



Before the fighting begins: IHL and the location of military objectives

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International humanitarian law (IHL) is primarily associated with the conduct of hostilities and the protection of people during armed conflict. Yet some of the decisions that determine civilian risk in a future conflict are made long before fighting begins, including where states choose to locate military infrastructure. This raises an important question: what role does IHL play in peacetime decisions that may shape the humanitarian consequences of a future war?

In this post, Gabija Grigaitė examines whether IHL requires states to consider civilian protection when deciding where to locate new military objectives. Using Lithuania's planned brigade-level military training area as a case study, she argues that the principle of precaution can require measures to be taken in peacetime to reduce the risk of disproportionate civilian harm in a future conflict. The post considers what this preventive dimension of IHL means for decisions about locating military objectives near densely populated areas and critical civilian infrastructure.

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The escalation of the international armed conflict between Russia and Ukraine on 24 February 2022 profoundly altered the European security environment. On the same day, the Parliament of Lithuania adopted resolution No. XIV-930 “On the Aggression of Russia and Belarus against Ukraine”^[1] stating that actions of the Russian Federation negatively affect not only the security of the European Union and NATO, particularly their eastern members, but also the security of Europe as a whole. The resolution reaffirmed Lithuania's commitment to strengthening its defence capabilities and military training, as well as its capacity to host allied armed forces^[2].

At the end of 2025, Lithuania announced plans to establish a new brigade-level military training area in Kapčiamiestis, in the southern Lazdijai district, and expand its existing Tauragė military site in western Lithuania^[3]. According to the Lithuanian Armed Forces, the selected location is the most suitable from both a military and national security perspective, as it lies within the so-called Suwałki Gap, bordering Poland and Belarus.

This post does not question the strategic and military rationale behind strengthening national defence capabilities in the proposed concrete location. Rather, it addresses a different but related question: does international humanitarian law impose peacetime obligations that are relevant to the choice of location for new military objectives?

The explanatory note to the new draft law on the establishment of a new military training area prepared by the Ministry of National Defence of Lithuania^[4] (hereinafter – the Draft law) does not explicitly address applicable IHL obligations or explain how they were considered while selecting the location for a newly planned military training area in Kapčiamiestis. Examining the IHL rules and principles relevant to peacetime planning, this post argues that humanitarian considerations should be assessed and clearly explained alongside military and national security considerations when planning new military objectives.

IHL before the fighting begins

The Geneva Conventions of 1949 and their Additional Protocol I and II of 1977 (hereinafter – core IHL treaties) incorporate the core provisions of international humanitarian law aimed at ensuring humanity during armed conflict, including the protection of civilians. Although the application of IHL is triggered by the existence of an armed conflict, the core IHL treaties contain provisions requiring states to undertake certain measures in peacetime. These measures are designed to prepare for potential armed conflict and prevent possible civilian suffering in advance.

First, peacetime obligations under the core IHL treaties include preventive measures aimed at civilian protection. For example, Articles 60 and 66 of Additional Protocol I provide for the establishment of demilitarized zones and identification of civil defence infrastructure. Second, peacetime obligations include educational and legislative measures. Article 144(1) of the Fourth Geneva Convention and Article 83(1) of Additional Protocol I require states, in time of peace as in time of war, to disseminate the text of the Convention and Protocol as widely as possible in their respective countries, and, in particular, to include the study thereof in their military programmes and, where feasible, in civilian education. These preventive and educational measures aim to ensure that civilian harm is minimized during an armed conflict and that terrible humanitarian consequences are reduced to the greatest extent possible.

In addition to these specific IHL provisions, one of the fundamental principles of IHL – the principle of precaution^[5] – requires parties to an armed conflict to take all possible precautions to minimize civilian harm. Beyond these specific provisions, the fundamental IHL principle of precaution is also relevant to peacetime planning. Its preventive logic extends beyond societal preparedness and education to decisions that may affect civilian exposure to future military operations. When planning and constructing military facilities, states should therefore consider not only the protection of civilian objects from potential attack, but also the risks created by locating military objectives close to densely populated areas or objects indispensable to the survival of the civilian population.

International humanitarian law does not prescribe a fixed distance to define “proximity”. Rather, IHL provides guidance requiring states to consider factors such as the types of weapons likely to be used and the density of civilian population, and to avoid disproportionate collateral damage to civilians and objects indispensable to their survival. Thus, while IHL does not directly regulate urban planning or infrastructure policy, its preventive logic suggests that states should avoid, to the maximum extent feasible, locating military objectives near densely populated areas or objects indispensable to the survival of the civilian population.

