

# Prohibiting the use of artificial intelligence in disinformation to interfere in the affairs of states

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## *Abstract*

*Our research aims to shed light on one of the most dangerous uses of modern artificial intelligence applications in the field of information deception. Its effects extend beyond individuals to pose significant risks to the national security of states, potentially destabilizing the social or political order of nations.*

*Considering this, our research seeks to highlight the role of artificial intelligence applications in the industry of information deception for the purpose of state intervention. It monitors the basis of international responsibility resulting from such intervention attempts through descriptive and analytical approaches. Our primary question is: How can international responsibility for violating sovereignty principles and non-intervention in state affairs be organized when using artificial intelligence applications to produce deceptive information?*

***Key words:** artificial intelligence, sovereignty principles, affairs of states, disinformation*

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## INTRODUCTION

Undoubtedly, the dangerous or criminal uses of **Artificial Intelligence**, both at the individual and international levels, represent one of the most prominent and important concerns faced by the states and societies at the present moment. Although the fame that **artificial intelligence** has gained has been mostly positive, as it has provided effective solutions to users in various fields such as programming, design, marketing, business management, commercial transactions, as well. However, concerns about the use of **AI** tools and applications in committing international crimes and acts have increased due to the extreme power that **AI** applications have in managing information content. The information content management means **AI** technologies and applications can effectively contribute to detecting misinformation online and limiting its spread. However, **AI** technologies and applications can also be used to disseminate false data and information on the fly, while cloaking it in a seemingly authentic guise, as fake images, videos, and audio clips produced using **AI** applications. The danger of spreading misinformation goes beyond harming individuals, as the information in general plays a huge role in geopolitics, which makes it closely linked to governments forming public opinion and exploring reactions towards the government, both within the state's borders or abroad. Given the accelerating process of integrating artificial intelligence into the information ecosystem, the machine learning is expected to accelerate dramatically, giving **AI** the potential to reshape defense, manufacturing, trade, and a host of other geopolitical sectors. A number of states pursue their goals by imposing a specific political reality on other states in a way that safeguards their interests, interfering in their political and economic affairs. The danger of disseminating false information and engaging in disinformation on specific issues is highlighted, enabling these states to impose a false reality to achieve their goals, for instance, through endorsing a particular party among the people, or helping to elect a particular person as

president of the state, or overthrowing a particular person or group, or shifting public opinion towards a particular issue in a way that is consistent with its interests. All of these are illegitimate forms of intervention, but given the secrecy surrounding this intervention and its practice in the electronic environment, exposing this intervention and attributing it to a particular state to hold it responsible is an extremely difficult matter. In this research, we hereby cast the light on the use of artificial intelligence in the disinformation industry by highlighting the forms and consequences of this disinformation. We then expand our discussion to address this exploitation or use of **AI** as a form of violation of the sovereignty principles and non-intervention in the states' affairs. We then discuss the implications of international responsibility on this exploitation of intervention in the states' affairs in light of the statement of the basis for establishing this responsibility and determining the legal rules necessary for application in terms of judicial jurisdiction to confront this type of international responsibility.

## **RESEARCH OBJECTIVES**

**The research aims to achieve as follows:**

- Monitoring the forms and consequences of disinformation
- Explaining the **AI** rule in creating disinformation to violate the principles of sovereignty and non-intervention in the affairs of states
- Stating the mechanisms for establishing international responsibility for the exploitation of artificial intelligence to intervene in the affairs of states
- Monitoring the basis for establishing international responsibility for violating the principles of sovereignty and non-intervention in the affairs of states
- Determining the legal rules applicable from the perspective of judicial jurisdiction

### **Reasons for choosing the research**

- The research topic is a modern one, as most topics related to **AI** are expanding day by day
- The researcher's personal interest in the field of **AI** in general and the risks that may arise from its exploitation in particular.
- Drawing attention to the potential use of **AI** to harm the peoples and communities of other states by interfering in their affairs and violating their sovereignty
- The need to develop an international judicial strategy through which states can be held accountable for their international responsibility for violating the principles of sovereignty and non-intervention in the affairs of other states.

