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PERMANENT REFERENCE

**CYBER WARFARE AND PRINCIPLE OF DISTINCTION: A
SPECIAL REFERANCE TO TALLINN MANUAL**

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International humanitarian law (IHL), also referred to as the law of war, comprises a set of regulations designed to mitigate the impact of armed conflicts based on humanitarian considerations. It aims to safeguard individuals who are not actively engaged in hostilities and imposes restrictions on the methods and means employed during warfare. The International Committee of the Red Cross (ICRC) has defined "cyber warfare" as the utilization of computer systems, networks, or connected devices as instruments or methods of warfare in the context of an armed conflict. Given the vulnerability of cyber networks and the potential humanitarian consequences of cyber-attacks, IHL should address the challenges posed by cyber warfare. However, questions remain regarding the extent to which IHL is applicable in the realm of cyber warfare, as well as the adequacy of existing provisions to regulate this domain effectively. In response to these concerns, a group of legal and military experts produced the Tallinn Manual, which offers insights into the application of IHL to cyber warfare, including the principle of distinction. It is important to note that the Tallinn Manual is not a legally binding document, and the ICRC continues to examine the implications of cyber warfare within the framework of IHL. There is a consensus that international humanitarian law (IHL) should be applicable to cyber warfare. However, the key questions revolve around the interpretation of existing IHL provisions in this context and whether they adequately address the unique challenges of cyber warfare. This research paper will delve deeply into the applicability of the principle of distinction in cyber warfare, considering the initial approach presented in the Tallinn Manual as a valuable guideline. Practical difficulties will be thoroughly examined through real-life scenarios for a comprehensive understanding. The ultimate goal of this research is to propose innovative solutions to address these challenges. The research will employ a doctrinal approach and qualitative methods to effectively explore and analyze the subject matter.

Key Words: Cyber Warfare, Principle of distinction, International Humanitarian Law