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Invisible Emissions of War: Military Carbon Footprints, Regulatory Gaps and State Responsibility under International Law

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Abstract

Armed conflicts are conventionally assessed through its humanitarian, political, economic and security impact ,but the climate implications of modern warfare remains comparatively under explored. Military conflicts generate greenhouse gas emissions through fossil fuel consumption, modern weapons systems, military logistics, attacks on energy and civilian infrastructure, and post-conflict reconstruction. The military carbon emissions usually remains invisible and pose an accountability gap in contemporary climate governance and laws of armed conflict. The recent Iran–Israel conflict of 28 February 2026 is not only a humanitarian crises but also raising serious climate concerns. This article examines whether and how international law can address the climate costs of military activities. It argues that military emissions are not wholly outside national greenhouse gas accounting, but the reporting remain inconsistent and incomplete, particularly in relation to operational activities, international deployments, weapons supply chains and conflict-induced destruction and reconstruction. The article further argues that the absence of a comprehensive legal framework for measurement, disclosure and monitoring the military carbon emissions challenges the accountability and liability claims under international law. The article examines the regulatory and accountability gaps and adopts doctrinal methodology for legal analysis. It proposes development of comprehensive legal framework, transparent military-emissions reporting mechanism and independent verification and post-conflict remediation mechanism for an effective international climate governance.

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1. Introduction

International climate accountability depends on the ability to identify, measure and report the emission of greenhouse gases. The states have established greenhouse gas inventories, and mechanisms to determine contributions towards climate change. The transparency of these mechanisms are intended to make emissions visible and to assess the efficiency of national mitigation progress. Armed forces are a major consumers of fossil fuels from the operation of military aircraft, naval vessels, ground vehicles to weapon production and military supply chains, military operations generate substantial carbon emissions and climate harm. Warfare destroys buildings, transport networks, refineries, power stations and other infrastructure. Therefore, the emissions associated with armed conflict extend beyond fuel burned by aircraft, ships and vehicles but these emissions of military activities generally remain invisible and pose accountability challenge.

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The term “invisible emissions” used in this paper describe emissions that are insufficiently visible within public climate reporting and accountability systems. It does not mean that every military emission is legally exempt from reporting. The problem is that most of the military emissions are not disclosed or measured according to the national or international legal standards. The Intergovernmental Panel on Climate Change (IPCC) inventory framework contains a category for fuel combustion in military activities, while emissions from international aviation and maritime bunker fuels are calculated but reported separately from national totals (United Nations Framework Convention on Climate Change [UNFCCC], n.d.). In practice, the availability and reliability of military data remain uncertain. The Military Emissions Gap project identifies substantial differences as how the states report military use of fuel and the actual emissions as the reported information is mostly incomplete (Conflict and Environment Observatory [CEOBS], 2026).

Since the military emissions are inadequately measured, it becomes difficult to assess their contribution to national mitigation pathways and evaluate the climate consequences of armed conflict. There is an estimation that global military emissions could reach between 3.3% and 7.0% of global emissions (Parkinson & Cottrell, 2022). This estimate is subject to data limitations and methodological uncertainty, but it demonstrates why military emissions cannot be treated as marginal to climate governance.

The 2026 Iran conflict provides a contemporary case study. A rapid assessment published by the Climate and Community Institute estimated 5,054,000 tonnes of CO_2e over the first fourteen days of warfare, between 28 February and 14 March 2026. This estimate covered both operation and destruction related emissions including destroyed buildings and infrastructure, destroyed fuel, fuel used in combat and support operations, embodied carbon in damaged military equipment, missiles and drones (Bigger et al., 2026). However, it is not a final picture of the conflict’s climate impact. It should be treated as a rapid research estimate rather than a final or independently adjudicated figure.

The emissions associated to military conflicts must be distinguished from emissions of industry or other civilian activities. During conflicts the attacks on oil storage and refining infrastructure cause greenhouse gas emissions, but they may also release toxic substances, damage soil and water that create long lasting impact to human health and natural environment. These impacts may engage international humanitarian law and climate law even where the emissions cannot be quantified with precision.

