republic of Indonesia
at the Global Initiative to Galvanize Political Commitment to International
Humanitarian Law (GIIHL)
First State Consultation Meeting

Workstream “National IHL Committees”

Wednesday, 7 May 2025, 13:30 – 17:30 (WIB/GMT +7)

Thank you, [Mr/Madam] Co-Chairs.

- Good morning, distinguished delegates, ladies and gentlemen.
- Greetings from Jakarta.
- Indonesia extends its appreciation to the ICRC and the co-chairs—Germany, Peru, the Philippines, and the United Kingdom—for convening the First State Consultation under the workstream “National IHL Committees.”
- We acknowledge the critical importance of the Global Initiative on International Humanitarian Law (GIIHL) and express our full support for all its workstreams, including on workstream “National IHL Committees.”

[Mr/Madam] Co-Chair

- Indonesia has a long-standing commitment to mainstream IHL through its National IHL Committee. The Committee is called “the Permanent Committee for the Implementation and Study of IHL”.
- Established in 1980 via a decree by the Minister of Justice, our National Committee embodies Indonesia’s dedication to implementing the 1949 Geneva Conventions and other IHL instruments.
- The Committee brings together representatives from a wide range of stakeholders, including various government agencies, the Indonesian Military, the Indonesian Red Cross/PMI, non-governmental agencies, and academic institutions. The diverse composition enables the Committee to play a leading role in promoting and advancing IHL implementation in Indonesia.
- Since its establishment, the Committee has played a crucial role in shaping government policy on IHL by providing expert advisory inputs and in-depth analysis to ensure that humanitarian principles are integrated into national legal and institutional frameworks.

For instance, the Committee was substantively engaged in the drafting process of Law No. 11 of 2010 on the Protection of Cultural Property, contributing technical expertise to ensure alignment with International Humanitarian Law standards. One important article in the legislation, which is Article 57, safeguards the protection of the cultural properties in 'emergency situations', including war.

[Mr/Madam] Co-Chair,

- The Indonesian National IHL Committee has also been instrumental in enhancing respect for IHL within Indonesia through a range of initiatives.
- It has spearheaded dissemination and educational programs aimed at increasing IHL awareness among the Indonesian Military, academic, and general public.
- These programs encompass capacity-building initiatives, including training sessions and expert dialogues addressing contemporary challenges, such as new and emerging methods of warfare, technological advancements in weapon systems, and the evolving interplay between IHL and international human rights law.
- The Committee also engages in monitoring and policy development by producing policy briefs and analytical reports on treaty ratifications, revision of regulatory frameworks, and development of innovative strategies for IHL dissemination.
- At the regional and global level, the Committee plays an active role in the advancement of IHL, through sharing best practices and establishing networks between National IHL Committees.
- Regionally, at the 61st Session of the Asian-African Legal Consultative Organization (AALCO) in 2023, the Committee collaborated with the ICRC to host a side event focused on IHL, fostering regional cooperation and knowledge exchange.
- Globally, representatives of the Committee participated at the 33rd International Red Cross and Red Crescent Conference in Geneva in 2019 to deliver Indonesia's views and position on current and future issues of IHL.
- Through these engagements, Indonesia not only shares its experiences but also learns from other nations, thereby strengthening IHL compliance both at home and abroad.

[Mr/Madam] Co-Chair,

- As previously mentioned, the diverse composition of Indonesia's National IHL Committee allows it to serve as a central hub for cross-sectoral coordination on IHL matters.
- The collaborative approach is vital in addressing the multifaceted nature of IHL, which spans legal, military, and humanitarian dimensions.
- Notwithstanding its strategic value, the Committee faces several challenges, which include a limited number of officials and experts with expertise in emerging and contemporary IHL issues.
- The Committee also faces challenges in ensuring coordination and harmonization, due to the diverse institutional backgrounds and varying interests of its members.
- In light of these observations, Indonesia wishes to offer three recommendations aimed at strengthening the role of National IHL Committees and addressing the challenges they face.
- First, greater investment should be made in education and training on IHL for relevant ministries and institutions, as well as other national stakeholders.
- Second, efforts should be intensified to foster collaboration with similar institutions at the regional and global levels to address new and emerging challenges in IHL implementation. In this regard, cooperation with relevant International Organizations such as the ICRC remains beneficial.
- Third, establish a regional platform for National IHL Committees to facilitate the exchange of best practices, share lessons learned, and promote enhanced cooperation in strengthening national IHL committees.
- ALT: Third, establish a regional platform for National IHL Committees to facilitate the exchange of best practices, share lessons learned, and promote enhanced cooperation in reinforcing national mechanisms that promote respect for and ensure effective implementation of IHL.
- In closing, Indonesia wishes to reiterate that **robust National IHL Committees are essential at a time of increased erosion of compliance with IHL.**

Thank you.

