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"PRINCIPLES OF HUMANITY": THE SIGNIFICANCE OF THE *MARTENS* CLAUSE FOR THE PROTECTION OF HUMAN DIGNITY IN MODERN WARFARE

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Abstract: *This paper aims to test the capability of international humanitarian law (IHL) to adapt to the ever-changing features of contemporary warfare and ensure an effective protection of civilians in armed conflict, with a special focus on the so-called Martens clause. It argues that the Martens clause can serve as an interpretative lens of current IHL norms and principles regulating means and methods of warfare, fostering the protection of human dignity vis-à-vis the increasingly important role played by AI in military decision-making.*

Key words: *armed conflict; protection of civilians; Martens clause; artificial intelligence; prohibited weapons.*

1. Introduction

The rapid proliferation of new technologies is posing new challenges to the protection of civilians in armed conflicts. This is especially the case for the deployment of artificial intelligence (AI) systems as a tool to inform military decisions on targeting, or even on the material execution of an armed attack. While recourse to such systems is not *per se* unlawful, when characterized by a lack of effective human oversight it bears the risk of breaching principles of international humanitarian law (IHL) which are cornerstones of the protection of human dignity – such as the principles of precaution and distinction.

Against this background, this paper aims to test the capability of IHL norms to adapt to the ever-changing features of contemporary warfare and ensure an effective protection of civilians in armed conflict, with a special focus on the so-called Martens clause. According to a modern iteration of the clause, established under Article 1(2) of the Additional Protocol I to the 1949 Geneva Conventions, in cases not specifically covered by international treaty law, civilians and combatants alike «remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience».

This paper reflects on whether the Martens clause - defined by the ICJ in its advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons* as "an effective means

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of addressing the rapid evolution of military technology" - can serve as an interpretative lens of current IHL norms and principles regulating means and methods of warfare, fostering the protection of human dignity *vis-à-vis* the increasingly important role played by AI in military decision-making.

2. International Humanitarian Law to the Test of Modern Warfare

In a recent Resolution on AI in the military domain and its implications for international peace and security (UNGA, 2024), the UN General Assembly recalled "the need for States to implement appropriate safeguards, including measures that relate to human judgment and control over the use of force, in order to ensure responsible application" of AI in this context. The Resolution also affirmed the applicability of IHL "throughout the life cycle of artificial intelligence capabilities as well as the systems they enable in the military domain". In a report issued pursuant to this Resolution, the UN Secretary-General raised concerns over reports of AI use in contemporary warfare, in particular in relation to human control and the facilitation of hostilities in densely populated areas and expressed the view whereby "machines that have the power and discretion to take human lives are (…) morally repugnant" (UN Secretary-General, 2024, para. 58).

While the Secretary-General did not mention specific instances of such use, recent reports of AI applications in armed conflicts include its use as a tool to accelerate the process of target identification, in combination with both traditional and new methods of warfare (Rickli and Mantellassi, 2024, pp. 18 – 20; Ford, 2024). Such systems, which gather and analyse large amounts of data with the aim to produce recommendations or predictions to human decision-makers, may be broadly defined as AI-based decision support systems (or AI-based DSS).

This specific application of AI in warfare raises several issues of compliance with IHL principles – chiefly, the principles of distinction, proportionality and precaution (Dorsey and Bo, 2025; Mauri, 2024). Some of these questions have been explored extensively in relation to autonomous weapons systems (AWS) (see for instance Kwik, 2024; Jain, 2023). However, the use of AI in the context of military targeting, coupled with recourse to traditional weapons to materially carry out attacks against recommended targets, raises some peculiar issues that must be addressed. In particular, because of their capability to operate entirely without human intervention, AWS prompt the question of whether a machine can (or even should, on which see Amoroso, 2023; Amoroso, 2025) make assessments that are essential to comply with the principles of distinction and proportionality – in addition to raising questions of accountability and attribution of conduct.

