



ICRC

WORKING PAPER SUBMITTED TO THE CCW GROUP OF GOVERNMENTAL EXPERTS ON EMERGING TECHNOLOGIES IN THE AREA OF LETHAL AUTONOMOUS WEAPONS SYSTEMS

August 2026

1. INTRODUCTION

The ICRC welcomes the draft report of the 2024 – 2026 sessions of the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems,¹ and commends the Chair and the High Contracting Parties for having formulated the set of elements reflected in subsection A of the draft report (paragraphs 25 – 46). In the ICRC's view, this set of elements captures much of the substance of the Group's discussions over the course of its mandate, reflects areas of convergence that have emerged among the High Contracting Parties, and preserves the integrity of carefully crafted formulations.

The ICRC wishes to underscore that, to effectively address the core challenges raised by autonomous weapon systems, several additional critical elements will need to be incorporated into any future legally binding instrument (see section 3 below). The ICRC nevertheless considers that the set of elements contained in the current version of the draft report fulfils the mandate of the Group and constitutes a strong and sufficient basis on which the High Contracting Parties can – and must – now launch negotiations on a legally binding instrument to regulate autonomous weapon systems. The draft text reflects years of deliberations and contains critical elements required to regulate autonomous weapon systems, in order to protect people affected by armed conflict and support compliance with international humanitarian law (IHL).

2. PRESERVING THE TEXT AS A BASELINE

The ICRC urges all High Contracting Parties to work to preserve the set of elements – as reflected in the draft report – as a baseline. In particular, the following key elements are essential and must be retained:

- The characterization of lethal autonomous weapon systems (LAWS) in paragraph 25, which provides a workable and principled definition that serves as the foundation for all subsequent provisions. This characterization is essential and must not be weakened or reduced in scope.

¹ United Nations Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems, *Report of the 2024-2025-2026 sessions of the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems*, Geneva, July 2026: [https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_-_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_\(2026\)/CCW-GGE.1-2026-CRP.1.pdf](https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_-_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_(2026)/CCW-GGE.1-2026-CRP.1.pdf)

- The prohibitions set out in paragraphs 31 – 34, in particular the prohibition in paragraph 32 on the use of LAWS where their effects in attack cannot be anticipated and limited as required by IHL. Together with paragraph 39(c), which imposes requirements of predictability, reliability, traceability and explainability with respect to the operation and functioning of LAWS, this provision reflects and operationalizes the IHL prohibition on indiscriminate weapons and indiscriminate attacks.
- The requirement for human judgement and control with regard to LAWS in paragraph 36, in particular the specific measures set out in subparagraphs (a)–(d) that provide practical operational guidance on how human judgement and control are to be implemented in practice. The current level of detail contained in these measures must not be lost.
- The life-cycle requirements in paragraphs 38 and 39, notably the obligations relating to testing and evaluation – including in realistic and variable operational environments – and the requirement to ensure that LAWS’ identification, selection and engagement functions are adequately predictable and reliable. These requirements are essential to ensuring that human control is meaningful and to facilitating compliance with IHL in practice.

3. CRITICAL ELEMENTS TO STRENGTHEN THE TEXT

While the ICRC endorses the set of elements as a strong and sufficient basis for starting negotiations, it has identified several critical additional elements that will need to be incorporated into any future legally binding instrument. These additional elements – including, in particular, specific prohibitions and restrictions that are additional and complementary to existing IHL – are indispensable to appropriately address the core humanitarian, legal and ethical concerns raised by autonomous weapon systems, including where necessary through strengthening the legal framework beyond existing IHL.²

Importantly, the lack of any **prohibition against autonomous weapon systems designed or used to target humans directly**, and the removal of the restriction on their use to **military objectives by nature** significantly undermine the effectiveness of the set of elements in addressing the specific risks posed by autonomous weapons.

- As previously outlined,³ the ICRC finds it difficult to envisage realistic combat situations where the use of autonomous weapons against humans would not pose a significant risk of IHL violations, not only with respect to civilians but also wounded, sick or surrendering combatants, including possible violations of the prohibition of “no quarter”.
- Furthermore, if developed, anti-personnel autonomous weapons risk being used in law enforcement and other security contexts, which would likely be incompatible with international human rights law provisions requiring that force be used only when absolutely necessary, as a measure of last resort, in accordance with the principle of proportionality, and

² For more details see ICRC, *Autonomous Weapon Systems and International Humanitarian Law: Selected Issues*, position paper, December 2025, p. 21: https://www.icrc.org/sites/default/files/2026-03/4896_002_Autonomous_Weapons_Systems_-_IHL-ICRC.pdf.

