



COURSE MANUAL

Transnational Terrorism and International Law

L-EL-0648

Prof. Pierpaolo Petrelli

**SPRING 2026
(AY2025-26)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, *Transnational Terrorism and International Law*, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: **Transnational Terrorism and International Law**

Course Code: L-EL-0648

Course Duration: **One Semester (14 Weeks)**

No. of Credit Units: **4 Credits UG/PG**

Medium of Instruction: **English**

Pre-requisites (if applicable): Public International Law

Equivalent Courses: N/A

Part II

1. Acknowledgement of Course Ideators

This course has been designed by Prof. Pierpaolo Petrelli and is informed by developments in public international law, international criminal law, humanitarian law, human rights law, and contemporary counterterrorism practice.

The course draws upon academic scholarship, judicial decisions, United Nations materials, and contemporary case studies relating to transnational terrorism and international security.

The principal reference text for the course is Ben Saul (ed.), *Research Handbook on International Law and Terrorism*. Additional materials include international jurisprudence, Security Council resolutions, institutional reports, and selected scholarly articles.

2. Course Description

Transnational terrorism creates complex legal challenges because it frequently involves non-state actors, cross-border operations, and multiple areas of international law. In practice, no single legal framework fully addresses these situations. Issues concerning the use of force, armed conflict, human rights, criminal accountability, and international cooperation often arise simultaneously.

This course examines how international law operates in response to transnational terrorism and contemporary counterterrorism practices. The course focuses in particular on how the law governing the use of force, international humanitarian law, international human rights law, and international criminal law operate together in complex security situations.

Students will work through contemporary legal problems involving issues such as the use of force against non-state actors, jurisdiction and accountability, terrorism financing, foreign terrorist fighters, surveillance, and emerging security technologies.

The course combines doctrinal legal analysis with case studies, judicial decisions, United Nations materials, and contemporary international practice. Particular attention is devoted to the application of legal rules to practical situations involving overlapping and sometimes competing legal obligations.

The course is designed to help students develop structured and confident legal analysis of complex counterterrorism situations.

3. Course Aims

This course aims to develop students' understanding of the principal international legal frameworks governing transnational terrorism and contemporary counterterrorism practices.

The course further aims to:

- examine how different areas of international law operate together in situations involving transnational terrorism;
- analyse the legal challenges created by non-state actors, cross-border operations, and evolving security practices;

- strengthen students' ability to apply legal rules to complex factual situations involving overlapping legal obligations;
- develop familiarity with international jurisprudence, United Nations practice, and contemporary counterterrorism measures;
- encourage clear, structured, and evidence-based legal reasoning;
- and strengthen students' confidence in oral discussion, legal analysis, and academic research relating to international law and transnational terrorism.

4. Teaching Methodology

The course will be taught through a combination of lectures, guided discussions, case studies, judicial decisions, United Nations materials, and current international practice. Particular emphasis will be placed on the application of international legal rules to practical situations involving transnational terrorism and counterterrorism operations.

Classes will include discussion of legal problems relating to issues such as the use of force against non-state actors, jurisdiction, terrorism financing, sanctions, surveillance, and emerging security technologies.

Students will regularly engage with primary legal materials, including international jurisprudence, Security Council resolutions, treaty provisions, and reports of international organizations. Selected classes will occasionally include simulations and problem-solving exercises based on counterterrorism scenarios.

The course is designed to encourage active participation and strengthen students' ability to analyse factual situations, apply relevant legal frameworks, and develop clear and structured legal arguments.

5. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
Understand the principal international legal frameworks governing transnational terrorism and counterterrorism operations	25%	Lectures, guided discussions, case studies, assigned readings	Mid-term examination, end-term examination, quizzes
Analyse and apply international legal rules to	35%	Problem-solving exercises, judicial	Mid-term examination, end-

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
situations involving non-state actors, cross-border operations, and overlapping legal obligations		decisions, simulations, doctrinal discussions	term examination, class participation
Develop familiarity with international jurisprudence, Security Council practice, treaty provisions, and contemporary counterterrorism measures	20%	Primary materials discussions, case analysis, United Nations materials, guided readings	Quizzes, class participation, research paper
Develop clear and structured legal reasoning through oral discussion, legal analysis, and independent research	20%	Guided discussions, research supervision, classroom participation, feedback sessions	Research paper, class participation, examinations

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exam shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student from taking the end-semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the “I” grade. If an "I" grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Class Participation and Quizzes	15 Marks	Evaluation will be based on attendance, preparation, participation in class discussions, engagement with case studies and primary materials, and short quizzes or in-class exercises. Students are expected to contribute constructively to discussions and problem-solving exercises throughout the semester.
Research Paper	25 Marks	Students will submit an analytical research paper on an approved topic relating to transnational terrorism and international law. The paper will be developed progressively during the semester with guidance and feedback. Assessment will focus on legal analysis, structure, use of sources, engagement with primary materials, and clarity of argument.
Mid-Term Examination	30 Marks	The mid-term examination will assess students' ability to analyse factual situations, identify relevant legal frameworks, and apply legal principles to practical problems involving transnational terrorism and counterterrorism operations.
End Semester Examination (Compulsory)	30 Marks	There will be a compulsory end-semester examination/component for all participants of the course who have successfully met the requisite attendance as per the governing JGU policies.

Part III

Course/Class Policies

Students are expected to attend classes regularly and come prepared with the assigned readings and materials. Since the course is discussion-oriented and based substantially on case studies and legal problems, regular attendance and active participation are important components of the course.

Students are expected to engage respectfully during class discussions, particularly when addressing controversial or sensitive issues relating to terrorism, armed conflict, human rights, and state security.

Students are also expected to comply with all University regulations relating to attendance, academic integrity, examinations, and classroom conduct.

Cell Phones, Laptops and Similar Gadgets

Laptops and tablets may be used in class for academic purposes relating directly to the course, including access to readings, legal materials, note-taking, and class exercises.

Mobile phones should remain on silent mode during class and should not be used for activities unrelated to the course.

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute

registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Part IV

Keywords Syllabus

Transnational Terrorism; Use of Force; International Humanitarian Law; International Human Rights Law; International Criminal Law; Terrorism Financing; Cyberterrorism.

Course Design and Overview (Weekly Plan)

Week	Topics
1.	Introduction to Transnational Terrorism and International Law
2.	Historical Evolution of Transnational Terrorism
3.	Sources of International Counterterrorism Law
4.	Use of Force Against Non-State Actors
5.	The United Nations Security Council and Counterterrorism
6.	Terrorism Financing and International Cooperation
7.	Terrorism and International Humanitarian Law

8.	International Criminal Law and Accountability
9.	Gaza and Contemporary Challenges in International Law
10.	Jurisdiction, Extradition, and International Cooperation
11.	Foreign Terrorist Fighters and Repatriation
12.	Counterterrorism, Human Rights, and Surveillance
13.	Cyberterrorism, Emerging Technologies, and Artificial Intelligence
14.	REVISION WEEK [NOTE: There shall be teaching classes scheduled during the fourteenth week subject to the JGU Academic Calendar circulated by the Office of the Registrar, JGU and any official declaration of non-working days by the JGU Registrar.]

Module Descriptions:

Week 1 — Introduction to Transnational Terrorism and International Law

This introductory module examines the principal legal and conceptual challenges posed by transnational terrorism in contemporary international law. The week introduces the interaction between the law on the use of force, international humanitarian law, international human rights law, international criminal law, and mechanisms of international cooperation. Particular attention is devoted to definitional controversies, the role of non-state actors, and the transformation of counterterrorism into a global legal and governance framework after 9/11.

Week 2 — Historical Evolution of Transnational Terrorism

This module examines the historical evolution of terrorism from anti-colonial struggles, anarchist movements, and aircraft hijackings to Al-Qaeda, ISIS, and decentralized extremist networks. The week explores how terrorism became increasingly transnational in scope and how international law progressively responded through sectoral conventions, security cooperation, and global governance mechanisms. Particular attention is devoted to the changing role of non-state actors, the impact of 9/11, and the transformation of terrorism from a predominantly domestic phenomenon into a central concern of international peace and security and global governance, despite continuing disagreements concerning the definition of terrorism under international law.

