

Social Media Impact on Women's and Children's Rights in Armed Conflicts: Legal Assertions by Third States?

Mellisa Towadi ^a, Ana Čović ^a, Mutia Cherawaty Thalib ^a
Lisnawaty W Badu ^a, Noval Sufriyanto Talani ^c

^a Faculty of Law, Universitas Negeri Gorontalo, Indonesia

^b Belgrade Institute of Comparative Law, Serbia

^c Faculty of Social Science, Universitas Negeri Gorontalo, Indonesia

✉ Corresponding email: mellisatowadi@ung.ac.id

Abstract

This article explores how third countries can claim social media information from their citizens as a legal measure to protect and fight for the rights of women and children in armed conflict. The exploration is conducted normatively with a socio-juridical approach and a comparison of state implementation of the law. Implementing law in this approach will involve comprehensive analyses that include understanding legal texts, examining social impacts, and comparing practices across different jurisdictions to draw appropriate conclusions. This research shows that social media can serve as a platform to raise global awareness of human rights violations, provide digital evidence that can be used in international tribunals, and exert diplomatic pressure on states involved in violations. Social media also enables cross-border collaboration between governments, international organisations and NGOs to coordinate legal and

advocacy efforts. However, challenges include disinformation, digital security risks, and technology access gaps that can hinder the effective use of social media as a legal tool. Nonetheless, with the right strategies, third countries can utilise social media to strengthen international law enforcement and support the fulfilment of the rights of women and children in conflict zones. In conclusion, despite significant challenges, third countries can claim the use of social media as an effective legal measure in their efforts to support and protect the rights of women and children in situations of armed conflict.

KEYWORDS *Armed Conflict, Social Media, Human Rights, Legal Assertion, States*

Introduction

The rationale for this study stems from the growing use of social media in denouncing many military conflicts that have taken place lately, particularly in the Middle East. Particularly in upholding women's and children's rights, social media has emerged as a crucial instrument for civil society organisations, non-governmental organisations, and activists to promote human rights in violent regions. Within such circumstances, social media is a medium to reveal infringements against rights, record acts of violence, and foster global unity.¹ Nevertheless, the intricate nature of social media use in armed conflict also prompts inquiries over the validity of third nations asserting it as a declaration of international law. This leads to inquiries over the boundaries of jurisdiction and legality and the admissibility of evidence obtained via social media in international courts or its use as the foundation for third-state proceedings.

Emerging research has shown the significant impact of social media in galvanising worldwide public sentiment and shaping international policies on humanitarian assistance and civil protection.² Nevertheless, the utilisation of social media also presents difficulties with the precision of information, dissemination of falsehoods, and the evaluation of the truthfulness and

¹ A. Al-Rawi, "Social Media and the Arab World's 'Youth Quake,'" *International Journal of Communication* 14 (2020): 1619–39.

² Ilhem Allagui and Johanne Kuebler, "The Arab Spring and the Role of Digital Media," *International Journal of Communication*, 5 (2011): 1–20, <https://doi.org/10.1080/19328036.2011.FEA1435>.

legitimacy of assertions advanced via these platforms by third-party nations.³ Hence, this study aims to investigate the rights of third nations to assert information obtained from social media as legally binding assertions, particularly concerning the rights of women and children in areas affected by armed conflicts.

Social media has emerged as an indispensable instrument in championing the rights of women and children in the Middle East area, particularly under circumstances of persistent military hostilities. Twitter, Facebook, and Instagram have emerged as significant sources of information recording violence, human rights abuses, and the plight of women and children affected by the conflicts in Syria, Yemen, and Iraq.⁴ Campaigners and humanitarian agencies are using social media platforms to articulate the inequities endured by these marginalised populations and garner global awareness of the issue.

Nevertheless, while social media may function as a means of recording and promoting information, uncertainties emerge about the credibility of this digital evidence within the framework of international law. Third nations seeking to intervene or take action often encounter the challenge of asserting the legitimacy of material obtained via social media as legal assertions.⁵ The significance of this topic lies in the fact that the reliability and validation of data on social media are often questionable as a result of propaganda, information manipulation, and challenges in establishing the truth during war zones.

Furthermore, the field of international law has started to adapt to these developments by investigating the legal procedures for handling evidence obtained from social media, particularly in war crimes and human rights infringements.⁶ The objective of this research is to investigate the possibility of foreign nations asserting the legal validity of information obtained from social media, particularly in relation to safeguarding the rights of women and children

³ S Dubberley, A Koenig, and D Murray, "Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability," *Journal of Human Rights Practice* 12, no. 1 (2020): 175–90.

