

Terrorism and Human Rights

Textbook: Chapters 10 and 11 | PLSC 439 Lecture: Mar 30

Human Rights:

- **First Generation:** Rights individuals have simply by being human beings
 - Ex. Life, freedom from physical harm, speech, assembly, press, religion, due process
 - Civil Liberties
- **Second Generation:** Material and economic rights that apply to entire society
 - Ex. Education, food, employment, shelter, health care
- **Third Generation:** Rights needed to protect minorities or unpopular groups from oppression of majority
- ***Importance to Terrorism:**
 - French v. FLN (Algeria): Crackdown on FLN supporters and vene on ordinary Algerians, turned Algerian people against France, turned some French people against occupation
 - Kurds (Turkey): Imprisoned PKK activists and ordinary Kurds in a terrible prison, became known as the PKK University, turned ordinary Kurds into PKK supporters and fighters
 - Egypt: Assassination of Anwar Sadat following Camp David Accords, leading to mass arrests of assumed assassin associates and marshal law until 2011
 - 9/11 (United States): Some accusations that U.S. policy following 9/11 leads to human rights violations
 - Bush: Patriot Act (Relaxed restrictions on surveillance); Warrantless Wiretapping; Extreme Rendition and CIA Black Sites; Camp X-Ray at Guantanamo Bay; Bybee Memo on Interrogation (Description on legal barriers and point of entry for enhanced interrogation techniques against suspected terrorists- found so long as the person will not die, or experience failure of a major organ, it is legal)
 - Obama: Outlawed torture, provided retroactive immunity to interrogators; continued Patriot Act; did not close Guantanamo Bay; Used drones; engaged in targeted assassinations
 - Trump: Talked about returning to torture or enhanced interrogation techniques (stated that "torture works"); Talked about killing terrorist family members; Promoted Gina Haspell to Head of CIA (worked on black-sites) (controversial); Targeted assassination of al-Baghdadi (criticism of extrajudicial killing)
 - Biden: So far has issued an executive order to reduce the use of drones and reduce civilian casualties.

Report On Terrorism And Human Rights

Fionnuala Ni Aoláin, Oren Gross



Report On Terrorism And Human Rights:

Report on Terrorism And Human Rights Brian Tittmore, Bernard Duhaime, 2002-07-31 The Inter American Comm on Human Rights supervises compliance with human rights protections in member states of the Org of Am States OAS that have faced terrorist threats This report compiled after the terrorist attacks that occurred in the U S on Sept 11 2001 is intended to assist member states of the OAS and other interested actors in the inter Am system in ensuring that anti terrorism initiatives comply fully with fundamental human rights and freedoms and thereby achieve one of the crucial components for a successful campaign against terrorist violence Sections Introduction Purpose and Context of the Report Terrorism in the Context of International Law and Methodology Legal Framework for Comm s Analysis Norms and Principles of International Human Rights and Humanitarian Law Applicable in Terrorism Situations and Recommendations Targeted Killing in International Law Nils Melzer, 2008-05-29 This book examines the international lawfulness of state sponsored targeted killings in military and police operations Through an exhaustive analysis of recent state practice and jurisprudence the book establishes when targeted killing may be considered lawful and what legal restraints are imposed on the practice in times of war and peace *Appointment of the Chair of the Equality and Human Rights Commission* Great Britain: Parliament: Joint Committee on Human Rights, 2012-10-18 Endorses appointment of Baroness O'Neill as chair of the Equality and Human Rights Commission *Report on Terrorism and Human Rights* Inter-American Commission on Human Rights, Organization of American States, 2002 A Right to Life **The Handbook of the International Law of Military Operations** Terry D. Gill, Dieter Fleck, 2015-12-10 The second edition of this well received handbook provides a comprehensive overview and annotated commentary of those areas of international law most relevant to the planning and conduct of military operations It covers a wide scope of military operations ranging from operations conducted under UN Security Council mandate to collective self defence and consensual and humanitarian operations and identifies the relevant legal bases and applicable legal regimes governing the application of force and treatment of persons during such operations It also devotes attention to the law governing the status of forces military use of the sea and airspace and questions of international criminal responsibility for breaches of international law New developments such as cyber warfare and controversial aspects of law in relation to contemporary operations such as targeted killing of specific individuals are discussed and analysed alongside recent developments in more traditional types of operations such as peacekeeping and naval operations The book is aimed at policy officials commanders and their military legal advisors who are involved with the planning and conduct of any type of military operation and is intended to complement national and international policy and legal guidelines and assist in identifying and applying the law to ensure legitimacy and contribute to mission accomplishment It likewise fulfils a need in pertinent international organizations such as the UN NATO Regional Organizations and NGOs It also serves as a comprehensive work of reference to academics and is suitable for courses at military staff colleges academies and

