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**„КОНКУРС ЭСЭЕ ПО МЕЖДУНАРОДНОМУ  
ГУМАНИТАРНОМУ ПРАВУ 2025 ГОДА”**

**SOCIAL MEDIA AND THE TRANSFORMATION OF  
INTERNATIONAL HUMANITARIAN LAW IN THE DIGITAL ERA**

**REȚELELE SOCIALE ȘI TRANSFORMAREA DREPTULUI  
INTERNAȚIONAL UMANITAR ÎN ERA DIGITALĂ**

**СОЦИАЛЬНЫЕ СЕТИ И ТРАНСФОРМАЦИЯ МЕЖДУНАРОДНОГО  
ГУМАНИТАРНОГО ПРАВА В ЦИФРОВУЮ ЭПОХУ**

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ABSTRACT:

**SOCIAL MEDIA AND THE TRANSFORMATION OF INTERNATIONAL  
HUMANITARIAN LAW IN THE DIGITAL ERA**

The twenty-first century has witnessed an unprecedented convergence of technology, communication, and conflict. Social media have transformed the way wars are documented, perceived, and even fought. Once designed for social interaction, these platforms have become instruments of power, influence, and psychological warfare. This paper explores the profound impact of social media and digital technologies on the interpretation and application of International Humanitarian Law (IHL). Traditionally focused on physical warfare, IHL now faces the challenge of governing conflicts that unfold in cyberspace—where a viral image, tweet, or algorithm can cause humanitarian harm equivalent to physical attacks.

The study argues that while the fundamental principles of IHL—distinction, proportionality, necessity, and humanity—remain valid, they must be reinterpreted in light of digital realities. On one hand, it enhances transparency, empowers witnesses, and provides digital evidence for accountability. Humanitarian organizations and international courts increasingly rely on open-source data gathered from online platforms to document war crimes. On the other hand, social media enables disinformation, recruitment, and incitement to violence. False narratives, manipulated imagery, and algorithm-driven propaganda undermine public trust and

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threaten the very principles of human dignity that IHL seeks to uphold.

To address these challenges, the study proposes the development of a *Digital Corpus Juris*—a modernized interpretive framework that integrates existing humanitarian principles with emerging digital realities. Such a framework would clarify the legal status of cyber operations, regulate corporate responsibilities, and promote digital literacy among both military and civilian populations. Ultimately, the protection of humanity in the digital age requires more than legal adaptation; it demands a cultural shift toward digital empathy, responsibility, and truth. The survival of humanitarian law depends on our ability to humanize technology—to ensure that compassion, integrity, and respect remain central values even in the virtual battlefields of the twenty-first century.

**Key-words:** social media, digital warfare, cyber conflict, disinformation, digital evidence, algorithmic influence, humanitarian principles, international humanitarian law.

**JEL Classification:** K10, K33; I24

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#### РЕЗУМАТ:

### РЕТЕЛЕLE SOCIALE ȘI TRANSFORMAREA DREPTULUI INTERNAȚIONAL UMANITAR ÎN ERA DIGITALĂ

Secolul XXI a fost martorul unei convergențe fără precedent între tehnologie, comunicare și conflict. Rețelele sociale au transformat modul în care războaiele sunt documentate, percepute și chiar purtate. Concepute inițial pentru interacțiunea socială, aceste platforme au devenit instrumente de putere, influență și război psihologic. Prezenta lucrare explorează impactul profund al rețelilor sociale și al tehnologiilor digitale asupra interpretării și aplicării dreptului internațional umanitar (DIU). Concentrată în mod tradițional pe războiul fizic, DIU se confruntă acum cu provocarea de a reglementa conflictele care se desfășoară în spațiul cibernetic — unde o imagine virală, un tweet sau un algoritm pot provoca daune umanitare echivalente cu atacurile fizice.

Studiul susține că, deși principiile fundamentale ale DIU — distincție, proporționalitate, necesitate și umanitate — rămân valabile, ele trebuie reinterpretate în lumina realităților digitale. Pe de o parte, aceasta sporește transparența, le conferă putere martorilor și oferă dovezi digitale pentru tragerea la răspundere. Organizațiile umanitare și instanțele internaționale se bazează din ce în ce mai mult pe date din surse deschise, colectate de pe platforme online, pentru a documenta crimele de război. Pe de altă parte, rețelele sociale permit dezinformarea, recrutarea și incitarea la violență. Narațiunile false, imaginile manipulate și propaganda bazată pe algoritmi subminează încrederea publicului și amenință chiar principiile demnității umane pe care DIU încearcă să le apere.