This central question of this research is that to what extent can states be held internationally accountable for the climate impact of military operations when military emissions and conflict-related environmental damage remain inadequately assessed, measured or reported under the current accountability mechanisms? It further analyses (a) what categories of military and conflict-related emissions should be measured; (b) what obligations arise under international climate law, customary international environmental law and international humanitarian law; (c) how may the law of state responsibility apply to climate-related risks arising from military operations; and what reforms could improve transparency, prevention and remedies? It uses doctrinal legal research and a case-study method, drawing on primary sources, including the International climate treaties, the 2025 International Court of Justice Advisory Opinion (International Court of Justice [ICJ], 2025),

principles of international humanitarian law, the principles of the International Law Commission (International Law Commission [ILC], 2022) and the law of state responsibility.

The article argues that there is no dedicated international legal framework in relation to environmental protection or climate obligations during the armed conflict. The law of war and international climate laws contain provisions on protection of climate during armed operations. However, the challenge is practical application of these rules. There should be mechanisms to identify, measure and report the military carbon emissions and a claim of state responsibility in this regard requires a careful analysis of the applicable primary obligation, attribution, breach, injury and causation.

2. Military Operations and Carbon Footprints

2.1 Direct Operational Emissions

Direct operational emissions arise from the use of fuel by combat aircraft, naval vessels, armoured vehicles, transport aircraft and other military weapons. Military operations may require troop movements, maritime deployments and logistical support. These activities can generate large quantities of greenhouse gases over a relatively short period. Exact measurement of these military emissions are difficult as the war parties do not publish fuel consumption and the data may also be classified or dispersed across several agencies.

2.2 Embodied Emissions and Defence Supply Chains

The military conflicts require persistent energy supply chains for operations. Carbon footprint of military activities begins even before the deployment of equipment. The military Aircraft, missiles, drones, ships, ammunition and communication systems require extraction of raw materials, energy-intensive manufacturing, transport and maintenance. These are described as supply-chain emissions and the measurement of these emissions are difficult because of secrecy of these operations and complex procurement chains (Larbi et al., 2025). The limited access to information and narrow focus on fuel consumption during these operations therefore risks underestimating the carbon footprint of military activity.

2.3 Destruction and Reconstruction

Climate impact of military actions not only arise from direct operations and fuel consumption but also arise when civilian infrastructure is destroyed. The attacks can be directed against the buildings, roads, power stations, refineries, storage facilities and industrial site. Attacks at oil and gas facilities may release greenhouse gases and other pollutants. Reconstruction requires cement, steel, glass, transport and energy, potentially creating a substantial second wave of emissions. The study of the Israel–Gaza conflict, distinguish pre-conflict, conflict and post-conflict emissions and estimate that reconstruction-related emissions account for a major share of the overall carbon footprint (Neimark et al., 2026). It demonstrates the analytical significance of post conflict reconstruction in military related emissions.

2.4 Indirect and Systemic Emissions

Other emissions arise from humanitarian activities, waste management, energy production, disrupted shipping and the relocation of industrial activity. These indirect emissions are difficult to attribute to a particular state or operation. They should be assessed and reported separately from direct operational emissions rather than combined into a single total.

3. Military Emissions and the International Climate Regime

3.1 The UNFCCC and Paris Agreement

The UNFCCC establishes the objective of stabilizing greenhouse gas concentrations at a level that prevents dangerous human induced interference with the climate system (United Nations Framework Convention on Climate Change, 1992, art. 2). The Paris Agreement requires Parties to prepare, communicate and maintain successive nationally determined contributions and to develop domestic measures for mitigation (Paris Agreement, 2015, art. 4(2)). Article 13 establishes an enhanced transparency framework under which Parties must provide information on the emissions, progress and support on mitigation process (Paris Agreement, 2015, art. 13). Paris agreement does not specifically provides for measuring, reporting or liability rules for emissions generated during an armed conflict. This is an important legal gap but it does not make the military emissions outside the international climate law or exempted from accountability.

Military related emissions are addressed by the IPCC (Intergovernmental Panel on Climate change) but it does not create any legally binding obligations on states or impose nay liability in this regard. IPCC Guidelines for National Greenhouse Gas Inventories (Eggleston et al., 2006) provides guiding principles on fuel combustion in different transport categories including military operations. The 2019 Refinement to the 2006 IPCC Guidelines (Calvo Buendia et al., 2019) is significant as it provides classification of military related carbon emissions. It also provides an accounting methodology and guidelines for measurement and reporting of military emissions. Though these guidelines are not binding but it recognizes the categories of military emissions.

