

TALLINN MANUAL ON THE INTERNATIONAL LAW APPLICABLE TO CYBER WARFARE

The product of a three-year project by twenty renowned international law scholars and practitioners, the *Tallinn Manual* identifies the international law applicable to cyber warfare and sets out ninety-five 'black-letter rules' governing such conflicts. It addresses topics including sovereignty, State responsibility, the *jus ad bellum*, international humanitarian law, and the law of neutrality. An extensive commentary accompanies each rule, which sets forth each rule's basis in treaty and customary law, explains how the Group of Experts interpreted applicable norms in the cyber context, and outlines any disagreements within the group as to each rule's application.

The Director of the Project, Professor MICHAEL N. SCHMITT, is Chairman of the International Law Department at the United States Naval War College.





TALLINN MANUAL ON THE INTERNATIONAL LAW APPLICABLE TO CYBER WARFARE

Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence

Centre of Excellence

General editor
MICHAEL N. SCHMITT





CAMBRIDGEUNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org Information on this title: www.cambridge.org/9781107024434

© Cambridge University Press 2013

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2013 5th printing 2015

Printed in the United States of America by Sheridan Books, Inc.

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication Data

Tallinn manual on the international law applicable to cyber warfare : prepared by the International Group of Experts at the invitation of the NATO Cooperative Cyber Defence Centre of Excellence / general editor Michael N. Schmitt.

pages cm ISBN 978-1-107-02443-4 (Hardback) ISBN 978-1-107-61377-5 (Paperback)

1. Information warfare (International law) 2. Cyberterrorism. I. Schmitt, Michael N.

KZ6718.T35 2013 341.6'3-dc23 2012039599

ISBN 978-1-107-02443-4 Hardback ISBN 978-1-107-61377-5 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter More information

CONTENTS

| | The International Group of Experts and Participants x Short form citations xiv |
|---|---|
| | Introduction 1 |
| | PART I International cyber security law |
| 1 | States and cyberspace 15 |
| | Section 1: Sovereignty, jurisdiction, and control 15 |
| | Rule 1 – Sovereignty 15 |
| | Rule 2 – Jurisdiction 18 |
| | Rule 3 – Jurisdiction of flag States and States of registration 21 |
| | Rule 4 – Sovereign immunity and inviolability 23 |
| | Rule 5 – Control of cyber infrastructure 26 |
| | Section 2: State responsibility 29 |
| | Rule 6 – Legal responsibility of States 29 |
| | Rule 7 – Cyber operations launched from governmental cyber infrastructure 34 |
| | Rule 8 – Cyber operations routed through a State 36 |
| | Rule 9 – Countermeasures 36 |
| 2 | The use of force 42 |
| | Section 1: Prohibition of the use of force 42 |
| | Rule 10 – Prohibition of threat or use of force 42 |
| | Rule 11 – Definition of use of force 45 |
| | Rule 12 – Definition of threat of force 52 |
| | Section 2: Self-defence 54 |
| | Rule 13 – Self-defence against armed attack 54 |
| | Rule 14 – Necessity and proportionality 61 |
| | Rule 15 – Imminence and immediacy 63 |
| | |



| Cambridge University Press 978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence Michael N. Schmitt Frontmatter More information | | | | | |
|---|---|--|--|--|--|
| | | | | | |
| vi | CONTENTS | | | | |
| | Rule 16 – Collective self-defence 67 Rule 17 – Reporting measures of self-defence 68 | | | | |
| | Section 3: Actions of international governmental organizations 69 Rule 18 – United Nations Security Council 69 | | | | |
| | Rule 19 – Regional organizations 71 | | | | |
| | PART II The law of cyber armed conflict | | | | |
| 3 | The law of armed conflict generally 75 Rule 20 – Applicability of the law of armed conflict 75 Rule 21 – Geographical limitations 78 Rule 22 – Characterization as international armed conflict 79 Rule 23 – Characterization as non-international armed conflict 84 | | | | |
| | Rule 24 – Criminal responsibility of commanders and superiors 91 | | | | |
| 4 | Conduct of hostilities 95 | | | | |
| | Section 1: Participation in armed conflict 95 Rule 25 – Participation generally 95 Rule 26 – Members of the armed forces 96 Rule 27 – Levée en masse 102 Rule 28 – Mercenaries 103 Rule 29 – Civilians 104 | | | | |
| | Section 2: Attacks generally 105 Rule 30 – Definition of cyber attack 106 Rule 31 – Distinction 110 | | | | |
| | Section 3: Attacks against persons 113 Rule 32 – Prohibition on attacking civilians 113 Rule 33 – Doubt as to status of persons 114 Rule 34 – Persons as lawful objects of attack 115 Rule 35 – Civilian direct participants in hostilities 118 Rule 36 – Terror attacks 122 | | | | |
| | Section 4: Attacks against objects 124 | | | | |

