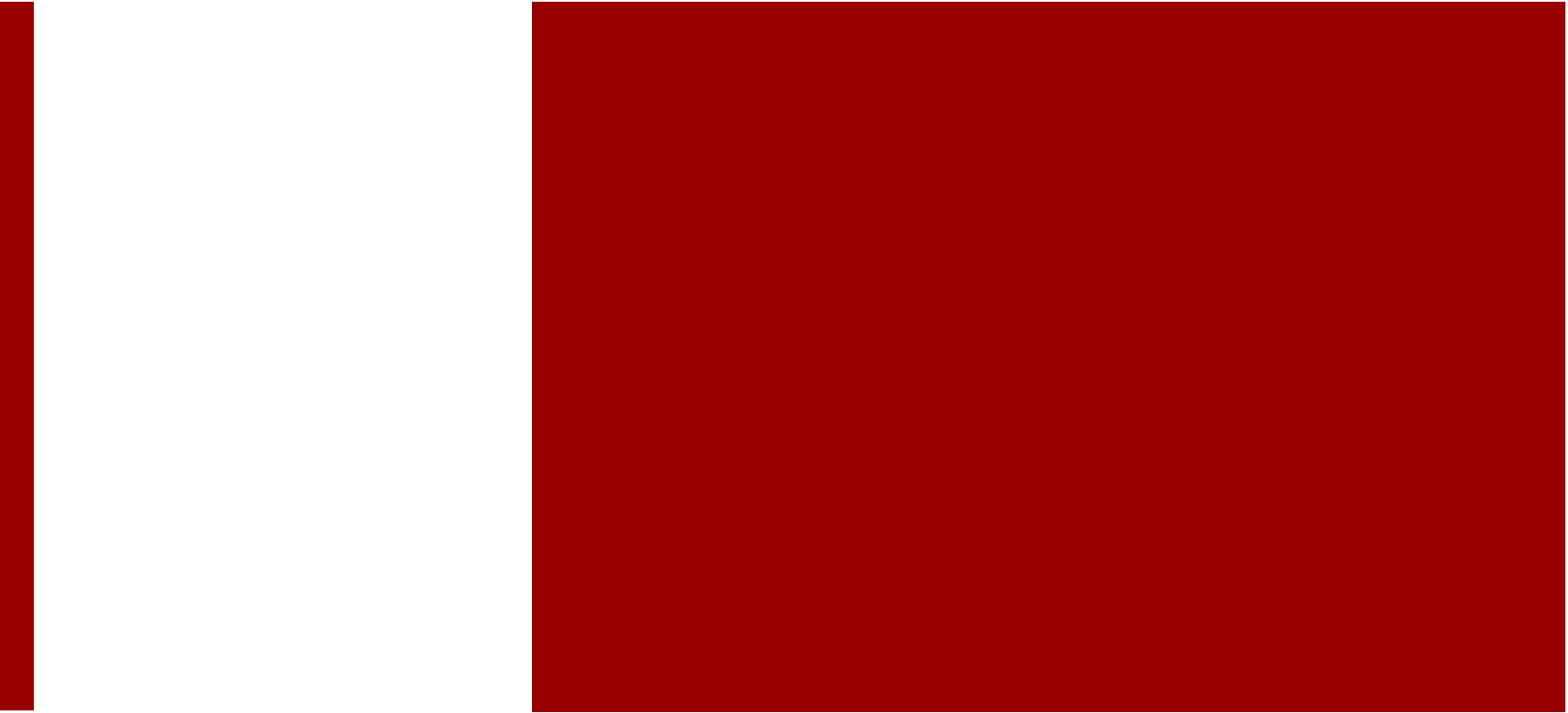
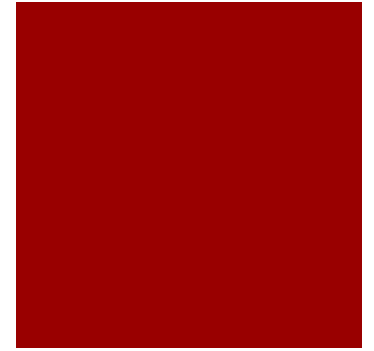




Armed Conflict and Cyber Warfare

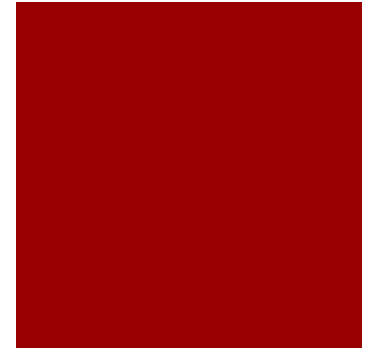
Dr. Benarji Chakka
Professor of International Law

INTRODUCTION



- What do you mean by an Armed Conflict
- What is the Relationship between armed conflict and Law
- Is there a law to regulate the Armed Conflicts

