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Terrorism as a Challenge for National and International Law: Security versus Liberty?



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Terrorism As A Challenge For National And International Law

**Christian Walter, Silja Vöneky, Volker
Röben, Frank Schorkopf**



Terrorism As A Challenge For National And International Law:

Terrorism as a Challenge for National and International Law: Security versus Liberty? Christian Walter, Silja Vöneky, Volker Röben, Frank Schorkopf, 2004-06-25 The events of 11 September 2001 have led to significant developments in international law with respect to combating terrorism by military and non military action The volume addresses the issues raised in a comprehensive manner It comprises country reports with analyses of the developments in a number of selected countries Based on these country reports the volume traces new developments in the definition of international terrorism deals with the issue of human rights protection under new anti terrorist legislation and examines the recent developments towards international military action against terrorism *A War on Terror?* Marianne Wade, Almir Maljevic, 2009-11-05 Marianne Wade and Almir Maljevi Although the worries about terrorism paled in comparison to the economic crisis as a topic during the last US election one can find plenty of grounds to assume that they remain issue number one in the minds of politicians in Europe As the German houses of Parliament prepare to call in the mediation committee in the discussion of legislation which would provide the Federal Police thus far mandated purely with the post facto investigation of crime with powers to act to prevent acts of terrorism Spain's struggle with ETA and the British Government licks its wounds after a resounding defeat of its latest anti terrorist proposals by the House of Lords one cannot but wonder whether post 9 11 the Europeans are not even more concerned with terrorism than their US counterparts A look at media reports legislative and judicial activities in either Britain or Germany clearly underlines that those two countries are deeply embroiled in anti terrorist activity Can it be that Europe is embroiled in the War on Terror constantly providing for new arms in this conflict Or is it a refusal to participate in the War on Terror that fuels a constant need for Parliaments to grapple with the subject begrudgingly conceding one increasingly draconian measure after the other The question as to where Europe stands in the War on Terror is a fascinating one but one which is difficult to answer The 'War on Terror' and the Framework of International Law Helen Duffy, 2015-04-09 Helen Duffy's analysis of international law and practice in relation to terrorism and counter terrorism provides a framework for analysing the lawfulness of the many legislative policy and judicial developments which have proliferated since 9 11 Among the many specific issues she addresses are targeted killings and the death of Osama bin Laden detentions including Guantanamo Bay sanctions regimes surveillance extraordinary renditions the prohibition on association or support for terrorism and the evolving preventive role of criminal law She also considers the unfolding responses to political and judicial wrongs committed in the war on terror such as the impact of the courts on human rights protection While exploring areas of controversy uncertainty and flux she questions post 9 11 allegations of gaping holes inadequacies or transformation in the international legal order and concludes by highlighting characteristics of the war on terror and questioning its longer term implications **Terrorism as a Challenge for National and International Law: Security versus Liberty?** Christian Walter, Silja Vöneky, Volker Röben, Frank Schorkopf, 2004-07-05 The

events of 11 September 2001 have led to significant developments in international law with respect to combating terrorism by military and non military action The volume addresses the issues raised in a comprehensive manner It comprises country reports with analyses of the developments in a number of selected countries Based on these country reports the volume traces new developments in the definition of international terrorism deals with the issue of human rights protection under new anti terrorist legislation and examines the recent developments towards international military action against terrorism

International Law Sanford Silverburg, 2018-04-19 This book offers diverse multinational perspectives on traditional and emergent issues in the practice and study of international law It deals with the evolving foundations of international law and covers a wide range of issues that link international politics to international law

International Humanitarian Law Facing New Challenges Wolff Heintschel von Heinegg, Volker Epping, 2007-03-06 Recent armed conflicts whether international or non international in character are in many respects characterized by a variety of asymmetries These asymmetries may be overstressed sometime even abused and ultimately virtually meaningless Still either as such or in conjunction with other developments they seem to challenge the law of armed conflicts or international humanitarian law These challenges may very well compromise the very function of that body of law which is to mitigate as far as possible the calamities of war Thus the law of armed conflict may be deprived of its fundamental function as an order of necessity because its legally binding directives will increasingly be disregarded for the sake of allegedly superior values In order to discuss these and other questions a most distinguished group of experts in the field of the law of armed conflicts gathered in Berlin in June 2005 The goal of that colloquium which marked the 70th birthday of Knut Ipsen was to find operable solutions for problems and challenges the contemporary law of armed conflict is confronted with With contributions by Bill Boothby Michael Bothe Yoram Dinstein Knut D rmann Charles J Dunlap Jr Volker Epping Dieter Fleck Steven Haines Wolff Heintschel von Heinegg Hans Joachim Heintze Rainer Hofmann Frits Kalshoven Stefan Oeter W Hays Parks Michael Schmitt Torsten Stein and Andreas Zimmermann