Week 3 — Sources of International Counterterrorism Law

This module examines the principal sources and legal instruments governing international counterterrorism law. The week explores the interaction between treaties, customary international law, United Nations Security Council resolutions, state practice, and institutional and soft-law mechanisms in shaping counterterrorism obligations. Particular attention is devoted to sectoral suppression conventions, the emergence of binding Security Council measures after 9/11, the quasi-legislative role assumed by the Security Council after 9/11, and continuing debates concerning fragmentation, legitimacy, attribution, institutional authority, and the absence of a universally accepted definition of terrorism. The week also examines how international counterterrorism law developed through a fragmented and decentralized legal architecture rather than a single comprehensive treaty regime..

Week 4 — Use of Force Against Non-State Actors

This module examines the international legal framework governing the use of force against non-state actors, particularly terrorist organizations operating across borders. The week analyses the evolution of self-defence doctrine after 9/11, including debates concerning attribution, the contested “unwilling or unable” doctrine, imminence, anticipatory self-defence, necessity, proportionality, and the relationship between sovereignty and counterterrorism operations. Particular attention is devoted to military action against Al-Qaeda, ISIS, and affiliated groups, as well as controversies surrounding targeted killings, extraterritorial force, and the expanding interpretation of Article 51 of the United Nations Charter. The week also examines the contested evolution from a state-centric conception of self-defence toward the acceptance by some states of self-defence against non-state actors operating from foreign territory, the tension between attribution-based approaches to self-defence and theories permitting force directly against non-state actors absent state attribution, and the role of contemporary state practice in reshaping jus ad bellum after 9/11. The module further examines how counterterrorism practice after 9/11 contributed to contested reinterpretations of Article 51 and the broader transformation of jus ad bellum. It also considers how counterterrorism operations against non-state actors have challenged traditional understandings of territorial sovereignty and non-intervention.

Week 5 — The United Nations Security Council and Counterterrorism

This module examines the role of the United Nations Security Council in the development of global counterterrorism governance after 9/11. The week analyses the Security Council’s expanding use of Chapter VII powers, including sanctions regimes, binding legislative resolutions, monitoring mechanisms, and targeted sanctions regimes directed against designated terrorist individuals and entities. Particular attention is devoted to the transformation of the Security Council from a reactive enforcement body into a quasi-legislative actor shaping domestic counterterrorism obligations worldwide. The module further examines how post-9/11 counterterrorism resolutions contributed to the emergence of quasi-legislative Security Council practice imposing generalized obligations on all UN member states, as well as the shift from case-specific enforcement measures toward generalized norm creation through Security Council resolutions adopted under Chapter VII. The module also examines debates concerning legitimacy, due process, institutional accountability, fragmentation, and the relationship between collective security and state sovereignty in contemporary counterterrorism practice. Particular attention is also devoted to tensions between Security Council counterterrorism measures and international human rights protections, as well as debates concerning democratic legitimacy, executive multilateralism, and accountability within the Security Council system. The module additionally considers procedural reforms introduced in response to criticism of targeted sanctions regimes, including Ombudsperson mechanisms and delisting procedures.

Week 6 — Terrorism Financing and International Cooperation

This module examines international legal and institutional efforts to combat terrorism financing and strengthen international counterterrorism cooperation. The week analyses the development of global anti-terrorism financing regimes after 9/11, including Security Council sanctions, treaty-based obligations, financial intelligence mechanisms, and preventive regulatory

frameworks. Particular attention is devoted to the role of the Financial Action Task Force (FATF), the International Convention for the Suppression of the Financing of Terrorism, asset freezing regimes, suspicious transaction reporting, and international cooperation mechanisms involving extradition, mutual legal assistance, and transnational financial surveillance. The module further examines the shift from traditional criminal enforcement toward preventive and risk-based models of financial governance in global counterterrorism regulation. The role of the FATF as an influential transnational standard-setting body and mechanism of indirect regulatory harmonization is also examined. The module additionally explores tensions between security governance, state sovereignty, financial regulation, privacy rights, humanitarian action, and due process protections. The module also examines the securitization of the international financial system and the increasing integration of financial regulation into global security governance frameworks after 9/11. Particular attention is also devoted to the regulation of non-profit organizations and charities under counterterrorism financing frameworks, including de-risking practices and restrictions affecting humanitarian organizations operating in conflict zones. The module further examines the convergence between anti-money laundering (AML) and counterterrorism financing (CTF) regimes in contemporary transnational financial regulation. The module also considers tensions between counterterrorism financing measures, privacy protections, and transnational financial surveillance practices. Attention is further devoted to evolving challenges involving informal financial systems, cryptocurrencies, digital assets, and the expansion of preventive counterterrorism financing obligations beyond traditional criminal law paradigms.

Week 7 — Terrorism and International Humanitarian Law

This module examines the relationship between terrorism and international humanitarian law (IHL) in situations of armed conflict. The week analyses the applicability of IHL to counterterrorism operations, including the classification of armed conflicts involving non-state armed groups, the legal status of members of terrorist organizations, detention authority, targeting practices, and the protection of civilians. Particular attention is devoted to the interaction between IHL and counterterrorism frameworks after 9/11, especially debates surrounding the “global war on terror,” transnational non-international armed conflicts, and the geographical scope of armed conflict involving terrorist organizations. Particular attention is devoted to debates concerning the existence and geographical scope of transnational non-international armed conflicts involving terrorist organizations operating across multiple state territories. The module also examines controversies surrounding detention authority and security internment in non-international armed conflicts involving terrorist organizations. The module further examines the principles of distinction, proportionality, military necessity, precaution, and humane treatment in military operations against terrorist groups. Attention is further devoted to controversies surrounding targeted killings, civilian harm, direct participation in hostilities, detention without trial, and the relationship between IHL and international human rights law in counterterrorism contexts. Particular attention is also devoted to drone warfare and the expansion of remote counterterrorism operations across multiple jurisdictions. The week additionally considers tensions between counterterrorism measures and humanitarian action, including restrictions affecting humanitarian engagement with listed armed groups, relief operations, and civilian protection in conflict zones.

Week 8 — International Criminal Law and Accountability

This module examines the role of international criminal law (ICL) in addressing terrorism-related violence and ensuring accountability for serious international crimes connected to terrorist activities. The week analyses the relationship between terrorism and core international crimes, including war crimes, crimes against humanity, genocide, and aggression. Particular attention is devoted to debates concerning whether terrorism constitutes an autonomous international crime under customary international law and the extent to which terrorism-related conduct may fall within existing international criminal law frameworks. Particular attention is devoted to the absence of terrorism as an autonomous crime under the Rome Statute and to the resulting reliance on existing categories of international crimes to prosecute terrorism-related conduct. The module also examines the qualification of terrorism-related violence as crimes against humanity, particularly in relation to widespread or systematic attacks directed against civilian populations. The module further examines modes of individual criminal responsibility, including joint criminal enterprise, indirect perpetration, aiding and abetting, command responsibility, and participation in transnational terrorist networks. Attention is also devoted to the jurisdictional and institutional limitations of international criminal tribunals, including the International Criminal Court (ICC), hybrid tribunals, and domestic prosecutions under universal jurisdiction frameworks. Particular attention is also devoted to the principle of complementarity and the relationship between domestic and international criminal jurisdiction. Attention is also devoted to the growing role of domestic courts exercising universal jurisdiction over terrorism-related atrocity crimes. The week additionally examines evidentiary challenges, fair trial guarantees, designation regimes, and the relationship between counterterrorism measures and international criminal justice. The week further considers evidentiary challenges arising from digital evidence, online radicalization, and transnational investigative cooperation. Particular attention is devoted to the prosecution of terrorism-related atrocities committed by groups such as ISIS/ISIL, Al-Qaeda, Boko Haram, and other organized armed groups operating across multiple jurisdictions. The module further explores the interaction between counterterrorism and atrocity crime frameworks, including debates surrounding foreign fighters, online incitement, sexual violence, persecution, and the destruction of cultural heritage. Attention is also devoted to accountability gaps resulting from the absence of a universally accepted definition of terrorism in international criminal law and to the growing role of domestic courts in prosecuting terrorism-related international crimes.

