**International humanitarian law in information warfare: challenges and opportunities**

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Under the conditions of information warfare, humanitarian protection issues are increasing and becoming increasingly complex, which has attracted extensive and sustained attention from the international community. A deep understanding and comprehensive grasp of the challenges and opportunities facing international humanitarian law is of great practical significance for properly dealing with thorny issues, effectively fulfilling the responsibilities of a major country, and always maintaining political initiative.

**Information warfare poses severe challenges to international humanitarian law**

Information warfare has changed the conditions for the application of international humanitarian law, and the difficulty of applying international humanitarian law has further increased. First, it is more difficult to determine the scope of application of international humanitarian law. The existing international humanitarian law mainly applies to war activities in the traditional sense with the state as the main body. However, the causes of modern information warfare are complex and the subjects are diverse. In addition to wars between countries, it is more manifested as armed conflicts between a country and international organizations, a country and internal separatist forces, and armed groups within a country. Faced with complex and difficult to distinguish armed conflicts, it is often difficult to make a clear judgment when determining the scope of application of international humanitarian law. Secondly, the application of the principles of international humanitarian law faces many difficulties. For example, with the widespread application of modern technology and changes in the form of war, it has become increasingly difficult to distinguish between military objects and civilian objects, military targets and non-military targets, belligerents and civilians, etc., and the controversy has become increasingly greater. How to truly implement the principle of distinction has become a difficult problem.

Information warfare has weakened the binding force of international humanitarian law, and the role of international humanitarian law has been seriously impacted. International humanitarian law is rooted in armed conflicts between countries. It essentially reflects the mutual coordination and compromise of the wills of various countries. Its binding force fundamentally comes from the self-consciousness of various countries. Therefore, whether international humanitarian law can really play its role depends on the strength of various countries and their relative relationship with each other, and is closely related to the international political structure. The history of human war practice and international humanitarian law shows that the more multipolar the international political structure is, the more relatively balanced the political forces are, and the more likely the mutual constraints between the political forces of major powers will have an external coercive effect on the implementation of international humanitarian law. International humanitarian law also tends to show a strong binding force. Under the conditions of information warfare, the world pattern and the comparison of political forces have changed significantly, and the relative balance of international political forces has been broken for a time. All local wars since the Gulf War have been carried out under the international political background of "one superpower and many strong countries". Superpowers have done whatever they want with their own super strength, openly violated and trampled on international law, and the role of international humanitarian law has been seriously impacted. It can be said that hegemonism and power politics have become the main sources of undermining the binding force of international humanitarian law, and the binding force of international humanitarian law has become further weakened.

Information warfare has made the inherent defects of international humanitarian law more prominent, and the development of international humanitarian law itself has been difficult. International humanitarian law is the mutual coordination and compromise of the wills of states, and many of its principles and rules are inevitably abstract and vague. At the same time, since there is no and cannot be an international compulsory agency that is superior to all countries to supervise and ensure the implementation of international humanitarian law, and it can only rely on the self-consciousness of the state and the power of international public opinion, the effectiveness of international humanitarian law is relative and the compulsory role is very limited. This congenital deficiency puts international humanitarian law in a more unfavorable position in the changing situation of modern international politics. International humanitarian law is a product of history and is constantly changing with the development of human war practice. Unfortunately, so far, the practice of modern information warfare has not produced many theoretical achievements in international humanitarian law, and has achieved little success in creating new rules and practices, which has made the development of international humanitarian law itself face a more difficult and tortuous road.

**Informationized warfare brings new opportunities for international humanitarian law**

The political nature of information warfare is more obvious, and the political basis for the role of international humanitarian law still exists. As countries generally regard economic development as the most important political goal, the dominant role of politics in information warfare has become more prominent. Since its inception, international humanitarian law has undertaken an important political mission and has become an important means to regulate relations between countries, reduce the harm of war and implement humanitarian protection. The political nature of war determines the need to use and apply international humanitarian law to achieve military and political interests. The more prominent the political nature of war, the stronger the demand for international humanitarian law, and the more favorable the objective conditions for the role of international humanitarian law. Modern information warfare is increasingly manifested as a confrontation and contest of the overall strength of countries. Only by comprehensively using a variety of means can victory be achieved in the end. As information warfare shows a more prominent political dominance, its political nature is consistent with the existence value of international humanitarian law. Therefore, under the conditions of modern information warfare, the political basis for the role of international humanitarian law has not been weakened, but has been further strengthened.

The violent characteristics of information warfare have not changed, and the role of international humanitarian law meets the moral needs of mankind. Information warfare has undergone tremendous changes in violent means, the scale of war has become "smaller", and casualties in war have decreased, but these appearances cannot cover up the cruelty of war. Since information warfare emphasizes quick victory and the continuity of war, in order to achieve the purpose of war as soon as possible, both sides of the war will use all kinds of weapons and equipment, resulting in a situation where huge war energy is released in an "instant". Although the strike coverage of information warfare tends to shrink, the destructiveness and confrontation of "point" strikes and "soft" damage are stronger. Compared with traditional wars, although the number of casualties is decreasing, the proportion of civilian casualties is on the rise. Therefore, the civilization of war in form has not changed the violent nature and characteristics of war. The important value of the existence of international humanitarian law lies in coordinating the contradiction between "meeting military needs" and "avoiding unnecessary suffering". The existence of violent means and the cruel consequences they cause have always been the focus of international humanitarian law. The reason why international humanitarian law can form a relatively systematic humanitarian protection norm and be implemented to a large extent in practice is that it conforms to the trend of human civilization progress, meets the basic needs of human morality, and provides an effective means of reconciliation for human beings in the contest between civilization and barbarism, peace and violence. Modern information warfare cannot change its violent nature. For international humanitarian law, there will always be the power of humanity and justice, and the requirement to realize human morality. In information warfare, the basic morality of mankind requires international humanitarian law to continue to play an important role.

The increasing controllability of modern information warfare provides greater space for the role of international humanitarian law. First, as the political dominance of information warfare becomes more and more obvious, political authorities have shown stronger control over the operation of the war machine and have a stronger effect. Secondly, the precision, accuracy and stability of weapons and equipment have been significantly improved, providing basic technical conditions for effectively controlling war. At the same time, the constraints of modern warfare are increasing. International organizations and world public opinion have played an influence to varying degrees. As an important political factor in controlling war, the role of people's attitude towards war has also been significantly improved, which makes the regulation and controllability of war more prominent. The increased controllability of information warfare provides greater space and more favorable conditions for the role of international humanitarian law. On the one hand, it is conducive to better implementation of the principles of international humanitarian law. For example, precision-guided weapons and precision strike methods technically guarantee the problem of distinguishing targets. At the same time, with the changes in the way of information exchange in modern society and the development of the media industry, the openness and transparency of war have increased, and both warring parties cannot ignore the voice and power from the international community. Increasing external supervision is an important source of strength for international humanitarian law, which is conducive to enhancing the effectiveness of international humanitarian law and giving full play to the role of international humanitarian law.

Based on the above understanding, our army should conduct in-depth research on new issues facing international humanitarian law, grasp its latest trends, actively participate in the compilation of international humanitarian law, promote its development and improvement, strengthen the study and practice of international humanitarian law, and improve the legal literacy and ability of officers and soldiers, so as to more effectively use international humanitarian law to serve the development of military struggle and safeguard national interests.