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NEW TECHNOLOGIES OF WAR: AUTONOMOUS WEAPONS SYSTEM

NOI TEHNOLOGII DE RĂZBOI: SISTEME DE ARME AUTONOME

НОВЫЕ ТЕХНОЛОГИИ ВОЙНЫ: АВТОНОМНАЯ СИСТЕМА ВООРУЖЕНИЯ

SACAGIU Catalina* / SACAGIU Cătălina / САКАЖИУ Каталина
<https://orcid.org/0009-0007-4137-6206>

ABSTRACT:

NEW TECHNOLOGIES OF WAR: AUTONOMOUS WEAPONS SYSTEM

The emergence of autonomous weapons systems is a hot topic in international humanitarian law. Autonomous Weapon Systems (AWS) represent a transformative yet deeply contentious development in modern warfare. These unmanned systems, capable of selecting and engaging targets without direct human intervention, fundamentally alter the human role in the use of force and raise profound humanitarian, legal, and ethical concerns.

As militaries in major powers such as the United States, Russia, China, and the United Kingdom invest heavily in AI-driven combat technologies, the international community faces urgent questions about accountability, legality, and moral responsibility. This article analyses autonomous weapons systems through the lens of international humanitarian law. It argues that autonomous weapons are not currently able to comply with these principles, owing primarily to a lack of sufficiently advanced artificial intelligence and contextual awareness.

However, it also argues that the path to international humanitarian law-compliant autonomous weapons is shorter, and more clearly defined, than many realise. The article finally seeks to briefly address the compatibility of autonomous weapons with other aspects of international law and the morality of such weapons.

Keywords: autonomous weapon systems, Artificial Intelligence, military technologies, international humanitarian law.

* SACAGIU Cătălina - Student la Facultatea de Drept, Universitatea de Stat din Moldova (Chișinău, Republica Moldova). / SACAGIU Catalina - Student at Law Department, State University of Moldova (Chisinau, Republic of Moldova). / САКАЖИУ Каталина - Студентка юридического факультета Государственного университета Молдовы (Кишинев, Республика Молдова). E-mail: sacagiucatalina@gmail.com ; <https://orcid.org/0009-0007-4137-6206>

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РЕЗУМАТ:

NOI TEHNOLOGII DE RĂZBOI: SISTEME DE ARME AUTONOME

Apariția sistemelor de arme autonome constituie un subiect de actualitate în dreptul internațional umanitar. Sistemele de arme autonome (AWS) reprezintă o evoluție revoluționară, dar extrem de controversată, în domeniul războiului modern. Aceste sisteme fără pilot, capabile să selecteze și să atace ținte fără intervenția directă a omului, modifică fundamental rolul uman în utilizarea forței și ridică preocupări profunde de natură umanitară, juridică și etică.

Pe măsură ce forțele armate ale marilor puteri, precum Statele Unite, Rusia, China și Regatul Unit, investesc masiv în tehnologii de luptă bazate pe inteligența artificială, comunitatea internațională se confruntă cu întrebări urgente privind responsabilitatea, legalitatea și responsabilitatea morală. Acest articol analizează sistemele de arme autonome prin prisma dreptului internațional umanitar. Studiul constată că armele autonome nu sunt în prezent capabile să respecte aceste principii, în principal din cauza lipsei unei inteligențe artificiale suficient de avansate și a unei conștientizări contextuale specifice.

Cu toate acestea, articolul susține concomitent, că drumul către arme autonome conforme cu dreptul internațional umanitar este mai scurt și mai clar definit decât se percepe de publicul larg. În final, articolul încearcă să abordeze pe scurt compatibilitatea armelor autonome cu alte aspecte ale dreptului internațional și moralitatea acestor arme.

Cuvinte cheie: sisteme de arme autonome, inteligență artificială, tehnologii militare, drept internațional umanitar.

