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"Rarely has something been so important and so talked about with less clarity and less apparent understanding than this phenomenon [cyber war]"

Michael Hayden DIRNSA 1999-2005 etc.



CYBERWAR IS COMING....



CYBERWAR IS COMING....

"Cyberwar is coming!"

John Arquilla and David Ronfeldt (1993) RAND researchers

"I think it is appropriate to call information operations the fifth dimension of warfare."

Gen. Ronald R. Fogleman (1995) US Air Force Chief of Staff

"As a doctrinal matter, the Pentagon has formally recognized cyberspace as a new domain of warfare. Although cyberspace is a man-made domain, it has become just as critical to military operations as land, sea, air, and space."

> William J. Lynn III (2010) US Deputy Secretary of Defense

DEFINITION?

"actions by a nation-state to penetrate another nation's computers or networks for the purposes of causing damage or disruption."

Richard A. Clarke Cybergeddon doomsoay prophet

"A true cyberwar is an event with the characteristics of conventional war but fought exclusively in cyberspace."

Peter Sommer Professor at LSE









WAR

".... refrain in their international relations from the threat or use of force..."

UN Charter Art. 2(4)

"... inherent right of individual or collective selfdefense if an armed attack occurs ..."

UN Charter Art. 51

attacks = "acts of violence against an adversary"

Art. 49 Protocol I Geneva Conv.

WAR

"When individuals carry out malicious acts for private purposes, the aggrieved state does not generally have the right to use force in self-defense"

US DOD General Counsel Assessment of Int'l Legal Issues in Information Operations

"to be legally responsible, it would have to be proved that that State had effective control of the operations [of the private actors]"

ICJ, (Nicaragua v. United States of America)

WAR

War is "a hostile interaction between two or more States, either in a technical or in a material sense. War in the technical sense is a formal status produced by a declaration of war. War in the material sense is generated by actual use of armed force, which must be comprehensive on the part of at least one party to the conflict."

> Yoram Dinstein former President and Dean of Law at Tel Aviv University

DDOS?



FORCE

WEBSITE DEFACEMENT?



WEBSITE DEFACEMENT?



Thttp://www.telegraph.co.uk/news/worldnews/europe/georgia/2539157/Georgia-Russia-conducting-cy +

The Telegraph

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Georgia: Russia 'conducting cyber war'

Russia has been accused of attacking Georgian government websites in a cyber war to accompany their military bombardment.



The official website of Mikheil Saakashvili, the Georgian President, was been under external control since shortly before Russia's armed intervention

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Georgia: Russia 'conducting cyber war' - Teleg



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"The President reserves the right to respond using **all** necessary means to defend our Nation, our Allies, our partners, and our interests from hostile acts in cyberspace. Hostile acts may include **significant cyber attacks** directed against the U.S. economy, government or military. As directed by the President, response options may include using cyber and/or kinetic capabilities provided by DoD."



"Right now, China, the government, can disconnect parts of its Internet in a case of war. We need to have that here, too."

- Sen. Joe Lieberman



"We need the capacity for the president to say, Internet service provider, we've got to disconnect the American Internet from all traffic coming in from another foreign country, or we've got to put a patch on this part of it."

- Sen. Joe Lieberman



"There is no cyberwar. I think that is a terrible metaphor and I think that is a terrible concept."

Howard Schmidt, former US Cyber-Security Coordinator







A strange game. The only winning move is not to play_

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