

Select Bibliography¹

BOOKS (INCLUDING EDITED BOOKS)

- Boothby, William H. *The Law of Targeting* (Oxford: Oxford University Press, 2012).
- Brenner, Susan W. *Cyberthreats. The Emerging Fault Lines of the Nation State* (New York: Oxford University Press, 2009).
- Byström Karin, ed. *Proceedings of the Conference: International Expert Conference on Computer Network Attacks and the Applicability of International Humanitarian Law, 17–19 September 2004, Stockholm, Sweden* (Stockholm: Swedish National Defence College, 2004).
- Delibasis, Dimitrios. *The Right to National Self-Defense in Information Warfare Operations* (Suffolk: Arena Books, 2007).
- Greenberg, Lawrence T, Seymour E Goodman, and Kevin Soo Hoo. *Information Warfare and International Law* (Washington: National Defense University Press, 1998).
- Harrison Dinniss, Heather. *Cyber Warfare and the Laws of War* (Cambridge: Cambridge University Press, 2012).
- Owens, William A, Kenneth W Dam, and Herbert S Lin, eds. *Technology, Policy, Law, and Ethics Regarding U.S. Acquisition and Use of Cyberattack Capabilities* (Washington: The National Academies Press, 2009).
- Palojärvi, Pia. *A Battle in Bits and Bytes: Computer Network Attacks and the Law of Armed Conflict* (Helsinki: The Erik Castrén Research Reports 27/2009).
- Saxon, Dan, ed. *International Humanitarian Law and the Changing Technology of War*, (Leiden: Martinus Nijhoff Publishers, 2013).
- Sharp Sr, Walter G. *Cyberspace and the Use of Force* (Falls Church, VA: Aegis Research Corporation, 1999).
- Schmitt, Michael N, ed. *Tallinn Manual on the International Law Applicable to Cyber Warfare* (Cambridge: Cambridge University Press, 2013).

ARTICLES

- Aldrich, Richard W. 'The International Legal Implications of Information Warfare'. *Airpower Journal* 10, no 3 (1996), pp 99–110.
- Aldrich, Richard W. 'How Do You Know You Are at War in the Information Age'. *Houston Journal of International Law* 22 (2000), pp 224–63.
- Anderson, Douglas S and Christopher R Dooley. 'Information Operations in the Space Law Arena: Science Fiction Becomes Reality'. *International Law Studies* 76 (2002), pp 265–311.
- Antolin-Jenkins, Vida M. 'Defining The Parameters of Cyberwar Operations: Looking For Law in All the Wrong Places?'. *Naval Law Review* 51 (2005), pp 132–75.

¹ The bibliography includes works that analyse the international law aspects of military cyber operations. Therefore, it includes neither works on cyber crime nor those that discuss cyber operations conducted by states from the perspective of other disciplines.

- Bachmann, Sascha-Dominik. 'Hybrid Threats, Cyber Warfare and NATO's Comprehensive Approach for Countering 21st Century Threats—Mapping the New Frontier of Global Risk and Security Management'. *Amicus Curiae* 88 (2011), pp 14–17.
- Backstrom, Alan and Ian Henderson. 'New Capabilities in Warfare: An Overview of Contemporary Technological Developments and the Associated Legal and Engineering Issues in Article 36 Weapons Reviews'. *International Review of the Red Cross* 94 (2012), pp 483–514.
- Banks, William. 'The Role of Counterterrorism Law in Shaping *ad Bellum* Norms for Cyber Warfare'. *International Law Studies* 89 (2013), pp 156–97.
- Barkham, Jason. 'Information Warfare and International Law on the Use of Force'. *New York University Journal of International Law and Politics* 34 (2001), pp 57–114.
- Beckett, Jason. 'New War, Old Law: Can the Geneva Paradigm Comprehend Computers?'. *Leiden Journal of International Law* 13 (2000), pp 33–51.
- Benatar, Marco. 'The Use of Cyber Force: Need for Legal Justification?'. *Goettingen Journal of International Law* 3 (2009), pp 375–96.
- Blake, Duncan and Joseph S Imburgia. '"Bloodless Weapons"? The Need to Conduct Legal Reviews of Certain Capabilities and the Implications of Defining Them as "Weapons"'. *Air Force Law Review* 66 (2010), pp 159–200.
- Blank, Laurie R. 'International Law and Cyber Threats from Non-State Actors'. *International Law Studies* 89 (2013), pp 406–37.
- Blount, PJ. 'The Preoperational Legal Review of Cyber Capabilities: Ensuring the Legality of Cyber Weapons'. *Northern Kentucky Law Review* 39 (2012), pp 211–20.
- Boothby, William. 'Some Legal Challenges Posed By Remote Attack'. *International Review of the Red Cross* 94 (2012), pp 579–95.
- Boothby, William H. 'Methods and Means of Cyber Warfare'. *International Law Studies* 89 (2013), pp 387–405.
- Bowman, ME. 'Is International Law Ready for the Information Age?'. *Fordham International Law Journal* 19 (1995), pp 1935–46.
- Bradbury, Steven G. 'Keynote Address: The Developing Legal Framework for Defensive and Offensive Cyber Operations'. *Harvard National Security Journal* 2 (2011), pp 633–51.
- Brenner, Susan W. '"At Light Speed": Attribution and Response to Cybercrime/Terrorism/Warfare'. *The Journal of Criminal Law and Criminology* 97 (2007), pp 379–475.
- Brown, Davis. 'A Proposal for an International Convention to Regulate the Use of Information Systems in Armed Conflict'. *Harvard International Law Journal* 47 (2006), pp 179–221.
- Brown, Gary and Keira Poellet. 'The Customary International Law of Cyberspace'. *Strategic Studies Quarterly* 6, no 3 (2012), pp 126–45.
- Buchan, Russell. 'Cyber Attacks: Unlawful Uses of Force or Prohibited Interventions?'. *Journal of Conflict & Security Law* 17 (2012), pp 212–27.
- Cammack, Chance. 'The Stuxnet Worm and Potential Prosecution by the International Criminal Court Under the Newly Defined Crime of Aggression'. *Tulane Journal of International and Comparative Law* 20 (2011), pp 303–26.
- Chainoglou, Kalliopi. 'An Assessment of *Jus In Bello* Issues Concerning Computer Network Attacks: A Threat Reflected in National Security Agendas'. *Romanian Journal of International Law* 12 (2010), pp 25–63.
- Church, William. 'Information Warfare'. *International Review of the Red Cross* 82 (2000), pp 205–15.
- Condon, Sean M. 'Getting It Right: Protecting American Critical Infrastructure in Cyberspace'. *Harvard Journal of Law & Technology* 20 (2007), pp 404–22.