universities which devote attention to one or more aspects of international law treated in the book This mix of intended users is reflected in the contributors who include senior former policy officials and military legal advisors alongside academics engaged in teaching and research in these areas of international law

International Terrorism: Legal Challenges and Responses. A Report by the International Bar Association's Task Force on Terrorism IBA,2021-11-15 As a response to recent global terrorist activities The International Bar Association IBA established a Task Force on International Terrorism which has examined the problems of modern terrorism from the perspective of the rule of law and international law and practice In its recent report reproduced here The Task Force analyses the impact of recent terrorist events on international law and the response by both individual states and the international community It explores areas of law which need to be further developed and promotes the fundamental values underpinning the international legal system The report suggests means by which the international community can co operate to deter prevent and bring to justice the perpetrators of terrorist acts Published under the Transnational Publishers imprint

Democratic Responses To Terrorism Leonard B.

Weinberg,2007-12-30 In the public debate many observers have argued that there is a trade off between fighting terrorism and enhancing democracy implying that democratic governance and its practices are obstacles to confronting terrorism effectively The purpose of this volume is to show that the values and principles of democracy must not be seen as a hindrance but should rather be considered as essential components of a counter terrorist strategy With a foreword by Fernando Henrique Cardoso former president of Brazil the essays here assess the elements of a new response against terrorism such as the role of the legal framework human rights democracy and civil society as well as international cooperation

The Refugee in International Law Guy S. Goodwin-Gill,Jane McAdam,2007 Millions of people are forced to flee their homes as a result of various forms of persecution The instruments to secure international protection are the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol This book examines challenges to the Convention

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

Implementation of the Right of Disabled People to Independent Living Great Britain: Parliament: Joint Committee on Human Rights,2012-03 This report discusses the implementation of the right of disabled people to independent living in the context of the UN Convention on the Rights of Persons with Disabilities UNCPRD which was ratified by the UK in 2009 It draws attention to a number of significant human rights issues including the need for freestanding legislation to protect the right to independent living in UK law the effect of current reforms to benefits and services on the ability of disabled people to enjoy independent living the role played by the UNCPRD in policy development and decision making at all levels of

government the use of equality impact assessments the effects of devolution on implementation of the UNCRPD and hate crime The right to independent living does not exist as a freestanding right in UK law Although it is protected and promoted to some extent by a matrix of rights the Committee believes that this is not enough It argues that the Government and other interested parties should immediately assess the need for and feasibility of legislation to establish independent living as a freestanding right The Committee finds that reforms to benefits and services risk leaving disabled people without the support they need to live independently It also finds that the Government had not conducted an assessment of the cumulative impact of current reforms on disabled people This report urges them do so and to report on the extent to which these reforms are enabling them and local authorities to comply with their obligations under the UNCRPD

A UN High Commissioner in Defence of Human Rights Bertie G. Ramcharan, 2005-02-01 In contemporary international relations the United Nations High Commissioner for Human Rights is a central actor promoting human rights laws and institutions within countries speaking out against gross violations of human rights integrating human rights into efforts for conflict prevention peacemaking peacekeeping peacebuilding development and humanitarian affairs The author exercised the functions of UN High Commissioner for Human Rights in a turbulent period involving the conflict in Iraq the conflict in Cote d'Ivoire and the crisis in Darfur Sudan In this unique work he tells the story of the role of the High Commissioner in leadership and advocacy crisis response diplomatic initiatives mainstreaming human rights and strengthening the Office of High Commissioner The texts of the principal reports referred to the essays contained in Part One are reproduced in Part Two offering the reader important insights into the reasoning the methods and the techniques used in the work of the High Commissioner This is the first book ever written by a serving High Commissioner in the history of the institution It is obligatory reading for all students and practitioners of human rights