Pentru a aborda aceste provocări, studiul propune dezvoltarea unui *Corpus Juris digital* — un cadru interpretativ modernizat care integrează principiile umanitare existente cu realitățile digitale emergente. Un astfel de cadru ar clarifica statutul juridic al operațiunilor ciberneticе, ar reglementa responsabilitățile corporative și ar promova alfabetizarea digitală atât în rândul populației militare, cât și al celei civile. În cele din urmă, protecția umanității în era digitală necesită mai mult decât o adaptare juridică; ea cere o schimbare culturală către empatie digitală, responsabilitate și adevăr. Supraviețuirea dreptului umanitar depinde de capacitatea noastră de a umaniza tehnologia — de a ne asigura că compasiunea, integritatea și respectul rămân valori centrale chiar și pe câmpurile de luptă virtuale ale secolului XXI.

**Cuvinte cheie:** rețele sociale, război digital, conflict cibernetic, dezinformare, dovezi digitale, influență algoritmică, principii umanitare, drept internațional umanitar.

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#### РЕЗЮМЕ:

### СОЦИАЛЬНЫЕ СЕТИ И ТРАНСФОРМАЦИЯ МЕЖДУНАРОДНОГО ГУМАНИТАРНОГО ПРАВА В ЦИФРОВУЮ ЭПОХУ

XXI век стал свидетелем беспрецедентного слияния технологий, коммуникаций и конфликтов. Социальные сети изменили то, как войны документируются, воспринимаются и даже ведутся. Эти

платформы, изначально созданные для социального взаимодействия, превратились в инструменты власти, влияния и психологической войны. В данной статье исследуется глубокое влияние социальных сетей и цифровых технологий на толкование и применение международного гуманитарного права (МГП). Традиционно ориентированное на физическую войну, МГП теперь сталкивается с проблемой регулирования конфликтов, разворачивающихся в киберпространстве, где вирусная картинка, твит или алгоритм могут нанести гуманитарный ущерб, равнозначный физическим нападениям.

В исследовании утверждается, что хотя основополагающие принципы МГП — разграничение, соразмерность, необходимость и гуманность — остаются в силе, их необходимо переосмыслить в свете цифровых реалий. С одной стороны, это повышает прозрачность, расширяет возможности свидетелей и предоставляет цифровые доказательства для привлечения к ответственности. Гуманитарные организации и международные суды все чаще полагаются на данные из открытых источников, собранные с онлайн-платформ, для документирования военных преступлений. С другой стороны, социальные сети создают условия для дезинформации, вербовки и подстрекательства к насилию. Ложные нарративы, манипулированные изображения и пропаганда, основанная на алгоритмах, подрывают доверие общественности и угрожают тем самым принципам человеческого достоинства, которые МГП стремится защищать.

Для решения этих проблем в исследовании предлагается разработать «Цифровой корпус законов» — модернизированную интерпретационную структуру, которая объединяет существующие гуманитарные принципы с новыми цифровыми реалиями. Такая структура прояснила бы правовой статус киберопераций, регулировала бы корпоративную ответственность и способствовала бы повышению цифровой грамотности как среди военных, так и среди гражданского населения. В конечном счете, защита человечества в цифровую эпоху требует не только адаптации законодательства; она требует культурного сдвига в сторону цифровой эмпатии, ответственности и правды. Выживание гуманитарного права зависит от нашей способности гуманизировать технологии — обеспечить, чтобы сострадание, честность и уважение оставались центральными ценностями даже на виртуальных полях сражений XXI века.

**Ключевые слова:** социальные сети, цифровая война, киберконфликт, дезинформация, цифровые доказательства, алгоритмическое влияние, гуманитарные принципы, международное гуманитарное право.

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## 1. Introduction

The digital age has fundamentally changed the way humanity communicates, documents, and understands conflict. The twenty-first century has blurred the distinction between the battlefield and the information sphere. Through platforms like X (formerly Twitter), Facebook, Instagram, TikTok, and Telegram, events unfold in real time before a global audience. Information now moves faster than diplomacy, and perception often determines policy.

International Humanitarian Law (IHL)—also known as the law of armed conflict—was created to impose moral and legal limits on warfare. Grounded in the Geneva Conventions of 1949 and the Additional Protocols of 1977, it protects civilians, regulates hostilities, and upholds human dignity. However, these rules were conceived for a world of physical battlefields, not one shaped by algorithms and digital manipulation.

Today’s wars are fought as much with data as with weapons. Social media has become both a humanitarian instrument and a tool of disinformation. The same image that exposes a war crime can also be edited to fabricate one. This essay explores how digital technologies reshape the implementation and interpretation of IHL, focusing on accountability, ethics, and human rights in cyberspace.