- Cox, Stephen J. 'Confronting Threats Through Unconventional Means: Offensive Information Warfare as a Covert Alternative to Preemptive War'. *Houston Law Review* 42 (2005), pp 881–910.
- Crane, David M. 'Fourth Dimensional Intelligence: Thoughts on Espionage, Law, and Cyberspace'. *International Law Studies* 76 (2002), pp 311–21.
- Crawford, Emily. 'Virtual Battlegrounds: Direct Participation in Cyber Warfare'. Sydney Law School Research Paper No 12/10 (2012), <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2001794>.
- Creekman, Daniel M. 'A Helpless America? An Examination of the Legal Options Available to the United States in Response to Varying Types of Cyber-Attacks from China'. *American University International Law Review* 17 (2002), pp 641–81.
- Cronin, Audrey K. 'Cyber-Mobilization: The New *Levée En Masse*'. *Parameters* 36, No 2 (2006), pp 77–87.
- D'Amato, Anthony. 'International Law, Cybernetics, and Cyberspace'. *International Law Studies* 76 (2002), pp 59–73.
- Deeks, Ashley. 'The Geography of Cyber Conflict: Through a Glass Darkly'. *International Law Studies* 89 (2013), pp 1–20.
- Dinstein, Yoram. 'Computer Network Attacks and Self-Defense'. *International Law Studies* 76 (2002), pp 99–121.
- Dinstein, Yoram. 'The Principle of Distinction and Cyber War in International Armed Conflicts'. *Journal of Conflict & Security Law* 17 (2012), pp 261–77.
- Dinstein, Yoram. 'Cyber War and International Law: Concluding Remarks at the 2012 Naval War College International Law Conference'. *International Law Studies* 89 (2013), pp 275–87.
- Döge, Jenny. 'Cyber Warfare'. *Archiv des Völkerrechts* 48 (2010), pp 486–501.
- Doswald-Beck, Louise. 'Some Thoughts on Computer Network Attack and the International Law of Armed Conflict'. *International Law Studies* 76 (2002), pp 163–87.
- Doyle Jr, James H. 'Computer Networks, Proportionality, and Military Operations'. *International Law Studies* 76 (2002), pp 147–63.
- Droege, Cordula. 'Get Off My Cloud: Cyber Warfare, International Humanitarian Law, and the Protection of Civilians'. *International Review of the Red Cross* 94 (2012), pp 533–78.
- Dunlap, Charles J. 'Meeting the Challenge of Cyberterrorism: Defining the Military Role in a Democracy'. *International Law Studies* 76 (2002), pp 353–75.
- Dunlap, Charles J. 'Perspectives for Cyber Strategists on Law for Cyberwar'. *Strategic Studies Quarterly* 5, no 1 (2011), pp 81–99.
- Fidler, David P. 'International Law and the Future of Cyberspace: The Obama Administration's International Strategy for Cyberspace'. *ASIL Insights* 15(15) (2011). <<http://www.asil.org/insights/volume/15/issue/15/international-law-and-future-cyberspace-obama-administration%E2%80%99s>>.
- Fidler, David P. 'Was Stuxnet an Act of War? Decoding a Cyberattack'. *IEEE Security & Privacy* 9, no 4 (2011), pp 72–5.
- Fidler, David P. 'Recent Developments and Revelations Concerning Cybersecurity and Cyberspace: Implications for International Law'. *ASIL Insights* 16(22) (2012). <<http://www.asil.org/insights/volume/16/issue/22/recent-developments-and-revelations-concerning-cybersecurity-and>>.
- Fidler, David P. 'Tinker, Tailor, Soldier, Duqu: Why Cyberespionage is More Dangerous Than You Think'. *International Journal of Critical Infrastructure Protection* 5 (2012), pp 28–9.

