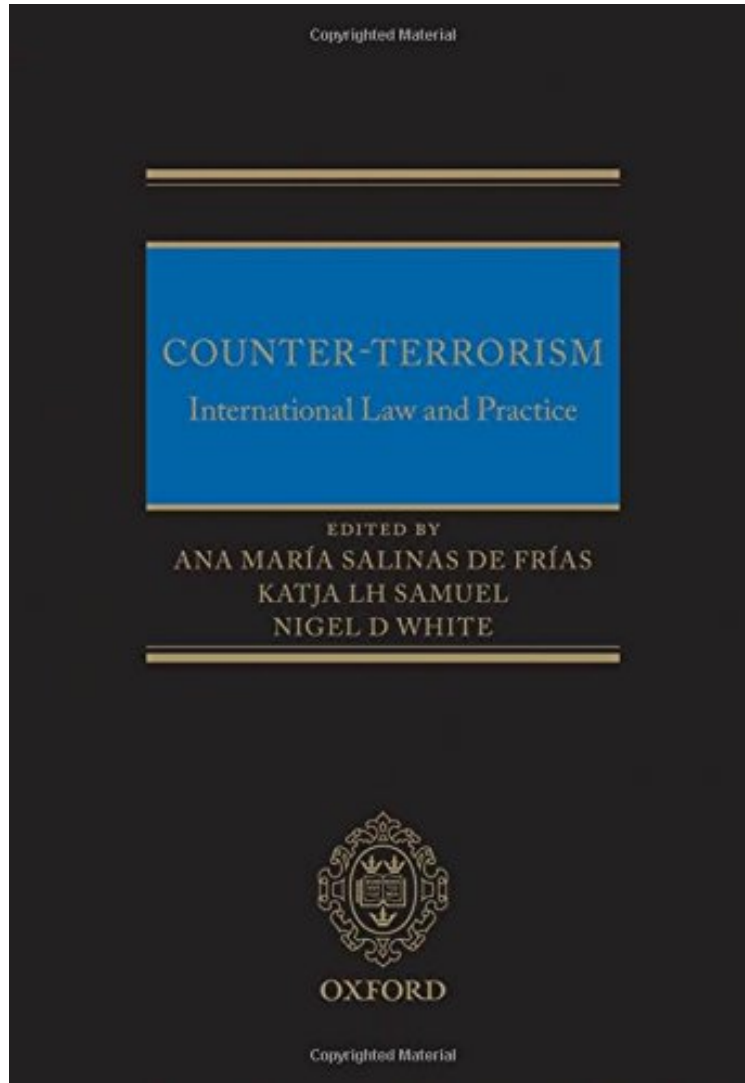


Counter-Terrorism: International Law and Practice

Ana Maria Salinas De Frias, Katja Samuel, Nigel White
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The response of governments to terrorism is one of the most controversial issues of the twenty-first century. Balancing the desire to achieve security with the safeguarding of human rights has proved to be highly contentious. This book analyzes the international rule of law framework in which counter-terrorism responses occur, namely those of

international human rights, humanitarian, criminal, and refugee law. It focuses on some of the most pressing, emerging and/or under-researched issues and tensions, including: the policy choices associated with meeting security imperatives; the tensions between the criminal justice approach to counter-terrorism and the military approach; the identification of lacunae within existing legal frameworks; and tensions between executive, judicial, and legislative responses. It addresses a wide range of issues, such as: an analysis of key legal principles; emergency and executive measures; radicalization; governmental impunity; classification, administration and treatment of battlefield detainees; extrajudicial and targeted killings; forms of, and treatment in, detention; non-refoulement; diplomatic assurances; interrogation versus torture; extraordinary rendition; discrimination; reparations for victims of terrorist attacks and security responses; (mis)use of military and immigration tribunals; judicial and institutional developed and emerging rule of law norms on terrorism; non-judicial oversight by means of democratic accountability; significance of rule of law principles to non-legal counter-terrorist policy; and the identification and analysis of best practices. Drawing together an impressive spectrum of legal and non-legal, national and institutional, practitioner, policy and academic expertise, this book is an unmissable reference work on all aspects of counter-terrorism policy.

"A valuable comprehensive reference resource that brings together leading experts on the spectrum of legal issues involved in formulating and applying counter-terrorism policies domestically and internationally." -- Joshua Sinai, *Perspectives on Terrorism*

About the Author Ana-Maria Salinas de Frias is Professor of Public International Law at Malaga University, Spain. She has recently completed a two year secondment as Legal Advisor to the Directorate General of Legal Advice and Public International Law at the Council of Europe, including on anti-terrorism matters. She specializes in, and has published extensively on, human rights, European Community, and immigration matters. Katja Samuel is a barrister specializing in security and armed conflict, international human rights and criminal law. With military, practitioner, NGO, and academic experience, she focuses in particular on counter-terrorism matters; and co-directs the current Rule of Law and Terrorism project together with Nigel White under the umbrella of the World Justice Project. Nigel White is Professor of Public International Law, Nottingham University, UK, and is a leading expert in security and armed conflict, international institutional, peacekeeping, and arms control law. He has authored and edited a significant number of publications on these issues, most recently *Democracy Goes to War: British Military Deployment under International Law* (OUP, 2009); is the co-editor in chief of the *Journal of Conflict and Security Law*; and is the editor of the Oxford Reports on International Law online module *International Law in the Domestic Courts* for the UK.