Max Planck Yearbook of United Nations Law, Volume 8 (2004) Armin Von Bogdandy, Rüdiger Wolfrum, Christiane E. Philipp, 2004-01-01 Volume eight comprises topics like the United Nations system of the use of force the U S bilateral non surrender agreements in relation to the ICC developing countries non traditional intellectual property rights and the WIPO and fact finding by UN human rights complaints bodies

Islamic Jihadism and the Laws of War Omar Mekky, 2023 Drawing from his field expertise as a legal advisor in the Middle East and North Africa Omar Mekky narrates how Islamic Jihadism began and evolved outlines the laws jihadists apply during combat addresses how states often respond to jihadist groups and aims for a pragmatic humanitarian legal formula grounded in insightful readings

Redefining Organised Crime: A Challenge for the European Union? Stefania Carnevale, Serena Forlati, Orsetta Giolo, 2017-12-28 The definition of organised crime has long been the object of lively debate at national and international level Sociological and legal analysis has not yet led to one definitive answer to the question of what exactly organised crime

means Nonetheless many instruments adopted both at international and national levels set forth special legal regimes designed to target criminal groups featuring a stable organisation which are perceived as particularly dangerous to society Therefore identifying the notion of organised crime is crucial to establishing the scope of any legal instrument specifically designed for combating it The aim of this book is to reassess the scope the effectiveness and the overall coherence of existing definitions of organised crime and to identify any need for a reconsideration of these definitions specifically with reference to the EU legal order It will be of interest to academics practitioners and legislators working in the sphere of EU criminal law and of organised crime more generally

Shifting Horizons of Public International Law J.L. Kaul, Anupam

Jha, 2018-01-08 This book offers a South Asian perspective on international law maintaining a suitable distance from the Western approach The themes discussed reflect the region's particular contribution to the development of international law Each South Asian country has its own important role to play in promoting regional trade regulating maritime affairs ensuring access to water debating State responsibility engaging with International Criminal Court questioning diplomatic and consular immunities and most importantly upholding human rights These issues are addressed by local contributors from Nepal Bangladesh and Sri Lanka who have come together to represent the whole South Asian region on a single academic platform

REFUGEE CRISIS IN INTERNATIONAL POLICY - VOLUME IV - Refugees and International Challenges Hasret ÇOMAK, Burak Şakir ŞEKER, Mehlika Özlem ULTAN, Yaprak CİVELEK, Çağla ARSLAN BOZKUŞ, 2021-05-19 The fourth volume in this series contains insightful analyses on a variety of international problems within the context of refugee issue Contributions in this volume are as follows Ahmet Sapmaz Refugees and Security Saadat Demirci Refugees Migration and Security Threats Hsien Akdeniz The Impact of Irregular Migration on Security in the Framework of Changing Security Context Mehmet Emin Erendor Refugees and Terrorism Burak Şakir ŞEKER and Hasret ÇOMAK Mena Versus Europe Arising Dimensions of Mediterranean Maritime Security Cem Özlülük The Impact of Food Insecurity on Migration and Conflict in the Horn of Africa Burak Şakir ŞEKER and Hasret ÇOMAK Migration by Sea Libyan Case and EU Approach Neziha Musaoğlu Demographic Economic Political and Legal Dimensions of the Russian Federation's Migration Policy Ainur Nogayeva Central Asian Fighters and their Families in Syria Refugees or Terrorists Murat Pinar and Soyaloğlu Tamel Determining the Socio Economic and Security Impacts of Rohingya Refugees on Neighbouring Countries Bangladesh and India Ferdi G yetmez Immigration and Belonging Issue on the American Mexico Border Zekeriya Alperen Bedirhan The Deferred Action for Childhood Arrivals DACA Actın Sorunu and İhan Aras The Issue of Immigration in the United States Elections A Look at Trump Era Saadet Ali Kan Ciler An Alternative Solution to Problems Arising in Refugee Crises Humanitarian Space and Humanitarian System Murat Koray Developing Effective Resilience Based Strategies for Refugees Tarık Demir Enclivity and Refugees and Sezin Başgörsöy Refugee and Climate Change

Cyber-Attacks and the Exploitable Imperfections of International Law Yaroslav

Radziwill, 2015-07-28 At its current rate technological development has outpaced corresponding changes in international law

Proposals to remedy this deficiency have been made in part by members of the Shanghai Cooperation Organization led by the Russian Federation but the United States and select allies have rejected these proposals arguing that existing international law already provides a suitable comprehensive framework necessary to tackle cyber warfare Cyber Attacks and the Exploitable Imperfections of International Law does not contest and in fact supports the idea that contemporary jus ad bellum and jus in bello in general can accommodate cyber warfare However this analysis argues that existing international law contains significant imperfections that can be exploited gaps not yet filled that fail to address future risks posed by cyber attacks

The Changing Rules on the Use of Force in International Law Tarcisio Gazzini, 2005 The changing rules on the use of force in international law considers the main legal issues concerning the use of force by international organisations and states It assesses the achievements and failures of the United Nations collective security system and discusses the prospects ahead It also deals with the use of force by states in self defence and on other legal grounds The book discusses to what extent the rules on the use of force have evolved since the end of the Cold War in order to meet the needs of the international community It focuses in particular on the military operations directed against terrorism and weapons of mass destruction The research is developed from the standpoint of the sources of international law It rejects a static vision of the rules on the use of force including those enshrined in the UN Charter Rather it highlights the interaction between conventional and customary international law and the exposure of both sources to state practice