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РЕЗЮМЕ:

НОВЫЕ ТЕХНОЛОГИИ ВОЙНЫ: АВТОНОМНАЯ СИСТЕМА ВООРУЖЕНИЯ

Появление автономных систем вооружения является актуальной темой в международном гуманитарном праве. Автономные системы вооружения (АСВ) представляют собой революционное, но при этом крайне спорное явление в современном ведении войны. Эти беспилотные системы, способные выбирать и поражать цели без непосредственного вмешательства человека, коренным образом меняют роль человека в применении силы и вызывают серьезные гуманитарные, правовые и этические опасения.

Поскольку вооруженные силы таких крупных держав, как США, Россия, Китай и Великобритания, вкладывают значительные средства в боевые технологии на базе искусственного интеллекта, перед международным сообществом встают неотложные вопросы об ответственности, законности и моральной ответственности. В данной статье автономные системы вооружения анализируются через призму международного гуманитарного права. В ней утверждается, что в настоящее время автономное оружие не способно соблюдать эти принципы, в первую очередь из-за отсутствия достаточно развитого искусственного интеллекта и контекстуального осознания.

Однако в ней также утверждается, что путь к созданию автономного оружия, соответствующего нормам международного гуманитарного права, короче и более четко определен, чем многие думают. В заключение в статье делается попытка кратко рассмотреть вопрос о совместимости автономного оружия с другими аспектами международного права и о моральности такого оружия.

Ключевые слова: системы автономного оружия, искусственный интеллект, военные технологии, международное гуманитарное право.

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1. Introduction

„Robot wars”, for decades, have been a staple of Hollywood imagination, shaping popular culture with vivid depictions of artificial intelligence controlling the fate of humanity. From “*Colossus: The Forbin Project*” (1970), which envisioned a supercomputer seizing nuclear command, to the “*Terminator*” series (beginning in 1984) that introduced the world to “Skynet,” a self-aware defence system bent on humanity’s destruction¹, cinema has long warned of the dangers of autonomous machines in warfare. Yet, what once seemed like pure science fiction now feels far less distant or implausible than it did just a decade ago.

Many states, especially those with large and resourceful militaries, are increasingly exploring the potential of using artificial intelligence (AI) in targeting decisions.² Pope Francis, addressing the 75th meeting of the United Nations General Assembly in September 2020 said: “new forms of military technology, such as lethal autonomous weapons systems irreversibly alter the nature of warfare, detaching it further from human agency”.³ That is just one in a long line of statements from heads of states, international organizations, non-governmental organizations and academics highlighting the significance of “autonomous weapons systems”.

Such weapons and their legality are the subject of persistent debate, as the process of depersonalising the act of killing is often viewed as an affront to human dignity and the fundamental principles of international humanitarian law (IHL). UN Secretary-General António Guterres’ warned the Security Council in the open debate on artificial intelligence (AI) and international peace and security, in New York, in September 2025, that “Humanity’s fate cannot be left to an algorithm... Humans must always retain authority over life-and-death decisions.”⁴ Yet, an important question arises: are autonomous weapons systems inherently bad, as their critics contend, or can they be reconciled with existing legal and ethical norms governing armed conflict, as their promoters state. This article seeks to examine this issue by analysing the legal status of autonomous weapons systems under international law, assessing their potential compliance with the principles of IHL and exploring the broader moral and humanitarian implications of delegating life-and-death decisions to machines.

2. Autonomous Weapons Systems

Autonomous Weapon Systems (AWS), sometimes referred to as Lethal Autonomous Weapon Systems (LAWS), or “killer robots”, are unmanned weapon systems that do not depend on human input immediately prior to or during their use.⁵ After initial activation or launch by a person, an autonomous weapon system self-initiates or triggers a strike in response to information from the environment received through sensors and on the basis of a generalized “target profile”. This means that the user does not choose, or even know, the specific target(s) and the precise timing and/or location of the resulting application(s) of force.⁶ Therefore they alter the human role in the use of force and raise a range of humanitarian, legal and ethical concerns.⁷

¹ UN, Regional Information Centre for Western Europe, 08.10.2025. “*AI in conflict: keeping humanity in control*” [Online]: <https://unric.org/en/ai-in-conflict-keeping-humanity-in-control/> (Accessed 14.10.2025).