The IPCC has recognized and developed guiding principles for identification and measuring of military fuel emissions but the international climate regime does not establish any comprehensive mechanism for attribution and allocation of responsibility for all categories of emissions generated by military operations.

3.2 Advisory Opinion of the ICJ, 2025

The Advisory Opinion of 23 July 2025, the ICJ clarified the obligations of states in respect of climate change. Although the opinion does not specifically address the armed conflicts or establish nay separate legal framework for military emissions but it is relevant and potentially applicable to the warfare and climate change. The Court identified the UNFCCC, the Kyoto Protocol, the Paris Agreement, customary international law, the law of the sea and international human rights law among the relevant sources. It confirmed that the customary duty to prevent significant harm to the environment applies to the climate system and is an obligation of due diligence (ICJ, 2025).

The Opinion is significant for military emissions because the Court’s analysis was not limited to conduct that directly involves emission of greenhouse gases. It covers all the activities and omissions of states that adversely affect the climate and contribute through anthropogenic emissions. This is significant as the military activities can contribute to climate change by generating substantial carbon emissions through military aircraft and naval operations, missile launches, military vehicles , destruction of oil and gas facilities nad other military operations. However, the opinion doesn't provides that every military emission constitute an international wrongful act but any claim for state responsibility should prove the

breach of customary or treaty obligations concerning the protection of the climate system. (ICJ, 2025, para. 427)

3.3 International Humanitarian Law and Protection of the Climate

International humanitarian law does not provides an explicit climate protection regime to regulate military carbon emissions. However, IHL protects the natural environment through specific rules and through general principles governing the conduct of hostilities. Articles 35(3) and 55 of Additional Protocol I prohibit methods or means of warfare that are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment (Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts [Protocol I], 1977, arts. 35(3), 55). Articles 48, 51, 52 and 57 contain the principles of distinction, proportionality and precautions, these principles should be considered for the protection of environment while launching an attack and can be relevant to the activities that contribute to climate change during an armed conflict (Protocol I, 1977, arts. 48, 51, 52, 57).

Customary IHL also contains rules for the protection of environment during armed conflict. Rules 43, 44 and 45 (Henckaerts & Doswald-Beck, 2005) specifically require the conduct of hostilities with due regard for the natural environment. The legal significance of these provisions and rules are that it covers expected and incidental damage to the environment and does not require any proof that environmental damage was the primary objective of an attack. However, the threshold of widespread, long-term and severe damage under Articles 35(3) and 55 is demanding. An attack-specific assessment requires evidence about the target, expected incidental harm, anticipated military advantage, feasible precautions and the applicable legal rules.

3.4 The ILC Principles on the Protection of the Environment in Relation to Armed Conflicts

The International Law Commission in 2022 provides a set of principles for the protection of environment before, during and after an armed conflict (ILC, 2022). The General Assembly took note of the Principles in Resolution 77/104 (United Nations General Assembly, 2022). Principle 1 states that these Principles cover the phases of pre-conflict, conflict and post-conflict. Principle 13 addresses the general protection of the environment during armed conflict, Principle 14 states that the general principles of law of war including distinction, proportionality and precautions should be applied for the protection of environment, and Principles 22–25 discussed the post conflict peace processes, information-sharing, environmental impact assessment and the remedies.

The Principles are not a treaty and should not be described as independently binding on the parties. Their legal significance varies: some provisions reflect existing treaty or customary obligations, while others articulate recommendations or progressive development. They are however an important interpretive and policy framework. The lifecycle approach is especially useful for this article because it covers military emissions arise before conflict, during conflict through operations and destruction, and after conflict through reconstruction..

4. The 2026 Iran–Israel Conflict: Emissions Evidence and Limitations

The Climate and Community Institute's rapid assessment estimated 5,054,000 tonnes of CO_2e for the first fourteen days of the conflict, from 28 February to 14 March 2026 (Bigger et al., 2026). The published breakdown was 2,415,000 tonnes from destroyed homes and

buildings; 1,883,000 tonnes from destroyed fuel; 529,000 tonnes from fuel used in combat and support operations; 172,000 tonnes of embodied carbon in damaged or destroyed military equipment; and 55,000 tonnes associated with missiles and drones. The research snapshot explains that the assessment uses open-source data and methodologies adapted from earlier conflict-emissions research.