Political Terrorism A.J. Jongman, 2017-07-28 While there is no easy way to define terrorism it may generally be viewed as a method of violence in which civilians are targeted with the objective of forcing a perceived enemy into submission by creating fear demoralization and political friction in the population under attack At one time a marginal field of study in the social sciences terrorism is now very much in center stage The 1970s terrorist attacks by the PLO the Provisional Irish Republican Army the Popular Front for the Liberation of Palestine the Japanese Red Army the Unabomber Aum Shinrikyo Timothy McVeigh the World Trade Center attacks the assault on a school in Russia and suicide bombers have all made the term terrorism an all too common part of our vocabulary This edition of Political Terrorism was originally published in the 1980s well before some of the horrific events noted above This monumental collection of definitions conceptual frameworks paradigmatic formulations and bibliographic sources is being reissued in paperback now as a resource for the expanding community of researchers on the subject of terrorism This is a carefully constructed guide to one of the most urgent issues of the world today When the first edition was originally published Choice noted This extremely useful reference tool should be part of any serious social science collection Chronicles of Culture called it a tremendously

comprehensive book about a subject that any who have anything to lose from property to liberty life to limbs should be forewarned against **Liberal Democracies and the Torture of Their Citizens** Cynthia Banham,2017-02-09 This book analyses and compares how the USA s liberal allies responded to the use of torture against their citizens after 9 11 Did they resist tolerate or support the Bush Administration s policies concerning the mistreatment of detainees when their own citizens were implicated and what were the reasons for their actions Australia the UK and Canada are liberal democracies sharing similar political cultures values and alliances with America yet they behaved differently when their citizens caught up in the War on Terror were tortured How states responded to citizens human rights claims and predicaments was shaped in part by demands for accountability placed on the executive government by domestic actors This book argues that civil society actors in particular were influenced by nuanced differences in their national political and legal contexts that enabled or constrained human rights activism It maps the conditions under which individuals and groups were more or less likely to become engaged when fellow citizens were tortured focusing on national rights culture the domestic legal and political human rights framework and political opportunities *Free Speech after 9/11* Katharine Gelber,2016-04-14 Although there has been a lot written about how counter terrorism laws impact on human rights and civil liberties most of this work has focussed on the most obvious or egregious kinds of human rights abrogation such as extended detention torture and extraordinary rendition Far less has been written about the complex ways in which Western governments have placed new and far reaching limitations on freedom of speech in this context since 9 11 This book compares three liberal democracies the United States the United Kingdom and Australia in particular showing the commonalities and similarities in what has occurred in each country and the changes in the appropriate parameters of freedom of speech in the counter terrorism context since 9 11 achieved both in policy change and the justification for that change In all three countries much speech has been criminalized in ways that were considered anachronistic or inappropriate in comparable policy areas prior to 9 11 This is particularly interesting because other works have suggested that the United States unique protection of freedom of speech in the First Amendment has prevented speech being limited in that country in ways that have been pursued in others This book shows that this kind of argument misses the detail of the policy change that has occurred and privileges a textual reading over a more comprehensive policy based understanding of the changes that have occurred The author argues that we are now living a new normal for freedom of speech within which restrictions on speech that once would have been considered aberrant overreaching and impermissible are now considered ordinary necessary and justified as long as they occur in the counter terrorism context This change is persistent and it has far reaching implications for the future of this foundational freedom Terrorism and Tyranny James Bovard,2025-06-25 The war on terrorism is the first political growth industry of the new Millennium So begins Jim Bovard s newest and in some ways most provocative book as he casts yet another jaundiced eye on Washington and the motives behind protecting the homeland and prosecuting a wildly unpopular

war with Iraq For James Bovard as always it all comes down to a trampling of personal liberty and an end to privacy as we know it From airport security follies that protect no one to increased surveillance of individuals and skyrocketing numbers of detainees the war on terrorism is taking a toll on individual liberty and no one tells the whole grisly story better than Bovard

