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TERROURISM AND THE MILITARY

International Legal Implications

Edited by

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Terrorism And The Military International Legal Implications

Steven J. Barela



Terrorism And The Military International Legal Implications:

Terrorism and the Military Wybo P. Heere, 2011-01-18 The Progression of International Law Yoram Dinstein, Fania Domb, 2011-11-11 This volume was produced to celebrate the fortieth anniversary of the Israel Yearbook on Human Rights. Forty years have yielded an impressive forty annual volumes. When it was started in 1971 the Yearbook was the first of its kind anywhere in the world. It has always understood its mandate as transcending the narrow borders of the discipline of either national or international human rights. From the outset international humanitarian law and international criminal law were understood as coming within the proper framework of the Yearbook as were on occasion articles on diverse freedoms that may seem out of bounds to a strict interpreter of the phrase human rights.

Research Handbook on International Law and Terrorism Ben Saul, 2020-04-24 This newly revised and updated second edition provides a comprehensive overview of international counter terrorism law and practice. Brand new and revised chapters provide critical commentary on the law from leading scholars and practitioners in the field including new topics for this edition such as foreign terrorist fighters, the nexus between organized crime and terrorism and the prevention of violent extremism.

Counter-Terrorism and International Law Katja L.H. Samuel, 2017-03-02 The articles and essays in this volume consider the problem of international terrorism from an international legal perspective. The articles address a range of issues starting with the dilemma of how to reach agreement on what constitutes terrorism and how to encapsulate this in a legitimate definition. The essays move on to examine the varied responses to terrorism by states and international organisations. These responses range from the suppression conventions of the Cold War which were directed at criminalising and punishing various manifestations of terrorism to more coercive executive led responses. Finally the articles consider the role of the Security Council in developing legal regimes to combat terrorism for example by the use of targeted sanctions or by general legislative measures. An evaluation of the contribution of the sum of these measures to the goals of peace and security as embodied in the UN Charter is central to this collection.

International Law And Armed Conflict, Exploring the Faultlines Michael N. Schmitt, Jelena Pejic, 2007 International law and armed conflict exist in a symbiotic relationship. In some cases law shapes conflict proactively by imposing normative limits in advance of the appearance of proscribed conduct. Much more commonly armed conflict either reveals lacunae in the law or demonstrates how law designed for yesterday's wars falls short when applied to contemporary conflict. When that happens international law reacts by allowing provisions to fall into desuetude embracing new interpretations of existing prescriptions or generating new norms through practice or codification. In the 21st Century both international security and armed conflict are the subject of arguably unprecedented sea changes. As a result claims that both the *jus ad bellum* and *jus in bello* are unwieldy and ill fitting in the context of modern hostilities have surfaced prominently. Whether one agrees with such dire assessments what has become clear is that armed conflict is increasingly exposing faultlines in the law governing the resort to force. The intent of this collection of essays in

honour of Professor Yoram Dinstein on the occasion of his 70th birthday is to explore such faultlines first by identifying them and then by assessing their consequences. In a sense then the essays contributed by the top minds in the field will serve to assist academics and practitioners to anticipate pressure on the law governing armed conflict and to the extent possible react accordingly. Paralleling Professor Dinstein's classic works *War Aggression and Self Defence* and *The Conduct of Hostilities Under the Law of International Armed Conflict*, the book addresses both *ius ad bellum* and *ius in bello* topics. *The Evolution and Transformation of International Law* Max Hilaire, 2021-12-17 Developments in International Law from the Peace of Westphalia to the Post United Nations Charter