⁴ Sam Gregory, "Cameras Everywhere Revisited: How Digital Technologies and Social Media Aid and Inhibit Human Rights Documentation and Advocacy," *Journal of Human Rights Practice* 11, no. 2 (2019): 373–92, <https://doi.org/10.1093/jhuman/huz022>. See also Yordan Gunawan, et al. "Protection of People Living Conflict A Case Study in Yemen." *Unnes Law Journal* 7, no. 2 (2021): 305-318.

⁵ Dubberley, Koenig, and Murray, "Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability."

⁶ Chiraz Belhadj Ali, "International Crimes in the Digital Age: Challenges and Opportunities Shaped by Social Media," *Groningen Journal of International Law* 9, no. 1 (2021): 43–59, <https://doi.org/10.21827/GroJIL.9.1.43-59>.

in the war zones of the Middle East. Due to its complexity, it is necessary to use a more methodical approach to evaluate the accuracy and reliability of information obtained via social media within an international legal framework.

This study employs a qualitative research technique, specifically using case study analysis to examine armed conflict in the Middle East. The data used for analysis include both primary and secondary data. The primary data was collected by conducting comprehensive interviews with specialists in international law, human rights advocates, and researchers specialising in social media. The secondary data included extensive literature studies, international legal papers, and reports from human rights groups.

A content analysis technique was used to examine pertinent social media material, including postings on Twitter, Facebook, and YouTube, that documented instances of human rights abuses against women and children.⁷ Verification and validation of digital data were conducted using the triangulation approach, which included comparing data acquired from different sources to assess its reliability. A methodology based on international law was used to evaluate the admissibility of evidence gathered from social media in international courts and the permissible use of such material as a legal declaration by foreign governments. Furthermore, the research examined the difficulties linked to manipulating and disseminating false information within the framework of armed conflict.

According to Dubberley⁸, the processing of digital evidence obtained from social media during armed conflict requires meticulous protocols to guarantee its credibility and compliance with international law. Hence, this study not only investigates social media's function in realising rights but also outlines the legal procedures to lawfully assert ownership of such material on a worldwide level.

The Role of Social Media in the Documentation of Human Rights Violations

In the Middle East, social media has emerged as a crucial instrument for revealing and recording infringements of the rights of women and children in regions affected by armed conflict. Online platforms like Twitter, Facebook, and Instagram facilitate the rapid distribution of information on human rights

⁷ Alan Djaini, Fence M. Wantu, and Lusiana Margareth Tijow, "Legal Protection of Child Adoption without Trial by Human Rights Perspective," *Damhil Law Journal* 1, no. 1 (2021): 20, <https://doi.org/10.56591/dlj.v1i1.627>.

⁸ Dubberley, Koenig, and Murray, "Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability."

breaches by activists, journalists, and civil society.⁹ Social media has been a crucial platform for presenting visual and narrative proof of crimes against vulnerable people in the armed wars in Syria, Yemen, and Iraq.¹⁰ Nevertheless, evaluating the accuracy and reliability of such material becomes difficult in the face of widespread dissemination of false information and propaganda.¹¹

Social media's significance in reporting human rights breaches has grown markedly in the digital technology era. Social media platforms provide a rapid and extensive means for people, groups, and organisations to distribute information, especially when access to conventional media is restricted or regulated by regimes that may be implicated in human rights abuses. Within this framework, social media functions as a competent substitute instrument to record and distribute proof of human rights infringements, inciting worldwide scrutiny and fostering a reaction from the international society.

The use of social media in recording human rights breaches may be analysed in legal theory via the lens of openness and accountability in human rights. Transparency theory posits that precise and easily understandable information for the general public is a prerequisite for establishing efficient supervision of sovereign power and other governing bodies.¹² In this context, social media serves as a platform of openness that enables the general public to get information directly from those who have seen or been victims of human rights infringements. The accountability principle underscores the need to hold powerful entities, both state and non-state, responsible for their acts and subject them to sanctions if found to have violated the law.¹³ Through its extensive record, social media provides evidence that enhances the prosecution and responsibility of those responsible for human rights breaches in national and international tribunals.

Nevertheless, there are obstacles in analysing human rights infringements via social media. A significant obstacle lies in verifying and confirming the

⁹ Noval Sufriyanto Talani and Mellisa Towadi, "The Paradox of Information Technology: Between Freedom of Speech and the Legal Threats behind Visual Criticism in Indonesia," 2022, 040007, <https://doi.org/10.1063/5.0104115>.

¹⁰ T Warren, "The Role of Social Media in Documenting Human Rights Violations in Conflict Zones," *Journal of Human Rights* 8, no. 1 (2016): 120-132.

¹¹ Al-Rawi, "Social Media and the Arab World's 'Youth Quake.'"