### **Research Importance**

The research's importance is evident from the seriousness of the topic it addresses, as the development of **AI** technologies and applications in a short period of time has become a threat. Despite the positives that are taking place and may be used in these applications, there are negative uses of **AI** technologies, especially attempts to spread misleading content to direct peoples and governments to intervene in the states' affairs and the violation of their sovereignty to achieve the interests of other states highlight the seriousness of the threat that states may face, especially those do not have strategic mechanisms or technical plans to combat misinformation content.

### **Research Problem**

How can international responsibility be established for violating the principles of sovereignty and non-intervention in the states' affairs through the use of **AI** in the disinformation industry?

- What are the forms and consequences of disinformation?
- How is AI exploited to create disinformation to violate the principles of sovereignty and non-intervention in the affairs of states?
- What are the bases for establishing international responsibility for violating the principle of non-intervention in the affairs of states?
- How can the legal rules applicable to the judiciary be determined to establish international responsibility?

#### **Research Plan**

##### **First Section: Usage of AI in disinformation**

First Topic: forms and consequences of disinformation

Second Topic: Violation of the sovereignty and non-intervention in the state's affairs through the Artificial Intelligence

##### **Second Section: international responsibility on this exploitation the IA to intervene the states' affairs**

First Topic: Basis for establishing international responsibility for violation of the principle of non-intervention in the affairs of states

Second Topic: Determining the legal rules applicable from the perspective of judicial jurisdiction

#### **FIRST SECTION**

##### **FORMS OF USING AI IN DISINFORMATION**

###### **Preamble & Partitioning**

Undoubtedly, AI and its applications have become intertwined with almost all aspects of life, penetrating almost every field, even those that may not be technology-based. However, fields that rely on information technology, such as the media industry, have made a tremendous leap forward with the application of AI tools within that industry. As for fields that rely on information technology, such as the media industry, they have made tremendous strides in applying AI tools to that industry, which has a positive impact on the information production process and its support with images, videos, and smart data for publishing and promotion. However, this development has a dark side that many do not see. In the past, the process of falsifying and spreading information had limited consequences due to the modesty of the tools used to misinformation. However, in the meantime, the sources of information and news are numerous, including television, radio, news agencies, news websites, and social media. However, despite the multiplicity of these sources, attempts to detect misinformation created using AI are becoming increasingly difficult, especially given the high level of professionalism offered by AI tools in creating images, videos, and audio from the ground up. In this section, we first cast light on the forms and consequences of disinformation in its general context. We then move on to monitor the impact of disinformation operations on intervening in the states' affairs and violating their sovereignty, according to the following classification:

###### **First Topic: Forms & Consequences of Disinformation**

###### **Second Topic: Violation of the sovereignty and non-intervention in the state's affairs**

###### **First Topic**

###### **Forms & Consequences of Disinformation**

The purpose of misinformation is to distract human attention from the truth of a specific topic, or to conceal that truth from the recipient audience. In the past, media misinformation methods, in particular, included colorization, symbolization, or evaluation and excerpting from the text, are conveying information about a specific event or policy

within a specific timeframe. The need therefore usually arises during times of domestic or foreign political tensions within states, such as when states issue political statements that contradict the truth about internal events or certain positions that contradict the truth in order to serve their own interests. In this topic, we will begin by briefly explaining the concept of misinformation, and monitor its most prominent forms based on modern technology. The consequences of this misinformation are as follows:

**First: Concept of Disinformation**

Modern technology makes it easier to create information from the ground up and disseminate it with the intent to deceive. Today, it is possible to deceive Internet users in many ways, including creating a website that impersonates a political or news site as a source of credible information. Or visual images are manipulated to make one person appear in the same shot as another, neither of whom was there. It even reaches the point of falsifying video clips with the voice and image of a person, making them utter misinformation they never actually said. These technologies are now available to almost anyone with internet access, making the practice of disinformation much easier.