Rule 37 – Prohibition on attacking civilian objects

Rule 38 - Civilian objects and military objectives

Rule 39 - Objects used for civilian and military 134

Rule 40 - Doubt as to status of objects

purposes

124

125

137



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter

More information

| | CONTENTS | vii |
|------------|--|-----|
| | Means and methods of warfare 140 Rule 41 – Definitions of means and methods of warfare 141 | |
| | Rule 42 – Superfluous injury or unnecessary suffering 143 | |
| | Rule 43 – Indiscriminate means or methods 144 | |
| | Rule 44 – Cyber booby traps 146 | |
| | Rule 45 – Starvation 148 | |
| | Rule 46 – Belligerent reprisals 149 | |
| | Rule 47 – Reprisals under Additional Protocol I 152 | |
| | Rule 48 – Weapons review 153 | |
| Section 6: | Conduct of attacks 156 | |
| | Rule 49 – Indiscriminate attacks 156 | |
| | Rule 50 – Clearly separated and distinct military objectives 158 | |
| | Rule 51 – Proportionality 159 | |
| Section 7: | Precautions 164 | |
| | Rule 52 – Constant care 165 | |
| | Rule 53 – Verification of targets 167 | |
| | Rule 54 – Choice of means or methods 168 | |
| | Rule 55 – Precautions as to proportionality 170 | |
| | Rule 56 – Choice of targets 170 | |
| | Rule 57 – Cancellation or suspension of attack 172 | |
| | Rule 58 – Warnings 173 | |
| | Rule 59 – Precautions against the effects of cyber attacks 176 | |
| Section 8: | Perfidy, improper use, and espionage 180 | |
| | Rule 60 – Perfidy 180 | |
| | Rule 61 – Ruses 184 | |
| | Rule 62 – Improper use of the protective indicators 18. | 5 |
| | Rule 63 – Improper use of United Nations emblem 183 | 7 |
| | Rule 64 – Improper use of enemy indicators 188 | |
| | Rule 65 – Improper use of neutral indicators 191 | |
| | Rule 66 – Cyber espionage 192 | |
| Section 9: | Blockade and zones 195 | |
| | Rule 67 - Maintenance and enforcement of blockade 2 | 00 |
| | Rule 68 – Effect of blockade on neutral activities 200 | |
| | Rule 69 – Zones 202 | |



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter More information

| viii | | CONTENTS |
|------|---|---|
| | 5 | Certain persons, objects, and activities 203 |
| | | Section 1: Medical and religious personnel and medical units, transports, and material 204 Rule 70 - Medical and religious personnel, medical units and transports 204 Rule 71 - Medical computers, computer networks, and data 206 Rule 72 - Identification 206 |
| | | Rule 73 – Loss of protection and warnings 208 Section 2: United Nations personnel, installations, materiel, units, and vehicles 210 Rule 74 – United Nations personnel, installations, materiel, units, and vehicles 210 |
| | | Section 3: Detained persons 213 Rule 75 – Protection of detained persons 214 Rule 76 – Correspondence of detained persons 216 Rule 77 – Compelled participation in military activities 217 |
| | | Section 4: Children 218 Rule 78 – Protection of children 218 |
| | | Section 5: Journalists 220 Rule 79 – Protection of journalists 220 |
| | | Section 6: Installations containing dangerous forces 223 Rule 80 – Duty of care during attacks on dams, dykes, and nuclear electrical generating stations 223 |
| | | Section 7: Objects indispensable to the survival of the civilian population 225 Rule 81 – Protections of objects indispensable to survival 225 |
| | | Section 8: Cultural property 228 Rule 82 – Respect and protection of cultural property 228 |
| | | Section 9: The natural environment 231 Rule 83 – Protection of the natural environment 231 |
| | | Section 10: Diplomatic archives and communications Rule 84 – Protection of diplomatic archives and communications 233 |