¹² Ann Florini, *The Right to Know*, ed. Ann Florini (Columbia: Columbia University Press, 2007), <https://doi.org/10.7312/flor14158>.

¹³ Mark Bovens, "Two Concepts of Accountability: Accountability as a Virtue and as a Mechanism," *West European Politics* 33, no. 5 (2010): 946-67. See also Syarifatul Hidayah, "State Responsibility in Protecting Human Rights: An International Legal Perspective." *International Law Discourse in Southeast Asia* 2, no. 2 (2023): 279-304.

accuracy of the information being sent. Information shared on social media platforms sometimes needs a higher level of thorough vetting than that applied to conventional media, which may result in the spread of false or manipulated content. Furthermore, within legal theory, the propagation of inaccurate or unsubstantiated material may significantly affect the fundamental concept of due process. Using inaccurate information in legal processes can erode the credibility of the judicial system and infringe upon the rights of the accused.

The use of social media in recording human rights breaches may be analysed in legal theory via the lens of openness and accountability in human rights. Transparency theory posits that precise and easily understandable information for the general public is a prerequisite for establishing efficient supervision of sovereign power and other governing bodies.¹⁴ In this context, social media serves as a platform of openness that enables the general public to get information directly from those who have seen or been victims of human rights infringements. The accountability principle underscores the need to hold powerful entities, both state and non-state, responsible for their acts and subject them to sanctions if found to have violated the law.¹⁵ By its extensive record, social media provides evidence enhancing the prosecution and responsibility of those responsible for human rights breaches in national and international tribunals.

Nevertheless, there are obstacles in analysing human rights infringements via social media. A significant obstacle lies in verifying and confirming the accuracy of the information being sent. Information shared on social media platforms sometimes needs a higher level of thorough vetting than that applied to conventional media, which may result in the spread of false or manipulated content. Furthermore, within legal theory, the propagation of inaccurate or unsubstantiated material may significantly affect the fundamental concept of due process. The use of inaccurate information in legal processes has the potential to erode the credibility of the judicial system and infringe upon the rights of the accused.

Challenge of Verification and Legality of Digital Evidence

Although social media platforms may provide real-time documentation of infractions, the legitimacy and legality of digital evidence within the framework of international law continue to be contentious. Third nations seeking to utilise

¹⁴ Florini, *The Right to Know*.

¹⁵ Bovens, "Two Concepts of Accountability: Accountability as a Virtue and Mechanism."

this evidence as a legal declaration must consider the difficulties in verifying its authenticity. Multiple studies have shown that evidence obtained from social media often faces challenges in legal proceedings because of the absence of strong verification procedures and the potential for manipulation.¹⁶ Moreover, the need for well-defined legal criteria for admitting digital evidence in instances of human rights violations exacerbates these difficulties.

The task of confirming the authenticity and validity of digital evidence in legal processes is becoming a paramount concern in the era of digital technology. Electronic data, including emails, text messages, metadata, voice recordings, and videos, are examples of digital evidence often presented in court as evidentiary material.¹⁷ Nevertheless, digital evidence's intricate nature and ever-changing nature provide many obstacles concerning its dependability, genuineness, and legal soundness.

One of the primary obstacles in validating digital evidence is guaranteeing its genuineness. The integrity of digital evidence may be readily compromised, manipulated, or falsified without leaving any discernible proof. Hence, it is crucial to use digital forensic techniques to detect any alterations made to the original material.¹⁸ Verification is achieved using mechanisms such as hashing, which produces a distinct value (hash) for every data element; minor modifications to the data will modify the hash value, enabling the detection of manipulation. Nevertheless, these processes need precise instruments and specific knowledge, which may not always be accessible or understood by all legal system

stakeholders.

A further obstacle is in guaranteeing the integrity and traceability of digital evidence. The chain of custody is the systematic record maintained to indicate the individuals or entities who have been granted access to evidence and the specific time and circumstances under which it was acquired, stored, or transferred. The presence of any vulnerability in this chain might raise uncertainty about the credibility of the evidence, and the defence often uses this

¹⁶ Dubberley, Koenig, and Murray, "Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability."

¹⁷ Muhammad Ramadhan et al., "Edukasi Hukum Implikasi Undang-Undang Informasi Dan Transaksi Elektronik Di Kelurahan Bener, Yogyakarta," *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 1, no. 1 (2023): 119–30, <https://doi.org/10.33756/jds.v1i1.19442>.

