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Counterterrorism operations, international law, and the debate over the use of lethal force / James W. Zirkle

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Abstract:	<p>This chapter provides a brief overview of some of the more significant legal issues presented by the threats of international terrorism, including the use of drones for the targeted killings of terrorist leaders. Two of the more significant areas of disagreement arise from the fact that the armed conflicts of today are primarily non-international armed conflicts (NIAC). The battlefields of today more frequently do not involve traditional forces arrayed against each other in pitched battles. Instead, civilians affiliated with terrorist groups take up arms and deliver murderous attacks across international boundaries with no regard for human life, much less state sovereignty. Because these conflicts are not state against state, the boundaries of the "battlefield" can be more difficult to ascertain. Because of the nature of NIACs, the battleground is often not neatly contained within defined state borders. This can lead to a second point of disagreement. When lethal force is employed, should it be pursuant to international humanitarian law, or should international human rights law be applied ?</p>
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