Guantánamo and Beyond Fionnuala Ni Aoláin, Oren Gross, 2013-08-26 This book brings together the viewpoints of leading scholars and policy makers on the topic of exceptional courts and military commissions with a series of unique contributions setting out the current state of the field The book assesses the relationship between such courts and other intersecting and overlapping legal arenas including constitutional law international law international human rights law and international humanitarian law

The UN Working Group on Arbitrary Detention Jared Genser, 2019-09-26 This book is a practical guide to freeing political prisoners and provides a comprehensive review of this UN body's 1 200 jurisprudence cases

Criminalization, 2024-12-02 Criminalization Politics and Policies provides a thorough analysis of the relationship between politics policies and criminalization Through diverse perspectives and scholarly essays it explores the multifaceted issues in criminal justice law and governance The book scrutinizes the impact of law society politics and penal populism on criminalization across legal systems advocating for a reassessment of criminal law's scope It delves into the prevalence of resorting to criminalization for social issues urging for a critical review Additionally it examines the normative foundations of criminalization addressing over criminalization and exploring its empirical and normative aspects The anthology also considers the roles of prosecutorial and judicial discretion as well as State preventive powers in over criminalization Whether a scholar policymaker or citizen readers gain insights into the expansion of criminal laws and their consequences making it a valuable resource for understanding the dynamics of law politics and power in criminal justice Contributors are Naveed Mehmood Chirag Balyan Shruti Bedi Shubhangni Jain Charles Khamala S bastien Lafrance Sidharth Luthra David McCallum Garima Pal Daria Ponomareva Alok Prasanna Yogesh Pratap Singh and Ekkehard Strauss

Handbook of Political Violence and Children Charles W. Greenbaum, Muhammad M. Haj-Yahia, Carolyn Hamilton, 2020-09-02 Political violence has disrupted the lives of millions of children around the world Responding to the gravity and scale of this phenomenon this volume is intended to stimulate discussion and research on children's exposure to political violence and its psycho social effects It brings together for the first time in a single volume three areas of scientific activity in different disciplines research on effects programs for intervention and laws and policy for prevention of political violence to children Section I presents reviews of research on children exposed to political violence including child soldiers and refugee children as well as an examination of methodology and ethics Section II contains research on interventions with children exposed to political violence including individual therapy and school family and community interventions Section III covers legal and social issues in deterring the recruitment of children to violent causes and protecting children in armed conflict Pulling together the work of leading scholars and practitioners in the social sciences and international law this volume argues that the prevention of

political violence to children is possible and it provides a crucial basis for ideas for prevention **Preventive Detention of Terror Suspects** Diane Webber, 2016-01-08 Preventive detention as a counter terrorism tool is fraught with conceptual and procedural problems and risks of misuse excess and abuse Many have debated the inadequacies of the current legal frameworks for detention and the need for finding the most appropriate legal model to govern detention of terror suspects that might serve as a global paradigm This book offers a comprehensive and critical analysis of the detention of terror suspects under domestic criminal law the law of armed conflict and international human rights law The book looks comparatively at the law in a number of key jurisdictions including the USA the UK Israel France India Australia and Canada and in turn compares this to preventive detention under the law of armed conflict and various human rights treaties The book demonstrates that the procedures governing the use of preventive detention are deficient in each framework and that these deficiencies often have an adverse and serious impact on the human rights of detainees thereby delegitimizing the use of preventive detention Based on her investigation Diane Webber puts forward a new approach to preventive detention setting out ten key minimum criteria drawn from international human rights principles and best practices from domestic laws The minimum criteria are designed to cure the current flaws and deficiencies and provide a base line of guidance for the many countries that choose to use preventive detention in a way that both respects human rights and maintains security

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