¹⁸ Nurul Fazri Elfikri et al., "Kemampuan Membangun Kreatifitas Masyarakat Desa Biluhu Timur Mewujudkan Transformasi Digital," *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 4, no. 2 (2024): 92–104, <https://doi.org/10.33756/jds.v4i2.23119>.

to nullify the evidence. Preserving the integrity of digital evidence from its acquisition to its use in court is a significant difficulty due to its high susceptibility to duplication and transfer.

The admissibility of digital evidence is sometimes subject to different interpretations between international law and local legislation. The Budapest Convention on Cybercrime is an international legal document establishing universal criteria for gathering and using digital evidence worldwide. It also includes measures to strengthen collaboration between nations in addressing cybercrime threats. Nevertheless, different countries have distinct norms and regulations that might vary when assessing the legitimacy of digital evidence. Admissibility of digital evidence in various countries is contingent upon its collection following specific legal processes, which include obtaining the consent of a court or appropriate authority.

As to Rule 901 of the Federal Rules of Evidence in the United States, the authentication of digital evidence necessitates the presentation of comprehensive proof to substantiate the assertion made by the party asserting its authenticity. This task involves demonstrating the data's authenticity and establishing its relevance and legal acquisition. In certain legal systems, courts also adhere to the best evidence rule criterion, which mandates the presentation of the original digital evidence or sufficient explanation if the original version cannot be provided.

Emerging scholarly literature and legal practice indicate that law enforcement, digital forensic specialists, and legal practitioners must constantly adjust to technology advancements. The significance of maintaining consistent international standards in the gathering and analysing of digital evidence to tackle these issues is underscored in an article by Casey and Clark (2016).¹⁹

Therefore, while digital evidence is crucial in contemporary legal processes, the complexities in verifying its authenticity and legality need a comprehensive strategy and alignment of global legal norms to guarantee equity and legitimacy in its use. Resolving these issues requires the collaboration of a more extensive international legal framework and using cutting-edge technology in digital forensic investigation.

Evidence Legal Implications for Third Countries in Claiming Social Media Evidence

¹⁹ Eoghan Casey, *Digital Evidence and Computer Crime: Forensic Science, Computers and the Internet* (Maryland: Elsevier, 2011), <https://rishikeshpansare.wordpress.com/wp-content/uploads/2016/02/digital-evidence-and-computer-crime-third-edition.pdf>.

The use of evidence from social media by third countries in an attempt to intervene or make legal claims raises questions of jurisdiction and legitimacy. In international law, third states claiming rights or acting on evidence from social media often face challenges related to the principles of sovereignty and non-intervention. Recent research highlights that while social media can support rights-based interventions, it is important to have a clear legal framework and international standards to assess such evidence's validity.²⁰

The legal implications for third countries of claiming evidence from social media in international litigation or investigations are becoming increasingly complex in this digital age. The use of evidence from social media platforms such as Facebook, Twitter and Instagram has become an important part of many legal proceedings. However, when third countries make such claims - i.e. countries outside the direct jurisdiction of the service provider or the user's residence - challenges arise regarding jurisdiction, privacy and sovereignty. These issues demand strict legal regulation and international cooperation through globally recognised mechanisms.

One of the biggest challenges is the issue of jurisdiction. A third country claiming digital evidence stored in another country must comply with applicable principles of international law. For example, in the case of *Microsoft Corp. v. United States* (2018), the US Supreme Court ruled that the US government could not force Microsoft to hand over data stored on servers in Ireland without going through international procedures such as Mutual Legal Assistance Treaties (MLATs). This case shows that the claiming of digital evidence by third countries must go through a strictly regulated process to not infringe on the sovereignty of other countries and the rights of the individuals involved.²¹

The privacy issue is also at the forefront of evidence claims by third countries. In the European Union, the General Data Protection Regulation (GDPR) protects personal data, including information collected from social media platforms. The GDPR requires that data transfers to countries outside of Europe only occur if those countries have equivalent data protection standards. This means that third countries wishing to access data from European-based platforms must demonstrate a legitimate interest and comply with the procedures stipulated by the GDPR, such as obtaining permission from a data

²⁰ Dubberley, Koenig, and Murray, "Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability."

²¹ J C Bennett and C Raab, *The Governance of Privacy: Policy Instruments in Global Perspective (3rd Ed.)* (Cambridge: MIT Press, 2018).

protection authority.²² For example, in the Schrems II case (2020), the court confirmed that data transfers to the US must comply with data protection standards equivalent to the GDPR, which adds to the challenge for third countries to claim social media evidence.