Intervention
by the Government of the Republic of Indonesia
at the Global Initiative to Galvanize Political Commitment to International
Humanitarian Law (GIIHL)
First State Consultation Meeting

Workstream “International Humanitarian Law and Peace”

Monday, 26 May 2025, 13:30 – 17:30 (WIB/GMT +7)

Thank you, [Mr/Madam] Co-Chairs.

- Good morning, distinguished delegates, ladies and gentlemen.
- Greetings from Jakarta.
- Indonesia extends its appreciation to the ICRC and the co-chairs—the Republic of Colombia, Federal Democratic Republic of Ethiopia, and Kingdom of Saudi Arabia—for convening the First State Consultation under the workstream “International Humanitarian Law (IHL) and Peace”.
- We reaffirm our acknowledgement of the critical importance of the Global Initiative on International Humanitarian Law (GIIHL) and express our full support for all its workstreams, including on workstream “IHL and Peace”.

[Mr/Madam] Co-Chair

- Indonesia has a long-standing experience in peacebuilding efforts through mediation.
- Back in the late 1980s to the mid-2000s, Indonesia successfully facilitated several peacebuilding efforts. In the late 1980s, for example, we hosted the Jakarta Informal Dialogues, bringing parties in conflict to the negotiating table.
- Hence, we comprehend fully that in times of armed conflicts, respect for IHL is beyond a legal obligation – it is a moral responsibility and a starting point towards reconciliation and lasting peace.
- Indonesia believes IHL is a pillar of humanity as it provides protection for individuals amidst the brutality of armed conflicts.
- Yet today, we are witnessing alarming trends of IHL violations. Deliberate attacks on civilians, including humanitarian workers, denials of humanitarian access, destruction of civilians’ objects and infrastructures... and many more violations continue to persist.

- These violations not only breach legal obligation but also undermine the prospects of peace.

[Mr/Madam] Co-Chair

- Member States have a crucial role to play in promoting IHL – whether as mediators or supportive members of the international community.
- Towards that end, Indonesia would like to highlight **3 (three)** points:
- **First, Trust is the currency of peace.** And IHL is one of the tools to build that trust.
- When conflicting parties respect and adhere to IHL, they signal a willingness to act in good faith and acknowledge each other's humanity, even under the most severe circumstances.
- This mutual recognition will lay the foundation for the peace process as it provides reassurance to both parties, from all layers of society, that each side is committed to respecting their humanity and acting in good faith.
- This condition will help to build trust... that can turn armed confrontation to constructive engagement.
- **Second, we must continue to promote and mainstream respect for IHL,** particularly its role as a prerequisite for peace process, including in the mediation process.
- This includes promoting ceasefire, ensuring safe and unhindered humanitarian access, and protection for civilians' lives and infrastructure.
- **The IHL should also be mainstreamed into all stages of peace process,** from mediation to peacebuilding
- IHL provisions should become key element from negotiation process to enforcement after conflict ends.
- **Third, accountability is important in a mediation process.**
- A reporting or accountability mechanism can help to deter future abuses and provide better protection for civilians.
- Accountability will also give justice to the victims and hope to those most vulnerable during armed conflicts.

[Mr/Madam] Co-Chair

- International community should not stay silent.
- Let us work together to strengthening respect for IHL and incorporating IHL at every stage of peace process to create a just, sustainable and comprehensive peace.
- Thank you.