**Disinformation** is known as “the creation of a false, misleading, and sufficiently convincing reality, with the aim of causing an opponent to fall into error while they are thinking correctly<sup>1</sup>.” Some studies say that disinformation is: “fabricated information with a function<sup>2</sup>,” while disinformation campaigns are: “a systematic effort aimed at using fabricated information to mislead a specific audience, whether was an institution or a group of individuals, in order to influence them for a specific purpose,” and François Gerry (2011) defines media disinformation as: “An organized and planned project. It aims to confuse minds and influence the mind as well as emotions and imagination, and it has only one goal, which is to introduce doubts, create confusion, and destroy morale<sup>3</sup>.” Misinformation was also defined as: “Incorrect content that may have potentially harmful consequences, for example, on the health and safety of individuals and the proper functioning of democracy<sup>4</sup>.” Guterres defined disinformation as: “the intentional spread of false information to deceive and cause serious harm<sup>5</sup>.”

In the context of our research, we can define disinformation as: a foreign state's use of modern technology to produce fake media content that is difficult for the general public to distinguish, and that includes a mixture of reality and lies, to attribute something shameful to a person or institution, or vice versa, to elevate the status of a person or attack an idea or policy, with the aim of protecting its interests in another state.

**Second: Forms of Disinformation by using AI**

Deepfakes are one of the most prominent forms of disinformation using AI<sup>6</sup> techniques (Allen & Massolo, 2019). It is possible, in the appropriate way, to manipulate the election process. This form of deception techniques is used to create highly accurate fake videos, as there is a video produced using this technology of American actor TOM CRUISE has been viewed more than 15.9 million times. It was so difficult to distinguish from the real thing; the technology uses other voice cloning techniques to simulate other people's voices<sup>7</sup>. Several crimes have already been committed using this technology<sup>8</sup>. There is also a technology called Deepfakes, which is used to produce high-resolution images that appear very vivid, even though they are not real. This technology has already been used to mislead, by an official in the administration of US President Donald Trump, to create a fake incident by producing an image of a Russian researcher showing its connection to a network specialized in influencing public opinion<sup>9</sup>.

AI is also being used to produce another prominent form of disinformation technology (bots), which are launched on social media to undermine the integrity of information. These bots disguise themselves as humans and spread

through fake accounts on sites like Twitter and Facebook. It carries out its mission of misinformation by amplifying misinformation online by republishing thereof widespread circulation and dissemination among people<sup>10</sup>.

**Third: Consequences of Disinformation:**

One of the main consequences of disinformation is to confuse and manipulate citizens, and to undermine confidence in international norms and institutions, or in agreed-upon strategies. At the local level, it can disrupt or corrupt the electoral process, or create false challenges. The negative consequences of disinformation can extend to the point of death, as demonstrated by the disinformation crisis surrounding the COVID-19 pandemic. According to the scope of our research, this misinformation is being spread for the benefit of a foreign state by individuals or organized groups that work to fabricate and spread the misleading information, and then amplify it in a way that may appear natural and lead individuals to believe in its validity, or the misinformation may be manufactured technically through technological tools such as Internet robots (BOTS), as well as electronic publishing algorithms are designed in a specific way that enables them to exploit basic biases based on attracting attention by using pseudo-populist techniques known as Astroturfing<sup>11</sup> to stimulate an effect known as the Bandwagon Effect, or herd behavior<sup>12</sup>.

In particular, misinformation affects citizens' right to privacy, freedom of expression, and access to information. The most prominent of these consequences are:

- Manipulating elections by disseminating deep fake videos or images depicting a candidate engaging in a shameful act or making a controversial statement,
- Inciting strife and societal division by disseminating propaganda aimed at dividing the public or attacking and defaming political parties,
- Undermining trust in government institutions by spreading misinformation about their internal policies,
- Undermining the press and news organizations and tarnishing the reputation of trustworthy news websites to undermine confidence in the news and information they disseminate,

Disinformation is being used extensively in our contemporary era by international agencies and entities seeking to achieve or maintain control over the policies of another state or to achieve specific interests, which constitutes a form of violation of the principles of international sovereignty and the principle of non-intervention in the states' affairs. This is what we will shed more light on in the following section.