- Fleck, Dieter. 'Searching for International Rules Applicable to Cyber Warfare—A Critical First Assessment of the New Tallinn Manual'. *Journal of Conflict & Security Law* 18 (2013), pp 1–21.
- Geiss, Robin. 'War and Law in Cyberspace: The Conduct of Hostilities in and via Cyber-Space'. *American Society of International Law Proceedings* 104 (2010), pp 371–74.
- Geiss, Robin. 'Cyber Warfare: Implications for Non-international Armed Conflicts'. *International Law Studies* 89 (2013), pp 626–45.
- Geiss, Robin and Henning Lahmann. 'Cyber Warfare: Applying the Principle of Distinction in an Interconnected Space'. *Israel Law Review* 45 (2012), pp 381–99.
- Gervais, Michael. 'Cyber Attacks and the Laws of War'. *Berkeley Journal of International Law* 30 (2012), pp 525–79.
- Gill, Terry D and Paul A Ducheine. 'Anticipatory Self-Defense in the Cyber Context'. *International Law Studies* 89 (2013), pp 438–71.
- Glennon, Michael J. 'The Dark Future of International Cybersecurity Regulation'. *Journal of National Security Law & Policy* 89 (2013), pp 563–70.
- Glennon, Michael J. 'The Road Ahead: Gaps, Leaks and Drips'. *International Law Studies* 89 (2013), pp 361–86.
- Goldsmith, Jack. 'How Cyber Changes the Laws of War'. *European Journal of International Law* 24 (2013), pp 129–38.
- Gosnell, Stephanie H. 'The New Cyber Face of Battle: Developing a Legal Approach to Accommodate Emerging Trends in Warfare'. *Stanford Journal of International Law* 48 (2012), pp 209–37.
- Graham, David E. 'Cyber Threats and the Law of War'. *Journal of National Security Law & Policy* 4 (2010), pp 87–102.
- Hanseman, Robert G. 'The Realities and Legalities of Information Warfare'. *Air Force Law Review* 42 (1997), pp 176–200.
- Haslam, Emily. 'Information Warfare: Technological Changes and International Law'. *Journal of Conflict and Security Law* 5 (2000), pp 157–75.
- Hathaway, Oona A et al. 'The Law of Cyber-Attack'. *California Law Review* 100 (2012), pp 817–86.
- Heintschel von Heinegg, Wolff. 'Territorial Sovereignty and Neutrality in Cyberspace'. *International Law Studies* 89 (2013), pp 122–56.
- Hinkle, Katharine C. 'Countermeasures in the Cyber Context: One More Thing to Worry About'. *Yale Journal of International Law Online* (Fall 2011), pp 11–21. <<http://www.yjil.org/docs/pub/o-37-hinkle-countermeasures-in-the-cyber-context.pdf>>.
- Hoffman, Michael H. 'The Legal Status and Responsibilities of Private Internet Users under the Law of Armed Conflict: A Primer for the Unwary on the Shape of Law to Come'. *Washington University Global Studies Law Review* 2 (2003), pp 415–26.
- Hoisington, Matthew. 'Cyberwarfare and the Use of Force Giving Rise to the Right of Self-Defense'. *Boston College International and Comparative Law Review* 32 (2009), pp 439–54.
- Hollis, Duncan B. 'Why States Need an International Law for Information Operations'. *Lewis and Clark Law Review* 11 (2007), pp 1023–62.
- Hollis, Duncan B. 'An e-SOS for Cyberspace'. *Harvard International Law Journal* 52 (2011), pp 374–432.
- Hughes, Rex. 'A Treaty for Cyberspace'. *International Affairs* 86 (2010), pp 523–41.
- Huntley, Todd C. 'Controlling the Use of Force in Cyber Space: The Application of the Law of Armed Conflict During a Time of Fundamental Change in the Nature of Warfare'. *Naval Law Review* 60 (2010), pp 1–40.

- Intoccia, Gregory F and Joe W Moore. 'Communications Technology, Warfare, and the Law: Is the Network a Weapon System?'. *Houston Journal of International Law* 28 (2006), pp 470–90.
- Jacobson, Mark R. 'War in the Information Age: International Law, Self-Defense, and the Problem of "Non-Armed" Attacks'. *Journal of Strategic Studies* 21, no 3 (1998), pp 1–23.
- Jensen, Eric Talbot. 'Computer Attacks on Critical National Infrastructure: A Use of Force Invoking the Right of Self-Defense'. *Stanford Journal of International Law* 38 (2002), pp 207–40.
- Jensen, Eric Talbot. 'Unexpected Consequences from Knock-On Effects: A Different Standard for Computer Network Operations?'. *American University International Law Review* 18 (2003), pp 1145–88.
- Jensen, Eric Talbot. 'Cyber Warfare and Precautions Against the Effects of Attacks'. *Texas Law Review* 88 (2010), pp 1533–69.
- Jensen, Eric Talbot. 'President Obama and the Changing Cyber Paradigm'. *William Mitchell Law Review* 37 (2011), pp 5049–60.
- Jensen, Eric Talbot. 'Sovereignty and Neutrality in Cyber Conflict'. *Fordham International Law Journal* 35 (2011–12), pp 815–41.
- Jensen, Eric Talbot. 'Cyber Attacks: Proportionality and Precautions in Attack'. *International Law Studies* 89 (2013), pp 198–217.
- Johnson, Phillip A. 'Is It Time for a Treaty on Information Warfare?'. *International Law Studies* 76 (2002), pp 439–531.
- Joyner, Christopher C and Catherine Lotrionte. 'Information Warfare as International Coercion: Elements of a Legal Framework'. *European Journal of International Law* 12 (2001), pp 825–65.
- Jurich, Jon P. 'Cyberwar and Customary International Law: The Potential of a "Bottom-Up" Approach to an International Law of Information Operations'. *Chicago Journal of International Law* 9 (2008), pp 275–95.
- Kanuck, Sean. 'Information Warfare: New Challenges for Public International Law'. *Harvard International Law Journal* 37 (1996), pp 272–92.
- Kanuck, Sean. 'Sovereign Discourse on Cyber Conflict Under International Law'. *Texas Law Review* 88 (2010), pp 1571–97.
- Kastenberg, Joshua E. 'Non-intervention and Neutrality in Cyberspace: An Emerging Principle in the National Practice of International Law'. *Air Force Law Review* 64 (2009), pp 44–64.
- Keber, Tobias O and Przemysław N Roguski. 'Ius ad bellum electronicum? Cyberangriffe im Lichte der UN-Charta und aktueller Staatenpraxis'. *Archiv des Völkerrechts* 49 (2011), pp 399–434.
- Kelsey, Jeffrey TG. 'Hacking Into International Humanitarian Law: The Principles of Distinction and Neutrality in the Age of Cyber Warfare'. *Michigan Law Review* 106 (2008), pp 1427–52.
- Kesan, Jay P, and Carol M Hayes. 'Mitigative Counterstriking: Self-Defense and Deterrence in Cyberspace'. *Harvard Journal of Law and Technology* 25 (2012), pp 417–527.
- Kim, Jasper. 'Law of War 2.0: Cyberwar and the Limits of the UN Charter'. *Global Policy* 2 (2011), pp 322–28.
- Kirchner, Stefan. 'Distributed Denial-of-Service Attacks Under Public International Law: State Responsibility in Cyberwar'. *The IUP Journal of Cyber Law* 8, nos 3–4 (2009), pp 10–23.
- Kleffner, Jann K and Heather A Harrison Dinniss. 'Keeping the Cyber Peace: International Legal Aspects of Cyber Activities in Peace Operations'. *International Law Studies* 89 (2013), pp 511–35.