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Intervention
by the Government of the Republic of Indonesia
at the Global Initiative to Galvanize Political Commitment to International
Humanitarian Law (GIIHL)
First State Consultation Meeting

Workstream “Hospitals: Achieving Meaningful Protection in Armed Conflict”

Wednesday, 28 May 2025, 9:30 – 18:00 (GMT +2)
(MAX 3 MINUTES INTERVENTION)

SESSION 1 – Misuse of Medical Facilities leading to a Loss of Specific Protection

- Thank you, Co-Chair
 - Indonesia welcomes the First State Consultation of the workstream on the protection of hospitals, co-chaired by Nigeria, Pakistan, Spain, and Uruguay.
 - Indonesia emphasizes the responsibility to protect medical units and establishments, including hospitals and other medical facilities, during armed conflicts.
 - We recognize that the provision of medical aid in conflict zones is indispensable. Denying such aid purposefully, simply, undermines humanity.
- ➔ It was precisely this spirit that inspired Henri Dunant** after witnessing the horrors at the Battle of Solferino.

Esteemed Co-Chairs, distinguished delegates,

- The spirit and the inspiration of Henri Dunant are in convergence with our foreign policy.
- Indonesia puts great emphasis on the commitment to provide humanitarian assistance and advocacy.
- We are humbled to have collaborated with numerous stakeholders, including civil societies, over the past decades to establish medical facilities, including hospitals, in conflict-affected areas.
- We remain committed to expanding these efforts by building more medical facilities and contributing to help relieve the suffering of victims of armed conflicts.

- Unfortunately, drawing from our own experience, we are witnessing an alarming rise in military operations targeting medical establishments and medical units.
- Many of such operations are subjected to deliberate attack.
- Many are carried out without clear and credible evidence that the targeted facilities have forfeited their protected status under international humanitarian law.
- We note the lack of clear criteria for what constitutes 'acts harmful to the enemy' as stipulated in Article 21 of the First Geneva Convention.
- This leaves the provision prone to overly broad interpretation and potential misuse.
- Furthermore, the fact that each country has its own elements in its Rules of Engagement (ROE) further complicates the matter.
 - ➔ Each warring party has its own standards or criteria for when the use of force may be applied.
- In this regard, Indonesia proposes **three main points**:
 - **First**, explore clear and evidence-based criteria for defining 'acts harmful to the enemy', using verifiable indicators, such as the presence of weapons stockpiles or the direct military use of facilities, complementing the ICRC Commentaries of 1987 and 2016.
 - **Second**, develop a guideline on a verification mechanism involving medical authorities and neutral observers to assess allegations before any military action is undertaken.
 - Additionally, effective communication with medical personnel must be maintained to ensure that all parties to the conflict fully understand the critical importance and protected status of medical establishments and units.
 - **Third**, develop a strong guideline on the obligations of parties to a conflict to ensure the safe evacuation of civilians and persons *hors de combat*, in cases where the protection of medical facilities must be revoked under credible justification.
 - This guideline should be based on practical and operational considerations to facilitate the safe relocation of the affected population.

Esteemed Co-Chairs, distinguished delegates,

- **Regardless of existing legal gaps or differing interpretations**, any military use of or attack against medical establishments is **simply against the principle of humanity and human conscience**.
- States and non-state actors must not target medical facilities for unjustified purposes.
- This requires not only commitment but also deep reflection from all of us.
- Hospitals and medical facilities are not just buildings;
- They are sanctuaries of humanity, providing care amidst the darkness of conflict.
- In the time of the darkness, we must not lose our humanity.
- Thank you.

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Permanent Mission
of the Republic of Indonesia to the UN, WTO,
and Other International Organizations
in Geneva

**OPENING STATEMENT OF CO-CHAIR, H.E. L. AMRIH JINANGKUNG
AT THE FIRST STATE CONSULTATION OF WORKSTREAM 7:
NAVAL WARFARE GLOBAL INITIATIVE TO GALVANIZE POLITICAL COMMITMENT TO
INTERNATIONAL HUMANITARIAN LAW
GENEVA, 4 JUNE 2025**

**Thank you, Anne for giving me the floor,
Ambassador Hatem Abdelkader, Distinguished
delegates,
Good morning, good afternoon, good evening to you all.**

1. I would like to express my sincere appreciation to the ICRC for hosting this State Consultation. I am honoured to co-chair this consultation along with my colleague Ambassador Abdelqader of Egypt.
2. I sincerely hope that, building on the fruitful discussions and outcome of our recent Expert Meeting in Jakarta on 6-7 May, this first State Consultation of Workstream 7 on Naval Warfare will result in fruitful deliberation and recommendations.
3. I am confident that this initiative provides the necessary platform, and importantly momentum, for international community to ponder and also to galvanize support for International Humanitarian Law, in particular the Law of Naval Warfare.
4. As I come from Indonesia, the largest Archipelagic State with two-third of its territory consist of waters, and the host of one of the most diverse marine ecosystem in the world, I am of the view that renewed discourse on naval warfare is not only important, but also timely. The deleterious impact of armed conflicts at sea will pose a threat to all aspects of life, and therefore to the humanity itself.

