

PRESENTAZIONE DEL VOLUME

(a cura dell'autore o del curatore)

Informazioni generali

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Informazioni sul volume

The internet has changed the rules of many industries, and war is no exception. But can a computer virus be classed as an act of war? Does a Denial of Service attack count as an armed attack? And does a state have a right to self-defence when cyber attacked? With the range and sophistication of cyber attacks against states showing a dramatic increase in recent times, this book investigates the traditional concepts of 'use of force', 'armed attack', and 'armed conflict' and asks whether existing laws created for analogue technologies can be applied to new digital developments. The book provides a comprehensive analysis of primary documents and surrounding literature, to investigate whether and how existing rules on the use of force in international law apply to a relatively new phenomenon such as cyberspace operations. It assesses the rules of *jus ad bellum* and *jus in bello*, whether based on treaty or custom, and analyses why each rule applies or does not apply to cyber operations. Those rules which can be seen to apply are then discussed in the context of each specific type of cyber operation. The book addresses the key questions of whether a cyber operation amounts to the use of force and, if so, whether the victim state can exercise its right of self-defence; whether cyber operations

trigger the application of international humanitarian law when they are not accompanied by traditional hostilities; what rules must be followed in the conduct of cyber hostilities; how neutrality is affected by cyber operations; whether those conducting cyber operations are combatants, civilians, or civilians taking direct part in hostilities. The book is essential reading for everyone wanting a better understanding of how international law regulates cyber combat. For further information, please see <http://ukcatalogue.oup.com/product/9780199655014.do>.

"The present volume by Dr. Marco Roscini ... is a systematic, up-to-date and well-informed analysis of the legal discourse that has taken place thus far. The author identifies the issues that have given rise to much discussion, marshals the evidence and provides a clear picture of where cyber operations stand in the overall scheme of the international law of armed conflict. This gives him an opportunity to delve into many controversial aspects of that law, irrespective of their kinetic/cyber application. ... The book surely sets the stage for the future encounter between law and reality." - **Yoram Dinstein, from the Foreword**

"Land, sea and air are no more the only domains where hostilities are conducted. Cyberspace has now become the fourth dimension. Marco Roscini's book on *Cyber Operations and the Use of Force in International Law* explores this new and challenging subject. Taking into account recent State practice, the author relies on traditional customary and treaty law to construe rules applicable to cyber operations. He examines all the main chapters of the law of armed conflict: *jus ad bellum*, *jus in bello* and the law of neutrality. A sound knowledge of the law of armed conflict allows the author to formulate a complete set of rules for cyber operations in a clear and realistic mode. Dr. Roscini's book is to be recommended to the attention of scholars, legal advisors and to all concerned with planning defence operations." - **Natalino Ronzitti, Emeritus Professor of International Law, Luiss University, Rome**