

The Role of International Humanitarian Law In Addressing Cyber Attacks

Prepared by
Muhammad Saleh Hasan Abu Al-Sundos
Supervisor
Prof. Sarah Mahmoud Al-Arasy

Abstract

This study examined the role of international humanitarian law in addressing cyber attacks by examining the nature and legal nature of cyber attacks, as well as the international responsibility arising from cyber attacks, the terms, elements and types of such responsibility, and the jurisdiction of the International Criminal Court to deal with cybercrime, the main problem of the study is to answer the question as to the extent to which international humanitarian law is capable of dealing with and confronting wars and cyber attacks. The study has reached a number of conclusions, the most notable of which may be the conclusion that cyber attacks pose a serious challenge and threat. The use of cyber attacks is a type of use prohibited by Article (4 / 2) of the Charter of the United Nations, and thus may be the beginning of an armed conflict subject to the principles and norms of international humanitarian law. The study has also reached a number of recommendations, most notably the need to find explicit provisions along the lines of the Rome Statute criminalizing cyber attacks, both in the context of international and non-international armed conflicts.

Keywords: Cyber, Cyber Attacks, International Humanitarian Law, International Responsibility