² Laura Bruun et al. *Bias in Military Artificial Intelligence and Compliance with International Humanitarian Law*. (SIPRI. August) 2025. [Online]: [Bias in Military Artificial Intelligence and Compliance with International Humanitarian Law](https://www.sipri.org/publications/2025/bias-in-military-artificial-intelligence-and-compliance-with-international-humanitarian-law) (Accessed 14.10.2025).

³ Elliot Winter. *The Compatibility of Autonomous Weapons with the Principles of International Humanitarian Law*. In: *Journal of Conflict and Security Law*, Volume 27, Issue 1, Spring 2022, Oxford University Press 2022. [Online]: <https://academic.oup.com/jcsl/article/27/1/1/6513626> (Accessed 10.10.2025).

⁴ UN, Press Release, 24 September 2025. ‘*Humanity’s Fate Cannot Be Left to Algorithm, Warns Secretary-General in Security Council Debate on Artificial Intelligence*.’ [Online]: https://press.un.org/en/2025/sgsm22830.doc.htm?_gl=1*_cvtg3u*_ga*MjEwNzc2MTE5NS4xNzYwMzU1MTA2*_ga_TK9BOL5X7Z*_cE3NjAzNTUxMDUkbzEkZzEkdDE3NjAzNTUxODUkajOxJGwwJGgw (Accessed 14.10.2025).

⁵ Max Planck *Encyclopedias of International Law*. Oxford University Press 2016. [Online]: <https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e2134?prd=EPIL> (Accessed 10.10.2025)

⁶ ICRC Position on Autonomous Weapons Systems. Geneva, 12 May 2021. p. 1 [Online]: <https://www.icrc.org/en/document/icrc-position-autonomous-weapon-systems> (Accessed 14.10.2025)

⁷ Boulanin, V. and Verbruggen, M., *Mapping the Development of Autonomy in Weapon Systems* (SIPRI: Stockholm, Nov. 2017). [Online]: <https://www.sipri.org/publications/2017/policy-reports/mapping-development-autonomy-weapon-systems> (Accessed 10.10.2025).

Whether the use of AWS is consistent with human rights may seem like an odd question. The idea of outsourcing life and death decisions to algorithms strikes many people as so obviously wrong that one might doubt whether there is really anything here to be explained. But we need to know whether we can trust our instincts. After all, some objections to AWS might turn out to be contingent, dependent on circumstances. And they might weaken, and perhaps altogether disappear, as these circumstances change.¹

The International Committee of the Red Cross (ICRC) has, since 2015, urged States to establish internationally agreed limits and binding rules on autonomous weapon systems to ensure civilian protection, compliance with international humanitarian law, and ethical acceptability.² The Human Rights Watch position on AWS, more so than that of the ICRC, is forceful and unambiguous, asserting that fully autonomous weapons would not only be unable to meet legal standards but would also undermine essential non-safeguards for civilians. Therefore, they should be banned, and governments should urgently pursue that end.³ Despite these critics, at the moment, autonomous weapons systems are being developed by the military in different countries around the globe such as Russia, China, Usa, UK, etc.

In order to fully understand whether AWS could ever possibly comply to the international humanitarian law we must analyse if they could align with the governing principles of IHL. A first essential principle encapsulated in the Additional Protocol 1 to the Geneva Convention⁴ is that of distinction, which entails that one must distinguish between civilians and combatants and, it follows, direct their attacks only on military objectives. This principle is grounded on two fundamental pillars, that of military necessity and that of humanity and may be regarded as embodying them.⁵ Humans have been responsible for distinguishing friend from foe on the battlefield. They decide, for example, if a person is an enemy soldier based on the clothing they wear and the equipment they are carrying or whether an individual has been rendered *hors de combat* due to surrender.⁶ And while technology is advancing, AWS lack, for the foreseeable future, the main components required to ensure compliance with the Principle of Distinction. AWS lack adequate sensory or vision processing systems for separating combatants from civilians, particularly in insurgent warfare, or for recognizing wounded or surrendering combatants. AWS may be equipped with various sensors such as cameras, infrared sensors, sonars, lasers, temperature sensors and lidars. But these sensors and the accompanying processing systems are unable to differentiate legitimate from non-legitimate (human) targets, particularly from a great distance or in the fog of war.⁷