Excellencies, Distinguished delegates,

5. Since the inceptions, the law of naval warfare has not evolved to the same extent as the law of warfare on lands. This has resulted in legal uncertainty, as well as inconsistent state practices highlighting the necessity for a consolidated treaty- based guidance of certain aspects of naval warfare.
6. This legal uncertainty also affects the law of neutrality, an important component of the law of naval warfare. Despite being a core pillar of the law of naval warfare, this area remains largely unexplored, leaving the rights and duties of neutral coastal states remain largely ambiguous.
7. Adding to this complexity is the temporal mismatch of legal instruments. UNCLOS was adopted in 1982 as the “constitution of the ocean”, long after the Geneva Convention of 1949 and the First Additional Protocol of 1977, as well as the Hague Regulation of 1907. I shall note that UNCLOS was not designed for wartime application, but rather for peacetime governance and cooperation. Regretably the interaction between the law of naval warfare, the UNCLOS 1982, and the international environmental law remain insufficiently developed and requires further attention.

8. While various military manuals exist internationally and domestically, these manuals are not binding and often lack the granularity to guide states in an actual conflict scenario. These manuals also fell short of clarifying how law of naval warfare interacts with other bodies of law such as the international law of the sea, in particular the UNCLOS 1982, and the international humanitarian law, during an actual armed conflict at sea.
9. Let's take the protection of marine environment as an example, to show the magnitude of the issue we faced. There is an apparent contradiction on the notion of protected areas under UNCLOS 1982 and the law of naval warfare, such as in the Economic Exclusive Zone. Coastal states have an opposable obligation to protect the environment in these Zone, an obligation that is diametrically opposed to the notion of the law of naval warfare, which considers the EEZ as the area of hostilities, putting nearby marine ecosystem in peril should an armed conflict takes place.
10. The abovementioned issues represent a glimpse of an illustration on why this workstream is pertinent.
11. I am confident that renewed efforts to seek clarity and update of the law of naval warfare is crucial. For it will ensure that the ocean in its entirety must not become an area of grey zones nor a humanitarian blind spot. It is international law, and not power, that should dictate the governance of the ocean, especially during the time of armed conflicts at sea.
12. It is also the interests of the states parties under relevant IHL as well as the law of the sea Conventions to ensure a balanced approach whereby their conduct are consistent with the said treaties' obligation. As such, the exercises of the freedom of navigation and the protection of marine environment, for example, must be at the same time in line with the protection of humanity during a naval warfare.
13. This is precisely the reason, and I am pleased to brief you in this opportunity, of why the Ministry of Foreign Affairs of Indonesia co-hosted the Expert Meeting under this Workstream, which was held in Jakarta, from 6 to 7 May 2025.

Distinguished delegates,

14. The Expert Meeting was attended by 17 experts and practitioners. The Meeting discussed salient and contemporary challenges to the law of naval warfare, such as the protection of civilians and civilian infrastructures, protection of marine environment, as well as the issue of maritime neutrality, and the interplay between law of naval warfare and UNCLOS 1982, in the situation of an armed conflict. Several important issues were discussed.
15. On the protection of civilians and civilians' infrastructure at sea, some Experts stressed that whether on commercial vessels, fishing boats, or as displaced persons in precarious conditions, civilians must never become collateral to the conduct of hostilities. Equally, the protection of civilian infrastructure at sea, including ports and undersea cables, is vital not only for immediate humanitarian concerns but also for the broader stability of global trade and communication.

16. On the protection of the marine environment, the Expert Meeting deliberated the importance of the environmental protection, that should not be undermined, especially during the war. Armed conflict at sea must never become a pretext for irreversible environmental destruction. This discourse is also in line with the prevailing trends of international law, where protection of environment becomes very important, having realized the significant interaction of the environment and the human lives.
17. The Expert Meeting also touched upon the technological advancements of the dual-used instruments. The emergence of unmanned underwater vehicles (UUVs), autonomous surface vessels, and other cutting-edge marine technologies, presents an unprecedented legal and operational issues—many of which remain unaddressed, even within the existing framework of the law of naval warfare as we know it.
18. On the issue of maritime neutrality, I noted during the Expert Meeting the necessity for further examination on the rights and duties of neutral states in naval warfare.
19. Lastly, on the interplay between the law of naval warfare and the UNCLOS 1982, the Meeting noted that the interplay warrants further study to explore their relationship and applicability during an armed conflicts at sea.