Week 9 — Gaza and Contemporary Challenges in International Law

This module examines the war in Gaza as a contemporary case study through which to analyse major challenges in international law relating to armed conflict, occupation, self-defence, counterterrorism, humanitarian protection, international criminal accountability, and the role of international institutions. The week explores competing legal narratives surrounding the attacks of 7 October 2023, Israel's military response in Gaza, the status of Hamas as a non-state armed group, and the applicability of international humanitarian law, international human rights law, occupation law, and the law governing the use of force. The module emphasizes competing legal interpretations and methodological disagreements among international lawyers concerning the classification of the conflict, the scope of self-defence, occupation status, proportionality assessments, and the interpretation of genocide under international law. Particular attention is

devoted to the legal classification of the conflict, the scope of self-defence against non-state actors, siege warfare, humanitarian access, civilian protection, forced displacement, detention practices, hostage-taking, prisoner exchanges, and allegations of war crimes, crimes against humanity, ethnic cleansing, unlawful occupation, and genocide. The module further analyses the role of the International Court of Justice (ICJ), the International Criminal Court (ICC), United Nations organs, fact-finding mechanisms, sanctions debates, and state responsibility. Attention is also devoted to the politicization and fragmentation of international legal discourse, including controversies concerning proportionality, military necessity, human shields, targeting practices, and the interpretation of genocide under international law. The week additionally examines digital evidence, open-source investigations, disinformation, satellite imagery, and the increasing role of non-state documentation initiatives in contemporary accountability processes. Particular attention is devoted to debates concerning selectivity, double standards, and the legitimacy of international institutions in responding to highly politicized conflicts. The module also explores broader implications of the Gaza conflict for the future development of international law relating to occupation, urban warfare, humanitarian intervention, accountability, and the regulation of military operations against non-state armed groups operating in densely populated civilian environments. Attention is also devoted to the regionalization of the conflict, including legal questions arising from cross-border hostilities involving Lebanon, Syria, Iran, the Red Sea, and non-state armed groups operating across multiple theatres.

Week 10 — Jurisdiction, Extradition, and International Cooperation

This module examines the jurisdictional and cooperative frameworks through which states investigate, prosecute, extradite, and suppress terrorism-related offences across borders. The week analyses the legal bases of criminal jurisdiction in international law, including territoriality, nationality, passive personality, protective jurisdiction, and universal jurisdiction, with particular attention to their application in terrorism cases. The module further explores the principle of *aut dedere aut judicare* (“extradite or prosecute”), the operation of bilateral and multilateral extradition treaties, mutual legal assistance regimes, intelligence-sharing mechanisms, sanctions and designation systems, and intergovernmental cooperation frameworks. Particular attention is devoted to the role of INTERPOL, Europol, Eurojust, the United Nations Office on Drugs and Crime (UNODC), regional organizations, and financial intelligence cooperation in combating transnational terrorism. The week also examines tensions between counterterrorism cooperation and international human rights law, including risks associated with torture, extraordinary rendition, diplomatic assurances, arbitrary detention, surveillance, due process violations, politically motivated prosecutions, and abuses of international cooperation mechanisms such as INTERPOL Red Notices. Attention is also devoted to non-refoulement obligations, asylum claims involving terrorism allegations, and the exclusion clauses under international refugee law. The module further analyses contemporary challenges arising from digital evidence, encrypted communications, cyber investigations, cross-border access to electronic evidence, foreign terrorist fighters, transnational financing networks, and the increasing use of sanctions and designation regimes. Particular attention is devoted to conflicts of jurisdiction, evidentiary cooperation, universal jurisdiction prosecutions, and the interaction between domestic criminal systems and international legal obligations. The week additionally examines the distinction between extradition, deportation, rendition, transfer, and removal procedures under international law. Attention is also devoted to accountability challenges arising from intelligence-sharing

practices, proxy detention, and cooperation with states accused of torture or arbitrary detention. The module further explores legal controversies surrounding ISIS detainees and foreign fighter repatriation from Syria and Iraq, including citizenship deprivation, detention of children and family members, and states' obligations under international human rights and humanitarian law.

Week 11 — Foreign Terrorist Fighters and Repatriation

This module examines the legal, political, humanitarian, and security challenges arising from the phenomenon of foreign terrorist fighters (FTFs), with particular attention to travel to and from Syria and Iraq following the emergence of ISIS/Da'esh. The week analyses the evolution of the foreign fighter phenomenon in international law, including recruitment, facilitation, financing, training, travel, return, relocation, repatriation, detention, prosecution, rehabilitation, and reintegration. Particular attention is devoted to United Nations Security Council resolutions adopted after 2014, especially the legal obligations imposed on states concerning border control, information-sharing, criminalization, and preventive counterterrorism measures. The module further explores tensions between counterterrorism objectives and international human rights law, including arbitrary deprivation of nationality, statelessness, family separation, detention of children, due process guarantees, fair trial rights, and non-refoulement obligations. Attention is also devoted to gender dimensions of foreign fighter mobilization, including the treatment of women associated with ISIS, questions of voluntariness and coercion, trafficking-related concerns, and the legal categorization of so-called "ISIS brides." The week additionally examines evidentiary challenges associated with battlefield evidence, digital evidence, intelligence-based prosecutions, open-source investigations, and crimes committed in conflict zones. Particular emphasis is placed on detention camps and prisons in northeast Syria, including the legal status of detainees held by non-state actors such as the Syrian Democratic Forces (SDF), and debates concerning whether prolonged detention by non-state actors is permissible under international law. The module further explores rehabilitation and reintegration programmes, risk assessment frameworks, deradicalization initiatives, and comparative state practice concerning returnees, while critically examining the tension between reintegration objectives and preventive security governance. Attention is also devoted to accountability for atrocity crimes committed by foreign fighters, including genocide, war crimes, crimes against humanity, and terrorism-related offences, particularly in relation to crimes committed against Yazidi communities. The week concludes by examining the long-term implications of foreign fighter policies for citizenship, sovereignty, transnational security governance, and the future development of counterterrorism law.

Week 12 — Counterterrorism, Human Rights, and Surveillance

This module examines the relationship between counterterrorism measures, human rights protections, and expanding systems of surveillance in contemporary international law. The week explores how states increasingly rely on preventive security governance, intelligence-led policing, mass surveillance technologies, biometric systems, algorithmic risk assessment, financial monitoring, digital platforms, and transnational information-sharing mechanisms to combat terrorism. It critically evaluates the compatibility of these practices with international human rights law, refugee law, constitutional protections, and rule-of-law principles. Particular attention is devoted to tensions between security and liberty in the post-9/11 legal order,

including arbitrary detention, targeted sanctions, extraordinary rendition, torture, secret evidence, preventive detention, citizenship deprivation, no-fly lists, watchlists, administrative control orders, and the expansion of executive power. The module further examines global surveillance practices involving metadata collection, facial recognition technologies, artificial intelligence, predictive policing, bulk interception, cross-border intelligence cooperation, and digital monitoring by both states and private technology companies. Attention is also devoted to the role of international organizations, especially the United Nations Security Council, the Counter-Terrorism Committee Executive Directorate (CTED), the Financial Action Task Force (FATF), and regional organizations such as the European Union and the Council of Europe in shaping contemporary counterterrorism governance. The week analyses jurisprudence from regional and international human rights courts concerning privacy, freedom of expression, due process, torture, non-refoulement, and judicial oversight of security practices. It also explores the impact of counterterrorism frameworks on civil society, humanitarian action, migration, minority communities, journalists, human rights defenders, and digital civic space. Particular emphasis is placed on the legal regulation of online extremism, platform governance, terrorist content moderation, encryption debates, cyber-surveillance, and the growing privatization of security functions by technology companies. The week concludes by examining whether contemporary counterterrorism law is producing a normalized “permanent emergency” paradigm that risks fundamentally transforming liberal constitutionalism and international human rights protections.