**Second Topic**

**Violating the sovereignty principals & non-intervention in the states' affairs**

Undoubtedly, the disinformation operations carried out using AI to spread misinformation on a wide scale and give it credibility in various ways represent one of the methods being used in our contemporary time - on an international level - to drive policies, influence public opinions, and move them to take a specific decision and support or refrain from supporting a trend or a person or an idea or a specific operation. This practice is considered one of the ways of interfering in the states' affairs and violating their international sovereignty. Sovereignty, by its nature, represents one of the essential pillars upon which the idea or theory of the state is based in legal and political thought. It is also an important international legal principle upon which international law and international relations are based in our

contemporary time. Sovereignty, as a legal and political concept, relates to the state and places its political and legal determinants within the concept of the independent national state, which has a legal and political reality as a member state of the international community. It also establishes the state's independence and equality with its counterparts in the international political system<sup>13</sup>. Accordingly, sovereignty represents a prominent standard used to distinguish the state (as a political-legal entity). The content of the principle of non-intervention includes protecting the sovereign state from intervention in its affairs. Intervention contradicts the principle of sovereignty because it removes a key element from the foundations of the state and has a negative impact on political relations between states<sup>14</sup>.

**First: Concept of non-intervention in the State's affairs**

The principle of non-intervention in the United Nations Encyclopedia represents the basic principle for establishing international peace and security, and it is a fundamental pillar for establishing the sovereignty of the state and guaranteeing its independence. This principle came in paragraphs 4 and 7 of Article (2) of the United Nations Charter to confirm the right of the state to impose its sovereignty.

Returning to the concept of non-intervention, it is defined as: "The non-intervention of states in each other's affairs, and each of them being content with exercising its own powers without infringing upon the powers of the other<sup>15</sup>."

**Second: Media Misinformation as a form of intervention in the states' affairs:**

At the outset, it shall be understood that intervention in the states' affairs is not an end in itself, but rather the intervening state usually has internal goals or within the foreign policy of a state that it aspires to achieve, either by maintaining the status quo or changing this status quo to its advantage. Accordingly, modern technology and artificial intelligence tools are being used to achieve these goals through widespread and deceptive operations. Media disinformation can be used to intervene in the states' affairs in several areas to achieve illegitimate goals, including:

**1- Religious Intervention**

Religious intervention means: "Any behavior that expresses ideological infiltration within the state, subject to intervention, by means of pressure on the religious factor and igniting the fire of discord between the sects of one state with the aim of reshaping the ideological structure within the state<sup>16</sup>." Modern technology is being harnessed to spread misinformation with the aim of igniting sectarian strife, such as producing deep fake videos containing insults from followers of one sect to another, or disseminating fake images or fragmented statements that suggest insults or promote the false notion of religious persecution, or spreading calls for freedom from persecution with the aim of changing the ideological structure within the state, enabling the intervening state to control this ideological structure and achieve its objectives.

**2- Cultural Intervention**

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It is one of the most dangerous types of intervention, and it means using **AI** tools to produce misleading content to pave the way for intellectual infiltration within the civilized and cultural entity of the targeted state through misleading content that leads to poisoning the state's culture and intellectual character<sup>17</sup>. This aims to reshape the intellectual nature of the targeted state and facilitate its control and influence over its decisions. This type of intervention, using **AI** tools, may be accompanied by real-world pressures. An example of this is the pressure exerted on Arab countries to modify their curricula to align with European and American values, gradually moving away from Arab cultural values, and labeling their adherents as ignorant and backward.

### **3- Technical (Media) Intervention:**

This type of intervention is closely linked to the practice of disinformation, and given its reliance on modern technology; it can have a potentially more damaging effect than military intervention. It combines artificial intelligence tools used to create images and videos with propaganda power to influence the minds and perceptions of individuals within a given state's public, attempting to steer their thinking toward the ideology desired by the intervening state. Some news organizations have even established specialized channels that focus on the affairs of a single state, focusing on its news and presenting critical ideas and opinions through their news presenters, which significantly influence public opinion and perceptions of a particular issue. We have seen in recent events covering the war in Palestine how misinformation can be manufactured to favor specific parties, and how demonstrations calling for an end to the war were portrayed as supporting Hamas. Many attempts at deception relied on deep fake tools to produce information that greatly influenced the orientation of those exposed to them and contributed to shaping their viewpoints regarding the war and its parties.