- Kodar, Erki. 'Computer Network Attacks in the Grey Areas of *Jus ad Bellum* and *Jus in Bello*'. *Baltic Yearbook of International Law* 9 (2009), pp 133–55.
- Kritsiotis, Dino. 'Enforced Equations'. *European Journal of International Law* 24 (2013), pp 139–49.
- Kuehl, Daniel T. 'Information Operations, Information Warfare, and Computer Network Attack: Their Relationship to National Security in the Information Age'. *International Law Studies* 76 (2002), pp 35–58.
- Kulesza, Joanna. 'State Responsibility for Cyber-Attacks on International Peace and Security'. *Polish Yearbook of International Law* 29 (2009), pp 139–52.
- Lentz, Christopher E. 'A State's Duty to Prevent and Respond to Cyberterrorist Acts'. *Chicago Journal of International Law* 10 (2010), pp 799–823.
- Lichtenbaum, Peter and Melanie Schneck. 'The Response to Cyberattacks: Balancing Security and Cost'. *The International Lawyer* 36 (2002), pp 39–48.
- Lin, Herbert S. 'Offensive Cyber Operations and the Use of Force'. *Journal of National Security Law & Policy* 4 (2010), pp 63–86.
- Lin, Herbert. 'Cyber Conflict and International Humanitarian Law'. *International Review of the Red Cross* 94 (2012), pp 515–31.
- Liivoja, Rain and Tim McCormack. 'Law in the Virtual Battlespace: The Tallinn Manual and the *Jus in Bello*'. Melbourne Legal Studies Research Papers no 650 (2013), <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2297159>.
- Lubell, Noam. 'Lawful Targets in Cyber Operations: Does the Principle of Distinction Apply?'. *International Law Studies* 89 (2013), pp 251–75.
- Malawer, Stuart S. 'Cyber Warfare: Law and Policy Proposals for U.S. and Global Governance'. *Virginia Lawyer* 58 (2010), pp 27–31.
- Margulies, Peter. 'Networks in Non-International Armed Conflicts: Crossing Borders and Defining "Organized Armed Group"'. *International Law Studies* 89 (2013), pp 53–76.
- McGavran, Wolfgang. 'Intended Consequences: Regulating Cyber Attacks'. *The Tulane Journal of Technology and Intellectual Property* 12 (2009), pp 259–75.
- Melnitzky, Alexander. 'Defending America Against Chinese Cyber Espionage Through the Use of Active Defenses'. *Cardozo Journal of International and Comparative Law* 20 (2012), pp 537–70.
- Melzer, Nils. 'Cyber Operations and *Jus In Bello*'. *Disarmament Forum* 2011, no 4 (2011), pp 3–17.
- Morth, Todd A. 'Considering Our Position: Viewing Information Warfare as a Use of Force Prohibited by Article 2(4) of the U.N. Charter'. *Case Western Reserve Journal of International Law* 30 (1998), pp 567–600.
- Murphy, John F. 'Computer Network Attacks by Terrorists: Some Legal Dimensions'. *International Law Studies* 76 (2002), pp 321–53.
- Murphy, John F. 'Cyber War and International Law: Does the International Legal Process Constitute a Threat to U.S. Vital Interests?'. *International Law Studies* 89 (2013), pp 308–40.
- O'Connell, Mary Ellen. 'Cyber Security Without Cyber War'. *Journal of Conflict and Security Law* 17 (2012), pp 187–209.
- O'Donnell, Brian T and James C Kraska. 'International Law of Armed Conflict and Computer Network Attack: Developing the Rules of Engagement'. *International Law Studies* 76 (2002), pp 359–421.
- O'Donnell, Brian T and James C Kraska. 'Humanitarian Law: Developing International Rules for the Digital Battlefield'. *Journal of Conflict and Security Law* 8 (2003), pp 133–60.