Case practice in different countries shows a variety of approaches in dealing with digital evidence from social media involving third countries. In Canada, in *R. v. Marakah* (2017), the Supreme Court confirmed a significant expectation of privacy in private messages on social media, such that access to such evidence requires a strong court order. This applies not only to domestic authorities but also to requests from other jurisdictions. In contrast, in the United States, through the Stored Communications Act (SCA), the government has broader powers to access digital data. However, it must still go through international legal aid mechanisms if it involves third countries.²³

On the other hand, academic studies have also highlighted the importance of consistent international standards in handling digital evidence across countries. Svantesson and Gerry (2019) argued that the fragmentation of rules and jurisdictions in managing digital evidence demands global reforms to align the legal interests of different countries and the privacy rights of individuals. They emphasise that global regulatory harmonisation is becoming increasingly important to prevent conflicts of law and ensure fairness in access to digital evidence in international trials.²⁴

To address these challenges, various international legal instruments, such as the Budapest Convention on Cybercrime, have provided frameworks that enable cooperation between countries in addressing cybercrime and digital evidence collection. Third, countries wishing to claim social media evidence must comply with these international mechanisms and maintain a balance between the needs of law enforcement and the protection of human rights.

Overall, the legal challenges for third countries in claiming social media evidence include issues related to jurisdiction, sovereignty and privacy. With the rapid development of technology and digitisation, a flexible yet assertive legal

²² C. Kuner, "GDPR: Understanding the General Data Protection Regulation" (Portsmouth, 2017).

²³ F. Wang, *Internet Jurisdiction and Choice of Law: Legal Practices in the EU, US and China* (Cambridge: Cambridge University Press, 2018).

²⁴ B. D. J. Svantesson and F. Gerry, "Cross-Border Law Enforcement Access to Data: The Future of Global Evidence Gathering," *Computer Law & Security Review* 35, no. 3 (2019): 401–16, [https://doi.org/Svantesson, Gertjan Boulet, and Nicholas Hernanz](https://doi.org/Svantesson, Gertjan Boulet, and Nicholas Hernanz.). "Cross-Border Law Enforcement Access to Data: The Future of Global Evidence Gathering." *Computer Law & Security Review*, 35, no. 3 (2019): 401–416.

approach and strong international collaboration are required to keep the legal process fair and effective amidst complex jurisdictional boundaries.

Can Public Support via Social Media in Middle East Conflicts be Claimed as a Legal Assertion?

Public support and efforts through social media in response to armed conflicts in the Middle East have become an important part of global advocacy, with third countries often using digital platforms to express their positions or organise international campaigns. The question arises whether these measures can be claimed as official legal acts of a third country in international law. In principle, while efforts through social media can influence public opinion and create diplomatic pressure, these measures do not automatically fulfil the criteria of binding legal acts within the framework of international law.

In international law, a state's legal action generally involves actions taken through recognised formal mechanisms, such as treaties, resolutions, or declarations submitted through international forums such as the United Nations (UN). Under the 1961 Vienna Convention on Diplomatic Relations, a state's diplomatic and legal acts are usually realised through official representatives, such as diplomats or designated government officials. Article 3 of the Vienna Convention emphasises that the primary diplomatic functions include representation, negotiation and protection of the state's interests abroad through official channels. Therefore, although politically influential, statements or campaigns on social media conducted by third countries do not automatically have the same legal status as official diplomatic acts provided for in international legal instruments.

However, in some cases, public support via social media can have significant legal effects if accompanied by official action or international pressure. For example, in the humanitarian crises in Syria and Yemen, global mobilisation through social media has helped galvanise support for resolutions at the UN aimed at protecting civilians and demanding an end to violence. Although these measures were initiated through digital campaigns, legal actions taken by third countries are still conducted through official channels and following the principles of international law, as stipulated in the UN Charter and the 1949 Geneva Conventions.

International law principles such as state sovereignty and non-intervention, as enshrined in Article 2(4) and Article 2(7) of the UN Charter, remain important limitations on claims that public support through social media can be considered a legal act. The UN Charter affirms that states may

not intervene in the internal affairs of another state, including through digital campaigns that could destabilise or threaten its sovereignty. This suggests that while third countries may use social media to voice support or express concern for issues in the Middle East, these measures cannot be considered legitimate legal actions unless followed by formal mechanisms that comply with international law.

Public support through social media, such as the #SaveAleppo or #StopTheWarInYemen campaigns, often serves as part of public diplomacy aimed at mobilising global attention and encouraging international action. According to Cull (2019), public diplomacy conducted through social media often complements traditional diplomacy, where third countries try to shape global public opinion to influence the outcome of international negotiations or decisions taken by organisations such as the UN.²⁵ However, this public diplomacy remains outside the formal binding legal framework.

