

## **Title of the presentation**

Why Legal Culture eats Geostrategy for Breakfast: Legal Warfare (Lawfare) used against NATO's Values

## **Abstract**

At the beginning of the 21st century, the use of the law as a tool of warfare gained prominence and popularity in the media. While this is not inherently negative, its abuse and malicious interpretation undermines the principles of the international rules-based order, based on democracy, transparency, and respect for human rights. Lawfare is being used in order to leverage their own legal arguments and existing international institutions to achieve military and political objectives. The term encompasses both the use of law as a weapon and the exploitation of legal systems for political and strategic gain. Finally, it also refers to the strategic manipulation of legal frameworks and mechanisms to gain an advantage in armed conflicts.

Until now, lawfare has not been commonly used in official documents and policy plans of the Western countries, including Member States of NATO. The Alliance has not worked on it thoroughly, but only briefly issued the term "legal operation". Yet, two totalitarian regimes, Russia and China have mastered legal warfare and keep pushing its own agenda against the Western democracies and the values we stand for. How can and should we reply to this non-kinetic threat? Do we recognize lawfare as part of hybrid warfare?

## **Short Bio**

Dr. Joanna Siekiera is an international lawyer and an Assistant Professor at the Faculty of Law and Administration, War Studies University in Warsaw, Poland. She is also a fellow at the U.S. Marine Corps University in Quantico and supports various military institutions, primarily NATO, as a legal advisor.

Dr. Siekiera did her postdoctoral research at the Faculty of Law, University of Bergen, Norway, and Ph.D. studies in New Zealand at the Faculty of Law, Victoria University of Wellington. She worked in Polish diplomatic missions in Canada and Estonia.

She is the author of over 100 scientific publications in several languages, legal opinions for the Polish Ministry of Justice, the book "Regional Policy in the South Pacific", and the editor of 10 monographs on international law, international relations, and security. Her areas of expertise are the law of armed conflict (lawfare, legal culture in armed conflict, NATO legal framework) and the Indo-Pacific region, Pacific law, maritime security.