These categories shows that a conflict's carbon footprint is broader than the direct emissions of military activities that should be analyzed separately. Fuel burned by a military aircraft is a direct operational emission. The carbon embodied in a missile may have been emitted during manufacture, potentially in another country and by private suppliers. Emissions associated with destroyed civilian buildings are connected to the physical destruction and the carbon embodied in the buildings, they are not necessarily equivalent to emissions released immediately at the moment of attack. They may instead represent the carbon cost of replacing lost infrastructure. The categories must therefore be described accurately to avoid treating embodied carbon as an instantaneous atmospheric release.

This report has an important limitation that it provides information on emission of first fourteen days only. The data is extracted from open source information and it lacks the complete measurement of indirect emissions. It should not be treated as a final total for the entire conflict. The data provides a useful empirical indicator for further research, not proof that which state is legally responsible for these emissions.

5. State Responsibility for Military Carbon Emissions

State responsibility is one of the strongest legal foundations for addressing the climate impact of armed conflict and military activities. As discussed above international law does not provide a specific legal framework for carbon emissions. However, the existing principles of state responsibility may provide a legal basis for holding a state liable where military operations breach applicable international obligations and cause climate related injury. It is important that the military emissions automatically cannot make a state responsible but the climate consequences of military activities must be attributable to the state and the conduct must constitute a breach of international obligations binding on that state (ILC, 2001, art. 2).

5.1 Attribution Requirement

The requirement of attribution is further discussed in articles 4 and 7 of the Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA; ILC, 2001). The conduct of any state organ is attributable to the state so the emissions arise directly from state military operations are attributable to the state. Article 7 further discusses that conduct of a state organ remains attributable to the state even when that organ exceeds its authority. However, the question of attribution becomes complex when emissions arise indirectly from military supply chains and private contractors or activities of non state actors. So the emissions from direct operational activities are easy to attribute to a state but in case of emissions from other categories attribution cannot be presumed.

5.2 Breach of an International Obligation

This requirement pose an important legal challenge that requires that there must be a breach of any binding international obligation for a state responsibility claim. The provisions of UNFCCC, Paris agreement and customary international law are relevant that impose a duty of due diligence and general obligations regarding climate stabilization, reporting and mitigation on states. The advisory opinion of ICJ on state responsibility and climate change is

particularly important (ICJ, 2025). This legal regime does not establish a military carbon liability framework but provides a legal basis for state responsibility in these cases. States have a duty under international law to prevent significant environmental harm. (*Certain Activities Carried Out by Nicaragua in the Border Area*, 2015; *Corfu Channel Case*, 1949). This prevention principle however does not automatically prohibit military emissions. The application of this rule to any military conduct of hostilities must account for the relevant legal rules and standards of due diligence. The breach of international obligation should be established on a case to case basis.

5.3 Causation: Nexus Between Conduct and Injury

Even when the military conduct is attributable to the state and a breach of international obligation is established. Causation presents a major challenge, that requires a legal nexus between the conduct and the climate harm. The claim for reparation requires a sufficiently direct and certain causal nexus between the wrongful conduct and the injury claimed (ICJ, 2025).

Establishing a legal nexus between military emissions and climate damage is most challenging aspect. Environmental damage is not always the same as climate damage. Military operations can produce both, for example toxic contamination of soil may be direct environmental damage and burning fossil fuel, attacking oil refineries may produce additional greenhouse emissions that cause long term climate impacts. Each category requires a different evedentiary approach. The cumulative and trans-boundary character of climate impact of military operations make it difficult to establish a legal nexus between military conduct and specific climate related harm.

6. Military Emissions and Accountability Challenges

6.1 The Accountability Gap

The analysis identifies an accountability gap produced by the interaction of four institutional and legal features. First, military emissions data are incomplete and inconsistent. Second, climate reporting systems do not yet provide a universally applied, comprehensive military-emissions account across operational, procurement and conflict-related categories. Third, IHL and international environmental law regulate different aspects of conduct and damage, and neither supplies a complete conflict-wide carbon accounting mechanism. Fourth, the law of state responsibility provides remedies for breach but does not itself solve the scientific problem of measuring and allocating cumulative emissions.

