

Democratic nations should rely on international law to tackle growing 'hybrid' and 'gray zone' security threats

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Democratic countries should rely on international law and improve their legal resilience to tackle the grave security threats caused by worsening

relations between great powers, new research shows.

The growth of hybrid threats and gray zone warfare, two forms of geopolitical competition that fall below the threshold of armed conflict, is one of the great strategic challenges facing liberal democracies today.

Hostile powers routinely employ tactics such as diplomatic pressure, economic espionage, military exercises, cyber operations, disinformation, exploiting social and political divisions, and fostering financial and other dependencies to exploit the vulnerabilities of democratic societies.

In an environment where anything can be weaponized and everything has turned into some form of "warfare," a clear line between war and peace is increasingly difficult to draw.

International law itself has become a tool that strategic rivals use to compete with each other. There are concerns legal processes are not sufficiently robust to contain geopolitical competition within acceptable boundaries and to mitigate its adverse effects.

The ambiguous nature of hybrid and gray zone activities puts considerable strain on core principles of international law, such as the principle of non-intervention. By operating at the dividing line between war and peace, and between lawful and unlawful competition, strategic competitors employing hybrid and gray zone tactics seek to exploit legal uncertainty to their own advantage.

Many rules and principles of international law were developed in the pre-digital era and there is disagreement about how they apply in novel domains, such as cyberspace. This creates opportunities for hostile actors to take advantage of legal gaps and to promote legal developments that undermine liberal values.

In a new book, "Hybrid Threats and Gray Zone Conflict: The Challenge to Liberal Democracies," experts drawn from several disciplines assess the legal and ethical challenges that hybrid threats and gray zone conflict pose for liberal democracies. They argue that states must bolster their legal resilience to prepare their legal systems to cope with these challenges. Democratic nations also need to address basic ethical concerns to ensure that their response to hybrid threats and gray zone conflict does not detract from their own values.

Topics covered in the book include hybrid threats in the maritime domain, China's evolving strategy in the Arctic, the dangers of the absence of agreed standards for assessing military gray zone operations, the legal steps Finland has taken to prepare for threats and the path to legal resilience taken by the Office of Legal Affairs at NATO's Allied Command Operations.

The book is co-edited by Professor Mitt Regan, from Georgetown University, and Professor Aurel Sari, from the University of Exeter. It is published by Oxford University Press under the auspices of the Center for Ethics and the Rule of Law (CERL) at the University of Pennsylvania.

Professor Sari said, "This book brings together an outstanding cast of authors from academia, legal practice and beyond who have done an amazing job of addressing what is a complex and at times controversial subject.

"Although many of these legal, policy and [ethical dilemmas](#) have been addressed before, the aim of this volume is to do so systematically and in greater depth so as to contribute to a better understanding of the field and to efforts to develop more effective responses to counter the adverse effects of hybrid and gray zone [conflict](#) on liberal democracies and on the international rule of law."

A total of 39 experts contributed to the 28-chapter volume, which considers the strengths and shortcomings of the existing rules and institutions of [international law](#) in responding to hybrid threats and gray zone conflicts and how [liberal democracies](#) should respond to the challenges posed by hybrid and gray zone competition in a way that does not undermine the very values they seek to uphold.

More information: Mitt Regan et al, Hybrid Threats and Grey Zone Conflict, (2024). [DOI: 10.1093/oso/9780197744772.001.0001](https://doi.org/10.1093/oso/9780197744772.001.0001)

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