On the other hand, social media campaigns can be an effective tool for pressure in international legal proceedings, such as advocacy for international tribunals or sanctions. For example, global support through social media for justice for genocide victims in Myanmar has contributed to pressure on the Myanmar government at the International Court of Justice. However, legitimate legal steps are still being taken through formal channels by the Rome Statute and other relevant international law.²⁶

Overall, while public support through social media can play an important role in creating momentum for international legal action, these measures can only be claimed as official legal action of a third country with formal mechanisms recognised by international law. Legal principles such as state sovereignty and non-intervention remain key barriers that ensure that international legal action requires a more formalised and structured process than a mere digital campaign.

Opportunities and Challenges in Using Social Media for Women's and Children's Rights Advocacy

²⁵ N J Culls, *Public Diplomacy: Foundations for Global Engagement in the Digital Age*. (Boston: Polity Press, 2019).

²⁶ L Weber, "Disinformation and Propaganda in Conflict Zones: The Role of Social Media," *Conflict Studies Quarterly* 30, no. 2 (2020): 45–60, <https://doi.org/https://doi.org/10.1007/s12147-019-09420-6>.

In the context of the Middle East, women's and children's rights advocacy through social media has made significant progress, but it is still faced with cultural, political, and technological barriers. Research shows that while there is great potential in utilising social media to fight for human rights, there is an urgent need to increase collaboration between countries and international institutions to ensure that digital evidence can be used effectively within international legal frameworks.²⁷

The use of social media as an advocacy tool for women's and children's rights in the context of armed conflict in the Middle East offers both opportunities and complex challenges, particularly for third countries engaged in international diplomacy and advocacy efforts. Third countries, such as European and North American countries, often use social media to support human rights campaigns in conflict zones²⁸, as well as to exert political pressure on parties involved in violations of women's and children's rights.

A key opportunity offered by social media is its ability to spread information quickly and widely, allowing advocacy campaigns to reach a global audience quickly. For example, in Syria, women activists used social media to spread information about the gender-based violence they were experiencing, as well as to call for international assistance. Third countries often support these efforts by sharing content, increasing the visibility of campaigns through diplomatic networks and non-governmental organisations, and providing financial support to local groups engaged in women's and children's rights advocacy.²⁹

Principles of international law, such as those contained in the 1949 Geneva Conventions and Additional Protocols I and II, as well as the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), provide a legal foundation for this advocacy. Third countries have obligations to promote and protect human rights under these international legal instruments, including in the context of armed conflict. Through social media, third countries can advocate for compliance with international humanitarian

²⁷ L Smith and D Jones, "The Shifting Paradigm of State Sovereignty in a Globalized World," *Global Governance Studies*, 18, no. 1 (2023): 40–56.

²⁸ Mellisa Towadi et al., "Neutrality Law in the Age of Digitalization: An Analysis of the Russia-Ukraine Conflict," *Lex Scientia Law Review* 7, no. 1 (2023): 31–60, <https://doi.org/10.15294/lesrev.v7i1.61763>.

²⁹ M Aouragh, "Social Media, Mediation and the Arab Revolutions," *Middle East Critique* 25, no. 4 (2016): 305–22, <https://doi.org/https://doi.org/10.1080/19436149.2016.1225972>.

law and highlight violations of women's and children's rights to pressure perpetrators to comply with international standards.³⁰

However, there are some significant challenges to the use of social media for human rights advocacy in conflict zones, including:

- 1) Security risks for local activists. In some Middle Eastern countries, governments or armed groups often monitor social media activity and take repressive action against those perceived to be spreading information that damages their image. Activists working with third countries or international organisations are often targeted for repression, such as arrest, violence or even murder.³¹
- 2) The spread of disinformation and propaganda. In conflict situations, state and non-state actors often use social media to spread false or biased narratives that obscure facts and manipulate public opinion.

This hampers advocacy efforts and can lead to confusion among the international community regarding the actual situation. For example, in the conflict in Yemen, various conflicting narratives emerged on social media, which complicated international efforts to assess and respond to human rights violations.³²

In international law, third countries engaging in advocacy through social media should also be mindful of the principles of non-intervention and state sovereignty. While human rights advocacy is an international obligation³³, the act of a third country involving itself too deeply in another country's internal affairs through social media campaigns could be considered a violation of sovereignty. Therefore, third countries must strike a balance between human rights advocacy and respect for the principle of non-intervention as stipulated in the UN Charter (Article 2(7)):

“Nothing contained in the present Charter shall authorise 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

³⁰ See Ameerah binti Amir, Wahyu Nur Hanifah, and Anis Widyawati. "Legal Protection of Children in Armed Conflict in the View of International Humanitarian Law." *Indonesian Journal of Criminal Law Studies* 7, no. 1 (2022): 1-16.