Section 11: Collective punishment

Rule 85 – Collective punishment

234

234



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter

More information

CONTENTS ix

Section 12: Humanitarian assistance 236

Rule 86 – Humanitarian assistance 236

6 Occupation 239

Rule 87 – Respect for protected persons in occupied territory 240

Rule 88 – Public order and safety in occupied territory 242

Rule 89 – Security of the Occupying Power 244

Rule 90 – Confiscation and requisition of property 245

7 Neutrality 248

Rule 91 – Protection of neutral cyber infrastructure 250

Rule 92 – Cyber operations in neutral territory 251

Rule 93 – Neutral obligations 252

Rule 94 – Response by parties to the conflict

to violations 254

Rule 95 – Neutrality and Security Council actions 255

Glossary 257 Index 263



THE INTERNATIONAL GROUP OF EXPERTS AND PARTICIPANTS¹

International Group of Experts

Director

Professor Michael Schmitt United States Naval War College

Editorial Committee

Air Commodore (Retired) William H. Boothby Formerly Deputy Director of Legal Services, Royal Air Force (United Kingdom)

Bruno Demeyere Catholic University of Leuven

Professor Wolff Heintschel von Heinegg Europa-Universität Viadrina

Professor James Bret Michael United States Naval Postgraduate School

Professor Thomas Wingfield George C. Marshall European Center for Security Studies

Legal Group Facilitators

Professor Eric Talbot Jensen Brigham Young University Law School

Professor Sean Watts Creighton University Law School

¹ Affiliations during participation in the project.



THE INTERNATIONAL GROUP OF EXPERTS AND PARTICIPANTS X

Legal Experts

Dr Louise Arimatsu Chatham House

Captain (Navy) Geneviève Bernatchez Office of the Judge Advocate General, Canadian Forces

Colonel Penny Cumming Australian Defence Force

Professor Robin Geiß University of Potsdam

Professor Terry D. Gill

University of Amsterdam, Netherlands Defence Academy, and Utrecht University

Professor Derek Jinks University of Texas School of Law

Professor Jann Kleffner Swedish National Defence College

Dr Nils Melzer Geneva Centre for Security Policy

Brigadier General (Retired, Canadian Forces) Kenneth Watkin United States Naval War College

Technical Experts

Dr Kenneth Geers NATO Cooperative Cyber Defence Centre of Excellence

Dr Rain Ottis NATO Cooperative Cyber Defence Centre of Excellence

Observers

Colonel Gary D. Brown, US Air Force United States Cyber Command

Dr Cordula Droege International Committee of the Red Cross

Dr Jean-François Quéguiner International Committee of the Red Cross



XII THE INTERNATIONAL GROUP OF EXPERTS AND PARTICIPANTS

Ulf Häußler

Headquarters, Supreme Allied Commander Transformation, NATO

Peer Reviewers

Professor Geoffrey Corn South Texas College of Law

Professor Ashley Deeks University of Virginia

Dr Heather A. Harrison Dinniss Swedish National Defence College

Commander Clive Dow Royal Navy (United Kingdom)