- Ophardt, Jonathan A. 'Cyber Warfare and the Crime of Aggression: The Need for Individual Accountability on Tomorrow's Battlefield'. *Duke Law and Technology Review* 9 (2010), pp 1–28.
- Padmanabhan, Vijay M. 'Cyber Warriors and the *Jus in Bello*'. *International Law Studies* 89 (2013), pp 287–308.
- Prescott, Jody. 'War by Analogy. US Cyberspace Strategy and International Humanitarian Law'. *The RUSI Journal* 156, no 6 (December 2011), pp 32–9.
- Raboin, Bradley. 'Corresponding Evolution: International Law and the Emergence of Cyber Warfare'. *Journal of the National Association of Administrative Law Judiciary* 31 (2011), pp 603–68.
- Richardson, John. 'Stuxnet as Cyberwarfare: Applying the Law of War to the Virtual Battlefield'. *The John Marshall Journal of Computer & Information Law* 29 (2011), pp 1–39.
- Richmond, Jeremy. 'Evolving Battlefields: Does Stuxnet Demonstrate a Need for Modifications to the Law of Armed Conflict?'. *Fordham International Law Journal* 35 (2012), pp 842–94.
- Ricou Heaton, John. 'Civilians at War: Reexamining the Status of Civilians Accompanying the Armed Forces'. *Air Force Law Review* 57 (2005), pp 155–208.
- Robbat, Michael J. 'Resolving the Legal Issues Concerning the Use of Information Warfare in the International Forum: The Reach of the Existing Legal Framework, and the Creation of a New Paradigm'. *Journal of Science & Technology Law* 6 (2000), pp 264–89.
- Robertson Jr, Horace B. 'Self-Defense against Computer Network Attack under International Law'. *International Law Studies* 76 (2002), pp 121–47.
- Roscini, Marco. 'World Wide Warfare: *Jus ad bellum* and the Use of Cyber Force', *Max Planck Yearbook of United Nations Law* 14 (2010), pp 85–130.
- Ryan, Daniel J, Maeve Dion, Eneken Tikk, and Julie JCH Ryan 'International Cyberlaw: A Normative Approach'. *Georgetown Journal of International Law* 42 (2011), pp 1161–97.
- Schaap, Arie J. 'Cyber Warfare Operations: Development and Use Under International Law'. *Air Force Law Review* 64 (2009), pp 121–74.
- Schmitt, Michael N. 'Computer Network Attack and the Use of Force in International Law: Thoughts on a Normative Framework'. *Columbia Journal of Transnational Law* 37 (1999), pp 885–937.
- Schmitt, Michael N. 'Computer Network Attack: The Normative Software'. *Yearbook of International Humanitarian Law* 4 (2001), pp 53–85.
- Schmitt, Michael N. 'Wired Warfare: Computer Network Attack and the *Jus in Bello*'. *International Law Studies* 76 (2002), pp 187–219. Also in *International Review of the Red Cross* 84 (2002), pp 365–98.
- Schmitt, Michael N. 'Cyber Operations and the *Jus Ad Bellum* Revisited'. *Villanova Law Review* 56 (2011), pp 569–606.
- Schmitt, Michael N. 'Cyber Operations and the *Jus in Bello*: Key Issues'. *International Law Studies* 87 (2011), pp 89–110.
- Schmitt, Michael N. 'Classification of Cyber Conflict'. *International Law Studies* 89 (2013), pp 233–51. Also in *Journal of Conflict and Security Law* 17 (2012), pp 245–60.
- Schmitt, Michael N. 'International Law in Cyberspace: The Koh Speech and Tallinn Manual Juxtaposed'. *Harvard International Law Journal Online* 54 (2012), pp 13–37. <http://www.harvardilj.org/2012/12/online-articles-online_54_schmitt>.
- Scott, Roger D. 'Legal Aspects of Information Warfare: Military Disruption of Telecommunications'. *Naval Law Review* 45 (1998), pp 57–76.

- Segura-Serrano, Antonio. 'Internet Regulation and the Role of International Law'. *Max Planck Yearbook of United Nations Law* 10 (2006), pp 191–272.
- Shackelford, Scott J. 'From Nuclear War to Net War: Analogizing Cyber Attacks in International Law'. *Berkeley Journal of International Law* 27 (2009), pp 192–252.
- Shackelford, Scott J and Richard B Andres. 'State Responsibility for Cyber Attacks: Competing Standards for a Growing Problem'. *Georgetown Journal of International Law* 42 (2011), pp 971–1016.
- Sharp Sr, Walter Gary. 'The Past, Present, and Future of Cybersecurity'. *Journal of National Security Law and Policy* 4 (2010), pp 13–26.
- Sherman, Adam. 'Forward unto the Digital Breach: Exploring the Legal Status of Tomorrow's High-Tech Warriors'. *Chicago Journal of International Law* 5 (2004), pp 335–41.
- Shulman, Mark R. 'Discrimination in the Laws of Information Warfare'. *Columbia Journal of Transnational Law* 37 (1999), pp 939–68.
- Shulman, Mark R. 'Legal Constraints on Information Warfare', Occasional Paper no 7, Center for Strategy and Technology Air War College, Alabama (1999).
- Silver, Daniel B. 'Computer Network Attack as a Use of Force under Article 2(4) of the United Nations Charter'. *International Law Studies* 76 (2002), pp 73–99.
- Sinisalu, Arnold. 'Propaganda, Information War and the Estonian-Russian Treaty Relations: Some Aspects of International Law'. *Juridica International* 15 (2008), pp 154–62.
- Sklerov, Matthew J. 'Solving the Dilemma of State Responses to Cyberattacks: A Justification for the Use of Active Defenses Against States Who Neglect Their Duty to Prevent'. *Military Law Review* 201 (2009), pp 1–85.
- Smith, Bruce P. 'Hacking, Poaching, and Counterattacking: Digital Counterstrikes and the Contours of Self-Help'. *Journal of Law, Economics and Policy* 1 (2005), pp 171–97.
- Smith, Jeffrey H and Gordon N Lederman. '"Weapons like to Lightning": US Information Operations and US Treaty Obligations'. *International Law Studies* 76 (2002), pp 375–59.
- Solce, Natasha. 'The Battlefield of Cyberspace: The Inevitable New Military Branch—The Cyber Force'. *Albany Law Journal of Science and Technology* 18 (2008), pp 293–324.
- Stein, Torsten and Thilo Marauhn. 'Völkerrechtliche Aspekte von Informationsoperationen'. *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 60 (2000), pp 1–40.
- Swanson, Lesley. 'The Era of Cyber Warfare: Applying International Humanitarian Law to the 2008 Russian-Georgian Cyber Conflict'. *Loyola of Los Angeles International and Comparative Law Review* 32 (2010), pp 303–33.
- Tappero Merlo, Germana. 'Il dominio degli spazi: il cosmo, la cyberwar e l'urgenza di una dottrina operativa per la guerra futura'. *La Comunità internazionale* 65 (2010), pp 535–59.
- Terry, James P. 'Responding to Attacks on Critical Computer Infrastructure: What Targets? What Rules of Engagement?'. *International Law Studies* 76 (2002), pp 421–39.
- Tikk, Eneken. 'Ten Rules for Cyber Security'. *Survival* 53, no 3 (2011), pp 119–32.
- Todd, Graham H. 'Armed Attack in Cyberspace: Detering Asymmetric Warfare with an Asymmetric Definition'. *Air Force Law Review* 64 (2009), pp 65–103.
- Tsagourias, Nicholas. 'Cyber Attacks, Self-Defence and the Problem of Attribution'. *Journal of Conflict and Security Law* 17 (2012), pp 229–44.
- Turns, David. 'Cyber Warfare and the Notion of Direct Participation in Hostilities'. *Journal of Conflict and Security Law* 17 (2012), pp 279–97.
- Walker, George K. 'Information Warfare and Neutrality'. *Vanderbilt Journal of Transnational Law* 33 (2000), pp 1079–202.
- Walker, Paul A. 'Organizing for Cyberspace Operations: Selected Issues'. *International Law Studies* 89 (2013), pp 340–61.