Week 13 — Cyberterrorism, Emerging Technologies, and Artificial Intelligence

This module examines the evolving relationship between terrorism, cyber operations, artificial intelligence, and emerging technologies in international law and global security governance. The week explores how terrorist organizations increasingly exploit cyberspace for recruitment, propaganda dissemination, financing, operational coordination, intelligence gathering, encrypted communications, cyberattacks, and digital radicalization. It analyses the conceptual and legal difficulties involved in defining “cyberterrorism,” distinguishing cyberterrorism from cybercrime and cyberwarfare, and determining when cyber operations reach the threshold of intervention, use of force, or armed attack under international law. Particular attention is devoted to the applicability of international law to cyber operations, including sovereignty, due diligence obligations, attribution standards, countermeasures, state responsibility, international human rights law, and the United Nations Charter framework governing the use of force. The module further examines the legal implications of artificial intelligence, machine learning, biometric surveillance, predictive policing, facial recognition technologies, automated decision-making, and algorithmic governance in counterterrorism contexts. Attention is also devoted to platform governance, terrorist content moderation, digital evidence, open-source intelligence, cryptocurrency monitoring, blockchain analysis, and cyber-forensics in terrorism investigations and prosecutions. The week additionally explores debates concerning offensive cyber operations, cyber deterrence, critical infrastructure protection, ransomware financing, digital sovereignty, and transnational cyber cooperation. Particular emphasis is placed on accountability gaps arising from AI-enabled security systems, opaque algorithmic processes, and automated targeting technologies. The week concludes by examining whether existing international legal frameworks are capable of regulating rapidly evolving technological threats or whether new international norms governing cyber operations, AI governance, and emerging technologies are necessary.

Week 14 — Revision Week

The final week is devoted to review and consolidation of the principal themes, legal issues, and doctrinal debates examined during the semester.

Part V Relevant Readings / Essential Readings

Suggested readings are optional and intended primarily for students seeking deeper engagement with particular topics or pursuing research projects.

Week 1 — Introduction to Transnational Terrorism and International Law

Essential Readings

- Ben Saul, “*The Legal Nexus between Terrorism and Transnational Crime*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 10.
- Helen Duffy, “*International Human Rights Law and Terrorism: An Overview*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 22.

Primary Materials

- United Nations Charter, Articles 1(1), 2(4), 39, 41, 42, and 51.
- United Nations Security Council Resolution 1373 (2001), preamble and paras. 1–3 (international cooperation and counterterrorism obligations).
- United Nations Global Counter-Terrorism Strategy (UNGA Res. 60/288, 2006), Parts I–IV.
- International Convention for the Suppression of the Financing of Terrorism (1999), Articles 2 and 4.
- *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States)*, Merits Judgment (1986), paras. 191–195 (use of force and armed attack).

Suggested Reading

- Marcello Di Filippo, “*The Definition(s) of Terrorism in International Law*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 1.
- Fionnuala Ní Aoláin and Oren Gross, *Law in Times of Crisis*, Introduction and Chapter 1 (“Models of Accommodation”).
- Michael Ignatieff, *The Lesser Evil*, Chapters 1 (“Democracy and the Lesser Evil”), 2 (“The Ethics of Emergency”), and 6 (“Liberty and Armageddon”).
- Neil Boister, *An Introduction to Transnational Criminal Law*, Chapters 1 (“What Is Transnational Crime?”) and 2 (“What Is Transnational Criminal Law?”).
- Antonio Cassese and Paola Gaeta, *Cassese’s International Criminal Law*, Chapter 8 (“Terrorism”).

Week 2 — Historical Evolution and Transnationalization of Terrorism

Essential Readings

- Bruce Hoffman, *Inside Terrorism*, Chapters 1–2 and 10 (historical evolution, internationalization, and modern terrorist networks).
- Jane Boulden, “*The United Nations General Assembly and Terrorism*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 34.

Primary Materials

- Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo Convention, 1963), Articles 1, 3, and 11.
- Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention, 1970), Articles 1, 4, and 7.
- International Convention against the Taking of Hostages (1979), Articles 1 and 8.
- United Nations General Assembly Resolution 49/60 (1994), Annex, paras. 1–5 (“Measures to Eliminate International Terrorism”).
- United Nations Security Council Resolution 1368 (2001), preamble and paras. 1–3 (international peace and security after 9/11).

Suggested Reading

- Mark Juergensmeyer, *Terror in the Mind of God*, Chapters “Cosmic War,” “Theater of Terror,” “The Logic of Religious Violence,” and “Postmodern Terror.”
- Bruce Hoffman, *Inside Terrorism*, Chapters 1–2 and 10 (historical evolution, internationalization, and modern terrorist networks).
- Rohan Gunaratna and Gloria Cheung, “*Regional Legal Responses to Terrorism in Asia and the Pacific*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 46.
- David C. Rapoport, “*The Four Waves of Modern Terrorism*,” in Audrey Kurth Cronin and James M. Ludes (eds.), *Attacking Terrorism*, pp. 46–73.
- Michael Burleigh, *Blood and Rage*, Chapters 4–8 (decolonization, international terrorism, European radical groups, small-nation terrorism, and the rise of global Islamist terrorism).
- Walter Laqueur, *The Age of Terrorism*, Chapters 5 (“Weapons, Tactics, and Targets”), 6 (“The Media and Terrorism”), 8 (“Terrorism Today”), and 11 (“Counterterrorism”).

Week 3 — Sources of International Counterterrorism Law

Essential Readings

- Ben Saul, “*The Definition of Terrorism in International Law*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 1.
- Jean d’Aspremont, “*The Collective Security System and the Enforcement of International Law*,” in Marc Weller (ed.), *The Oxford Handbook of the Use of Force in International Law*, Chapter 6.

Primary Materials

- International Convention for the Suppression of Terrorist Bombings (1997), Articles 1–2 and 6–8.
- International Convention for the Suppression of the Financing of Terrorism (1999), Articles 2, 4, and 18.
- United Nations Security Council Resolution 1267 (1999), paras. 1–6 (sanctions regime against the Taliban and Al-Qaeda).
- United Nations Security Council Resolution 1373 (2001), paras. 1–3 and 6 (binding counterterrorism obligations and international cooperation).
- United Nations Security Council Resolution 1566 (2004), paras. 1–3 (terrorism condemnation and definitional language).
- International Law Commission, *Articles on Responsibility of States for Internationally Wrongful Acts (2001)*, Articles 4, 8, and 16 (attribution, direction or control, and aid or assistance in internationally wrongful acts).

Suggested Reading

- Tal Becker, *Terrorism and the State: Rethinking the Rules of State Responsibility*, Chapters 3–6 (attribution, state sponsorship, indirect responsibility, and state support for terrorist conduct).
- Kimberley Trapp, “*State Responsibility for International Terrorism*,” (Oxford University Press, 2011).
- Antonio Cassese and Paola Gaeta, *Cassese’s International Criminal Law*, Chapter 8.
- Tom Ruys, ‘*Armed Attack’ and Article 51 of the UN Charter*, Chapter 1.
- Christian Walter, “*Defining Terrorism in National and International Law*,” in Christian Walter et al. (eds.), *Terrorism as a Challenge for National and International Law*.
- Andrea Bianchi, “*Assessing the Effectiveness of the UN Security Council’s Anti-terrorism Measures: The Quest for Legitimacy and Cohesion*,” *European Journal of International Law*.

Week 4 — Use of Force Against Non-State Actors

Essential Readings

- Tom Ruys, ‘*Armed Attack’ and Article 51 of the UN Charter*, Chapters 14–16 (armed attacks by non-state actors, self-defence after 9/11, and proportionality).
- Kimberley Trapp, *State Responsibility for International Terrorism*, Chapters 4–5 (state support, attribution, and the use of force against non-state actors).