Distinguished Delegates,

20. Today's State Consultation therefore offers a unique opportunity for us to re-center humanity in armed conflicts, particularly at sea.
21. I encourage you all to actively participate by sharing reflections, perspectives, and if any, recommendations, when answering the guiding questions of this Consultation. This is a rare opportunity to shape the law of naval warfare in ways that centers humanity in all aspect.
22. There is indeed no silver bullet to overcome all questions or concerns, but we must collaborate to galvanize commitment from States and all stakeholders to enhance respect for IHL, which is what the Global IHL Initiative hopes to achieve, and for which Indonesia is honored to support.

**I wish you all a successful deliberation.
I thank you.**



Permanent Mission
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**STATEMENT OF THE CHARGÉ D'AFFAIRES OF THE REPUBLIC OF INDONESIA
AT THE FIRST STATE CONSULTATION OF WORKSTREAM 7:
NAVAL WARFARE GLOBAL INITIATIVE TO GALVANIZE POLITICAL COMMITMENT TO
INTERNATIONAL HUMANITARIAN LAW
GENEVA, 4 JUNE 2025**

Mr. Co-Chairs,

Excellencies, distinguished delegates,

1. The ocean has long stood as both a symbol of opportunity and a theatre of contestation.
2. The distinctions between peacetime, grey-zone operations, and open hostilities are blurring, placing unprecedented pressure on the legal and humanitarian norms governing armed conflict at sea.
3. It is essential to revisit our understanding on the law of naval warfare—not only as a matter of strategic and legal concern, but as a domain where the protection of humanity must remain paramount.
4. For Indonesia, the foremost humanitarian concern in naval warfare is the difficulty of upholding the core principles of international humanitarian law in a **maritime environment** that is inherently shared by both civilian and military actors.
5. Of particular concern is the protection of **civilians and civilian infrastructure**.
6. Civilian mariners, commercial ports, offshore platforms, and undersea communication systems are increasingly exposed to the risks of conflict.
7. These assets are not only critical to global trade and communication but also serve essential public and humanitarian functions.
8. Their proximity to military operations, and their potential dual-use nature, expose them to heightened risk of attack or disruption.

Mr. Co-Chairs,

9. The application of the law of naval warfare is complicated by the difference purpose and temporal gaps within the existing legal frameworks, in particular the interplay between the applicability of the United Nations Convention on the Law of the Sea (UNCLOS) and the relevant IHL instruments.
10. The Hague Regulations of 1907 and the Geneva Conventions of 1949 provide foundational principles for the conduct of hostilities, while the UNCLOS, adopted in 1982, was crafted to regulate maritime governance in times of peace—addressing maritime zones, entitlements, and cooperative use of the seas—rather than to serve as a legal instrument for wartime scenarios.

11. This divergence has produced a legal architecture that, while comprehensive in certain areas, requires careful adaptation when applied to the realities of modern armed conflict at sea.
12. This legal tension is most acutely felt by Archipelagic States, such as Indonesia.
13. Under UNCLOS, we are obliged to allow the innocent passage and archipelagic sea lane passage of foreign warships through our territorial seas and archipelagic waters.
14. Simultaneously, under the law of naval warfare, and if Indonesia were to decide itself as a neutral state, these same waters should be classified as neutral zones in which belligerent activity must be prohibited.
15. This dual obligation creates a profound legal and operational dilemma—where coastal states must uphold the principle of neutrality, even when belligerents exercise lawful transit rights that may be exploited for hostile purposes.
16. A similar dilemma arises in the context of the Exclusive Economic Zone (EEZ), where coastal states are confronted with overlapping legal obligations. Under UNCLOS, they are entrusted with the duty to protect and preserve the marine environment.
17. Yet, the law of naval warfare permits the conduct of naval hostilities within the EEZ of neutral states.
18. This dual framework creates a legal and operational conundrum: a failure to strike a careful balance between environmental aspects and neutrality may expose neutral coastal states to adverse consequences, particularly when hostilities lead to environmental damage or disrupt the exercise of their sovereign rights and duties within the EEZ.
19. Further compounding these issues are the technological advancements in naval warfare. The increasing deployment of unmanned underwater vehicles, autonomous surface vessels, and cyber capabilities has introduced new modes of conflict that are not explicitly addressed in existing legal frameworks.