³¹ C Jones, "The Role of Social Media in Conflict Zones: Case Study of Syria," *Journal of Conflict Resolution* 62, no. 5 (2018): 971-96.

³² Weber, "Disinformation and Propaganda in Conflict Zones: The Role of Social Media."

³³ Mellisa Towadi, Nur Mohamad Kasim, and Rumawi Rumawi, "An Indication of China's Policy towards Uighurs and Its Implications by International Law Aspects," *Jambura Law Review* 3, no. 1 (2021): 55-71, <https://doi.org/10.33756/jlr.v3i1.7730>.

present Charter, but this principle shall not prejudice the application of enforcement measures under Chapter VII.”

To address these challenges, a collaborative and strategic approach is required. Third countries must work with international organisations, local governments and civil society to ensure that social media campaigns are conducted effectively and safely. In addition, stronger and more transparent international legal mechanisms should be developed to address cases where social media advocacy is hampered by disinformation or government repression.

Third-country use of social media in women's and children's rights advocacy in Middle Eastern conflict zones offers great potential but presents significant risks. With a coordinated approach grounded in international law principles, social media can be a powerful tool to fight for justice and protection for vulnerable groups during armed conflict.

Conclusion

Social media plays an important role in documenting human rights violations, especially in conflict-affected areas, by providing a platform for rapid information dissemination and accountability. However, challenges associated with the verification and legality of digital evidence complicate its use in legal proceedings, requiring a robust international legal framework to ensure authenticity and compliance with privacy standards. The complexities surrounding the use of social media are effectively leveraged for advocacy within international legal frameworks, particularly about privacy, sovereignty and digital campaigning. While social media can amplify voices for the rights of women and children in conflict areas, it must be used carefully to fit within legal frameworks and respect state sovereignty.

References

- Al-Rawi, A. “Social Media and the Arab World’s ‘Youth Quake.’” *International Journal of Communication* 14 (2020): 1619–39.
- Allagui, Ilhem, and Johanne Kuebler. “The Arab Spring and the Role of Digital Media.” *International Journal of Communication*, 5 (2011): 1–20. <https://doi.org/1932-8036/2011FEA1435>.
- Amir, Ameerah binti, Wahyu Nur Hanifah, and Anis Widyawati “Legal Protection of Children in Armed Conflict in the View of International Humanitarian Law.” *Indonesian Journal of Criminal Law Studies* 7, no. 1

- (2022): 1-16.
- Aouragh, M. "Social Media, Mediation and the Arab Revolutions." *Middle East Critique* 25, no. 4 (2016): 305–22. <https://doi.org/https://doi.org/10.1080/19436149.2016.1225972>.
- Belhadj Ali, Chiraz. "International Crimes in the Digital Age: Challenges and Opportunities Shaped by Social Media." *Groningen Journal of International Law* 9, no. 1 (2021): 43–59. <https://doi.org/10.21827/GroJIL.9.1.43-59>.
- Bennett, J C, and C Raab. *The Governance of Privacy: Policy Instruments in Global Perspective (3rd Ed.)*. Cambridge: MIT Press, 2018.
- Boulet, Gertjan, and Nicholas Hernanz. "Cross-Border Law Enforcement Access to Data: The Future of Global Evidence Gathering". *Computer Law & Security Review* 35, no. 3 (2019): 401–416.
- Bovens, Mark. "Two Concepts of Accountability: Accountability as a Virtue and a Mechanism." *West European Politics* 33, no. 5 (2010): 946–67. <https://doi.org/10.1080/01402382.2010.486119>.
- Casey, Eoghan. *Digital Evidence and Computer Crime: Forensic Science, Computers and the Internet*. Maryland: Elsevier, 2011. <https://rishikeshpansare.wordpress.com/wp-content/uploads/2016/02/digital-evidence-and-computer-crime-third-edition.pdf>.
- Culls, N J. *Public Diplomacy: Foundations for Global Engagement in the Digital Age*. Boston: Polity Press, 2019.
- Djaini, Alan, Fence M. Wantu, and Lusiana Margareth Tijow. "Legal Protection of Child Adoption without Trial by Human Rights Perspective." *Dambhil Law Journal* 1, no. 1 (2021): 20. <https://doi.org/10.56591/dlj.v1i1.627>.
- Dubberley, S, A Koenig, and D Murray. "Digital Witness: Using Open Source Information for Human Rights Investigation, Documentation, and Accountability." *Journal of Human Rights Practice* 12, no. 1 (2020): 175–90.
- Elfikri, Nurul Fazri, Nirwan Junus, Lisnawaty Wadju Badu, Karlin Mamu, Irlan Puluhulawa, and Muh. Iksan Putra Kai. "Kemampuan Membangun Kreatifitas Masyarakat Desa Biluhu Timur Mewujudkan Transformasi Digital." *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 4, no. 2 (2024): 92–104. <https://doi.org/10.33756/jds.v4i2.23119>.
- Florini, Ann. *The Right to Know*. Edited by Ann Florini. Columbia: Columbia University Press, 2007. <https://doi.org/10.7312/flor14158>.
- Gregory, Sam. "Cameras Everywhere Revisited: How Digital Technologies and Social Media Aid and Inhibit Human Rights Documentation and