In relation to targeting through AI-based DSS, the contours of these problems are more nuanced. In theory, indeed, such a use of AI systems always entails human intervention in the form of oversight of the machine's recommendations, because the ultimate decision as to whether and how an armed attack should be carried out against a recommended target is entrusted to a human being. In practice, however, AI-based DSS can be used in a way that is incompatible with the abovementioned principles whenever human oversight is reduced to a minimum or even virtually absent. This may occur due to a number of factors, ranging from "automation bias" (i.e. to the tendency

of human operators to trust the assessment of an automated system) to a reckless or even malicious use of AI targeting systems in breach of IHL. In 2024, for instance, international media sources reported that a virtually acritical reliance by the Israeli military forces on an AI-based targeting system in the first stages of the ongoing Gaza war had led to the qualification of 37.000 Palestinians as possible targets for air strikes, causing thousands of casualties among civilians not participating in the hostilities (+972 Magazine, 2024; The Guardian, 2024).

Some States appear aware of the challenges posed by the use of AI in military targeting in relation to compliance with IHL, particularly in relation to the protection of civilians against an indiscriminate use of force and to the capability of AI to increase the lethality of conflicts (Secretary General, 2024, para. 21). In relation to the mitigation of such risks, the provisions of Additional Protocol I to the 1949 Geneva Conventions (Protocol I) on methods and means of warfare may assume a peculiar importance. In particular, Article 35(1) establishes that in any armed conflict the right of the belligerent Parties to choose methods or means of warfare is not unlimited. Article 36 complements this provision by envisaging a duty for all States Parties to determine whether the employment of any new weapon, means or method of warfare would, in some or all circumstances, be prohibited under Protocol I or any other international norm applicable to them (for a general overview of States Parties' duties under Article 36, see Daoust, Coupland & Ishoey 2002; Ronzitti 2010, p. 186; on the question of whether the content of Article 36 currently reflects customary law, see Jevglevskaja 2018, pp. 205–213).

Nevertheless, few States so far have argued that the weapons review mandated by Article 36 of Protocol I should encompass the use of AI in the military domain (Australia, 2025; Jordan, 2025; France, 2025; Austria, 2025). Whether and how this provision may be interpreted as enshrining a duty to review AI-based targeting in the light of IHL norms is yet to be determined, as are the exact criteria against which this assessment must be performed. In advocating the inclusion of AI-based DSS within the scope of the review prescribed by Article 36, the ICRC recommended ensuring the preservation of human control over "decisions that pose risks to the life, liberty and dignity of people affected by armed conflict" as essential for the respect of IHL norms (ICRC, 2025, p.3). In an earlier position paper, the ICRC had raised the question of the sufficiency or need for clarification of existing IHL norms in the light of technological advancements in warfare but had also noted that States' choices "must be within the bounds of existing rules and must take into account (…) broader considerations of «humanity» and «public conscience»".

As is well known, the ICRC's statement referred to two of the three prongs of the so-called Martens clause. In Protocol I, the Martens clause is included under Article 1(2), whereby civilians and combatants remain under the protection "of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience" in all cases not covered by either the Protocol or other international treaties. Considering the current state of the art and the absence of a clear consensus between States as to the standards of review of AI-based DSS, this paper argues that the Martens clause may provide a guidance for the identification of general principles that should inform the States' assessment in this field.

3. The Contemporary Significance of the *Martens* clause

The Martens Clause first appeared in the Preamble of the 1899 II Hague Convention , which stated that in cases not included in the Regulations on the Laws and Customs of War annexed to the Convention "populations and belligerents" remained under the protection of principles of international law as derived from "the usages established between civilized nations" as well as from "the laws of humanity, and the requirements of the public conscience" (for a detailed analysis of the genesis of the Martens Clause, see the seminal work by Cassese, 2000). In an almost identical formulation, it was then reiterated in the Preamble of the 1907 IV Hague Convention on the Laws and Customs of War.

The Martens Clause was subsequently included in the abovementioned Article 1(2) of Protocol I, with the difference that the previous phrase "usages between civilized nations" was substituted by a reference to customary law as a source of general principles ("established custom"). In the same formulation, the Martens Clause is also part of the Preamble of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW). A version of the Clause that refers exclusively to the principles of humanity and the dictates of public conscience as sources of general principles is instead included in the Preamble of Protocol II to the 1949 Geneva Conventions, concerning the protection of victims of non-international armed conflicts.