Mr. Co-Chairs,

20. In light of these challenges, Indonesia wishes to propose the following points:

- **First**, to ensure that any legal discourse on maritime neutrality under the law of naval warfare would take into account the rights and obligations of neutral coastal states under UNCLOS. This may take the form either in a new soft-law instrument or interpretive guidance or in updating existing manual such as the San Remo Manual.
- **Second**, any of such efforts must seek to clarify the interface between UNCLOS and the law of naval warfare, especially regarding the application of navigation rights during armed conflict and the status of maritime zones in wartime, while ensuring a balanced approach that upholds both the rights and duties of coastal States under UNCLOS and the obligations of neutral states under law of naval warfare.
- **Third**, to place special emphasis on the discussion relating to the protection of civilian and civilians' infrastructures as well as of the marine environment during naval warfare.

- **Fourth**, to support ICRC's initiative in continuing to facilitate dialogue on emerging technologies in naval conflicts, ensuring their use remains accountable and consistent with fundamental principles of international humanitarian law.

Mr. Co-Chairs,

21. This forum will hopefully serve to provide a greater understanding amongst states in overcoming future challenges to uphold humanity during a war at sea, and if possible, to provide solutions to those challenges.

I thank you.

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Permanent Mission
of the Republic of Indonesia to the UN, WTO,
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**CLOSING STATEMENT OF CO-CHAIR, H.E. L. AMRIH JINANGKUNG
AT THE FIRST STATE CONSULTATION OF WORKSTREAM 7:
NAVAL WARFARE GLOBAL INITIATIVE TO GALVANIZE POLITICAL COMMITMENT TO
INTERNATIONAL HUMANITARIAN LAW
GENEVA, 4 JUNE 2025**

**Excellencies,
Distinguished delegates,**

1. We have now come to the end of this morning Session.
2. On behalf of the Government of Indonesia as Co-Chair of this Workstream, allow me to express our sincere appreciation to the ICRC for extending the opportunity to Indonesia to co-chair this important State Consultation, and for the steadfast cooperation throughout this session.
3. I also thank the valuable contributions for the delegations that have joined us from across the globe, across different time zones and geographical distances, including those who are present here in Geneva.
4. Let me also take this opportunity to express our gratitude to the distinguished experts for their valuable contributions throughout this session of the State Consultation.
5. Although relatively brief in duration, the deliberation that has been going on for the past few hours have certainly reflects a strong shared commitment—not only to the continued development of international humanitarian law, but also to ensuring that it remains relevant and responsive to the evolving nature of armed conflict, especially at sea.
6. As there have been plenty of valuable exchanges and insights, I will not attempt to summarize the depth and breadth of our discussions, as such an effort would certainly not do justice to the richness of the perspectives shared.
7. The outcomes of this Consultation will not end here. As co-chair of this Workstream, Indonesia commits to continuing this momentum. I truly wish that the ICRC can reflect the discussion transpired in the Expert Meeting as well as in this State Consultation in its midterm report. Indonesia stands ready and wish to contribute in its formulation.
8. Let me also take this moment to thank Ambassador Alaa Hegazy of the Arab Republic of Egypt as co-chair for this workstream, the International Committee of the Red Cross, and all participating delegations for your collaboration and contributions to this process.
9. This Workstream, and today's Consultation, are not merely procedural milestones—they are building blocks in our collective effort to bring greater clarity, humanity, and responsibility to naval operations in armed conflict.
10. I look forward to working with all of you as we take the next steps together under this initiative.

I thank you.

Intervention
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Humanitarian Law (GIHL)
First State Consultation Meeting

Workstream “Upholding International Humanitarian Law in the Use of Information and Communication Technologies During Armed Conflict”

Wednesday, 15 May 2025, 9:30 – 18:00 (GMT +2)
(MAX 3 MINUTES INTERVENTION)

SESSION 1 – THE USE OF ICT IN TODAY’S ARMED CONFLICTS AND THE HUMAN AND SOCIETAL COST

Thank you, Co-Chairs.