The gap should not be characterized as an absence of law. The ICJ's 2025 Opinion confirms the continued relevance of customary environmental obligations and rejects a general exclusion of other international rules by the climate treaties. The ILC Principles supply a lifecycle approach to environmental protection in armed conflict. The Paris Agreement and UNFCCC provide a framework for emissions inventories and transparency. The challenge is to connect these regimes in practice and to ensure that military emissions are measured with sufficient transparency to support legal and political accountability.

A further distinction is necessary between climate accountability and the legality of attacks. The emissions caused by a military operation may be relevant to national climate reporting and due-diligence analysis. Whether a particular attack is lawful under IHL depends on the rules governing the conduct of hostilities, including distinction, proportionality and precautions. Environmental damage may be relevant to those rules, but the legal test is not

simply whether the attack generated a specified number of tonnes of CO_2e. These legal pathways overlap but are not interchangeable.

6.2 National Security and Reporting the Emissions

National security may justify withholding particular operational details, such as flight routes, force locations or equipment vulnerabilities. It does not necessarily justify withholding aggregate emissions data, general methodologies or annual fuel totals. A proportionate approach could protect sensitive information while requiring public reporting of aggregated figures and confidential submission of more detailed data to an independent technical body. Transparency is necessary for evaluating mitigation progress and for enabling legislatures, scientists, civil society and affected communities to scrutinize public policy.

6.3 The Transparency and Accounting Deficit

There is limited access to the military fuel consumption records and incomplete operational data. The IPCC provides guidelines for measurements of certain military emissions but it does not provide a comprehensive methodology covering all categories of armed conflicts. It produce difficulty to estimate emissions from fires and explosions. The transparency and accounting deficit makes it difficult to reach reliable emission data to establish the scale of the alleged climate harm to support a claim for state liability or reparation.

7. Recommendations

a. Development of an International Legal framework for military carbon accountability. There is lack of binding rules on identification, measurement and reporting mechanism of military carbon. There must be a comprehensive framework on accountability and state responsibility regarding carbon emissions during armed conflict.
b. There should be an independent military carbon monitoring and verification. A mechanism for reparation and climate related compensation should be developed.
c. Harmonizing international humanitarian law with international climate law can play significant role in protection of climate during armed conflict. The limitations of IHL in addressing military carbon emissions needs for integration with international climate legal regime. Interaction between both set of principles can more effectively address the military
d. A more comprehensive and transparent reporting arrangements must be developed. The system should require states to report (a) direct fuel combustion by military vehicles, aircraft, ships and installations, (b) energy use at military bases, (c) major procurement and life-cycle emissions from weapons and equipment, (d) emissions from international military transport and deployments and (e) conflict-related emissions from destruction, fires and reconstruction, reported as a distinct supplementary category.

8. Conclusion

Military carbon represents a significant challenge yet it is generally overlooked dimension of climate change. Though international climate regime has developed mechanism for addressing carbon emissions from industrial, commercial and domestic activities but the emissions from military activities are not regulated effectively. The emissions from military operations are not only limited to the direct operations but subsidiary and indirect military activities also. The destruction of energy and industrial units and the post conflict construction

generate substantial emissions and wider climate consequences. These emissions however remain invisible because these are not disclosed and reported independently and remain inadequately regulated in existing accountability regime of climate governance. This research concludes that the main problem is not the lack of applicable international legal principles but the failure to effectively apply those principles to the emission from military operations. The UNFCCC and Paris agreement provides a legal foundation for climate mitigation, reporting and transparency but does not provides a comprehensive mechanism for measuring, disclosing and reporting the military carbon emissions. However, an important development in this regard is the advisory opinion of ICJ 2025 on obligation of states in respect of climate change. It provides interpretation on state responsibility for breach of international obligations that can be extended to the military emissions as well. The research suggests that the development of a comprehensive legal framework for regulating and accountability of military carbon is crucial. This framework should provide for a transparent mechanism of reporting of carbon emission from all categories of military operations. Moreover, an independent scientific monitoring and verification system should be developed. Harmonization of international humanitarian law and international climate law is also necessary to effectively address the climate consequences of armed conflict. Therefore, the challenge is to move beyond mere recognition of military emissions towards a comprehensive and coherent legal and institutional framework capable of measuring, monitoring and establish responsibility for the climate consequences.

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