The indeterminate character of the Martens Clause – and particularly of the two strands of "principles of humanity" and "dictates of public conscience" - has made it the subject of intense academic scrutiny. Because of it, the Clause has been alternatively considered as an independent source of obligations and as a mere interpretative aid to be recalled *ad abundantiam* in support of interpretations of existing IHL norms on the basis of other general principles of international law (for insights on this debate, see Carpanelli, 2015, pp. 125–143; Cassese, 2000; Crawford, 2006; Meron, 2000; Ticehurst, 1997; more broadly on the qualification of human dignity as a general principle of international law, see De Sena 2023, pp. 538–541; Le Moli, 2019).

With specific reference to the legality of new methods of warfare, the IRCR appeared to refer to the Martens Clause as an independent parameter, stating that "a weapon which is not covered by existing rules of international humanitarian law would be considered contrary to the Martens clause if it is determined *per se* to contravene the principles of humanity or the dictates of public conscience". While this view has encountered some support pending the adoption of specific norms on the subject (ICRC, 2006, p. 17) the lack of consensus among States as to the exact content and meaning of the Clause prevents the sharing of this position.

In this respect, it is quite telling that one of the few States that has explicitly included the principles of humanity and the dictates of public conscience among the parameters of legality included in its review of new weapons under Article 36 of the Protocol – namely Australia – has specifically clarified that, for this purpose, the Clause must be understood narrowly, as preserving customary international law (Australia, 2018). Perhaps also because of these uncertainties, the Martens Clause has been considered in other contributions as a source of non-legal review standards, encompassing ethical and policy considerations (Copeland, 2025).

Nevertheless, this paper argues that the Martens Clause may constitute an interpretative key in the sense of facilitating the extrapolation of general principles of international (humanitarian) law from existing IHL norms, from which rules specifically applicable to AI-based DSS use in targeting may in turn be drawn. In the context of the debate on AWS, it has already been suggested that "principles of humanity" may be used as a source of general principles from which one may draw a blanket prohibition of fully autonomous weapons systems or a rule mandating meaningful human control (Shany & Shereshevsky, 2025). The same conclusion has been drawn from an analysis of general principles stemming from dictates of public conscience (Amoroso, 2025).

The remainder of this paper will then focus on Arts. 35 and 36 of Protocol I in an effort to understand the general principles on which they are grounded, and whether any specific duty of States Parties in relation to the use of AI for targeting purposes may be inferred from such principles. The proposed analysis rests on the assumption that AI-based DSS may be qualified as a method of warfare. This view stems from the consideration that such AI systems can also constitute a tool to use existing weapons (in support, see Klonowska, 2021).

The inference from an existing norm of underlying general principles of international law, and their use as a legal basis to construe a rule applicable to a situation not envisaged by the former norm, has been performed by the International Court of Justice (ICJ) in the *Corfu Channel* case, which has been considered as evidence of the emergence of general principles of international law directly derived from the international legal order rather than from states' domestic orders (Cannizzaro, 2016, pp. 137–138; Palombino, 2021, p. 74). Among the general principles identified in this case, the ICJ included "elementary considerations of humanity".

Even more significantly, in its Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons* the ICJ – after noting the absence of specific prohibitions of the use of nuclear weapons under international treaty or customary law – extrapolated general principles from IHL sources (i.e. The Hague Conventions and Regulations, the Geneva Conventions and their Additional Protocols as well as specific treaties such as the CCW Convention) which included the principle of distinction between civilians and combatants as well as the prohibition to use weapons that cause unnecessary suffering. These principles were then used by the ICJ to construe a rule applicable to the specific case at hand – more precisely, a prohibition on the use of nuclear weapons.

The Martens Clause was specifically mentioned by the ICJ in this opinion "in relation to these principles", albeit more as a further confirmation of the applicability of the mentioned principles to nuclear weapons than as a decisive legal ground – much less as a self-standing one. The ICJ in particular qualified the Clause "as an affirmation that the principles and rules of humanitarian law apply to nuclear weapons" (para. 87) and held that the conclusion whereby IHL was not applicable to nuclear weapons "would be incompatible with the *intrinsically humanitarian character of the legal principles in question* which permeates the entire law of armed conflict and applies to all forms of warfare and all kinds of weapons" (para. 86).

