

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.

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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





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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.

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- **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.



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- **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).



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- **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).



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- **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

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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).