### **4- Political Intervention**

In this form of intervention, it can be said that modern technology tools have become at the service of this type of intervention, which aims primarily to weaken the political system or even completely subjugate it<sup>18</sup> by intervening to overthrow the state's ruling regime or intervening in an internal conflict. While the use of **AI** tools in this context does not allow for tangible physical intervention, such as arming a party to an internal conflict, it is used to continually disseminate false and misinformation that gradually erodes public confidence in their government. It also disseminates misleading propaganda to encourage revolutions and civil unrest, leading to the replacement of the state's ruling regime with one that it can choose and shape according to its interests.

An example of the above-mentioned, the United States did in 2001, prior to its invasion of Iraq, American media outlets launched a widespread disinformation campaign to exaggerate the threat posed by Iraq and to intimidate people about the threat of terrorism, which demonstrates the tremendous potential offered by modern artificial intelligence tools. How can it cause serious damage if it is backed by an international power that seeks to impose specific ideas and policies or to end a state's ruling system and reshape it to serve its interests.

**Third: The principle of non-intervention in the internal states' affairs in international conventions:**

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It is worth noting that the principle of non-intervention in the states' affairs is not merely a customary principle governing relations between states. Rather, it is a recognized principle in international law, enshrined in the United Nations Charter and numerous other international legal texts. Article 2, Paragraph 7 of the United Nations Charter states that: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter." The resolution issued by the United Nations declaring the inadmissibility of intervention in the domestic states' affairs and the protection of their independence and sovereignty, No.: 1965 (A/RES/2131) issued in December 1965, which stated in its first paragraph that: "No State has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any State." Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations No. (A/RES/2625) in October 1970, which confirmed in its texts the extent of the keenness to apply those principles in the most complete manner and the importance of friendly relations among states to promote the purposes of the United Nations.

The United Nations also issued a declaration on the inadmissibility of intervention of all kinds in the internal affairs of states, with No.: (A/RES/39/103), issued in December 1981, as its first article states: "No State has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of the states."

The United Nations has issued numerous resolutions that consider the act of intervention to be illegitimate, and has therefore been keen to condemn it and encourage countries not to intervene in the affairs of other countries or to exercise any type of pressure or moral coercion on any other state<sup>19</sup>.

Nevertheless, serious international efforts are currently underway to ensure the proper use of artificial intelligence. These have resulted in important decisions and recommendations. While they are not binding and do not have the same force as international resolutions and declarations, they are nevertheless significant steps forward. Foremost among these was the UNESCO Recommendation on the Ethics of Artificial Intelligence, which included the following objectives: "Developing a global framework of values, principles, and procedures to guide countries in developing their legislation, policies, and other legal instruments related to artificial intelligence in accordance with international law." The recommendation also included encouraging countries to develop a framework for assessing the ethical consequences of using artificial intelligence and ensuring ethical oversight of its uses<sup>20</sup>.

Finally, violating the principle of non-intervention in the states' affairs entails international responsibility for the violating state. However, attributing intervention in a state's affairs to disinformation created and disseminated using artificial intelligence tools is difficult, given the nature of the digital environment and the digital security precautions typically taken by those responsible for spreading disinformation in the digital environment.

## **SECOND SECTION**

### **INTERNATIONAL RESPONSIBILITY FOR USING AI TO INTERVENE IN THE AFFAIRS OF STATES**

#### **Preamble & Partitioning**

International responsibility, for a particular state or states, arises when their actions cause harm to another state, whether the action was wrongful or intentionally by committing an act prohibited by international law.