## 2. The Foundations of International Humanitarian Law

IHL evolved from centuries of efforts to civilize warfare. From medieval “just war” theories to Henry Dunant’s response to the Battle of Solferino in 1859, humanity has sought to limit suffering in conflict. The first Geneva Convention of 1864 codified protection for the wounded and medical

personnel. Later conventions expanded this to prisoners of war and civilians.

The four Geneva Conventions of 1949, reinforced by the Additional Protocols of 1977, remain the foundation of modern humanitarian law. Their guiding principles—distinction, proportionality, necessity, and humanity—form the ethical compass of armed conflict. Distinction obliges warring parties to separate combatants from civilians; proportionality forbids excessive civilian harm; necessity limits military actions to essential objectives; and humanity forbids unnecessary suffering (1 pag. 29).

### **3. Digital Disruption of Legal Certainty**

The digital revolution challenges the clarity of these principles. Modern warfare often unfolds in hybrid environments where physical, informational, and cyber domains merge. Social media networks, data centers, and communication satellites serve both civilian and military purposes, complicating the principle of distinction.

Unverified information circulates rapidly online, often shaping reactions before facts are confirmed. A single viral video can influence international opinion or trigger retaliation. Thus, truth itself becomes a contested space. In Syria and Ukraine, social media both documented atrocities and spread misinformation, turning civilians into digital participants in war (2 pag. 18).

#### **3.1. The Positive Role of Social Media**

Despite the risks, social media also strengthens humanitarian action. Real-time alerts warn civilians about bombings or safe corridors. Citizen journalism provides evidence for international tribunals, as seen in ICC investigations using open-source digital materials. Online networks facilitate donations, medical aid, and psychological support across borders.

However, these same mechanisms enable manipulation. In Myanmar, Facebook was used to incite violence against the Rohingya minority, leading the UN to call social media a “decisive factor” in the crisis. Disinformation targeting humanitarian organizations undermines neutrality and public trust. Moreover, repeated exposure to graphic imagery desensitizes viewers, eroding empathy—the emotional foundation of humanitarian law (3 pag. 31).

#### **3.2. The Rise of Digital and Cyber Warfare**

The emergence of cyberspace as a battlefield represents a paradigm shift. Cyberattacks can disable hospitals, power grids, or communication systems—causing humanitarian harm without a single explosion. According to the Tallinn Manual 2.0, a cyberattack qualifies as a “use of force” if its effects mirror kinetic damage. Yet most digital operations occur below that threshold, creating legal ambiguity.

Attribution remains a major obstacle. State and non-state actors disguise their origins through proxies, false signatures, and botnets. Civilian infrastructure frequently overlaps with military systems, meaning a single cyber strike can endanger both. This dual use of digital networks makes civilian protection under IHL increasingly complex (4 pag. 29).

#### **3.3. The Weaponization of Information**

Information has become a weapon as potent as any missile. State-sponsored troll farms, algorithmic amplification, and “fake news” campaigns aim to destabilize societies and obscure accountability. Social media algorithms—built to maximize engagement, not truth—often amplify polarizing content.

False evacuation notices or manipulated war footage can induce chaos and mistrust. Victims’ dignity is violated when their suffering becomes viral entertainment. With the advent of AI-generated deepfakes, verifying authenticity is harder than ever. Humanitarian organizations must now combine legal expertise with digital forensics to preserve credible evidence (5 pag. 61).

### **4. Ethical and Legal Responsibilities in the Digital Age**

In the digital era, ethical restraint online is as crucial as on the battlefield. Uploading images of wounded civilians or prisoners without consent breaches both privacy and dignity—values enshrined

in the Geneva Conventions. Ethical communication requires balancing the right to know with the right to respect.

Journalists and NGOs must verify facts, avoid sensationalism, and ensure context. Freedom of expression, though vital, cannot justify hate speech or calls to violence. Article 20 of the International Covenant on Civil and Political Rights forbids incitement to hostility—an obligation increasingly relevant to social media platforms (8 pag. 82).

UNESCO's call for "digital humanism" echoes IHL's central principle: technology must serve humanity, not dominate it. Users, states, and corporations alike bear responsibility for sustaining this ethical balance.

#### **4.1. Journalism as a Guardian of Humanity**

Journalists function as witnesses and moral anchors in war. Their presence deters abuses, ensures visibility, and preserves historical truth. Yet digitalization exposes them to cyber surveillance, harassment, and disinformation attacks.

