

# CIVIL LITIGATION AGAINST TERRORISM



EDITED BY  
JOHN NORTON MOORE

# Civil Litigation Against Terrorism

**Yicheng Fang**



## **Civil Litigation Against Terrorism:**

**Civil Litigation Against Terrorism** John Norton Moore, 2004 Following the horrific 9/11 terror attacks against America it was widely assumed that we are employing the full legal arsenal against the terrorists. Sadly however America and indeed the world as a whole was only in the early stages in applying the full rule of law against the terrorist threat. Paradoxically while more actively applying criminal sanctions against the purveyors of terror the potential for civil sanctions through large damage awards against terror groups and their supporters seems to have been largely neglected. This book was the first to explore the means and the challenges to more effectively adding the tool of civil litigation to our legal arsenal in the war on terror. As such it is an important read for statesmen, foreign affairs and national security experts, political theorists, lawyers and in fact all those concerned with winning the war on terror. [Routledge Handbook of Law and Terrorism](#) Genevieve Lennon, Clive Walker, 2015-07-16 In the years since 9/11 counter terrorism law and policy has proliferated across the world. This handbook comprehensively surveys how the law has been deployed in all aspects of counter terrorism. It provides an authoritative and critical analysis of counter terrorism laws in domestic jurisdictions taking a comparative approach to a range of jurisdictions especially the UK, the US, Australia, Canada and Europe. The contributions to the book are written by experts in the field of terrorism law and policy allowing for discussion of a wide range of regulatory responses and strategies of governance. The book is divided into four parts reflective of established counter terrorism strategic approaches and covers key themes such as Policing and special powers including surveillance, Criminal offences and court processes, Prevention of radicalisation and manifestations of extremism, Protective preparative security, The penology of terrorism. In addressing counter terrorism laws across a broad range of topics and jurisdictions the handbook will be of great interest and use to researchers, students and practitioners in criminal law, counter terrorism and security studies. [Foreign Affairs Litigation in United States Courts](#) John Norton Moore, 2013-09-12 Foreign Affairs Litigation in United States Courts collects essays by some of the nation's top foreign affairs and international law experts to offer discussions on foreign sovereign immunity and the Foreign Sovereign Immunities Act, human rights litigation, foreign affairs taking actions with the Court of Federal Claims, the Foreign Claims Settlement Commission and the Hague Convention on Choice of Court Agreements. This is an indispensable resource for attorneys and government officials focused on the role of the courts in foreign affairs actions against foreign governments in United States courts, the Act of State Doctrine, foreign sovereign immunity, the Foreign Claims Settlement Commission, foreign affairs takings actions in the Court of Federal Claims and choice of court in international litigation. *American National Security and Civil Liberties in an Era of Terrorism* D. Cohen, J. Wells, 2004-04-16 In light of the ongoing war against terrorism can the United States maintain its dedication to protecting civil liberties without compromising security? At stake is nothing less than the survival of ideas associated with the modern period of political philosophy: the freedom of conscience, the inviolable rights of the individual to privacy, the constitutionally limited state as

well as the more recent refinement of late modern liberalism multiculturalism Contributors evaluate the need to reassess the nation's public policies institutions as well as its very identity The struggle to persist as an open society in the age of terrorism will be the defining test of democracy in the Twenty first century

**The Impact of 9/11 and the New Legal Landscape** M. Morgan, 2009-08-31 The Impact of 9/11 and the New Legal Landscape is the third volume of the six volume series The Day that Changed Everything edited by Matthew J Morgan The series brings together from a broad spectrum of disciplines the leading thinkers of our time to reflect on one of the most significant events of our time