Beyond distinguishing between combatants and civilians, autonomous weapons system must also comply with the principle of proportionality under IHL. This, at first glance, would seem just as impossible as the accurate distinction between targets, since assessing the proportionality of one's actions could largely be viewed as a qualitative assessment, but that is not necessarily the case. Modern military practice may be actually said to calculate proportionality more on quantitative and utilitarian grounds, than based on the moral judgement of the human being. More specifically, proportionality in this context is simply a permutation of utilitarianism which, according to Jeremy Bentham, is satisfied by any action when the tendency it has to augment the happiness of the community is greater than any it has to diminish it. The parallel between utilitarianism and proportionality is apparent. Just as utilitarianism is satisfied when a given action will result in more

¹ David Edmonds. *AI and Morality*. Oxford University Press 2024. p. 8.

² *Idem*.

³ Human Rights Watch, *Losing Humanity: The Case Against Killer Robots*, Nov. 2012. [Online]: <https://www.hrw.org/report/2012/11/19/losing-humanity/case-against-killer-robots> (Accessed 10.10.2025).

⁴ Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (adopted 08 June 1977, entered into force 07 December 1978). Art. 1(2). [Online]: <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-additional-geneva-conventions-12-august-1949-and> (Accessed 14.10.2025).

⁵ *Id.* See above note 3. p. 10-12.

⁶ *Ibid.* see above note 3. p. 12.

⁷ Daniele Amoroso et al. *Autonomy in Weapon Systems. The Military Application of Artificial Intelligence as a Litmus Test for Germany's New Foreign and Security Policy*. In: *Publication Series on Democracy*. Volume 49. Heinrich Böll Foundation. Berlin 2018 p. 23.

‘happiness’ than ‘unhappiness’; proportionality is satisfied when an attack will result in more military gain than collateral harm.¹ Therefore, while current artificial intelligence lacks the sophistication to perform such nuanced calculations autonomously, the principle of proportionality is not conceptually incompatible with automation.

Another problem that arises in the process of adopting autonomous weapons systems in today’s warfare is that of their review. Since the prospect of autonomous weapon systems is so new, the requirement to conduct a review of their legality is codified in Article 36 of Additional Protocol I. The rule provides that “in the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party² is under an obligation to determine whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party.”³ This review however is problematic, in reality only around 12 states actually have the necessary facility to conduct such reviews. When reviews are conducted, their results are never made public.⁴ Moreover, it is debatable whether this has become a customary norm or if only the signing parties are obliged to respect the review provision. An additional problem for a possible review of a fully computer-controlled system such as an AWS is that it is extremely difficult to formally verify its behaviour in all circumstances. There are currently no known methods to formally verify an autonomous system.

Accountability might also be, in the case of autonomous weapons system, in the eyes of many a problem. Responsibility and accountability for making legal determinations rest with humans (state agents as well as individuals) and cannot be transferred to a machine.⁵ AWS, however, disrupt this framework by introducing a potential “accountability gap”, where no clear human actor can be held legally responsible for violations caused by autonomous decision-making.⁶ Under international law, states bear international responsibility for any breaches of IHL committed by weapons they employ, regardless of the level of automation involved.⁷ At the individual level, questions arise as to who, if anyone, should be held criminally liable when an AWS causes unlawful harm. The human operator might be held accountable if it can be proven that their activation of the system was reckless or negligent. Similarly, commanders may bear responsibility under the doctrine of command responsibility if they failed to exercise due diligence in the system’s deployment or supervision. However, if an autonomous system operates beyond human intent or control, assigning blame to an individual becomes increasingly tenuous. Some scholars propose extending liability to designers, programmers, or manufacturers, arguing that flaws in coding or algorithmic bias could foreseeably lead to unlawful outcomes. Yet this approach raises difficulties in linking technical error to criminal intent (*mens rea*), a cornerstone of individual criminal responsibility. Consequently, AWS challenge the very structure of legal and moral responsibility in warfare.