The Council of Europe documented hundreds of online threats to journalists in 2023, many in conflict zones. When press freedom erodes, violations of IHL go unseen. Social media companies, by curating global narratives through algorithms, hold indirect power over humanitarian outcomes.

Under the UN Guiding Principles on Business and Human Rights (2011), tech firms must respect human rights and cooperate with legal authorities. They should:

- Preserve digital evidence of war crimes before deletion.
- Disclose how algorithms prioritize or suppress content.
- Collaborate with humanitarian institutions to verify online information.

These steps ensure that the digital record of atrocities survives beyond the news cycle.

#### **4.2. Artificial Intelligence as the Next Frontier**

Artificial Intelligence redefines both military and humanitarian operations. Predictive targeting, autonomous drones, and algorithmic surveillance increase efficiency but blur moral responsibility. Delegating lethal decisions to machines violates the IHL requirement for human judgment under Article 36 of Additional Protocol I.

AI also powers advanced disinformation. Deep learning systems can fabricate realistic but false videos, testimonies, or satellite images. As deepfakes proliferate, the legal concept of "evidence" risks collapse. "Seeing is believing" no longer applies (10 pag. 51).

However, AI can also enhance humanitarian work. Algorithms can identify patterns of violations or help coordinate aid distribution. The challenge lies not in banning technology, but in governing it ethically. Maintaining "meaningful human control" must remain non-negotiable.

The idea of a Digital Geneva Convention, supported by Microsoft and scholars, seeks to extend humanitarian norms to cyberspace—establishing global rules for cyberwarfare and AI governance.

#### **4.3. From Traditional Law to Digital Adaptation**

The Geneva Conventions were written for tanks and trenches, not tweets and terabytes. Yet their moral essence remains universal. Rather than inventing new laws, experts advocate a *Corpus Juris Digital*—a clarifying framework that interprets how IHL applies to online operations.

Such a framework would:

- Define what constitutes a "digital attack."
- Provide ethical standards for AI and autonomous systems. Outline cooperation between states, corporations, and NGOs. Safeguard digital evidence for tribunals.

To implement this vision, education is essential. Soldiers, journalists, and civilians need training in digital ethics and misinformation awareness. Humanitarian organizations must invest in "cyber diplomacy"—professionals fluent in both law and technology.

Social media can amplify compassion or cruelty. Whether it becomes a bridge or a weapon depends on the ethical choices of users and institutions alike.

## 5. Conclusions and Recommendations

Social media has redefined how wars are witnessed, judged, and remembered. It empowers global awareness but also enables manipulation at unprecedented scales. The challenge for IHL is to remain relevant amid these transformations.

Its four guiding principles—distinction, proportionality, necessity, and humanity—must now govern digital behavior as much as physical warfare. Distinction applies to truth and falsehood; proportionality limits psychological harm; necessity forbids information operations that endanger civilians; and humanity demands respect even in virtual spaces.

Governments must extend their humanitarian obligations into cyberspace, holding both state and non-state actors accountable for digital violations. Corporations, too, carry moral weight. Social media platforms influence global perception and therefore bear indirect responsibility for humanitarian outcomes. Transparency, ethical moderation, and cooperation with international courts are essential.

AI intensifies both hope and danger. While it can expose hidden patterns of abuse, it can also automate bias and dehumanization. The solution lies not in rejecting AI, but in embedding human values into its design and deployment.

A future Digital Geneva Convention or Corpus Juris Digital could adapt existing norms to the realities of cyberwarfare and algorithmic manipulation. It should codify rules on digital attacks, algorithmic accountability, and preservation of online evidence.

Ultimately, the survival of IHL depends less on law than on ethics. Empathy, critical thinking, and respect for truth are the real safeguards of humanity in the information age. Education—both civic and military—must nurture these values.

Technology does not determine morality; humans do. The question is whether humanity can humanize the machines it creates. The future of humanitarian law will depend on our capacity to uphold compassion, even when the battlefield is digital and the weapons are words.

As *recommendations* can be pointed the following:

- Adopt a Digital Geneva Framework: Extend IHL principles explicitly to cyberspace and social media operations.
- Promote Algorithmic Transparency: Require platforms to explain and audit content recommendation systems.
- Preserve Digital Evidence: Establish global archives for open-source humanitarian documentation.
- Train in Digital Ethics: Integrate IHL and cyber literacy into military, journalistic, and civic education.
- Ensure Human Oversight in AI: Mandate meaningful human control in all lethal and decision-making systems.
- Foster Cooperation: Encourage partnerships among states, NGOs, and tech companies to verify and contextualize online content.

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