

Abstract

In wartime, information is essential and decisive for the conduct of hostilities. It is the foundational element of intelligence, the basis of the war narrative galvanising the society but also, a weapon. International humanitarian law acknowledged the strategic importance of information, regulating the involvement of spy and journalists in armed conflicts. Information has gained an increasing place in the military strategy and in the academic debates because of various factors, including the development of new information technologies, the emergence of the phenomenon of ‘information warfare’, the growing interest of the political analysts for ‘hybrid warfare’ after the Crimean crisis in 2013 and the sociological context of ‘post-truth’. In a context of ever-changing technological environment, the application of the current international humanitarian legal framework to information warfare is full of challenges and raises unanswered questions. Hence, this dissertation aims at answering the following question: how do the specificities of contemporary information warfare challenge the application of international humanitarian law? This question is particularly relevant now for several reasons. First, one has gained hindsight on marking events of information operations, including the attack on the radio and television tower in Serbia in 1999, and the entry into the digital age during the Second Lebanon war, specifically with numerically modified imagery. Second, one can now appreciate the evolution of information warfare practices with new information and communication technologies, illustrated by the Russo-Georgian war and the Russo-Ukrainian war, and the growing use of disinformation, deep fakes and other techniques manipulating information. This master’s thesis will analyse the applicable rules to information warfare and the problems related to the application to the relevant conducts identified in several case studies before examining the opportunities and challenges of regulation.

Keywords: armed conflicts, international humanitarian law, information and communications technologies, information operations, information warfare, media.