Good morning, excellencies and distinguished delegates.

- Indonesia welcomes the First State Consultation on the Use of ICT during Armed Conflicts”, hosted by ICRC and co-chaired by Switzerland, Mexico, and Luxembourg.
- The increasing integration of ICT into armed conflicts is transforming cyberspace into a 'virtual conflict zone.' This can lead to humanitarian concerns.
- Such developments pose complex legal and operational challenges, particularly in determining whether an object in cyberspace constitutes a 'military objective' under IHL.
- The dual-use nature of many ICT infrastructure that simultaneously serve both civilian and military purposes, further complicates the application of IHL principles.
- As a result, ensuring compliance with the principles of distinction, proportionality, and precaution becomes increasingly difficult.
- States must take proactive measures to ensure a clear separation between civilian and military uses of ICT. Moreover, States should develop robust contingency plans to prevent humanitarian consequences resulting from the failure of critical infrastructure due to cyber operations.
- **Indonesia** emphasize that the use of ICTs must be consistent with international law, particularly with the principles and purposes of the UN Charter. These include the respect for sovereignty, the territorial integrity of states, the peaceful settlement of international disputes, and the principle of non-intervention in the internal affairs of States.
- Indonesia also acknowledges the continuing discussions of how international laws applies to the use of ICTs at the Open-ended working group on security of and in the use of information and communications technologies 2021-2025.

- Furthermore, robust diplomatic efforts to address the growing complexity of ICT-related issues are important. Indonesia has actively engaged in multilateral fora, consistently emphasizing the importance of developing international norms and guidance on the use of ICT during armed conflict that not only address security concerns but also uphold the protection of human rights.
- In this regard, Indonesia welcomes the successful conclusion of the reconvened concluding session of the **UN Ad Hoc Committee (AHC)** meeting in New York, in August 2024, which resulted in the adoption of the United Nations Convention against Cybercrime.
- This important achievement represents a significant step in addressing the misuse of ICTs and closing existing legal and regulatory gaps.
- We believe that international cooperation forms a central pillar of this Convention, as well as of the ICT Resolution adopted at the 34th International Conference of the Red Cross and Red Crescent in 2023.
- Broader and stronger collaboration among states is imperative to promote the responsible use of ICTs and prevent their malicious application, particularly through capacity-building and transfer of technology initiatives that address the needs of developing countries.
- As ICTs use in modern warfare becomes more prevalent, developing countries remain disproportionately vulnerable due to limited capacity and resources to safeguard against such cyber operations.
- Domestically, Indonesia continues to strengthen its cybersecurity frameworks and institutions, with particular attention to enhancing the protection of critical infrastructures and developing robust cyber norms.
- We also underscore the need for collaboration among states to implement robust ICT protection protocols, ensuring the reliability of governmental services and adequate safeguards against cyber operations and other malicious activities in cyberspace.
- Finally, Indonesia remains committed to fostering consensus through constructive dialogue among Member States. We trust that all Member States share our determination to establish an inclusive and effective future permanent mechanism that is grounded in international law.
- **Thank you.**

Intervention
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First State Consultation Meeting

**Workstream “Upholding International Humanitarian Law in the Use of Information and
Communication Technologies During Armed Conflict”**

Wednesday, 15 May 2025, 9:30 – 18:00 (GMT +2)

**SESSION 2 – PROTECTING CIVILIANS AND OTHER PROTECTED PERSONS AND
OBJECTS FROM THE DANGERS ARISING FROM HARMFUL ICT ACTIVITIES DURING
ARMED CONFLICT**

Thank you Madam Chair.

- The rapid integration of ICT into armed conflicts has transformed modern warfare. **Indonesia emphasizes** the need to protect civilians and other protected persons from the dangers of harmful ICT activities during conflicts.
- **Measures** to safeguard civilians from threats such as doxing, identity exposure, and other **cyberattacks are critical**.
- **Indonesia bases its stance on Law No. 27 of 2022 on Personal Data Protection**. This law emphasizes principles of confidentiality, prudence, protection, and legal certainty in safeguarding individuals' personal data.
- While the legislation primarily applies during peacetime, **Indonesia demonstrates** its commitment to upholding the principles of confidentiality, caution, protection, and legal certainty.
- We are concerned by the rise of **AI-enabled cyberattacks**, as AI capabilities enable such attacks to become **more sophisticated, efficient, and destructive**.
- While **the implications of AI in this context remain underexplored**, Indonesia calls for **stronger mechanisms to address AI-driven cyber threats**, including preventive frameworks and response protocols.
- Indonesia also calls for **continuous assessment of the broader implications of military AI** for international peace and security, particularly in the context of ICT activities.
- Indonesia is also committed to fostering an open, secure, and peaceful cyberspace, where ICT use in conflict settings adheres to clear boundaries to minimize civilian harm.

