

Issues of cyber warfare in international law

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Résumé ou extrait : Résumé (p. 91) : "Cyber has been around for over a decade and yet we are still faces with a situation of a very weak or rather no regulation. This is being heavily influenced by our weak technological development and due to the nature of cyberspace and the Internet. Cyber warfare poses interesting questions for us. It is one of a kind type of warfare, the one we cannot see or feel, but its impacts are instantaneous and potentially devastating. States and scholars agree on that. This thesis attempts to explore possibilities of application of existing international laws to amend this situation and answer the questions if it is adequate or at all possible. While scholars are still arguing about the basics of what cyber warfare and cyberspace actually is, it keeps on evolving. States on the other hand have recognized the potential threat of cyber warfare a long time ago and are attempting to mend the existing legal void, however not successfully. The effects of their efforts are limited only to a small number of States. States who are not willing to give up their cyber capability would also stay clear from such international legislation. International treaties and State practice were analyzed in search of a way to accommodate cyber warfare under the current regime. The findings show that application of existing legal basis to cyber warfare is at best difficult and strained. The reality is that cyber warfare does not fit adequately under any of the legal umbrellas at the moment."

Sujet - Nom commun : Droit humanitaire

Autodéfense

Cyberguerre (droit international)

Cyberdéfense

Cyberterrorisme