- Wallace, David and Shane R Reeves. 'The Law of Armed Conflict's "Wicked" Problem: *Levée en Masse* in Cyber Warfare'. *International Law Studies* 89 (2013), pp 645–68.
- Watkin, Kenneth. 'The Cyber Road Ahead: Merging Lanes and Legal Challenges'. *International Law Studies* 89 (2013), pp 472–511.
- Watts, Sean. 'Combatant Status and Computer Network Attack'. *Virginia Journal of International Law* 50 (2010), pp 391–447.
- Watts, Sean. 'Low-Intensity Computer Network Attack and Self-Defense'. *International Law Studies* 87 (2011), pp 59–87.
- Waxman, Matthew C. 'Cyber-Attacks and the Use of Force: Back to the Future of Article 2(4)'. *Yale Journal of International Law* 36 (2011), pp 420–58.
- Waxman, Matthew C. 'Self-Defensive Force against Cyber Attacks: Legal, Strategic and Political Dimensions'. *International Law Studies* 89 (2013), pp 108–22.
- Wedgwood, Ruth G. 'Proportionality, Cyberwar, and the Law of War'. *International Law Studies* 76 (2002), pp 219–33.
- Weisbord, Noah. 'Conceptualizing Aggression'. *Duke Journal of Comparative and International Law* 20 (2009), pp 1–68.
- Williams, Robert D. '(Spy) Game Change: Cyber Networks, Intelligence Collection, and Covert Action'. *The George Washington Law Review* 79 (2011), pp 1162–200.
- Woltag, Johann-Christoph. 'Computer Network Operations Below the Level of Armed Force'. *European Society of International Law Conference Paper Series* 1 (2011), pp 1–16.
- Ziolkowski, Katharina. 'Computer Network Operations and the Law of Armed Conflict'. *Military Law and the Law of War Review* 49 (2010), pp 47–94.

CHAPTERS IN EDITED BOOKS

- Arimatsu, Louise. 'A Treaty for Governing Cyber-Weapons: Potential Benefits and Practical Limitations'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by Christian Czosseck, Rain Ottis, and Katharina Ziolkowski (Tallinn: CCDCOE, 2012), pp 91–109.
- Boothby, William. 'Cyber Deception and Autonomous Attack—Is There a Legal Problem?'. In *2013 5th International Conference on Cyber Conflict*, edited by Karlis Podins, Jan Stinissen, and Markus Maybaum (Tallinn: CCDCOE, 2013), pp 245–61.
- Brenner, Susan W and Leo L Clarke. 'Conscription and Cyber Conflict: Legal Issues'. In *2011 3rd International Conference on Cyber Conflict*, edited by Christian Czosseck, Enn Tyugu, and Thomas Wingfield (Tallinn: CCDCOE, 2011), pp 1–13.
- Brown, Gary. 'Law at Cyberspeed: Answering Military Cyber Operators' Legal Questions'. In *International Humanitarian Law and New Weapon Technologies*, edited by Wolff Heintschel von Heinegg and Gian Luca Beruto (Milano: Franco Angeli, 2012), pp 166–70.
- Bufalini, Alessandro. 'Uso della forza, legittima difesa e problemi di attribuzione in situazioni di attacco informatico'. In *Uso della forza e legittima difesa nel diritto internazionale contemporaneo*, edited by Attila Tanzi and Alessandra Lanciotti (Napoli: Jovene, 2011), pp 405–36.
- Bufalini, Alessandro. 'Les cyber-guerres à la lumière des règles internationales sur l'interdiction du recours à la force'. In *La gouvernance globale face aux défis de la sécurité collective*, edited by Maurizio Arcari and Louis Balmond (Napoli: Editoriale Scientifica, 2012), pp 89–109.

