

Scenario 1

Panel Three – Prof. Eric Talbot Jensen

State G and State X are in an international armed conflict. State G wants to conduct a cyber attack on State X but avoid attribution of the attack. To facilitate this, State G takes the following actions:

An agent of State G uses his tourist passport to lawfully enter neutral State H, carrying a cyber tool on a thumb drive. Once within State H, G's agent enters a cyber café and plugs the thumb drive into one of the computers. Upon activation, the cyber tool is copied to the hard drive and establishes a beacon that then awaits contact by another tool.

Shortly thereafter, another agent of State G offers free thumb drives under the guise of a promotional gimmick from a local business to customers boarding a commercial cruise ship flagged in neutral State M, leaving from a port in neutral State R. Once the cruise ship leaves the port (and has likely entered the high seas), any customer who plugs the thumb drive into the ship's passenger computers will upload a malicious malware that will become resident on the ship's computer system. The ship's computers connect to the internet through a commercial carrier satellite operated by a company registered in neutral country F. Once the computer is connected to the internet, the malicious malware on the ship's computer sends a signal across the internet, seeking the beacon that is now resident on the computer in State H.

Once the shipboard cyber tool has connected with the beacon, a code is executed which sends a malicious cyber program to the beacon. Upon arrival at the computer in State H, it combines with the cyber tool at the beacon and creates cyber malware that is then forwarded to a computer in State X to which State G has previously gained access. State G gained access to the computer in State X by hiring a citizen of neutral State J to create an access to a specific computer system in State X for the specific malware which State G created. Once the cyber malware reaches the computer in State X, it initiates an action that amounts to an attack on State X that causes death and destruction.

Scenario 2

Rather than international armed conflict between two states, assume a scenario where a non-State actor such as a terrorist organization, Non-State Actor G, takes these actions against State X.