



Extraterritorial Use of Force Against Non-State Actors (Oxford Monographs in International Law)

By Noam Lubell



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Extraterritorial Use of Force Against Non-State Actors (Oxford Monographs in International Law) By Noam Lubell

This book analyses the primary relevant rules of international law applicable to extra-territorial use of force by states against non-state actors. Force in this context takes many forms, ranging from targeted killings and abductions of individuals to large-scale military operations amounting to armed conflict. Actions of this type have occurred in what has become known as the 'war on terror', but are not limited to this context. Three frameworks of international law are examined in detail. These are the United Nations Charter and framework of international law regulating the resort to force in the territory of other states; the law of armed conflict, often referred to as international humanitarian law; and the law enforcement framework found in international human rights law. The book examines the applicability of these frameworks to extra-territorial forcible measures against non-state actors, and analyses the difficulties and challenges presented by application of the rules to these measures.

The issues covered include, among others: the possibility of self-defence against non-state actors, including anticipatory self-defence; the lawfulness of measures which do not conform to the parameters of self-defence; the classification of extra-territorial force against non-state actors as armed conflict; the 'war on terror' as an armed conflict; the laws of armed conflict regulating force against groups and individuals; the extra-territorial applicability of international human rights law; and the regulation of forcible measures under human rights law. Many of these issues are the subject of ongoing and longstanding debate. The focus in this work is on the particular challenges raised by extra-territorial force against non-state actors and the book offers a number of solutions to these challenges.



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Editorial Review

Review

This book is an important contribution to the discourse on how contemporary international law can react to the challenge of Non-State Actors participating in armed conflicts. Lubell is the first author to bring together the area of international law that regulates the resort to force in the territory of other States, IHL and IHRL with respect to the extraterritorial forcible measures against Non-State Actors in one book. As such, the book serves both as a primer for those who want to familiarize themselves with the system of international law concerning armed conflicts, and - more particularly - as an attempt to apply the international law system to Non-State Actors...it is a worthwhile read for students and scholars studying the use of force in international law, and practitioners working in this area. Hadassa A. Noorda, University of Amsterdam This is a balanced and cogent work on a very topical aspect of the international law on the use of force. The author covers all relevant dimensions: the jus ad bellum, international humanitarian law and international humanrights law. The writing is clear, the use of sources and analysis rigorous and convincing. Sir Michael Wood [A]n exceptionally impressive work. Its hallmarks are obvious research, analytical rigour, clear exposition and common-sense. It is an important contribution to what continues to be a problematic area of international humanitarian law and should be much referred to by lawyers working in this field. Modern Law Review Lubell writes with an impressive attention to actual and historical state practice...[T]his is an impressive book with a useful place on the bookshelf for the practicing public international lawyer as well as the academic. Lawfare blog The author is to be commended for providing a great deal of clarity to the parameters of the legal debates...Lubell's study makes a substantial contribution...through the well-argued analysis of the current state of international law...The work provides an excellent base for further engagement with these difficult issues. Legal Studies

About the Author

Dr. Noam Lubell is a Lecturer in international law at the Irish Centre for Human Rights, National University of Ireland, Galway. In previous years he was the Co-Director of an International Law Clinic at the Concord Research Centre in Israel, a Visiting Research Fellow at the Hebrew University, Jerusalem, and prior to that he was a Senior Researcher at the Human Rights Centre at the University of Essex. He has taught courses on international human rights law and the laws of armed conflict in a number of academic institutions, in the U.K., Israel, Ireland, and the U.S. . Alongside his academic work Dr. Lubell has worked with various human rights organisations and has provided consultancies and training in human rights law and the laws of armed conflict for a variety of governmental and non-governmental bodies.

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