- Busuttil, James J. 'A Taste of Armageddon: The Law of Armed Conflict as Applied to Cyberwar'. In *The Reality of International Law. Essays in Honour of Ian Brownlie*, edited by Guy S Goodwin-Gill, Stefan Talmon, and Robert Jennings (Oxford: Clarendon Press, 1999), pp 37–56.
- Dion, Maeve. 'Different Legal Constructs for State Responsibility'. In *International Cyber Security Legal & Policy Proceedings*, edited by Eneken Tikk and Anna-Maria Talihärm (Tallinn: CCDCOE, 2010), pp 67–75.
- Fidler, David P. 'Inter Arma Silent Leges Redux? The Law of Armed Conflict and Cyber-Conflict'. In *Cyberspace and National Security: Threats, Opportunities and Power in a Virtual World*, edited by Derek S Reveron (Washington: Georgetown University Press, 2012), pp 71–87.
- Fidler, David P. 'The Path to Less Lethal and Destructive War? Technological and Doctrinal Developments and International Humanitarian Law after Iraq and Afghanistan'. In *International Humanitarian Law and the Changing Technology of War*, edited by Dan Saxon (Leiden: Martinus Nijhoff Publishers, 2013), pp 315–36.
- Garnett, Richard and Paul Clarke. 'Cyberterrorism: A New Challenge for International Law'. In *Enforcing International Law Norms Against Terrorism*, edited by Andrea Bianchi (Oxford and Portland: Hart, 2004), pp 465–88.
- Harrison Dinniss, Heather. 'Participants in Conflict—Cyber Warriors, Patriotic Hackers and the Laws of War'. In *International Humanitarian Law and the Changing Technology of War*, edited by Dan Saxon (Leiden: Martinus Nijhoff Publishers, 2013), pp 251–78.
- Häussler, Ulf. 'Cyber Security and Defence from the Perspective of Articles 4 and 5 of the NATO Treaty'. In *International Cyber Security Legal & Policy Proceedings*, edited by Eneken Tikk and Anna-Maria Talihärm (Tallinn: CCDCOE, 2010), pp 100–25.
- Healey, Jason. 'When "Not My Problem" Isn't Enough: Political Neutrality and National Responsibility in Cyber Conflict'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by Christian Czosseck, Rain Ottis, and Katharina Ziolkowski (Tallinn: CCDCOE, 2012), pp 21–33.
- Heinsch, Robert. 'Methodology of Law-Making. Customary International Law and the New Military Technologies'. In *International Humanitarian Law and the Changing Technology of War*, edited by Dan Saxon (Leiden: Martinus Nijhoff Publishers, 2013), pp 17–41.
- Heintschel von Heinegg, Wolff. 'Neutrality in Cyberspace'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by Christian Czosseck, Rain Ottis, and Katharina Ziolkowski (Tallinn: CCDCOE, 2012), pp 35–45.
- Hiller, Janine S. 'Legal Aspects of a Cyber Immune System'. In *2013 5th International Conference on Cyber Conflict*, edited by Karlis Podins, Jan Stinissen, and Markus Maybaum (Tallinn: CCDCOE, 2013), pp 263–77.
- Hollis, Duncan B. 'New Tools, New Rules: International Law and Information Operations'. In *Ideas as Weapons: Influence and Perception in Modern Warfare*, edited by GJ David Jr and TR McKeldin III (Washington: Potomac Books, 2009), pp 59–72.
- Lotrionte, Catherine. 'Active Defense for Cyber: A Legal Framework for Covert Counter Measures'. In *Inside Cyber Warfare: Mapping the Cyber Underworld*, 2nd edn, edited by Jeffrey Carr (Sebastopol, CA: O'Reilly Media, 2011), pp 273–85.
- Newton, Michael A. 'Proportionality and Precautions in Cyber Attacks'. In *International Humanitarian Law and the Changing Technology of War*, edited by Dan Saxon (Leiden: Martinus Nijhoff Publishers, 2013), pp 229–49.
- Prescott, Jody M. 'Direct Participation in Cyber Hostilities: Terms of Reference for Like-Minded States?'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by

- Christian Czosseck, Rain Ottis, and Katharina Ziolkowski (Tallinn: CCDCOE, 2012), pp 251–66.
- Rattray, Gregory J and Jason Healey. 'Non-State Actors and Cyber Conflict'. In *America's Cyber Future: Security and Prosperity in the Information Age*, edited by Kristin M Lord and Travis Sharp (Washington: Center for a New American Security, 2011), pp 65–87.
- Ryan, Julie JCH, Daniel J Ryan, and Eneken Tikk. 'Cybersecurity Regulation: Using Analogies to Develop Frameworks for Regulation'. In *International Cyber Security Legal and Policy Proceedings*, edited by Eneken Tikk and Aanna-Maria Talihärm (Tallinn: CCDCOE, 2010), pp 76–99.
- Schmitt, Michael N. 'War, Technology and the Law of Armed Conflict'. In *The Law of War in the 21st Century: Weaponry and the Use of Force*, edited by Anthony M Helm (Rhode Island: Naval War College, 2006), pp 137–83.
- Schmitt, Michael N. 'Cyber Operations in International Law: The Use of Force, Collective Security, Self-Defense and Armed Conflicts'. In *Proceedings of a Workshop on Deterring Cyberattacks: Informing Strategies and Developing Options for U.S. Policy*, edited by National Research Council of the National Academies (Washington: National Academies Press, 2010), pp 151–78.
- Schmitt, Michael N. '“Attack” as a Term of Art in International Law: The Cyber Operations Context'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by Christian Czosseck, Rain Ottis, and Katharina Ziolkowski (Tallinn: CCDCOE, 2012), pp 283–93.
- Schmitt, Michael N. 'The “Use of Force” in Cyberspace: A Reply to Dr Ziolkowski'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by Christian Czosseck, Rain Ottis, and Katharina Ziolkowski (Tallinn: CCDCOE, 2012), pp 311–17.
- Turns, David. 'Cyber War and the Concept of “Attack” in International Humanitarian Law'. In *International Humanitarian Law and the Changing Technology of War*, edited by Dan Saxon (Leiden: Martinus Nijhoff Publishers, 2013), pp 209–27.
- Watts, Sean. 'The Notion of Combatancy in Cyber Warfare'. In *2012 4th International Conference on Cyber Conflict—Proceedings*, edited by Christian Czosseck, Rain Ottis, and Katharina Ziolkowski, (Tallinn: CCDCOE, 2012), pp 235–49.