- We align ourselves with the international consensus that international law—including IHL—applies to state conduct in cyberspace, as affirmed in the 2021 UN Open-Ended Working Group (OEWG) report,
- Indonesia reiterates the applicability of international law, including in cyberspace. Principles such as **distinction, proportionality, and precautions** must guide cyber operations to protect civilians and civilian objects during armed conflicts.
- To address these challenges, **Indonesia calls for strengthened international cooperation** to develop and implement norms and commitments that prioritize civilian protection in cyberspace.
 - ➔ This includes **strengthening cybersecurity through collective action among states.**
- In the region, **Indonesia and ASEAN member states** have demonstrated their commitment through the **ASEAN Cybersecurity Cooperation Strategy 2021–2025**.
- The strategy **emphasizes advancing** cyber readiness cooperation, regional cyber policy coordination, trust-building in cyberspace, regional capacity-building, and international cooperation.
- Furthermore, **learning from regional experiences**, Indonesia advocates for cross-learning through the sharing of national positions on applying IHL to cyber operations to foster transparency and mutual understanding.
- **We call for a strengthened international cooperation** to develop norms grounded in IHL, by establishing guidelines or framework for defining cyber “attacks” and its impact.
- **Indonesia believes** that a global framework rooted in humanitarian principles can safeguard civilians from the dangers of harmful ICT activities.
- We remain committed to working with all member states to advance this critical agenda, ensuring that cyberspace does not become a domain of suffering but one of security and peace.
- Thank you.

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First State Consultation Meeting

**Workstream “Upholding International Humanitarian Law in the Use of Information and
Communication Technologies During Armed Conflict”**

Wednesday, 15 May 2025, 9:30 – 18:00 (GMT +2)

**SESSION 3 – PROTECTING CIVILIANS AND OTHER PROTECTED PERSONS FROM
THE SPREAD OF INFORMATION IN VIOLATION OF IHL DURING ARMED CONFLICT**

(Mr/Madam) Co-Chair, distinguished delegates

- We align with the view that while ICTs can be tools for protection, they are increasingly weaponized to spread harmful content that violates IHL.
- **Indonesia believes** that IHL implementation must extend to the conduct of digital information operations to ensure the protection of civilians, prisoners of war, civilian infrastructure and other protected persons or objects.
- **We emphasize** the full applicability of IHL to digital activities, **including its principles**, through the dissemination of information during armed conflicts. The principles of distinction, proportionality, and precaution must guide all parties—state and non-state alike—in their use of ICTs.
- Solidified international commitment is needed to prevent violations of IHL through disinformation. For instance, social media campaigns that incite violence against civilians or spread disinformation to disrupt humanitarian operations **directly contravene IHL obligations**.
- **Disinformation must not be permitted as a means to achieve military objectives at the expense of civilian populations**, as this risks leading to grave violations of IHL.

(Mr/Madam) Co-Chair

- We acknowledge that challenges pertaining to the **utilization of information** in armed conflict loom over efforts to uphold IHL.
- To address this, Indonesia proposes three approaches. First, **upholding IHL in the digital domain**. Second, **promoting multilateral, inclusive, and comprehensive legal and regulatory governance frameworks**. And third, **prioritizing civilian protection**.
- Indonesia also underscores the urgent need for multilateral, inclusive, and comprehensive legal and regulatory governance frameworks to prevent the misuse of information in armed conflict.

- In the wake of AI advancements, **Indonesia notes** the risks of **AI-enabled disinformation**, such as deepfakes or hyper-targeted propaganda. Indonesia calls for meaningful discussions on the risks, challenges, and implications of AI development, deployment, and use in this context.
- **Finally**, the international community needs to explore the need to develop **common IHL guidelines**, led by all states through an inclusive approach, that prioritize civilian protection through technological innovation and ensure accountability in its implementation.
- Thank you.