New Perspectives on the Divide Between National and International Law André Nollkaemper, Janne Elisabeth Nijman, 2007 This book analyses one of the most pressing issues of modern international law the relationship between the international legal order and the domestic legal orders of sovereign states It contains different perspectives on the legal complexity that results from the interactions between the international and domestic spheres

Threats to Homeland Security Richard J. Kilroy, Jr., 2018-02-26 Addresses threats to homeland security from terrorism and emergency management from natural disasters Threats to Homeland Security Second Edition examines the foundations of today's security environment from broader national security perspectives to specific homeland security interests and concerns It covers what we protect how we protect it and what we protect it from In addition the book examines threats from both an international perspective state vs non state actors as well as kinds of threat capabilities from cyber terrorism to weapons of mass destruction and from a national perspective sources of domestic terrorism and future technological challenges due to globalization and an increasingly interconnected world This new edition of Threats to Homeland Security updates previous chapters and provides new chapters focusing on new threats to homeland security today such as the growing nexus between crime and terrorism domestic and international intelligence collection critical infrastructure and technology and homeland security planning and resources as well as the need to reassess the all hazards dimension of homeland security from a resource and management perspective Features new chapters on homeland security intelligence crime and domestic terrorism critical infrastructure

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The Oxford Handbook of Terrorism Erica Chenoweth, Richard English, Andreas Gofas, Stathis N. Kalyvas, 2019-03-14 The Oxford Handbook of Terrorism systematically integrates the substantial body of scholarship on terrorism and counterterrorism before and after 9 11 In doing so it introduces scholars and practitioners to state of the art approaches methods and issues in studying and teaching these vital phenomena This Handbook goes further than most existing collections by giving structure and direction to the fast growing but somewhat disjointed field of terrorism studies The volume locates terrorism within the wider spectrum of political violence instead of engaging in the widespread tendency towards treating terrorism as an exceptional act Moreover the volume makes a case for studying terrorism within its socio historical context Finally the volume addresses the critique that the study of terrorism suffers from lack of theory by reviewing and extending the theoretical insights contributed by several fields including political science political economy history sociology anthropology criminology law geography and psychology In doing so the volume showcases the analytical advancements and reflects on the challenges that remain since the emergence of the field in the early 1970s

Challenges of International Law in the Asian Region Vitit Muntarbhorn, 2021-06-14 This book provides an innovative outlook of the various challenges of international law in the Asian region Moving away from the Eurocentrism prevalent in the literature on the subject it provides a comprehensive Asian perspective without adopting a monolithic or homogeneous Asian approach Although Asian countries converge on certain issues related to international law such as engagement with the United Nations at times there is a significant divergence such as in the case of agricultural trade liberalisation Given the vastness of the region and the differing political systems there are many discrepancies to consider The book takes into account the viewpoint of civil society so as to avoid a vertical state centred approach Offering an easy to understand presentation of key issues concerning the region this book is a useful introduction to this complex topic for students academics and practitioners of international law

Research Handbook on Law and Diplomacy Margaret E. McGuinness, David P. Stewart, 2022-12-08 This timely Research Handbook examines the dynamic and interdependent relationship between law and diplomacy in the contemporary international system Through accounts of the actual practice of international law and diplomacy it provides insights into how international law and relations operate and examines the complex relationship

The Interception of Vessels on the High Seas Efthymios Papastavridis, 2014-08-28 The principal aim of this book is to address the international

legal questions arising from the right of visit on the high seas in the twenty first century This right is considered the most significant exception to the fundamental principle of the freedom of the high seas the freedom in peacetime to remain free of interference by ships of another flag It is this freedom that has been challenged by a recent significant increase in interceptions to counter the threats of international terrorism and WMD proliferation or to suppress transnational organised crime at sea particularly the trafficking of narcotics and smuggling of migrants The author questions whether the principle of non interference has been so significantly curtailed as to have lost its relevance in the contemporary legal order of the oceans The book begins with an historical and theoretical examination of the framework underlying interception This historical survey informs the remainder of the work which then looks at the legal framework of the right of visit contemporary challenges to the traditional right interference on the high seas for the maintenance of international peace and security interferences to maintain the bon usage of the oceans navigation and fishing piracy j ure gentium and current counter piracy operations off the coast of Somalia the problems posed by illegal unregulated and unreported fishing interdiction operations to counter drug and people trafficking and recent interception operations in the Mediterranean Sea organised by FRONTEX United Nations Naval Peace Operations in the Territorial Sea Rob McLaughlin, 2009 Drawing on the operational experience of United Nations naval peace operations this book examines issues of authority for such operations as they relate to and impact upon the Territorial Sea

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