Primary Materials

- United Nations Charter, Articles 2(4), 39, 42, and 51.
- United Nations Security Council Resolution 1368 (2001), preamble and paras. 1–3 (recognition of self-defence after 9/11).

- United Nations Security Council Resolution 1373 (2001), preamble (terrorism as a threat to international peace and security).
- Letter dated 23 September 2014 from the Permanent Representative of the United States to the United Nations addressed to the Secretary-General (S/2014/695) (collective self-defence of Iraq and operations against ISIS in Syria).
- Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States), Merits Judgment (1986), paras. 191–195 and 228–230 (armed attack and attribution).
- Oil Platforms (Iran v. United States), Judgment (2003), paras. 51–64 and 72–78 (necessity and proportionality in self-defence).
- Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda), Judgment (2005), paras. 146–147 (self-defence against non-state actors).

Suggested Reading

- Noam Lubell, *Extraterritorial Use of Force Against Non-State Actors*, Chapters 1–3 (extraterritorial force, sovereignty, and non-state violence).
- Olivier Corten, *The Law Against War*, Chapters 2 (“What Do ‘Use of Force’ and ‘Threat of Force’ Mean?”), 3 (“Do the Prohibition of the Use of Force and Self-Defence Apply to Non-State Actors?”), and 7 (“Self-Defence”).
- Mary Ellen O’Connell, *The Power and Purpose of International Law*, Chapter 4 (“Unilateral Armed Measures”) and Chapter 5 (“Collective Armed Measures”).
- Ashley S. Deeks, “Unwilling or Unable’: Toward a Normative Framework for Extraterritorial Self-Defense,” *Virginia Journal of International Law*.
- Daniel Bethlehem, “Self-Defense against an Imminent or Actual Armed Attack by Nonstate Actors,” *American Journal of International Law*.
- Monica Hakimi, “Defensive Force against Non-State Actors,” *Yale Journal of International Law*.
- Christian J. Tams, “The Use of Force against Terrorists,” *European Journal of International Law*.

Week 5 — The United Nations Security Council and Counterterrorism

Essential Readings

- Jean d’Aspremont, “*The Collective Security System and the Enforcement of International Law*,” in Marc Weller (ed.), *The Oxford Handbook of the Use of Force in International Law*, Chapter 6.
- Andrea Bianchi, “Assessing the Effectiveness of the UN Security Council’s Anti-terrorism Measures: The Quest for Legitimacy and Cohesion,” *European Journal of International Law*.

Primary Materials

- United Nations Charter, Chapters V, VII, and Article 103.

- United Nations Security Council Resolution 1267 (1999), paras. 1–6 (sanctions regime against the Taliban and Al-Qaeda).
- United Nations Security Council Resolution 1373 (2001), paras. 1–6 (binding counterterrorism obligations and Counter-Terrorism Committee).
- United Nations Security Council Resolution 1540 (2004), paras. 1–3 (non-proliferation obligations and non-state actors).
- United Nations Security Council Resolution 1624 (2005), paras. 1–4 (incitement to terrorism and preventive counterterrorism obligations).
- United Nations Security Council Resolution 2178 (2014), paras. 1–8 (foreign terrorist fighters and preventive counterterrorism obligations).
- *Kadi and Al Barakaat International Foundation v Council and Commission, Joined Cases C-402/05 P and C-415/05 P (2008), paras. 281–326 and 334–376 (judicial review, due process, and implementation of Security Council sanctions within the EU legal order).*

Suggested Reading

- Erica de Wet, *The Chapter VII Powers of the United Nations Security Council*, Chapters 4 (“Limits to the Security Council’s Discretion under Article 39 of the Charter”), 5 (“Substantive Limits to the Security Council’s Discretion under Articles 40, 41 and 42 of the Charter”), and 9 (“Limits to the Security Council’s Discretion to Adopt (Quasi-) Judicial Measures”).
- Jane Boulden, “*The United Nations General Assembly and Terrorism*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 34.
- Devika Hovell, *The Power of Process*, Chapters 4 (“A ‘Value-Based’ Approach: Three Models of Due Process”), 5 (“The Instrumentalist Model in the UN Sanctions Context”), 6 (“The Dignitarian Model in the UN Sanctions Context”), and 7 (“The Public Interest Model in the UN Sanctions Context”).
- Eric Rosand, “*Security Council Resolution 1373, the Counter-Terrorism Committee, and the Fight against Terrorism*,” *American Journal of International Law*.
- Stefan Talmon, “*The Security Council as World Legislature*,” *American Journal of International Law*.
- José E. Alvarez, “*Hegemonic International Law Revisited*,” *American Journal of International Law*.

Week 6 — Terrorism Financing and International Cooperation

Essential Readings

- Ilias Bantekas, “*The International Law on Terrorist Financing*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 7.
- Financial Action Task Force (FATF), “*International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation*” (FATF Recommendations), Recommendations 1 (“Assessing Risks and Applying a Risk-Based Approach”), 5 (“Terrorist Financing Offence”), 6 (“Targeted Financial Sanctions Related to Terrorism and Terrorist Financing”), 8 (“Non-Profit Organisations”), 10 (“Customer

Due Diligence”), 20 (“Reporting of Suspicious Transactions”), and 36–40 (“International Cooperation”).

Primary Materials

- International Convention for the Suppression of the Financing of Terrorism (1999), Articles 2, 4, 8, and 18.
- United Nations Security Council Resolution 1373 (2001), paras. 1(a)–(d) (suppression of terrorism financing and asset freezing obligations).
- United Nations Security Council Resolution 1455 (2003), paras. 2–7 (implementation and strengthening of targeted financial sanctions).
- United Nations Security Council Resolution 2462 (2019), paras. 1–20 (terrorism financing, risk-based regulation, and international cooperation).
- United Nations Security Council Resolution 2615 (2021), paras. 1–3 (humanitarian exemptions, humanitarian assistance, and sanctions-related safeguards in the Afghanistan sanctions regime).
- Kadi and Al Barakaat International Foundation v Council and Commission, Joined Cases C-402/05 P and C-415/05 P (2008), paras. 281–326 and 334–376 (judicial review, asset freezing, and due process protections in UN sanctions implementation).

Suggested Reading

- Kim Cragin and Sara Daly, *The Dynamic Terrorist Threat*, Chapters 2 (“Assessing Terrorist Threats”), 3 (“Terrorist Groups’ Capabilities”), and 4 (“Terrorist Groups as Dynamic Entities”).
- Clive Walker, *Blackstone’s Guide to the Anti-Terrorism Legislation*, Chapter 3 (“Terrorist Funding and Property”).
- Rohan Gunaratna, *Inside Al Qaeda*, Chapters 2 (“Al Qaeda’s Organisation, Ideology and Strategy”) and 3 (“Al Qaeda’s Global Network”).
- Ilias Bantekas, “The International Law of Terrorist Financing,” American Journal of International Law.
- Nikos Passas, “Informal Value Transfer Systems and Criminal Organizations,” Crime, Law and Social Change.
- Michael Freeman, “The Sources of Terrorist Financing: Theory and Typology,” Studies in Conflict & Terrorism.

Week 7 — Terrorism and International Humanitarian Law

Essential Readings

- Ben Saul, “*Terrorism and International Humanitarian Law,*” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 14.
- Emily Crawford, “*Terrorism and Targeted Killings under International Law,*” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 16.

Primary Materials

- Geneva Conventions of 1949, Common Article 3.
- Additional Protocol I (1977), Articles 48, 51, 52, and 57.
- Additional Protocol II (1977), Articles 1, 4–6, and 13–17.
- Military and Paramilitary Activities in and against Nicaragua, paras. 191–220 (Common Article 3 and non-international armed conflict obligations).
- Prosecutor v Tadić, paras. 67–145 (classification of armed conflict and organization/intensity criteria).
- Hamdan v Rumsfeld, pp. 628–635 and 642–652 (Common Article 3 applicability and military commissions).
- International Committee of the Red Cross (ICRC), “Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law” (2009).