While the *Nuclear Weapons* case may be seen as evidence of the marginal role to be played by the Martens Clause in the construction of legal obligations *vis-à-vis* cases not

directly regulated by existing IHL rules, a possible alternative reading of its mention by the ICJ may suggest that the Martens Clause may constitute a doorway to the judicial consideration, reconstruction and application of general principles which permeate the entire corpus of IHL.

This impression may be reinforced by the consideration of the way in which the Martens clause was applied by Trial Chamber IV of the International Criminal Court in the *Ntaganda* case (para. 47 ff.). In relation to the *chapeau* of paras 2(b) and (e) of Article 8 of the Rome Statute, the Trial Chamber indeed relied on the Martens clause to conclude that an underlying rationale of IHL is to "mitigate the suffering resulting from armed conflict" (para. 48). On the basis of this general principle, it held that the prohibition of rape and sexual slavery under the Rome Statute must also be applied to conduct against members of the same armed force. Incidentally, it must be noted that while not problematic in general, when used to expand the scope of substantive provisions of the Rome Statute on crimes, this interpretation may be at odds with the principle of legality (Heller 2017).

Focusing our attention on the use of AI for targeting purposes, we may ask what general principles of IHL may be identified as underlying Article 35(1), in order to attempt to extract rules that should bind States Parties in conducting their review of AI-based DSS as a method of warfare under Article 36. As noted, Article 35(1) establishes that the Parties to a conflict do not have an unlimited choice in methods or means of war. Article 35(2) and (3) specify this general rule by establishing a prohibition to employ – respectively - weapons, materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering, as well as methods or means of warfare intended or expected to cause long-term and severe environmental damage.

Taken into consideration as a whole, Article 35 essentially expresses the general principle whereby in armed conflict military, necessity must be balanced with humanity (1987 Commentary, para 1389; Winter, p. 12; van den Boogaard, pp. 24–25). Accordingly, the choice of the Parties to a conflict as to means and methods of war must be confined not only to what is lawful under IHL (and international law in general) but also to what is essential to achieve legitimate military objectives. It is worth noting that precisely the 1987 Commentary recalled the Martens Clause precisely in relation to the need to limit the scope of military necessity, noting that even when combatants may enjoy a degree of discretion as a result of recourse to military necessity, they will also be bound by "fundamental humanitarian requirements" (1987 Commentary, para 1393).

Applied to AI-based DSS, this general principle of IHL may be understood as requiring a thorough review of the capability of such systems to perform a careful balance between the requirements of humanity and military necessity. A positive assessment in this context may depend on a variety of factors, including for example the retainment of a meaningful human control on the targeting recommendations produced by AI systems, or the existence of sufficient guarantees and safeguards in relation to the development of relevant algorithms, the feeding of prompts and the correction of known error rates in data gathering and analysis.

4. Conclusions

As one of the manifold applications of AI in warfare, targeting through AI-based DSS raises crucial challenges of compliance with IHL. This paper has dealt with the question of whether principles and considerations of humanity as also enshrined in the Martens Clause may contribute to the creation of common standards in relation to the review of the legality of the use of AI as a military targeting tool. It has been proposed that the Martens Clause – while not an independent source of IHL rules and obligations – may foster the identification of general principles of IHL from which such standards may be drawn.

This conclusion, however, should not be understood as setting aside the need for a much-needed regulation of AI use in warfare through international treaties capable of establishing clear rules on the subject. Currently, the lack of a uniform application of Article 36 by States Parties and the diversity of state practice in relation to the review of the military applications of AI suggest that recourse to interpretative processes aimed at extrapolating IHL norms from general principles of international law is merely a stopgap measure pending the adoption of treaty law sources detailing States' obligations in relation to the review of AI warfare applications.

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References

+972 Magazine (2024). *"Lavender": The AI machine directing Israel's bombing spree in Gaza*, 3 April 2024. Retrieved from https://www.972mag.com.