Responsibility here means attributing the act to the state and holding the responsibility for eliminating and compensating for the damage it caused. In this section, we address the basis for establishing international responsibility for violating the principle of non-intervention in the states' affairs by exploiting AI tools to produce misleading information. We then highlight the applicable legal rules according to jurisdiction, while reviewing previous cases related to intervention in the states' affairs before the International Court of Justice. This is according to the following classification:

First Topic: Basis for establishing the international responsibility for violating the principle of non-intervention in the states' affairs

Second Topic: Determine the legal rules applicable from the point of view of judicial jurisdiction

### **First Topic**

#### **Basis for establishing international responsibility for violating the principle of non-intervention in the states' affairs**

Undoubtedly, there is a great responsibility falls on the countries and entities that have access to advanced artificial intelligence technology, given the technical tools that can be provided by this technology, through which propaganda and promotional materials can be created using deep fake technology that to achieve specific goals, in violation of the principle of non-intervention in the affairs of other countries, this requires countries that possess these technologies to adhere to the highest levels of ethics when using artificial intelligence and its tools.

#### **First: The theoretical basis for international responsibility for violating the principle of non-intervention in the states' affairs by practicing disinformation:**

Countries that possess this technology resort to using thereof unethically to achieve specific goals, including taking the helm and the ability to control another state. Especially, attempting to uncover who is responsible for disinformation operations can be extremely difficult, especially if the targeted state does not possess modern technologies that enable it to identify the state behind the large-scale disinformation operation. International responsibility refers to the legal principle that can be relied upon to establish international responsibility falls on the persons (international law). International jurisprudence has tended to base this type of responsibility on an international wrongful act. This is an objective standard where responsibility is based on the occurrence of a violation of international law, so that responsibility is established without the need to investigate the state's will and intent in committing the violation or the commission of an error that led to the occurrence of that violation<sup>21</sup>. After AI technologies have been developed and its tools that can be used to create misleading deep fake materials that are difficult to distinguish from real ones on a large scale, the damage and risks that can be inflicted on others have increased. Given the gravity of these damages, jurisprudence has shifted toward basing responsibility on the mere occurrence of harm, regardless of fault.

The jurist Charles Rousseau believes that: "Every unlawful act requires the combination of three elements: 1- Violation of a legal rule. 2- The occurrence of harm. 3- The existence of a causal relationship between the violation of the legal rule and the harm that occurred. These elements exist in the international legal system<sup>22</sup>." International jurisprudence has long agreed that the theory of international wrongful acts is the basis for international responsibility, and that the criterion of wrongfulness is an objective criterion that represents a violation or breach of any international obligation, regardless of its source<sup>23</sup>. We hereby agree with this development, as attempting to prove

harm or establish a causal relationship between misinformation generated by AI tools can sometimes be nearly impossible. Furthermore, the rapid development witnessed by AI makes attempting to prove harm as bit illusion.

**Second: Conditions for establishing international responsibility for violating the principle of non-intervention in the states' affairs by practicing disinformation:**

For international responsibility to arise, the following conditions shall be met: the occurrence of an internationally wrongful act - that this act be attributed to one of the states. According to the theory of international wrongful acts, harm shall occur and there shall be a causal relationship with the two previous conditions. However, according to the theory of risks, the complaining state is not required to prove that harm occurred as a result of attempts to intervene in its internal affairs. We will address these conditions as follows:

**1- Violation of the international obligation**

According to the general rules of international responsibility, any act that violates the provisions of international law constitutes an unlawful act, committed by the will of the violating state—the intervening state—against the will of the injured state—the intervening state. The jurist Rousseau believes that the unlawfulness of an act arises from the apparent contradiction between a state's conduct and what its conduct should have been under the provisions of international law<sup>24</sup>. It is considered a breach of an international agreement to use AI tools to produce visual, audio, or written content that includes misinformation with the aim of:

- Destabilizing the political, social, or economic system of other countries, overthrowing or changing the political system or government of another state, creating tension between countries, bilaterally or collectively, or depriving peoples of their national identity<sup>25</sup>.
- Interfering in any form, whether overt or covert, directed at another state or group of countries... in the internal affairs of another state<sup>26</sup>.
- Taking any action or attempt, in any form or under any pretext, to destabilize or undermine another state or any of its institutions<sup>27</sup>.
- Directly or indirectly promoting, encouraging, or supporting rebellious or secessionist activities within another state, under any pretext, or taking any measures aimed at disrupting the unity of other states or undermining or sabotaging their political system<sup>28</sup>.
- Carrying out any campaign of defamation, slander or hostile propaganda with the aim of interfering in any way in the internal affairs of other countries<sup>29</sup>.