Finally, that removing human decision makers is somehow “dehumanising” is a natural enough assumption and to many it might seem like an affront to human rights and more specifically to human dignity. Yet, if proponents of AWS are right, these technologies might significantly reduce the number of innocent deaths. Not only are robots immune to exhaustion, panic, rage, and vengefulness, which has led human immoral soldiers, examples of which history is not lacking, to commit unspeakable moral crimes. AWS also save militaries from having to send soldiers into harm’s way. And AI’s superhuman speed and information processing power will allow AWS to make split-second

¹ *Ibid.* see note 3 above. p. 16.

² *High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects* [Online]: <https://disarmament.unoda.org/en/our-work/conventional-arms/legal-instruments/convention-certain-conventional-weapons> (Accessed 10.10.2025).

³ Michael N. Schmitt. *Autonomous Weapon Systems and International Humanitarian Law: A Reply to the Critics* In: *Harvard National Security Journal*, 4. 2013 p. 27.

⁴ *Ibid.* see above note 14 p. 25.

⁵ Alexander Blanchard et al. *Autonomous Weapon Systems And Ai-Enabled Decision Support Systems In Military Targeting. A Comparison and Recommended Policy Responses.* (SIPRI: June 2025) p. 13.

⁶ Amnesty International. *Autonomous Weapons System: five key human rights issues for consideration* Amnesty International Publication 2015 p. 24.

⁷ *Ibid.* p. 25

decisions that could save lives in situations in which the human mind is simply too slow to process all relevant information. AI may enable a more careful selection of targets and more precisely timed attacks. Still implementing AWS in warfare in our current age poses many more risks the abovementioned benefits.

As one can infer from the points analysed above, AWS currently face too many challenges for them to be incorporated in contemporary warfare, therefore even considering the potential benefits, these far from overweight the challenges, and as such lethal autonomous weapons systems should be heavily regulated. In this line of thought, on 2 December 2024, during its 79th session, the UN General Assembly adopted a resolution on Lethal Autonomous Weapons Systems, noting the challenges posed by such systems and highlighting the importance of addressing the challenges and concerns posed by autonomous weapons systems in the context of the objectives and purposes of the Convention¹, and encourages all Member States to actively take part in the work of the Group of Governmental Experts as observers and adhering to the Convention, thus underlining that a comprehensive and inclusive approach will be required to address the full range of challenges and concerns posed by autonomous weapons systems, including consideration of legal, technological, ethical, humanitarian and security perspectives, in order to safeguard international peace and security.

3. Conclusion

Autonomous weapons remain a hot topic in IHL discourse. As yet, there is no consensus on how best to regulate this technology. This article has demonstrated that autonomous weapons systems are not bad *per se*, but they currently lack the requisite legal and technological maturity to ensure their responsible and lawful deployment in war.

From a strictly legal perspective, it is conceivable that AWS could, in time, be designed to operate within the framework of IHL, at least in theory. The principles of distinction and proportionality are not inherently incompatible with automation if the necessary technological and ethical safeguards are achieved.

However, the broader ethical and humanitarian implications remain deeply troubling. The act of killing, traditionally a matter of profound moral gravity, risks being transformed into a technical function devoid of empathy or moral reflection. Even if AWS could adhere to the letter of IHL, their use might still contravene its spirit, which is rooted in the preservation of humanity amid conflict. As Pope Francis and Secretary-General António Guterres have cautioned, the removal of human agency from life-and-death decisions fundamentally alters the moral landscape of warfare. Therefore, while AWS may one day satisfy the formal requirements of IHL, the depersonalization of killing they entail constitutes, at least for now, an affront to human dignity.

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¹ Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

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Contacte / Contacts / Контакты:

SACAGIU Catalina.

Student at Law Department,
State University of Moldova,
Chisinau, Republic of Moldova.

E-mail: sacagiucatalina@gmail.com

<https://orcid.org/0009-0007-4137-6206>

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