Terrorism and the State Tal Becker, 2006-03-23 Winner of the 2007 Paul Guggenheim Prize Today's terrorists possess unprecedented power but the State still plays a crucial role in the success or failure of their plans. Terrorists count on governmental inaction, toleration or support. And citizens look to the State to protect them from the dangers that these terrorists pose. But the rules of international law that regulate State responsibility for preventing terrorism were crafted for a different age. They are open to abuse and poorly suited to hold States accountable for sponsoring or tolerating contemporary terrorist activity. It is time that these rules were reconceived. Tal Becker's incisive and ground-breaking book analyses the law of State responsibility for non-State violence and examines its relevance in a world coming to terms with the threat of catastrophic terrorism. The book sets out the legal duties of States to prevent and abstain from supporting terrorist activity and explores how to maximise State compliance with these obligations. Drawing on a wealth of precedents and legal sources, the book offers an innovative approach to regulating State responsibility for terrorism inspired by the principles and philosophy of causation. In so doing it presents a new conceptual and legal framework for dealing with the complex interactions between State and non-State actors that make terrorism possible and offers a way to harness international law to enhance human security in a post 9/11 world.

Maritime Interception and the Law of Naval Operations Martin Fink, 2018-08-29 This book considers the international law applicable to maritime interception operations (MIO) conducted on the high seas and within the context of international peace and security. MIO being a much used naval operational activity employed within the entire spectrum of today's conflicts. The book deals with the legal aspects flowing from the boarding and searching of foreign flagged vessels and the possible arrest of persons and confiscation of goods and analyses the applicable law with regard to maritime interception operations through the legal bases and legal regimes. Considered are MIO undertaken based on for instance the UN Collective Security System, maritime embargo operations, self-defence and ad hoc consent and within the context of legal regimes various views are provided on the right of visit, the use of force and the use of detention. This volume which has contemporary naval operations as its central focus and structures the analysis as a sub-discipline of the international law of military operations will be of great interest both to academics, practitioners and policy advisors working or involved in the field of military and naval operations and to those professionals wanting to learn more about the international law of military operations, naval

operations and the law of the sea and maritime security Martin Fink is a naval and legal officer in the Royal Netherlands Navy

International Law, New Diplomacy and Counterterrorism Steven J. Barela, 2014-03-05 This interdisciplinary book explores how terrorism is meant to target a government's legitimacy and advocates for sounder defensive measures when countering international attacks The dramatic increase in global cooperation throughout the twentieth century between international organisations and their state missions of diplomats foreign officers international civil servants intelligence officers military personnel police investigators judges legislators and financial regulators has had a bearing on the shape and content of the domestic political order The rules that govern all of these interactions and the diplomats engaged to monitor and advocate for compliance have undergone a mushrooming development following the conclusion of each world war This dramatic growth is arguably the most significant change the international structure has experienced since the inception of the state based system ushered in with the Peace of Westphalia in 1648 International Law New Diplomacy and Counterterrorism explores the impact of this growth on domestic legitimacy through the integration of two disciplines international law and political philosophy Focusing particularly on the cross border counterterrorism actions launched by the United States the author investigates how civil societies have often turned to the standards of international law to understand and judge the legitimacy of their government's counterterrorism policies reaching across international borders The book concludes that those who craft counterterrorism policies must be attentive to defending the target of legitimacy by being wholly mindful of the realms of legality morality and efficacy when exercising force This book will be of much interest to students of international law diplomacy counterterrorism political philosophy security studies and IR

Legal Aspects of Combating Terrorism, 2008-11-03 This volume in the NATO Science for Peace and Security Series contains the papers of the Advanced Training Course ATC Legal Aspects of Combating Terrorism The purpose of this course was to support NATO on defence issues related to terrorism and united experts from various disciplines to give participants an understanding of how the various dimensions of the laws and their application fit together In addition to the lectures that can be found in this book the course was divided into three modules the legal response to terrorism in general terms combating terrorism using lawful means and harmonizing the Law of Armed Conflict LAC national laws and NATO in the fight against terrorism One of the main questions dealt with in this work is whether in the face of the new threat terrorism should still be countered through the ordinary means of criminal law or whether there should be a significant shift in enforcement methods including a less multilateral approach to decision making and an increased use of military force

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