Suggested Reading

- Marco Sassòli, *International Humanitarian Law*, Chapters 6 (“Scope of Application: When Does IHL Apply?”), 7 (“International and Non-International Armed Conflicts”), 8 (“The Protective Regimes”), and 9 (“IHL and Other Branches of International Law”).
- Yoram Dinstein, *The Conduct of Hostilities under the Law of International Armed Conflict*, Chapters 1 (“The General Framework”), 4 (“Legitimate Military Objectives”), 5 (“Protection of Civilians and Civilian Objects from Attack”), and 8 (“Other Methods and Means of Warfare”).
- Nils Melzer, *Targeted Killing in International Law*, Chapters V (“The Paradigm of Law Enforcement”), X (“The Paradigm of Hostilities”), XI (“The Principle of Distinction under International Humanitarian Law”), XIII (“Human Rights Law and the Paradigm of Hostilities”), and XIV (“Permissibility of Targeted Killing as a Method of Conducting Hostilities”).
- Sandesh Sivakumaran, *The Law of Non-International Armed Conflict*, Chapters 1 (“Non-International Armed Conflicts and Internal Tensions and Disturbances”), 2 (“Non-International and International Armed Conflicts”), 7 (“Scope of Application”), 8 (“Protection of Civilians, Civilian Objects, and Persons Hors de Combat”), and 9 (“Conduct of Hostilities”).
- Geoffrey S. Corn and Eric Talbot Jensen (eds.), *The War on Terror and the Laws of War*, Chapters 1 (“Legal Basis for the Use of Armed Conflict”), 2 (“Triggering the Law of Armed Conflict?”), 3 (“Targeting of Persons and Property”), 4 (“Interrogation and Treatment of Detainees in the Global War on Terror”), and 5 (“Detention of Combatants and the War on Terror”).
- Helen Duffy, *The ‘War on Terror’ and the Framework of International Law*, Chapters 5 (“The Use of Force”), 6 (“International Humanitarian Law”), 7 (“International Human Rights Law”), 8 (“Case Study I: Guantánamo Bay Detentions under International Human Rights and Humanitarian Law”), and 9 (“Case Study II: Osama bin Laden – ‘Justice Done?’”).
- Derek Jinks, “September 11 and the Laws of War,” Yale Journal of International Law.

Week 8 — International Criminal Law and Accountability

Essential Readings

- Antonio Cassese and Paola Gaeta, *Cassese's International Criminal Law*, Chapter 5 (“Crimes against Humanity”), Chapter 8 (“Terrorism”), Chapter 9 (“Perpetration: in Particular Joint and Indirect Perpetration”), Chapter 10 (“Omission Liability and Superior Responsibility”), Chapter 15 (“The Repression of International Crimes in Domestic Jurisdictions”), and Chapter 16 (“International versus National Jurisdiction”).
- Roberta Arnold, “*Terrorism, War Crimes and the International Criminal Court*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 19.

Primary Materials

- Rome Statute of the International Criminal Court (1998), Articles 5–8 (core crimes), 25 (individual criminal responsibility), 27 (irrelevance of official capacity), and 28 (command responsibility).
- *Prosecutor v Tadić*, paras. 185–229 (joint criminal enterprise and forms of participation).
- *Prosecutor v Lubanga*, paras. 994–1018 (co-perpetration and control over the crime theory).
- *Prosecutor v Al Mahdi*, paras. 14–17 (historical and cultural significance of Timbuktu), 34–41 (intentional attacks against protected cultural heritage), and 76–81 (gravity and international significance of cultural destruction as a war crime).
- *Prosecutor v Ongwen*, paras. 2086–2114, 2363–2408, and 2715–2740 (child soldiers, organizational control within armed groups, forced marriage, and sexual slavery).
- Special Tribunal for Lebanon Appeals Interlocutory Decision, paras. 83–147 (definition of terrorism under international law).
- United Nations Security Council Resolution 2178 (2014), paras. 1–8 (foreign terrorist fighters and international cooperation obligations).
- United Nations Security Council Resolution 2379 (2017), paras. 1–5 (UNITAD investigative mechanism regarding ISIS crimes in Iraq).

Suggested Reading

- Ben Saul, “*The Legal Relationship between Terrorism and Transnational Crime*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 10.
- Guénaél Mettraux, “*The United Nations Special Tribunal for Lebanon: Defining International Terrorism*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 40.
- Kai Ambos, *Treatise on International Criminal Law*, Chapters III (“Jurisdiction and Admissibility (Complementarity)”), IV (“Overview of the Procedure and Special Issues”), V (“Evidence and Disclosure”), and VII (“The Cooperation Regime”).
- Mark A. Drumbl, *Atrocity, Punishment, and International Law*, Chapters 1 (“Extraordinary Crime and Ordinary Punishment: An Overview”), 3 (“Punishment of International Crimes in International Criminal Tribunals”), 4 (“Punishment of International Crimes in National and Local Criminal Justice Institutions”), 6 (“Quest for Purpose”), and 7 (“From Law to Justice”).
- Gerhard Werle and Florian Jeßberger, *Principles of International Criminal Law*, Chapters 2 (“General Principles”), 4 (“Crimes Against Humanity”), and 5 (“War Crimes”).

- Leila Nadya Sadat (ed.), *Forging a Convention for Crimes Against Humanity*, Chapters 2 (“The Universal Repression of Crimes Against Humanity before National Jurisdictions”), 7 (“The Definition of Crimes Against Humanity and the Question of a ‘Policy’ Element”), 10 (“Modes of Participation”), 11 (“Terrorism and Crimes Against Humanity”), 12 (“Crimes Against Humanity and the International Criminal Court”), and 14 (“Re-enforcing Enforcement in a Specialized Convention on Crimes Against Humanity”).

Week 9 — Gaza and Contemporary Challenges in International Law

Essential Readings

- Ben Saul, “*Terrorism and International Humanitarian Law*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 14.
- Marco Sassòli, *International Humanitarian Law*, Chapters 7 (“International and Non-International Armed Conflicts”), 8 (“The Protective Regimes”), and selected sections of Chapter 10 (“Selected Cross-Cutting Issues”).
- Helen Duffy, *The ‘War on Terror’ and the Framework of International Law*, Chapters 5 (“The Use of Force”), 6 (“International Humanitarian Law”), and 7 (“International Human Rights Law”).

Primary Materials

- Charter of the United Nations, Articles 2(4), 39, 41, 42, and 51.
- Geneva Convention IV (1949), Articles 27–34, 47–78, and 146–147.
- Additional Protocol I (1977), Articles 48, 51, 52, 54, 57, and 85.
- *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, paras. 87–113 and 127–142.
- *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*.
- *South Africa v Israel*.
- United Nations Security Council Resolution 2728 (2024), operative paras. 1–6 (ceasefire and humanitarian access).
- United Nations General Assembly Resolution ES-10/21 (2023).

Suggested Reading

- Yoram Dinstein, *The Conduct of Hostilities under the Law of International Armed Conflict*, Chapters 4 (“Legitimate Military Objectives”), 5 (“Protection of Civilians and Civilian Objects from Attack”), and selected sections of Chapter 8 (“Other Methods and Means of Warfare”).
- Nils Melzer, *Targeted Killing in International Law*, Chapters X (“The Paradigm of Hostilities”), XI (“The Principle of Distinction under International Humanitarian Law”), XIII (“Human Rights Law and the Paradigm of Hostilities”), and XIV (“Permissibility of Targeted Killing as a Method of Conducting Hostilities”).

- Adil Ahmad Haque, *Law and Morality at War*, Chapters 3 (“Civilians”), 5 (“Distinction”), 7 (“Precautions”), 8 (“Proportionality”), 9 (“Human Shields”), and 10 (“War Crimes”).
- Francesca Albanese and Michael Lynk (eds.), *Israeli Practices towards the Palestinian People and the Question of Apartheid*, “Legal Framework,” “Conceptual Framework,” Sections I–III of the “Findings”.
- Richard Falk, *Palestine’s Horizon*, Chapters 1 (“Parameters of Struggle”), 5 (“Violence and Nonviolence in the Palestinian Human Rights Struggle”), 6 (“International Law, Apartheid, and Israeli Responses to BDS”), 7 (“Palestinian Lawfare and the Search for a Just Peace”), 8 (“Palestine Becomes a State”), and 9 (“Seeking Vindication at the International Criminal Court”).
- Tom Dannenbaum, *“Siege Starvation: A War Crime of Societal Torture,” American Journal of International Law*.
- Asa Kasher and Amos Yadlin, *“Military Ethics of Fighting Terror,” Journal of Military Ethics*.
- Marko Milanović, *“The End of Application of International Humanitarian Law,” International Review of the Red Cross*.