**2- Harm**

Under international law, harm means: “the infringement of a right or legitimate interest of a subject of international law<sup>30</sup>.” Despite the incompatibility of the traditional concept of responsibility with the harm caused by the unlawful use of artificial intelligence in the manufacture of information disinformation, as the harm is serious and affects almost everything in the state, even its individuals, and even with the difficulty of proving the harm. However, the inevitable element for the emergence of international responsibility remains that the mere commission of an unlawful act is not sufficient to establish a claim of international responsibility. Therefore, it is necessary for the state harmed by intervention in its affairs by another state’s dissemination of misinformation content to prove the harm caused by the dissemination of this content in order to establish a claim of international responsibility and demand compensation.

**3- Assignment (Casual Link):**

According to the theory of international wrongful acts, it is necessary to prove a causal link between the wrongful act and the resulting harm, which is what is agreed upon in the terminology of Assigning.

Assigning here refers to the wrongful action of the international entity itself. For responsibility to be established, the act causing the harm shall be attributed to the state. This principle was established in international law through the affirmation of the US-Mexico Claims Commission in the case (Dickson Carwheel Campan) in its decision of 1931, which stipulated that the wrongful act must be attributed to the state as a condition for holding it responsible<sup>31</sup>. Therefore, if it is established that a private propaganda company is behind the dissemination of misinformation without proof that it did so at the instigation or agreement of another state, the state cannot be held internationally responsible. Similarly, international responsibility cannot be claimed even if misleading content is generated using artificial intelligence without proof that an official agency of another state is behind it.

### **Second Topic**

#### **Determine the legal rules applicable from the point of view of judicial jurisdiction**

According to the International Court of Justice's jurisdiction to consider legal disputes arising from a breach of the principle of non-intervention, the principle has had resonance in its jurisprudence. One of the disputes before the Court stated that: "The principle of non-intervention entails the right of every state to conduct its affairs without external intervention.

#### **First: Jurisdiction to consider claims of international responsibility for committing disinformation to intervene in the affairs of states:**

Expressions of the legal opinion of States regarding the existence of this principle are numerous. The Court notes that this principle, set forth in its own jurisprudence, has been reflected in several declarations and resolutions adopted by international organizations and conferences in which both the United States and Nicaragua have participated. Its texts thereof stipulate the recognition by the United States and Nicaragua of the existence of a customary law principle on a global scale. The Court defined the elements of which it is composed and which are relevant to this case by stating: Prohibited intervention shall be intervention in matters in which each State, based on the principle of State sovereignty, is permitted to freely decide (For example, in choosing a political, economic, social and cultural system, and formulating its foreign policy) and intervention is wrong when, in relation to these choices, it uses methods of coercion, especially force, either directly in the form of military action or **indirectly in the form of supporting subversive activities in another state**<sup>32</sup>."

On this basis, and given that the disinformation process carried out by AI tools was primarily designed to support destructive activities in another state, it naturally represents a form of wrongful intervention, and therefore claims of this type are subject to the jurisdiction of the International Court of Justice. Article No. (36/1) stipulates that "the jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force<sup>33</sup>." The jurisdiction here refers to the declarations made by States Parties to the Statute of the Court under the Judicial Settlement of International Disputes, in which such declarations constitute the States' consent to the Court's compulsory jurisdiction.

#### **Second: Precedent:**

In a judicial precedent, in 1986, the International Court of Justice set out the criteria that could help distinguish between humanitarian action and intervention (military and paramilitary activity) in the state of Nicaragua (the case of Nicaragua v. United States of America). The Court of Justice affirmed that: "The principle of non-intervention

includes the right of every sovereign state to conduct its affairs without external intervention. Although examples of violations of this principle are not rare, the Court considers thereof an integral part of customary international law". The Court concluded in that case by saying that the support provided by the United States of America to the Contra military activities in 1984 in Nicaragua through financial support, training, supply of weapons, information and logistical support constituted a clear violation of the principle of non-intervention.