Amoroso, D. (2025). La disciplina dei sistemi d'arma autonomi nel diritto internazionale umanitario. Stato dell'arte e prospettive di regolamentazione [The Legal Framework Governing Autonomous Weapon Systems under International Humanitarian Law: State of the Art and Prospects for Regulation]. *Rivista italiana di informatica e diritto*, 2, 1–15, https://doi.org/10.32091/RIID0237.

Amoroso, D. (2023) Autonomous Weapons Systems and The Martens Clause Between Ethics and Law. *Studi Senesi*, 2, 207–255.

Australia (2018). Group of Governmental Experts of the 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. *The Australian Article 36 Review Process*, 30 August 2018, CCW/GGE.2/2018/WP.6.

Australia (2025). Australia's Submission to the UN Secretary-General's Report on 'Artificial intelligence in the military domain and its implications for international peace and security', 7 August 2025. Retrieved from https://docs-library.unoda.org/General_Assembly_First_Committee_-Eightieth_session_(2025)/79-239-Australia-en.pdf.

Austria (2025). *Austria's Submission to the UN Secretary-General's Report on 'Artificial intelligence in the military domain and its implications for international peace and security*'. Retrieved from https://docs-library.unoda.org/General_Assembly_First_Committee_-Eightieth_session_(2025)/79-239-Austria-en.pdf.

Carpanelli, E. (2015). General principles of international law: Struggling with a slippery concept. In L. Pineschi (Ed.), *General principles of law: The role of the judiciary* (pp. 125 – 143). Springer, https://doi.org/10.1007/978-3-319-19180-5_7.

Cannizzaro, V. (2016). *Diritto internazionale* [International Law]. Torino: Giappichelli.

Cassese, A. (2000). The Martens Clause: Half a Loaf or Simply Pie in the Sky? *European Journal of International Law*, 11(1), 39–69, https://doi.org/10.1093/acprof:oso/9780199232918.003.0002.

Copeland, D (2025). *A Functional Approach to the Legal Review of Autonomous Weapon Systems*. Leiden-Boston: Brill.

Crawford, E. (2006). The Modern Relevance of the Martens Clause. *ISIL Year Book of International Humanitarian and Refugee Law*, 6, 1–18.

Daoust, I., Coupland, R. & Ishoey, R. (2002). New wars, new weapons? The obligation of States to assess the legality of means and methods of warfare. *International Review of the Red Cross*, 84(847), 345–363, https://doi.org/10.1017/S156077550009773X.

De Sena, P. (2023). Dignità umana in senso statico e diritto internazionale [*Static* Human Dignity and International Law]. *Diritti umani e diritto internazionale*, 3, 507 543.

Dorsey, J. & Bo, M. (2025). AI-Enabled Decision-Support Systems in the Joint Targeting Cycle: Legal Challenges, Risks, and the Human(e) Dimension. *International Law Studies*, 106, 2 – 45, http://dx.doi.org/10.2139/ssrn.5327115.

Ford, M. (2024). From innovation to participation: connectivity and the conduct of contemporary warfare. *International affairs*, 100(4), 1531–1549, https://doi.org/10.1093/ia/iiae06.

France (2025). France's *Submission to the UN Secretary-General's Report on 'Artificial intelligence in the military domain and its implications for international peace and security'.* Retrieved from https://docs-library.unoda.org/General_Assembly_First_Committee_-Eightieth_session_(2025)/79-239-France-FR.pdf.

Heller, K.J. (2017). ICC Appeals Chamber Says A War Crime Does Not Have to Violate IHL. *OpinioJuris.* retrieved from https://opiniojuris.org/2017/06/15/icc-appeals-chamber-holds-a-war-crime-does-not-have-to-violate-ihl/.

International Committee of the Red Cross (2006). A Guide to the Legal Review of New Weapons, Means and Methods of Warfare Measures to Implement Article 36 of Additional Protocol I of 1977.

International Committee of the Red Cross (2025). *Submission to the United Nations Secretary-General on Artificial Intelligence in The Military Domain*. retrieved from https://www.icrc.org/sites/default/files/2025 04/ICRC_ Report_ Submission_

to_UNSG_on_AI_in_military_domain.pdf.

