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TERRORISM AND THE MILITARY

International Legal Implications

Edited by

Stephen D. Kocs

Foreword

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Terrorism And The Military International Legal Implications

Max Hilaire



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. *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 **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 *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 **Extraterritorial Use of Force Against Non-State Actors** Noam Lubell, 2010-05-27 This book examines the legality of the use of force by states against individuals and non state groups located beyond its borders in light of applicable international law The issues discussed include force used in the war on terror pre emptive self defence and targeted killings of individuals *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 **The Security Council and the Use of**

Force Niels M. Blokker, Nico Schrijver, 2005 This book addresses the authority of the UN Security Council to regulate the use of force In particular it examines the question of whether the present composition functions and powers of the Security Council are adequate to meet recent demands such as the need perceived by states to use force in cases of humanitarian emergency and pre emptive action in response to international terrorism and the proliferation of weapons of mass destruction Is the Security Council still well positioned today to deal with these demands and challenges In seeking a response the book analyzes both Charter law and Security Council practice It addresses not only the hotly debated recent crises concerning Kosovo Afghanistan and Iraq but also resolutions dealing with the use of force by peacekeeping operations A number of issues relating to the right of self defence are analyzed as are the emerging new roles of NATO and the African Union Separate chapters of the book are devoted to the current discussion concerning the reform of the Security Council A particular feature of the book is the interaction between academics and practitioners as well as between theory and reality

The Law of Armed Conflict Gary D. Solis, 2016-04-18 This book introduces students to the essential questions of the law of armed conflict and international humanitarian law

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