



### THE APPLICABILITY OF DUE DILIGENCE IN CYBERSPACE: REFLECTIONS FROM AN INTERNATIONAL LAW PERSPECTIVE

Due diligence, as an obligation of conduct in international law, has progressively expanded across different legal domains and has more recently extended into cyberspace. Within the increasingly prominent debate on the scope and applicability of international law in cyberspace, a central issue concerns whether States are bound by cyber due diligence obligations, and, if so, how these obligations should be articulated.

This article examines whether, in this context, due diligence should be understood as a non-binding standard of voluntary State conduct or as a binding legal obligation, the breach of which entails consequences under customary international law on State responsibility. It further explores whether the principle applies *sic et simpliciter* to cyberspace or requires specific adaptations, and whether it displays autonomous characteristics distinct from its traditional formulation.

The analysis is framed within the broader context of the rapid development of information and communication technologies, which, while offering significant benefits, are increasingly exploited for malicious purposes, thereby posing challenges to international legal frameworks and potentially threatening peace and security.