Applying IHL to Lithuania’s planned training area

The planned military training area in Lithuania is clearly a military objective^[6]. In the event of armed conflict, it would likely attract enemy attention and create potential risks for surrounding civilian populations and infrastructure. The explanatory note to the Draft law states that the location was selected based on its strategic and geographical significance, as well as the relatively low number of residents within the proposed territory. The strategic significance of the territory is linked to the Suwalki Corridor, which is widely regarded as one of the most vulnerable defence locations for both Lithuania and NATO. Establishing a military training area in this region would facilitate rapid reinforcement by allied forces in the event of armed attack.

According to available information, the Lithuanian Armed Forces assessed seven potential sites against several criteria, including the availability of state-owned land, population density, strategic location and suitability for military exercises. The absence of air-navigation restrictions was also considered important, as such restrictions at alternative sites could significantly constrain military training. The assessment considered the number of residents within each proposed territory; the selected site reportedly contains twelve residential buildings and one commercial building. However, the explanatory note appears to assess population density only within the boundaries of the proposed training area, rather than in surrounding communities.

From the perspective of international humanitarian law, however, it is equally important to assess the density of population in surrounding areas. Furthermore, infrastructure indispensable for the survival of civilian population – such as electricity facilities, water supply systems, or medical infrastructure – should not be in close proximity to military objectives, as they may be intentionally targeted or incidentally destroyed as the collateral damage of a military operation. The explanatory note does not provide information on population density outside the proposed site or on the proximity of critical civilian infrastructure. Therefore, it is impossible to conclude whether IHL obligations were fully considered when making the decision on the location.

During deliberations in the National Parliament of Lithuania, additional provisions concerning the protection of environment were incorporated, but the explanatory note to the Draft law was not amended to explicitly demonstrate how compliance with international humanitarian law was ensured in the site-selection process, including the proximity of a new military objective to critical civilian infrastructure in the area.

Conclusion

International humanitarian law is not confined to regulating conduct on the battlefield. Its preventive logic also extends to certain peacetime decisions, particularly where structural choices may shape the humanitarian consequences of a future armed conflict. Although IHL does not impose rigid spatial requirements, precautionary considerations should inform the planning and development of military infrastructure.

IHL requires parties, to the maximum extent feasible, to take precautions to protect civilians and civilian objects under their control against the dangers resulting from military operations. In the Lithuanian case, the strategic and security rationale for establishing a brigade-level training area is clear, and the legislation establishing the

new training area has now been adopted. Compliance with IHL could, however, have been demonstrated more convincingly if the planning process had explicitly addressed humanitarian considerations, including surrounding population density and the proximity of critical civilian infrastructure.

References

[1] Resolution No. XIV-930 of the National Parliament of Lithuania (24 February 2022): <https://www.lrs.lt/sip/getFile?guid=55dac67a-94da-4d2d-94ce-190f491d65a3>

[2] For more information: more than 1,000 US troops currently operate and train in Lithuania

https://www.army.mil/article/289273/lithuania_makes_long_term_sustainment_commitment_tous_forces; Germany has established the 45th Armoured Brigade—designated “Brigade Litauen”—as a permanently stationed force in Lithuania: <https://jfcbs.nato.int/page5964943/2025/fortifying-natos-northeastern-flank-the-strategic-role-of-germanys-45th-armoured-brigade-in-lithuania>

[3] Venckūnas, V., Lithuania to open new military training area and expand existing site: <https://www.lrt.lt/en/news-in-english/19/2776190/lithuania-to-open-new-military-training-area-and-expand-existing-site?srsId=AfmBOoqtzRvylOte9ilBDUxVakGBipMGBmIdAnUU2dbzxzpnYtTl2trR>

[4] Draft law on the new military training area of Kapčiamiestis: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/6edb5770066811f1bbc6e8f5132d296b?positionInSearchResults=1&searchModelUUID=dc87f276-47f7-42cd-82fa-f98cfa5f455f>

[5] Article 58(c) of the 1977 Additional Protocol I states that the parties to the conflict shall, to the maximum extent feasible, “take the other necessary precautions to protect the civilian population, individual civilians and civilian objects under their control against the dangers resulting from military operations”. Article 13(1) of the 1977 Additional Protocol II provides: “The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations.”

[6] Commentary of Geneva Conventions and Additional Protocols of the year 2025, para. 1874 : As regards military objectives, these include the armed forces and their installations and transports. Article 52(2) of the 1977 Additional Protocol I: <...> military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

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