³ Ibid., section VI.A.1, p. 9.

in line with the principles and requirements of precaution and accountability under international human rights law.⁴

- Finally, experience with other weapons has demonstrated that anti-personnel autonomous weapons may be acquired, modified or misused in ways that exacerbate violations of IHL, international human rights law and international criminal law by states and non-state armed groups. The risks of proliferation, including to contexts beyond armed conflict, and the potential use of such weapons for criminal or terrorist purposes, also warrant particular caution.

Using an autonomous weapon against objects that are military objectives by nature (missiles, tanks, military radars, warships, etc.) presents a significantly lower risk – when compared with military objectives by purpose, use or location – that the object eventually struck will in fact be protected as a civilian object at the time of the strike (as would be the case with a civilian bus that was temporarily used to transport military personnel but then reverted to exclusively civilian use before the strike). The ICRC therefore considers it necessary that the set of elements includes a provision, which appeared in previous versions of the Chair’s rolling text,⁵ that restricts the use of autonomous weapon systems to military objectives by nature.

In light of the above, the ICRC recommends adding the following provisions to the set of elements contained in the draft report, to ensure that the text does not merely restate the provisions of IHL and that it retains important operational safeguards to protect civilians:

- **Insert** as paragraph 35 bis: *“It is prohibited in all circumstances to develop and use LAWS that are designed or used in such a manner to be triggered by the presence, proximity or contact of one or more persons, or the target profile of which otherwise represents one or more persons.”*
- **Insert** as paragraph 36(b) bis: *“That the use of LAWS is restricted to military objectives by nature.”*

During the session of the Group of Governmental Experts, the ICRC also intends to propose several minor changes, primarily grammatical or technical in nature, to further clarify and enhance the legal precision of the set of elements.

4. NEXT STEPS

The ICRC urges the High Contracting Parties to adopt the draft report, including the complete set of elements contained in subsection A, strengthened by the additional elements listed in section 3 above, and to thus transmit its work to the Seventh Review Conference for further consideration, including as a basis for a mandate for the High Contracting Parties to negotiate a legally binding instrument in 2027. The substantive, detailed and comprehensive work carried out by the Group since 2024, along with the understandings and compromises achieved, must not be lost.

⁴ See Office of the United Nations High Commissioner for Human Rights, *Autonomous Weapon Systems and Human Rights*, Frequently Asked Questions: <https://www.ohchr.org/sites/default/files/documents/issues/arms/autonomous-weapon-systems-briefer-1-en.pdf>.

⁵ See, for example, United Nations Group of Governmental Experts on Lethal Autonomous Weapons Systems, rolling text of 18 December 2025, Box III, paragraph 7E: [https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_-_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_\(2026\)/CCW_GGE_LAWS_Rolling_Text_-_status_18_December_2025.pdf](https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_-_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_(2026)/CCW_GGE_LAWS_Rolling_Text_-_status_18_December_2025.pdf) and revised rolling text of 12 May 2025, Box III, paragraph 6D(iv): [Revised rolling text as of 12 May 2025.pdf](https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_-_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_(2026)/CCW_GGE_LAWS_Rolling_Text_-_status_12_May_2025.pdf).

The foundation has been laid and the need is urgent. The High Contracting Parties must move decisively to ensure that the future of warfare is governed by humans, not machines. As the United Nations Secretary-General and the president of the ICRC stated in their joint appeal of 25 August 2026: “States have a responsibility to those already suffering the consequences of today’s conflicts, and to those who will inherit the world that is now being shaped. Future generations will ask whether leaders acted when there was still a chance to set limits before these weapons proliferated beyond control. The upcoming Seventh Review Conference of the Convention on Certain Conventional Weapons in November offers the clearest path available for States to decide to move to negotiate a legally binding instrument”.⁶

⁶ ICRC, *Renewed call from UN Secretary-General and ICRC President to adopt rules on autonomous weapon systems*, ICRC, 25 August 2026: <https://www.icrc.org/en/statement/renewed-call-un-secretary-general-and-icrc-president-adopt-rules-autonomous-weapons>.