Professor Charles Garraway Human Rights Centre, University of Essex

Group Captain Ian Henderson

Royal Australian Air Force

Dr Gleider Hernandez Durham University

Professor Chris Jenks

Southern Methodist University School of Law

Dr Noam Lubell University of Essex

Sasha Radin

University of Melbourne Law School

Commander Paul Walker United States Navy

Colonel David Wallace, US Army United States Military Academy

Dr Katharina Ziolkowski

NATO Cooperative Cyber Defence Centre of Excellence

Project Coordinator

Dr Eneken Tikk

NATO Cooperative Cyber Defence Centre of Excellence



THE INTERNATIONAL GROUP OF EXPERTS AND PARTICIPANTS XIII

Project Manager

Liis Vihul NATO Cooperative Cyber Defence Centre of Excellence

Rapporteurs

Jean Callaghan George C. Marshall European Center for Security Studies

Dr James Sweeney Durham University

Legal Research

Creighton University Law School

Jennifer Arbaugh Nicole Bohe Christopher Jackman Christine Schaad

Emory University Law School

Anand Shah

Chatham House

Hemi Mistry



SHORT FORM CITATIONS

Treaties

- **Additional Protocol I:** Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, 8 June 1977, 1125 U.N.T.S. 3.
- **Additional Protocol II:** Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, 8 June 1977, 1125 U.N.T.S. 609.
- **Additional Protocol III:** Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Adoption of an Additional Distinctive Emblem, 8 December 2005, 2404 U.N.T.S. 261.
- Amended Mines Protocol: Protocol (to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects) on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, 2048 U.N.T.S. 133.
- Chicago Convention: International Civil Aviation Organization (ICAO), Convention on Civil Aviation, 7 December 1944, 15 U.N.T.S. 295.
- **Convention on Jurisdictional Immunities**: Convention on Jurisdictional Immunities of States and their Property, U.N. Doc. A/59/38 (2 December 2004, not yet in force).
- **Convention on the Rights of the Child**: Convention of the Rights of the Child, 20 November 1989, 1577 U.N.T.S. 3.
- **Conventional Weapons Convention**: Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 10 April 1981, 1342 U.N.T.S. 137.
- **CRC Optional Protocol**: Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, 25 May 2000, 2173 U.N.T.S. 222.
- **Cultural Property Convention**: Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention, 14 May 1954, 249 U.N.T.S. 240.
- **Environmental Modification Convention:** Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques ('ENMOD'), 10 December 1976, 1108 U.N.T.S. 151.

xiv



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter

More information

SHORT FORM CITATIONS

ΧV

- **Geneva Convention I**: Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949, 75 U.N.T.S. 31.
- **Geneva Convention II**: Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949, 75 U.N.T.S. 85.
- **Geneva Convention III**: Convention (III) Relative to the Treatment of Prisoners of War, 12 August 1949, 75 U.N.T.S. 135.
- **Geneva Convention IV**: Convention (IV) Relative to the Protection of Civilian Persons in Time of War, 12 August 1949, 75 U.N.T.S. 287.
- **Hague Convention IV**: Convention (IV) Respecting the Laws and Customs of War on Land, 18 October 1907, 36 Stat. 2277.
- **Hague Convention V**: Convention (V) Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land, 18 October 1907, 36 Stat. 2310.
- **Hague Convention XIII**: Convention (XIII) Concerning the Rights and Duties of Neutral Powers in Naval War, 18 October 1907, 36 Stat. 2415.
- **Hague Regulations:** Convention (IV) Respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land, 18 October 1907, 36 Stat. 2277.
- ICTR Statute: Statute of the International Criminal Tribunal for Rwanda, S.C. Res. 955 annex, U.N. Doc. S/RES/955 (8 November 1994).
- **ICTY Statute**: Statute of the International Criminal Tribunal for the Former Yugoslavia, S.C. Res. 827 annex, U.N. Doc. S/RES/827 (25 May 1993).
- **ITU Constitution:** Constitution of the International Telecommunications Union, 22 December 1992, 1825 U.N.T.S. 331.
- **Law of the Sea Convention**: United Nations Convention on the Law of the Sea, 10 December 1982, 1833 U.N.T.S. 3.
- Mines Protocol: Protocol (to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects) on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, 10 October 1980, 1342 U.N.T.S. 168.
- Outer Space Treaty: Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, 27 January 1967, 610 U.N.T.S. 205.
- Rome Statute: Statute of the International Criminal Court, 17 July 1998, 2187 U.N.T.S. 90.
- **Second Cultural Property Protocol**: Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, 26 March 1999, 2253 U.N.T.S. 212.
- **Sierra Leone Statute:** Agreement between the U.N. and the Government of Sierra Leone on the Establishment of a Special Court for Sierra Leone, annex, 16 January 2002, 2178 U.N.T.S. 138.



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter More information

xvi

SHORT FORM CITATIONS

- **St Petersburg Declaration:** Declaration Renouncing the Use, in Time of War, of Explosive Projectiles Under 400 Grammes Weight, 29 November/11 December 1868, 18 Martens Nouveau Recueil (ser. 1) 474.
- **United Nations Safety Convention**: Convention on the Safety of United Nations and Associated Personnel, 9 December 1994, 2051 U.N.T.S. 363.
- **Vienna Convention on Diplomatic Relations**: Vienna Convention on Diplomatic Relations, 18 April 1961, 500 U.N.T.S. 95.