Therefore, it cannot be claimed that the disclosing the misinformation designed using artificial intelligence to mislead the public is a legitimate intervention in the public interest. This highlights the need for an international agreement to regulate the uses of AI and define and regulate its activities, similar to the agreements that have emerged to regulate space activities or those dedicated to smart weapons and the like. On the other hand, despite the ruling was issued for Nicaragua, holding the United States responsible for crimes committed within Nicaragua and intervention in its internal affairs, and despite a ruling issued nearly 37 years ago by the International Court of Justice requiring the United States to pay compensation to Nicaragua for its armed and semi-armed intervention in its internal affairs. However, the United States simply refused to implement the ruling of an international court. To this day, the United States has shown no remorse for the crimes it committed in Nicaragua or paid any compensation<sup>34</sup>. This demonstrates the futility of an international court in the first place when the dispute involves a powerful state, such as the United States, and a third-world state, for example. Especially if the conflict relates to the exploitation of modern technology and artificial intelligence tools—which are more readily available to major powers and virtually absent from small and vulnerable nations—to produce and disseminate misleading content and spread thereof to intervene in the affairs of another state, to further its interests and ensure control over it. That is, even if the state whose affairs are being intervened with is able to extract electronic evidence confirming the existence of intervention and attribute it to a specific state from one of the major powers, and files a case for international responsibility for the damages incurred by it as a result of this action. Therefore, there is little benefit even if a ruling is made in its favor, as long as the International Court of Justice does not have any real power to retaliate against major states or guarantee the implementation of its rulings.

## CONCLUSION

In conclusion, it can be said that interference in state affairs represents one of the forms of violation of international sovereignty, which is a prohibited act of the provisions of the law, and therefore its practice towards another country, especially in secrecy, as is the case by broadcasting misleading information by the tools of artificial intelligence to influence a state's policies, is a matter that leads to the establishment of international responsibility against the violated state, and then the affected state can resort to the International Court of Justice to hold the violated state. If we see that the provisions of the International Court of Justice and the Security Council procedures do not apply to the major countries and ignore them as if they were not without real ability to force the state to fulfill its international obligations established by the provisions of the law. Or a guarantee bearing its international responsibility for the damage it caused. At the end of our research, we have concluded a set of outstanding results :and recommendations, we review it as follows

## Results

Deepfakes for videos and creating photos and audio clips is one of the main images of information-1 .misinformation

2-Information misinformation aims to confuse and manipulate citizens, and destabilize international standards and local institutions

3- Information misinformation is conducted to intervene in state affairs in several ways, including religious intervention to ignite sedition between sects, or cultural intervention to poison the culture of the state and its intellectual nature, and there is media intervention to influence the minds and perceptions of individuals, and political intervention to weaken the political system in the country

## RECOMMENDATIONS

We recommend the establishment of an international organization concerned with monitoring news and information around the clock and publishing periodic data on and denying information and news. It includes a special section to investigate the sources of misleading information to provide evidence of the violation of the principle of non-interference in state affairs for those countries that do not have technology, which enables it to reveal behind the dissemination of information. There is a need to reconsider the issue of the requirement of damage caused by the violation of the sovereignty of a state by interfering in its affairs. Just to do the illegitimacy the violation has become a reality, although it is not harmful. Consequently, we recommend the legislator and international jurisprudence to consider this issue to cancel the condition of damage as a basis for international responsibility. There is a need for the United Nations to abandon advertisements, evidence and directives that regulate the use of artificial intelligence and start preparing a real international agreement with binding texts that include texts to ensure good use of artificial intelligence and text applications specifically that the creation of misleading information materials to influence the public opinion of a country is one of the images of illegal intervention in state affairs. Finally, we recommend the local governments of the countries for the need to pay attention to the awareness aspect and the need to work on possessing the greatest amount of citizens of the amount of science and culture that enables them to reveal the misleading information or at least doubting its matter and not to be led behind until official statements are issued by the state government

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