Week 10 — Jurisdiction, Extradition, and International Cooperation

Essential Readings

- Kimberley N. Trapp, *State Responsibility for International Terrorism*, Chapter 3 (“State Responsibility for International Terrorism”) and Chapter 4 (“Attribution of Conduct”).
- Ben Saul, *“The Legal Nexus between Terrorism and Transnational Crime,”* in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 10.
- Geoff Gilbert, *“Terrorism and International Refugee Law,”* in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 29.
- Fiona de Londras, *“Counter-Terrorist Detention and International Human Rights Law,”* in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 25.

Primary Materials

- International Convention for the Suppression of the Financing of Terrorism (1999), Articles 7–18.
- Convention against Torture (1984), Article 3 (non-refoulement).
- 1951 Refugee Convention, Articles 1F and 33.
- Budapest Convention on Cybercrime (2001).
- United Nations Security Council Resolution 1267 (1999) and subsequent ISIL (Da’esh) and Al-Qaida sanctions framework resolutions.
- United Nations Security Council Resolution 1373 (2001), paras. 1–3 (international cooperation obligations).
- United Nations Security Council Resolution 2178 (2014), paras. 2–6 and 11–18 (foreign terrorist fighters, border control, and international cooperation).

- United Nations Security Council Resolution 2396 (2017), operative paras. 1–32 (returning and relocating foreign terrorist fighters, biometric data, passenger information systems, and information-sharing).
- Soering v United Kingdom, paras. 80–113 (extradition and non-refoulement under human rights law).
- Othman (Abu Qatada) v United Kingdom, paras. 183–285 (diplomatic assurances, torture evidence, and deportation in terrorism cases).
- El-Masri v The Former Yugoslav Republic of Macedonia, paras. 191-211 (ill-treatment and torture), 212-221 (extraordinary rendition and arbitrary detention), and 236-240 (state responsibility and complicity in CIA rendition operations).
- Kadi and Al Barakaat International Foundation v Council and Commission, paras. 281–316 (relationship between UN Security Council obligations and EU legal order), 321–353 (judicial review of counterterrorism sanctions), and 354–376 (fundamental rights, due process).
- Questions relating to the Obligation to Prosecute or Extradite (Belgium v Senegal), paras. 74–122 (aut dedere aut judicare obligations).
- INTERPOL Constitution, Articles 2 and 3.

Suggested Reading

- Clive Walker, *Blackstone's Guide to the Anti-Terrorism Legislation*, Chapters 3 (“Terrorist Funding and Property”), 4 (“Terrorist Investigations”), 5 (“Counter-terrorist Powers”), and 6 (“Criminal Offences and the Processing of Offenders”).
- Helen Duffy, *The ‘War on Terror’ and the Framework of International Law*, Chapters 4 (“Criminal Justice”), 7 (“International Human Rights Law”), and 10 (“Case Study III: Extraordinary Rendition”).
- Kai Ambos, *Treatise on International Criminal Law*, Chapters III (“Jurisdiction and Admissibility (Complementarity)”), VII (“The Cooperation Regime”), and selected sections on extradition, mutual legal assistance, and interstate cooperation.
- Silvia Borelli, “*Extraordinary Rendition, Counter-Terrorism and International Law*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 23.
- Cian C. Murphy, *EU Counter-Terrorism Law*, Chapter 3 (“Criminalising ‘Terrorism’ in EU Law”), Chapter 5 (“Targeted Asset-Freezing Sanctions”), Chapter 6 (“Data Surveillance”), and Chapter 7 (“European Warrants”).
- Cedric Ryngaert, *Jurisdiction in International Law*, Chapter 3 (“The Territoriality Principle”), Chapter 4 (“The Principles of Extraterritorial Criminal Jurisdiction”), and selected sections of Chapter 5 (“A Reasonable Exercise of Jurisdiction”).
- M. Cherif Bassiouni, *International Extradition*, Chapter I (“The Legal Framework of Extradition in International Law and Practice”), Chapter III (“Asylum and Extradition”), Chapter IV (“Disguised Extradition: The Use of Immigration Laws as Alternatives to Extradition”), Chapter V (“Abduction and Unlawful Seizure as Alternatives to Extradition”), and Chapter VIII (“Denial of Extradition: Defenses, Exceptions, Exemptions, and Exclusions”).

Week 11 — Foreign Terrorist Fighters and Repatriation

Essential Readings

- Andrea de Guttry, Francesca Capone, and Christophe Paulussen (eds.), *Foreign Fighters under International Law and Beyond*, Chapter 9 (“The Status of Foreign Fighters under International Humanitarian Law”), Chapter 13 (“The Obligations under International Law of the Foreign Fighter’s State of Nationality or Habitual Residence, State of Transit and State of Destination”), and Chapter 23 (“Foreign Fighters and the Deprivation of Nationality: National Practices and International Law Implications”).
- Christopher Paulussen and Irene Stronks, “*Foreign Fighters and Human Rights*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 24.

Primary Materials

- United Nations Security Council Resolution 2178 (2014), especially paras. 1–8 and 11–18 (foreign terrorist fighters, travel, recruitment, financing, and preventive obligations).
- United Nations Security Council Resolution 2396 (2017), operative paras. 1–32 (returning and relocating foreign terrorist fighters, biometrics, passenger data, prosecution, rehabilitation, and reintegration).
- United Nations Security Council Resolution 2482 (2019), especially operative paras. 1-12 and 20-24 (links between terrorism and organized crime, trafficking networks, financing, border controls, international cooperation, information-sharing, and transnat.
- Convention on the Reduction of Statelessness (1961), especially Articles 5-9.
- Convention on the Rights of the Child (1989), especially Articles 3, 7, 8, 37, and 40.
- Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (2007), in particular principles concerning detention, rehabilitation, reintegration, and best interests of the child.
- *H.F. and Others v France*, paras. 184–261 (repatriation requests, procedural safeguards, and obligations concerning detained nationals in Syria).
- *Begum v Secretary of State for the Home Department*, paras. 109–135 (citizenship deprivation, national security, and procedural fairness).

Suggested Reading

- Chimène I. Keitner, “*Extraterritorial Jurisdiction*,” in Ben Saul (ed.), *Research Handbook on International Law and Terrorism*, Chapter 33.
- Andrea de Guttry, Francesca Capone, and Christophe Paulussen (eds.), *Foreign Fighters under International Law and Beyond*, Chapter 11 (“Child Soldiers: The Expanding Practice of Minors Recruited to Become Foreign Fighters”).
- David Malet, *Foreign Fighters*, Introduction, Chapter 1 (“Why We Fight (Elsewhere)”), and Chapter 6 (“Afghanistan (1978–1992) and Beyond”).
- Thomas Renard and Rik Coolsaet (eds.), *Returnees: Who Are They, Why Are They (Not) Coming Back and How Should We Deal with Them?*, “Overview and Key Findings,” “From the Kingdom to the Caliphate and Back: Returnees in Belgium,” and “Conclusion: Converging Policies on Returnees and Key Challenges Ahead.”

- United Nations Special Rapporteur on the Promotion and Protection of Human Rights while Countering Terrorism, *Global Study on the Impact of Counter-Terrorism on Civil Society and Civic Space* (2023).
- Jeanine de Roy van Zuijdewijn and Edwin Bakker, “*Returning Western Foreign Fighters: The Case of Afghanistan, Bosnia and Somalia*” (International Centre for Counter-Terrorism, 2014).
- Counter-Terrorism Committee Executive Directorate, *Guiding Principles on Foreign Terrorist Fighters* (2015/2018 update), especially principles concerning prosecution, rehabilitation, reintegration, border controls, information-sharing, women, and children.
- Fionnuala Ní Aoláin, “Women, Vulnerability, and Humanitarian Emergencies”.