Case law

- Akayesu judgment: *Prosecutor* v. *Akayesu*, Case No. ICTR-96-4-T, Trial Chamber Judgment (Int'l Crim. Trib. for Rwanda 2 September 1998).
- Armed Activities in Congo judgment: Armed Activities on the Territory of the Congo (Dem. Rep. Congo v. Uganda), I.C.J. Reports 2005 (19 December).
- **Blaškić judgment**: *Prosecutor* v. *Blaškić*, Case No. IT-95-14-A, Appeals Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 29 July 2004).
- Corfu Channel case: Corfu Channel case (UK v. Alb.) 1949 I.C.J. 4 (9 April).
- **Delalić judgment**: *Prosecutor* v. *Delalić/Mucić*, Case No. IT-96-21-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 16 November 1998).
- **Galić Trial Chamber judgment:** *Prosecutor* v. *Stanislav Galić*, Case No. IT-98-29-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 5 December 2003).
- **Galić Appeals Chamber judgment**: *Prosecutor* v. *Galić*, Case No. IT-98-29-A, Appeals Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 30 November 2006).
- **Genocide case**: Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosn. and Herz. v. Serb. and Montenegro), 2007 I.C.J. 108 (26 February).
- **Hadžihasanović judgment**: *Prosecutor* v. *Hadžihasanović*, Case No. IT-01-47-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 15 March 2006).
- **Haradinaj judgment**: *Prosecutor* v. *Haradinaj*, Case No. IT-04-84-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 3 April 2008).
- **Kayishema judgment**: *Prosecutor* v. *Kayishema and Ruzindana*, Case No. ICTR 95-1-T, Trial Chamber Judgment (Int'l Crim. Trib. for Rwanda 21 May 1999).
- **Kosovo Advisory Opinion**: Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion, 2010 I.C.J. (22 July).
- **Limaj judgment**: *Prosecutor* v. *Limaj*, Case No. IT-03-66-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 30 November 2005).
- Lotus case: SS 'Lotus' (Fr. v. Turk.), 1927 P.C.I.J. (ser. A) No. 10 (7 September).
- Lubanga judgment: *Prosecutor* v. *Lubanga*, Case No. ICC-01/04-01/06, Trial Chamber Judgment (Int'l Crim. Ct. 14 March 2012).
- **Martić judgment**: *Prosecutor* v. *Martić*, Case No. IT-95-11-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 12 June 2007).



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

More information

Frontmatter

SHORT FORM CITATIONS

xvii

- **Milošević decision**: *Prosecutor* v. *Milošević*, Case No. IT-02-54-T, Decision on Motion for Judgment of Acquittal (Int'l Crim. Trib. for the Former Yugoslavia 16 June 2004).
- **Mrkšić judgment**: *Prosecutor* v. *Mrkšić*, Case No. IT-95-13/1-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 27 September 2007).
- **Naulilaa arbitration:** Responsibility of Germany for Damage Caused in the Portuguese Colonies in the South of Africa (Naulilaa Arbitration) (Port. v. Ger.), 2 R.I.A.A. 1011 (1928).
- **Nicaragua judgment**: Military and Paramilitary Activities in and against Nicaragua (Nicar. v. US), 1986 I.C.J. 14 (27 June).
- **Nuclear Weapons Advisory Opinion:** Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, 1996 I.C.J. 226 (8 July).
- Nuremburg Tribunal judgment: Judgment of the International Military Tribunal Sitting at Nuremberg, Germany (30 September 1946), in 22 The Trial of German Major War Criminals: Proceedings of the International Military Tribunal Sitting at Nuremberg, Germany (1950).
- Oil Platforms judgment: Oil Platforms (Iran v. US), 2003 I.C.J. 161 (6 November).
- **Tadić**, **Decision on the Defence Motion for Interlocutory Appeal**: *Prosecutor* v. *Tadić*, Case No. IT-94-1-I, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction (Int'l Crim. Trib. for the Former Yugoslavia 2 October 1995).
- **Tadić, Trial Chamber judgment:** *Prosecutor* v. *Tadić*, Case No. IT-94-1-T, Trial Chamber Judgment (Int'l Crim. Trib. for the Former Yugoslavia 7 May 1997).
- **Tadić, Appeals Chamber judgment**: *Prosecutor* v. *Tadić*, Case No. IT-94-1-A, Appeals Chamber Judgment (Intl'l Crim. Trib. for the Former Yugoslavia 15 July 1999).
- **Tehran Hostages case:** *United States Diplomatic and Consular Staff in Tehran* (US v. *Iran*), 1980 I.C.J. 3 (24 May).
- Wall Advisory Opinion: Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 2004 I.C.J. 136 (9 July).

Other sources

- **AMW Manual:** Harvard Program on Humanitarian Policy and Conflict Research, Manual on International Law Applicable to Air and Missile Warfare, with Commentary (2010).
- **Articles on State Responsibility:** International Law Commission, Responsibility of States for Internationally Wrongful Acts, G.A. Res. 56/83 annex, U.N. Doc. A/RES/ 56/83 (12 December 2001).
- **Bothe et al.:** Michael Bothe et al., New Rules for Victims of Armed Conflicts: Commentary on the Two 1977 Protocols Additional to the Geneva Conventions of 1949 (1982).
- **CANADIAN MANUAL:** CANADA, OFFICE OF THE JUDGE ADVOCATE GENERAL, LAW OF ARMED CONFLICT AT THE OPERATIONAL AND TACTICAL LEVELS, B-GJ-005-104/FP-021 (2001).



