Concept Note

The Permanent Missions of Germany, Japan and Senegal, jointly with the International Committee of the Red Cross (ICRC), cordially invite you to the OEWG side event on:

**Cyber in Conflict – Upholding the principle of distinction when civilian hackers and companies are drawn into armed conflict**

**Monday, 8 July, 01:15 pm, German House, Auditorium**
Food and beverages will be provided.

**Background:** Cyber capabilities have been used for military purposes for more than two decades. In line with the global trend toward digitalization of our societies, armed forces around the world are developing innovative strategies to exploit the ICT environment in more complex ways than ever before. Recent years have seen an unprecedented number of civilian non-State hackers conducting cyber operations in the context of armed conflicts, and tech companies have been solicited to provide a range of infrastructure and services to belligerents. This poses a number of challenges to the effective application and enforcement of the established principles of international humanitarian law, including the principles of humanity, necessity, distinction proportionality, and precautions.

This side-event aims to explore why and how civilians, hackers and tech companies are drawn into conflict, the risks this entails, and the legal and other normative frameworks applicable to their operations. The side event will consider, in particular, the following three trends:

- The **role, status, and obligations of private hacker-groups** during armed conflict.
- The **use of smartphone (apps)** to encourage civilians to collect militarily-relevant information.
- The **provision of infrastructure or services by private technology companies** to belligerents.

These three trends highlight different forms of civilian involvement, some voluntary and some encouraged or mandated by states. What these trends have in common is that civilians are drawn closer to hostilities, which expose them to real risks of harm.
Speakers and participation: We are looking forward to an interactive exchange on the highly relevant trend of civilian involvement in conflicts. The workshop will see contributions from, among other, by the International Committee of the Red Cross; Private Sector, Legal Experts and UN Member States.

Speakers will highlight various issues by focussing on current events or plausible future scenarios. Participants will be invited to discuss and collect suggestions and ideas on how to deal with these trends and future scenarios of digitalizing armed conflict.

The German Federal Foreign Office conducts this session as part of the series “Cyber in Conflict”, which included similar events at the Berlin-based “Shaping Cyber Security Conference” in June 2023, the 2023 IGF in Kyoto (Japan), and the 2024 CyCon in Tallinn (Estonia).