

Protection of human dignity in the context of cyber warfare: the status quo of international law regulating the use of force

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ABSTRACT

The protection of human dignity is fundamental basis for the development of human rights and humanitarian law. Currently, cyber operations in warfare are becoming a humanitarian concern because of their ability to incapacitate infrastructure and affect the provision of essential services to civilians. The use of force under the international legal regime is still the same as it had been prior to these developments. Considering its effects on human dignity, the extent to which the conventional methods and the legal framework are adequate to counter such use becomes relevant. This article examines the adequacy of international law on the use of force in protecting human dignity in cyber warfare. The article is based partly on the empirical study, 'Regulating the use of force in international law: An appraisal of the conventional methods in regulating cyber warfare' by the authors. It employs both empirical and documentary review methods to address this matter. It is argued in this article that the existing regime is not sufficient because it is too obsolete. Furthermore, because of the unique features of cyberspace, the regime does not adequately ensure the respect for human dignity.

Keywords: cyberspace, cyber warfare, human dignity, international law, use of force.

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