- Advocacy.” *Journal of Human Rights Practice* 11, no. 2 (2019): 373–92. <https://doi.org/10.1093/jhuman/huz022>.
- Gunawan, Yordan, et al. "Protection of People Living Conflict A Case Study in Yemen." *Unnes Law Journal* 7, no. 2 (2021): 305-318.
- Hidayah, Syarifatul. "State Responsibility in Protecting Human Rights: An International Legal Perspective." *International Law Discourse in Southeast Asia* 2, no. 2 (2023): 279-304.
- Jones, C. "The Role of Social Media in Conflict Zones: Case Study of Syria." *Journal of Conflict Resolution* 62, no. 5 (2018): 971–96. <https://doi.org/https://doi.org/10.1177/0022002718772666>.
- Kuner, C. "GDPR: Understanding the General Data Protection Regulation." Portsmouth, 2017.
- Ramadhan, Muhammad, Dwi Oktafia Ariyanti, Nita Ariyani, and Henry Arianto. "Edukasi Hukum Implikasi Undang-Undang Informasi Dan Transaksi Elektronik Di Kelurahan Bener, Yogyakarta." *DAS SEIN: Jurnal Pengabdian Hukum Dan Humaniora* 1, no. 1 (2023): 119–30. <https://doi.org/10.33756/jds.v1i1.19442>.
- Smith, L, and D Jones. "The Shifting Paradigm of State Sovereignty in a Globalized World." *Global Governance Studies*, 18, no. 1 (2023): 40–56.
- Svantesson, B D J, and F Gerry. "Cross-Border Law Enforcement Access to Data: The Future of Global Evidence Gathering." *Computer Law & Security Review* 35, no. 3 (2019): 401–16. <https://doi.org/SvantessonD>.
- Talani, Noval Sufriyanto, and Mellisa Towadi. "The Paradox of Information Technology: Between Freedom of Speech and the Legal Threats behind Visual Criticism in Indonesia," *AIP Conference Proceedings*. Vol. 2573. No. 1. AIP Publishing, 2022. <https://doi.org/10.1063/5.0104115>.
- Towadi, Mellisa, Zamroni Abdussamad, Anis Bajrektarevic, Lisnawaty W Badu, and Waode Mustika. "Neutrality Law in the Age of Digitalization: An Analysis of the Russia-Ukraine Conflict." *Lex Scientia Law Review* 7, no. 1 (2023): 31–60. <https://doi.org/10.15294/lesrev.v7i1.61763>.
- Towadi, Mellisa, Nur Mohamad Kasim, and Rumawi Rumawi. "An Indication of China's Policy towards Uighurs and Its Implications by International Law Aspects." *Jambura Law Review* 3, no. 1 (2021): 55–71. <https://doi.org/10.33756/jlr.v3i1.7730>.
- Wang, F. *Internet Jurisdiction and Choice of Law: Legal Practices in the EU, US and China*. Cambridge.: Cambridge University Press, 2018.
- Warren, T. "The Role of Social Media in Documenting Human Rights Violations in Conflict Zones." *Journal of Human Rights* 8, no. 1 (2016): 120–132.

Weber, L. “Disinformation and Propaganda in Conflict Zones: The Role of Social Media.” *Conflict Studies Quarterly* 30, no. 2 (2020): 45–60. <https://doi.org/https://doi.org/10.1007/s12147-019-09420-6>.

Acknowledgment

The authors would like to thank the Faculty of Law, Universitas Negeri Semarang in collaboration with the Faculty of Law, Universitas Negeri Gorontalo, for organising the international conference (ICCONSIST), which has facilitated the dissemination of our research and enabled us to publish the article in this journal. We also thank the committee and journal editors for managing our article.

Funding Information

None

Conflicting Interest Statement

There is no conflict of interest in the publication of this article.

Publishing Ethical and Originality Statement

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

Notification

Starting from the 2024 issue, our journal has transitioned to a new platform for an enhanced reading experience. All new articles and content will now be available on this updated site. However, we would like to assure you that archived issues from 2017 to 2023 are still accessible via the previous site. Please check the following link: <https://journal.unnes.ac.id/sju/lslr/issue/archive>