



National
Defence

Défense
nationale

JUDGE ADVOCATE GENERAL

PLACE L2 HERE (DG LEVEL)



There's an App for That!

Applying International Law to “Cybionage” and “Cybotage” Activities on the Road to War

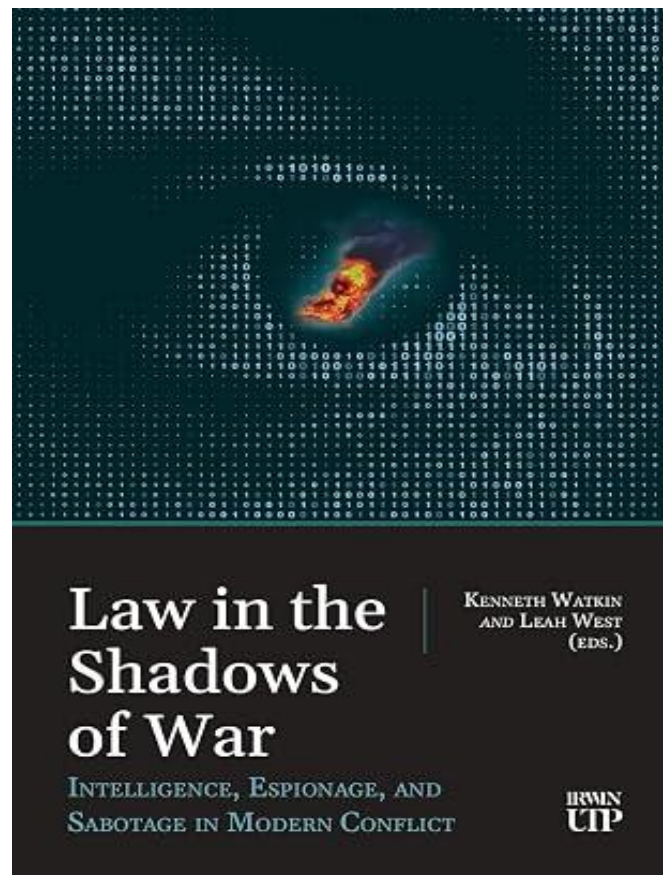
Cdr Kat Aubrey-Horvath

Office of the Judge Advocate General
Canadian Armed Forces

Canada



Coming 16 February 2027...





DEFINING “CYBIONAGE” AND “CYBOTAGE”

"What's in a name?"



Step 1: Define espionage and sabotage

Step 2: Define cyber espionage and cyber sabotage

Step 3: Define cybionage and cybotage outside of armed conflict

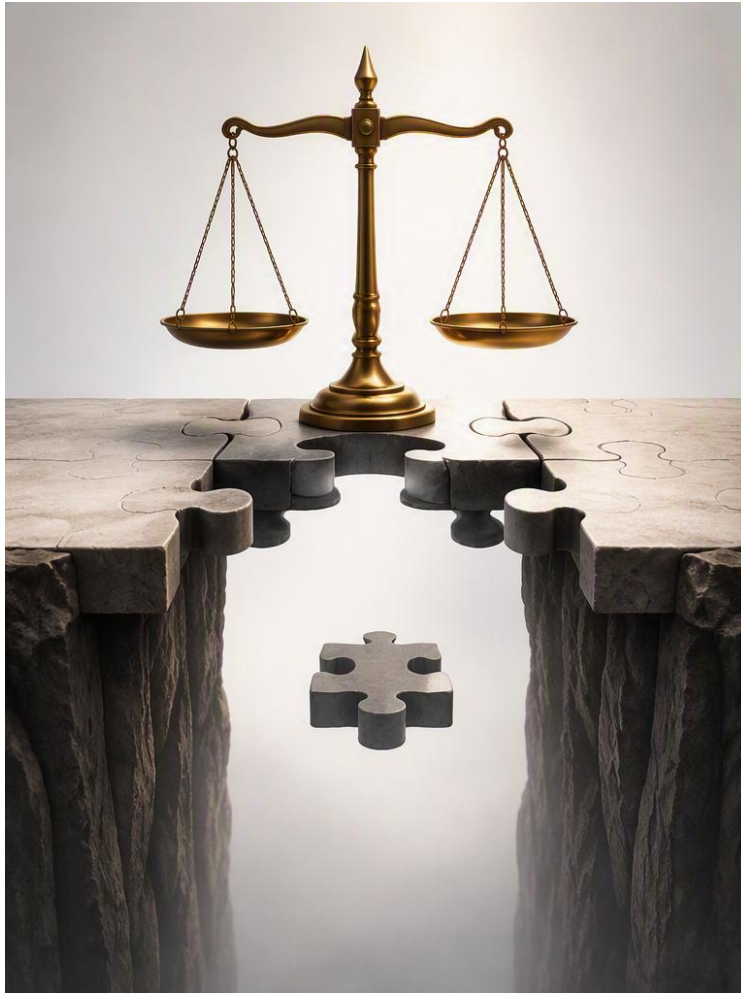


Conflict Continuum vs. Binary Legal Framework





Gaps vs. Shadows





Operational Issues

Cybionage

 Sovereignty

 Privacy

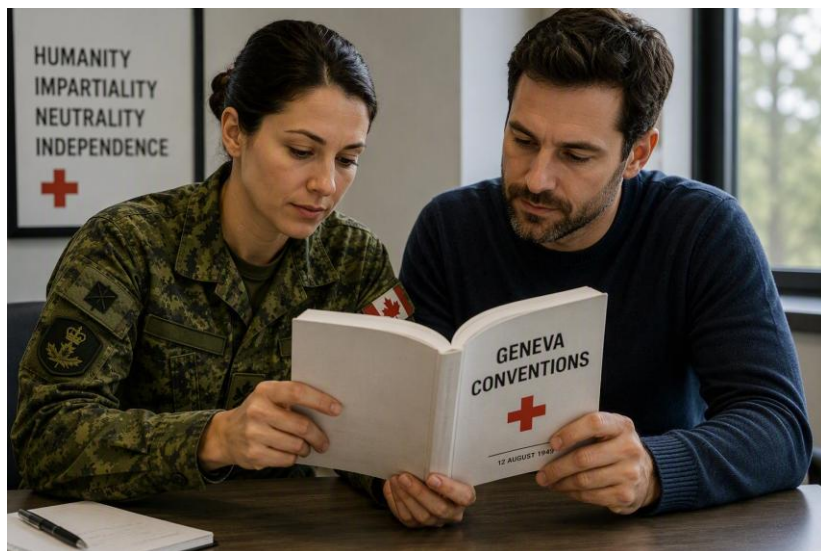
Cybotage

 (State) Use of Force

 Pre-positioning



Operationalizing LOAC Prior to Armed Conflict



LOAC Dissemination

ARTICLE 36
ADDITIONAL PROTOCOL I
TO THE GENEVA CONVENTIONS

1. In the study, development, acquisition or adoption of a new weapon, means or method of warfare, a High Contracting Party is under an **obligation to determine** whether its employment would, in some or all circumstances, be prohibited by this Protocol or by any other rule of international law applicable to the High Contracting Party.
2. A decision whether or not to employ a new weapon, means or method of warfare must be made **only after** such a determination has been made.

Weapons Reviews



Thank You For Your Attention