International Committee of the Red Cross (2021). *ICRC Position Paper: Artificial intelligence and machine learning in armed conflict: A human-centred approach*. Retrieved from https://international-review.icrc.org/articles/ai-and-machine-learning-in-armed-conflict-a-human-centred-approach-913#footnote25_hsfh3hz.

Jain, A. G. (2023). Autonomous Weapon Systems, Errors and Breaches of International Humanitarian Law. *Journal of International Criminal Justice*, 21(5), 1005–1032, https://doi.org/10.1093/jicj/mqad043.

Jevglevskaja, N. (2018). Weapons Review Obligation under Customary International Law. *International Law Studies*, 94, 186–221.

Jordan (2025). *Jordan's Submission to the UN Secretary-General's Report on 'Artificial intelligence in the military domain and its implications for international peace and security*'. retrieved from https://docs-library.unoda.org/General_Assembly_First_Committee_-Eightieth_session (2025)/79-239-Jordan-AR.pdf.

Klonowska, K. (2022). Article 36: Review of AI Decision-Support Systems and Other Emerging Technologies of Warfare. *Yearbook of International Humanitarian Law*, 23, 1–38.

Kwik, J. (2024). *Lawfully Using Autonomous Weapon Technologies*. The Hague: Asser Press.

Le Moli, G. (2019). The principle of human dignity in international law. In Andenas, M. Fitzmaurice, Tanzi, A. & Wouters, J. (Eds.), *General principles and the coherence of international law* (pp. 352–368). Leiden & Boston: Brill.

Mauri, D. (2024). Numeri, persone, umanità. Sistemi di supporto alle decisioni umane in campo militare da parte dell'IDF e diritto internazionale umanitario [Numbers, Persons, Humanity. IDF's Use of DSS in the Military Field and International Humanitarian Law]. *Diritti umani e diritto internazionale*, 18(2), 329–346, 10.12829/114370.

Meron, T. (2000). The Martens Clause, Principles of Humanity, and Dictates of Public Conscience. *The American Journal of International Law*, 94(1), 78–89, https://doi.org/10.2307/2555232.

Palombino, F. M. (2021). *Introduzione al diritto internazionale* [Introduction to International Law]. Bari: Laterza.

Ronzitti, N. (2010). Armi convenzionali [Conventional weapons]. In Angelucci, G. & Vierucci, L. (Eds.), *Il diritto internazionale umanitario e la guerra aerea. Scritti scelti* [International Humanitarian Law and Air Warfare: Selected Writings] (pp. 165–186). Firenze: Firenze University Press.

Rickli, J. & Mantellassi, F. (2024). *The War in Ukraine: Reality Check for Emerging Technologies and the Future of Warfare*. Geneva: Geneva Centre for Security Policy. Retrieved from https://www.gcsp.ch/sites/default/files/2024-12/geneva-paper-34-24.pdf.

Shany, Y., & Shereshevsky, Y. (2025). Programmed to Obey: The Limits of Law and the Debate over Meaningful Human Control of Autonomous Weapons. *Columbia Human Rights Law Review*, 57(1), 108–147.

The Guardian (2024). *Israel Defence Forces' response to claims about use of 'Lavender' AI database in Gaza*, 3 April 2024. Retrieved from https://www.theguardian.com/.

Tichehurst, R. (1997). The Martens Clause and the Laws of Armed Conflict. *International Review of the Red Cross*, 37 (317), 125–134.

United Nations General Assembly (2024). *Artificial intelligence in the military domain and its implications for international peace and security*. Resolution of 31 December 2024, UN Doc. A/RES/79/239.

United Nations Secretary-General (2024). *Artificial intelligence in the military domain and its implications for international peace and security*. Report of the Secretary-General of 5 June 2024, UN Doc. A/80/78.

van den Boogaard, J. C. (2013). Fighting by the principles: Principles as a source of international humanitarian law. In M. Matthee, B. Toebes, & M. Brus (Eds.), *Armed conflict and international law: In search of the human face: Liber amicorum in memory of Avril McDonald* (pp. 3–31). The Hague: T.M.C. Asser Press.

Winter, E. (2022). The Compatibility of Autonomous Weapons with the Principles of International Humanitarian Law. *Journal of Conflict & Security Law*, 27(1), 1–20, https://doi.org/10.1093/jcsl/krac001.