REPORTS AND OTHER DOCUMENTS

- Advisory Council on International Affairs/Advisory Committee on Issues of Public International Law, *Cyber Warfare*, no 77, AIV/No 22, CAVV, December 2001, <http://www.aiv-advies.nl/ContentSuite/upload/aiv/doc/webversie__AIV77CAVV_22_ENG.pdf>.
- Dörmann Knut, *Computer Network Attack and International Humanitarian Law*, 19 May 2001, <<http://www.icrc.org/eng/resources/documents/misc/5p2alj.htm>>.
- Dörmann, Knut. *Applicability of the Additional Protocols to Computer Network Attacks*. International Expert Conference on Computer Network Attacks and the Applicability of International Humanitarian Law, Stockholm, November 2004, <<http://www.icrc.org/eng/resources/documents/misc/68lg92.htm>>.
- International Committee of the Red Cross. *Technological Challenges for the Humanitarian Legal Framework*. Proceedings of the Bruges Colloquium, October 2010, <http://www.coleurope.eu/sites/default/files/uploads/page/collegium_41_0.pdf>.
- International Committee of the Red Cross. *International Humanitarian Law and the Challenges of Contemporary Armed Conflicts*. Report, 31st International Conference of

- the Red Cross and Red Crescent, 31IC/11/5.1.2, Geneva, October 2011, <<http://www.icrc.org/eng/assets/files/red-cross-crescent-movement/31st-international-conference/31-int-conference-ihl-challenges-report-11-5-1-2-en.pdf>>.
- Melzer, Nils. *Cyberwarfare and International Law*, United Nations Institute for Disarmament Research, Geneva, 2011, <<http://unidir.org/files/publications/pdfs/cyberwarfare-and-international-law-382.pdf>>.
- Rauscher, Karl F and Andrey Korotkov. *Working Towards Rules for Governing Cyber Conflict—Rendering the Geneva and Hague Conventions in Cyberspace* (New York: East West Institute, 2011), <<http://www.ewi.info/working-towards-rules-governing-cyber-conflict>>.
- Schmitt, Michael N, Heather Harrison Dinniss, and Thomas C Wingfield. *Computers and War: The Legal Battlespace*, Background Paper prepared for Informal High-Level Expert Meeting on Current Challenges to International Humanitarian Law, Cambridge, June 2004, <<http://www.hpcrresearch.org/sites/default/files/publications/schmittetal.pdf>>.
- Schreier, Fred, *On Cyber Warfare*, DCAF Horizon 2015 Working Paper no 7, <<http://www.dcaf.ch/Publications/On-Cyberwarfare>>.
- Tikk, Eneken, Kadri Kaska, Kristel Rünneri, Mari Kert, Anna-Maria Talihärm, and Liis Vihul. *Cyber Attacks Against Georgia: Legal Lessons Identified* (CCDCOE, 2008), <<http://www.carlisle.army.mil/DIME/documents/Georgia%201%200.pdf>>.
- Tikk, Eneken, Kadri Kaska, and Liis Vihul. *International Cyber Incidents: Legal Considerations* (Tallinn: CCDCOE, 2010), <<http://www.ccdcoe.org/publications/books/legalconsiderations.pdf>>.
- United States Department of Defense, Office of General Counsel. *An Assessment of International Legal Issues in Information Operations* (Washington, May 1999), <<http://www.au.af.mil/au/awc/awcgate/dod-io-legal/dod-io-legal.pdf>>.
- Vihul, Liis et al. *Legal Implications of Countering Botnets* (CCDCOE, 2012).
- Wingfield, Thomas C. *Legal Aspects of Offensive Information Operations in Space*. Report, United States Department of Defense, 2005.
- Wingfield, Thomas C and James B Michael. *An Introduction to Legal Aspects of Operations in Cyberspace*. Report, Naval Postgraduate School Homeland Security Leadership Development Program, April 2004.
- Ziolkowski, Katharina. *Stuxnet—Legal Considerations* (CCDCOE, 2012).
- Ziolkowski, Katharina. *Confidence Building Measures for Cyberspace—Legal Implications* (CCDCOE, 2013).

ENCYCLOPAEDIC ENTRIES

- Woltag, Johann-Christoph. 'Cyber Warfare', in *Max Planck Encyclopedia of Public International Law*, edited by Rüdiger Wolfrum (Oxford: Oxford University Press, 2012), Vol II, pp 988–94.
- Woltag, Johann-Christoph. 'Internet', in *Max Planck Encyclopedia of Public International Law*, edited by Rüdiger Wolfrum (Oxford: Oxford University Press, 2012), Vol VI, pp 227–38.