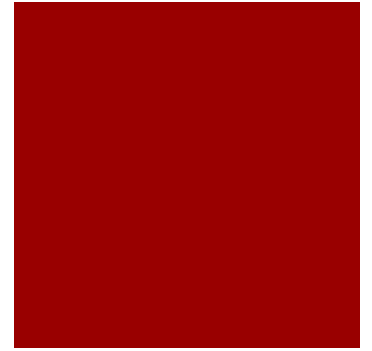
INTRODUCTION



- Types of armed conflicts
- Applicable law to various types of armed conflicts
- Means and methods of warfare/armed conflicts
- Modern technology and warfare/armed conflicts

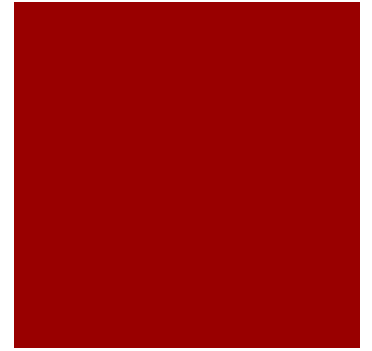
INTRODUCTION

- Armed Conflicts and Cyber warfare
- What law applied to cyber warfare
- Domestic law vs. international law



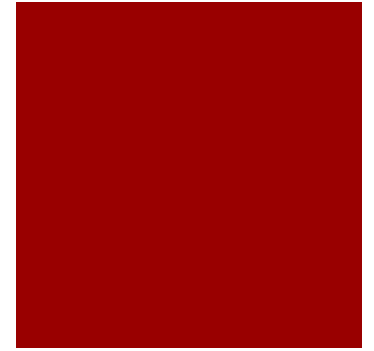
LoAC

- Law of Armed Conflict – is a special branch of law
- It is known as International Humanitarian Law (IHL)
- This branch of law applies only during the situation of armed conflicts

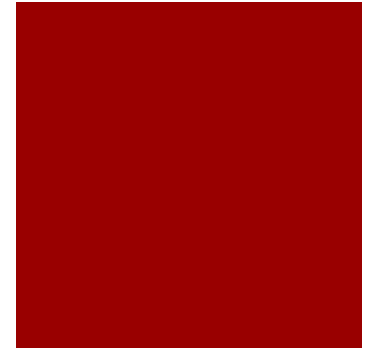


LoAC -IHL

- IHL applied specifically during the situation of Armed Conflicts
- IHL is consists of various treaty mechanisms
- The first IHL treaty which applies to LoAC is “Geneva Convention of 1949

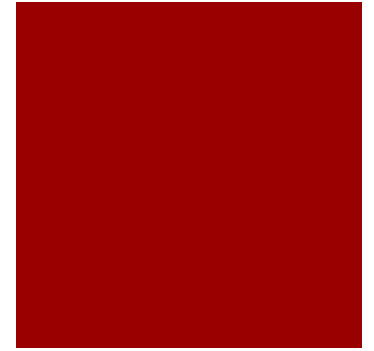


LoAC and ICJ



- The International Court of Justice (ICJ), in its 1996 *Nuclear Weapons* Advisory Opinion, notes that LOAC applies to
 - “any use of force, regardless of the weapons employed.”
- Whether a five-hundred-pound bomb or a computer is used to effect death and destruction, a weapon remains a weapon.

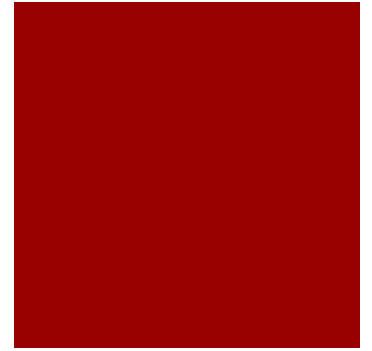
LoAC



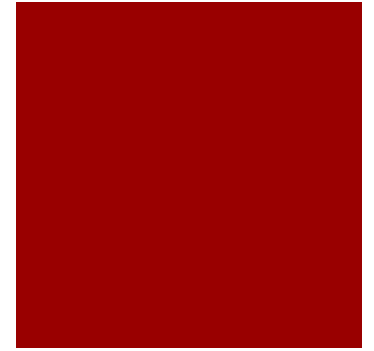
- . The U.S. position is made clear in its 2011 *International Strategy for Operating in Cyberspace*
- The development of norms for State conduct in cyberspace does not require a reinvention of customary international law, nor does it render existing international norms obsolete. Long-standing international norms guiding State behaviour – in times of peace and conflict – also apply in cyberspace.”

LoAC

- Article 36 of 1977 Additional Protocol I, requiring testing of new weapons and weapons systems for conformance with LOAC, illustrates that the law of war and international humanitarian law (IHL) rules apply to new technologies.



LoAC



- Defining many aspects of cyber warfare is problematic because there is no multinational treaty directly dealing with cyber warfare.
- So far, many aspects of cyber war are not agreed upon. T
- The law of war, as well as customary international law, lacks cyber-specific norms, and state practice interpreting applicable norms is slow to evolve.
- There is not even agreement as to whether “cyber attack” is one word or two