Week 12 — Counterterrorism, Human Rights, and Surveillance

Essential Readings

A. Surveillance and Privacy

- Cian C. Murphy, *EU Counter-Terrorism Law*, Chapter 5 (“Targeted Asset-Freezing Sanctions”), Chapter 6 (“Data Surveillance”), and Chapter 8 (“Rule of Law and Pre-Emption Reconsidered”).
- Office of the United Nations High Commissioner for Human Rights, *The Right to Privacy in the Digital Age* (2018), especially sections concerning bulk surveillance, metadata collection, encryption, oversight safeguards, and intelligence-sharing practices.
- General Comment No. 16, especially sections concerning unlawful interference with privacy, correspondence, surveillance, and data protection obligations.
- Amnesty International, *Forensic Methodology Report: How to Catch NSO Group’s Pegasus* (2021), especially sections on spyware detection, mobile-device surveillance, digital targeting, and human rights implications of counterterrorism surveillance frameworks.

B. Preventive Counterterrorism Governance

- Financial Action Task Force, *International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation* (“FATF Recommendations”), especially recommendations concerning terrorist financing, virtual assets, customer due diligence, and suspicious transaction reporting.
- Privacy International, *Guide to International Law and Surveillance* (2017), especially sections on bulk interception, intelligence-sharing, metadata surveillance, and oversight obligations.

Primary Materials

- International Covenant on Civil and Political Rights (1966), especially Articles 4, 7, 9, 14, 17, 19, 21, and 22.
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), especially Articles 2, 3, 12, and 15.

- [United Nations Security Council Resolution 1373 \(2001\), especially operative paras. 1–3.](#)
- [United Nations Security Council Resolution 1624 \(2005\), especially operative provisions concerning incitement and extremism prevention.](#)
- [United Nations Security Council Resolution 2396 \(2017\), especially operative paras. 11–24 \(biometric data, passenger information systems, watchlists, border surveillance technologies, and information-sharing obligations\).](#)
- [*Kadi and Al Barakaat International Foundation v Council and Commission*, especially paras. 281–376 \(judicial review, sanctions regimes, due process, and counterterrorism listings\).](#)
- [*El-Masri v The Former Yugoslav Republic of Macedonia*, especially paras. 182–240 and 248–269 \(extraordinary rendition, secret detention, torture, and state complicity\).](#)
- [*Big Brother Watch and Others v United Kingdom*, especially paras. 314–387 and 487–500 \(bulk interception, metadata collection, intelligence sharing, and surveillance safeguards\).](#)
- [*Roman Zakharov v Russia*, especially paras. 229–305 \(secret surveillance regimes and oversight safeguards\).](#)
- [Regulation \(EU\) 2021/784 on addressing the dissemination of terrorist content online, especially Articles 3–6 and 9–11.](#)

Suggested Reading

A. Extraordinary Counterterrorism Measures

- Mark A. Drumbl, *Atrocity, Punishment, and International Law*, Chapter 5 ("Legal Mimicry") and Chapter 6 ("Quest for Purpose").
- [United Nations Special Rapporteur on the Promotion and Protection of Human Rights while Countering Terrorism, Global Study on the Impact of Counter-Terrorism on Civil Society and Civic Space \(2023\), especially sections on surveillance, civic-space restric.](#)

B. Digital Platforms, AI, and Algorithmic Governance

- [Berkeley Protocol on Digital Open Source Investigations, Introduction and Part III, especially sections concerning authentication, verification standards, metadata preservation, chain of custody, and admissibility of digital evidence.](#)
- [Regulation \(EU\) 2021/784 on addressing the dissemination of terrorist content online, especially provisions concerning platform obligations, removal orders, freedom of expression safeguards, and cross-border digital enforcement.](#)

Week 13 — Cyberterrorism, Emerging Technologies, and Artificial Intelligence

Essential Readings

A. Cyberterrorism and Non-State Digital Threats

- United Nations Office on Drugs and Crime, *The Use of the Internet for Terrorist Purposes*, Chapter II (“The Internet as a Facilitator of Terrorist Acts”) and Chapter III (“Countering Terrorist Use of the Internet”), together with selected sections concerning international cooperation, online radicalization, recruitment, propaganda dissemination, terrorist financing, operational planning, and digital investigations.

B. International Law Applicable to Cyber Operations

- *Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations* edited by Michael N. Schmitt: Rules 1–4 (Jurisdiction and Sovereignty); Rules 13–16 (State Responsibility and Attribution); and Rules 69–71 (Use of Force and Armed Attack in Cyberspace).
- United Nations Group of Governmental Experts: 2013 and 2015 reports on developments in the field of information and telecommunications in the context of international security, especially sections concerning responsible state behavior and the applicability of international law in cyberspace.
- *The Right to Privacy in the Digital Age* by Office of the United Nations High Commissioner for Human Rights: especially sections concerning digital surveillance, metadata collection, encryption, online privacy, intelligence-sharing, and safeguards against arbitrary interference with privacy rights.

C. Artificial Intelligence and Algorithmic Governance

- *Recommendation on the Ethics of Artificial Intelligence* by United Nations Educational, Scientific and Cultural Organization: especially principles concerning accountability, transparency, proportionality, human oversight, privacy protection, and non-discrimination.
- *Regulation (EU) 2024/1689 (EU Artificial Intelligence Act)*: especially Articles 5, 6, 26, and 50, together with Annex III, concerning prohibited AI practices, biometric surveillance, high-risk AI systems, law-enforcement uses of AI, and transparency obligations.

Primary Materials

- Charter of the United Nations (1945): Articles 2(4), 39, 41, and 51.
- Convention on Cybercrime: Articles 2–11 (substantive cyber offences); Articles 16–21 (procedural powers and digital evidence); and Articles 23–35 (international cooperation).
- Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations: Rules 1–4; Rules 13–16; and Rules 69–71.
- United Nations General Assembly Resolution 68/243 (2013): especially sections concerning norms of responsible state behavior in cyberspace and the applicability of international law to cyber operations.
- United Nations General Assembly Resolution 70/237 (2015): especially sections concerning norms of responsible state behavior in cyberspace and the applicability of international law to cyber operations.

- *Schrems II*: especially paras. 168–185 and 191–202, concerning surveillance, intelligence-sharing, adequacy standards, privacy protections, and cross-border data transfers.
- *Regulation (EU) 2021/784*: Articles 3–6 and 9–11.
- *Regulation (EU) 2024/1689 (EU Artificial Intelligence Act)*: Articles 5, 6, 26, and 50, together with Annex III.

Suggested Reading

A. Digital Evidence and Open-Source Investigations

- *Berkeley Protocol on Digital Open Source Investigations: Introduction and Part III (“Verification and Digital Evidence”)*, especially sections concerning authentication, metadata preservation, chain of custody, verification standards, and evidentiary reliability.
- *Internet Organised Crime Threat Assessment (IOCTA) 2023* by Europol: especially sections concerning cryptocurrency investigations, cyber-enabled terrorism, online extremist ecosystems, and darknet financing networks.

B. Platform Governance and Online Extremism

- *Regulation (EU) 2021/784 on addressing the dissemination of terrorist content online*: especially Articles 3–6 and 9–11, concerning removal orders, platform obligations, safeguards for freedom of expression, transparency obligations, and cross-border enforcement.
- *Council of Europe Convention 108+*: especially sections concerning lawful data processing, proportionality, automated processing, safeguards against unlawful surveillance, and data protection obligations.

C. Critical Infrastructure and Cyber Resilience

- *ENISA Threat Landscape 2023* by European Union Agency for Cybersecurity: selected sections concerning ransomware threats, critical infrastructure vulnerabilities, cyber resilience, and state/private-sector cybersecurity governance.

Week 14 — Revision Week

No additional readings assigned.