978-1-107-02443-4 - Tallinn Manual on the International Law Applicable to Cyber Warfare: Prepared by the International Group of Experts at the Invitation of the NATO Cooperative Cyber Defence Centre of Excellence

Michael N. Schmitt

Frontmatter

More information

xviii

SHORT FORM CITATIONS

- **Declaration on Friendly Relations:** Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, G.A. Res. 2625 (XXV), U.N. GAOR, 25th Sess., Supp. No. 28, at 121, U.N. Doc. A/8082 (1970).
- **GERMAN MANUAL:** THE FEDERAL MINISTRY OF DEFENCE OF THE FEDERAL REPUBLIC OF GERMANY, HUMANITARIAN LAW IN ARMED CONFLICTS MANUAL (ZDv 15/2) (1992).
- **Hague Air Warfare Rules**: Rules Concerning the Control of Wireless Telegraphy in Time of War and Air Warfare (Drafted by a Commission of Jurists, The Hague, December 1922–February 1923), *reprinted in* DOCUMENTS ON THE LAWS OF WAR 139 (Adam Roberts and Richard Guelff eds., 3rd ed. 2000).
- **ICRC Additional Protocols Commentary**: International Committee of the Red Cross, Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949 (Yves Sandoz et al. eds., 1987).
- ICRC CUSTOMARY IHL STUDY: I INTERNATIONAL COMMITTEE OF THE RED CROSS, CUSTOMARY INTERNATIONAL HUMANITARIAN LAW (Jean-Marie Henckaerts and Louise Doswald-Beck eds., 2005).
- **ICRC GENEVA CONVENTION I COMMENTARY:** COMMENTARY: GENEVA CONVENTION FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED AND SICK IN ARMED FORCES IN THE FIELD (Jean Pictet ed., 1952).
- ICRC Geneva Convention III Commentary: Commentary: Geneva Convention Relative to the Treatment of Prisoners of War of August 12, 1949 (Jean Pictet ed., 1960).
- ICRC GENEVA CONVENTION IV COMMENTARY: COMMENTARY: GENEVA
 CONVENTION RELATIVE TO THE PROTECTION OF CIVILIAN PERSONS IN TIME OF WAR
 (Jean Pictet ed., 1958).
- ICRC Interpretive Guidance: International Committee of the Red Cross, Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law (Nils Melzer ed., 2009).
- NIA GLOSSARY: Committee on National Security Systems (CNSS) Glossary Working Group, National Information Assurance [IA] Glossary, CNSS Instruction No. 4009 (26 April 2010).
- NIAC Manual: Michael N. Schmitt, Charles H.B. Garraway and Yoram Dinstein, The Manual on the Law of Non-International Armed Conflict With Commentary (2006).
- Rome Statute Elements of the Crimes: International Criminal Court, Elements of Crimes, U.N. Doc. ICC-ASP/1/3 (9 September 2002).
- SAN REMO MANUAL: INTERNATIONAL INSTITUTE OF HUMANITARIAN LAW, SAN REMO MANUAL ON INTERNATIONAL LAW APPLICABLE TO ARMED CONFLICTS AT SEA (Louise Doswald-Beck ed., 1995).
- **UK ADDITIONAL PROTOCOL RATIFICATION STATEMENT:** UK Statement made upon Ratification of Additional Protocols I and II, *reprinted in* DOCUMENTS ON THE LAW OF WAR 510 (Adam Roberts and Richard Guelff eds., 3rd ed. 2000).



SHORT FORM CITATIONS

xix

UK Manual: UK Ministry of Defence, The Joint Service Manual of the Law of Armed Conflict, JSP 383 (2004).

US COMMANDER'S HANDBOOK: US NAVY/US MARINE CORPS/US COAST GUARD, THE COMMANDER'S HANDBOOK ON THE LAW OF NAVAL OPERATIONS, NWP 1-14M/MCWP 5-12.1/COMDTPUB P5800.7A (2007).

White House Cyber Strategy: The White House, International Strategy for Cyberspace: Prosperity, Security, and Openness in a Networked World (2011).