

Deepfakes in Warfare: A Novel Challenge to International Humanitarian Law

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Disinformation has always been part and parcel of warfare. However, sophisticated artificial intelligence techniques such as machine learning, have now made the process of manipulation of information much easier and more convincing than ever before. ‘Deepfakes’, the highly realistic yet fabricated images, videos and audio are increasingly being used as a war tactic to spread disinformation in both International Armed Conflicts (IACs) and Non-International Armed Conflicts (NIACs). Deepfakes can easily deceive and mislead people by making it appear that someone has said or done something that they have never said or done in reality. It can falsify commands, create confusion during conflicts and spread false rumours about adversaries. Moreover, when the public becomes aware of the possibility of an image, audio or video being a deepfake, establishing the authenticity of original information also becomes challenging. This study used a qualitative approach to analyse the threats posed by deepfakes to both combatants and civilians affected by modern warfare, through sowing confusion, impersonating political and military leaders, eroding public trust, influencing public opinions and also fabricating evidence in post-war trials. Deepfakes can cause unfathomable damage to war-torn countries further jeopardizing their democracy and national security. Hence, the use of deepfakes extends beyond the traditional bounds of permissible ruses of war under International Humanitarian Law (IHL). Accordingly, the objective of this paper is to analyze the adequacy and possible improvements of existing IHL principles in addressing the deepfake-driven threats in warfare.

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