Unfunding Terror Jimmy Gurulé, 2010-01-01 Jimmy Gurulé knows how to bankrupt terrorists like few others do As Undersecretary of the Treasury for Enforcement he spearheaded the fight against al Qaeda's global bank accounts helping to earn the highest grade awarded on the 9/11 Commissioners report card As an author he performs once again Unfunding Terror provides policymakers and laymen alike a clear roadmap on how to keep terrorists out of the global financial system Timothy J Roemer Center for National Policy former US Congressman and member of the National Commission on Terrorist Attacks Upon the United States 9/11 Commission Jimmy Gurulé has given us a superbly comprehensive and well written assessment of why regarding terrorism Deep Throat's principle is bang on follow the money R James Woolsey venture partner VantagePoint and former Director of Central Intelligence USA detailed study by a true scholar practitioner Unfunding Terror explains the legal response to terror finance in language accessible to both the expert and layman Required reading Matthew Levitt Director Stein Program on Counterterrorism and Intelligence The Washington Institute for Near East Policy and former Deputy Assistant Secretary of the Treasury for Intelligence and Analysis US Professor Gurulé is comprehensive he describes the problem terrorist funding by those in the free world analyzes the legal responses make it a crime freeze terrorist assets impose regulations on financial institutions critiques the administration's and international community's efforts to unfund terrorists political rhetoric not in fact backed up with effective strategies or implementation and outlines concrete legal and administrative remedies Would that they to whom the recommendations are addressed act on them quickly Too much is at stake to let terrorists who condemn the West as corrupt get their funding to attack the US and its allies from the West itself That would be a form of social suicide G Robert Blakey Notre Dame Law School USA The September 11 2001 terrorist attacks that claimed the lives of 2 973 innocent civilians required as much as 500 000 to stage At the time al Qaeda was operating on an annual budget of between 30 and 50 million However despite the obvious fact that terrorists need money to terrorize preventing the financing of terrorism was not a priority for the United States or the international community prior to 9/11 Jimmy Gurulé former Under Secretary for Enforcement in the US Department of the Treasury provides the first book length comprehensive analysis of the legal regime that evolved following the terrorist attacks The book begins with a discussion of how shutting down the pipelines of funding is as important as dismantling the terrorist cells themselves Next the book covers the various means and methods used by terrorist groups to raise money and examines how money is transferred globally to

finance their lethal activities The principal components of the legal strategy to disrupt the financing of terrorism are then discussed and evaluated Unfortunately the author concludes that the legal regime has met with mixed results and finds that the sense of urgency to deprive terrorists of funding that existed following 9 11 has since dissipated As a result international efforts to freeze terrorist assets have dramatically declined Moreover the US Department of Justice has suffered several embarrassing and disappointing legal defeats in prosecuting major terrorist financiers The author provides numerous recommendations to Congress the Executive Branch and the UN Security Council for strengthening the legal regime to deny terrorists the money needed to wage global jihad acquire weapons of mass destruction and launch another terrorist attack on the scale of 9 11

Unfunding Terror fills an important gap in the literature and will be essential reading for counter terrorism experts law enforcement and national security *The Islamic State* Yonah Alexander, Dean Alexander, 2015-09-08 The so called Islamic State IS that has swept into power in parts of Syria and Iraq presents an imminent danger to the global community with its capacity as an effective ideologically motivated and bloodthirsty fighting force coupled with its expanding territorial reach on the ground and online The IS has taken on a quasi state form that mixes modernity with ancient rites and aggressively promotes sectarian violence and religious extremism with a decidedly apocalyptic bent Too it has introduced to the Middle East a new level of extremism and brutality marked by volatile fluidity with far reaching dangerously destabilizing effects on state and non state actors regionally and globally This book offers insights into the nature of the IS and what the international community can do to combat it In order to achieve this objective the origins intentions leadership capabilities and operations of the IS are explored The Islamic State s multifaceted efforts and effects in the region and beyond are described Also national regional and global strategies that are being pursued to address the new threat are examined To this end a range of recommendations are offered on specific steps that governmental intergovernmental and non governmental bodies can take to counter the IS menace Lastly additional insights are presented relevant to combating the IS and undermining its potential future capabilities *Military Tribunals and Presidential Power* Louis Fisher, 2005 Offers coverage of wartime extra legal courts Focusing on those periods when the Constitution and civil liberties have been most severely tested by threats to national security Fisher critiques tribunals called during the presidencies of Washington Madison Jackson Lincoln Andrew Johnson Wilson Franklin Roosevelt and Truman

**Current Publications in Legal and Related Fields**, 2003 *Cases and Commentary on International Law* Mark W. Janis, John E. Noyes, 2006 Introduces the history and nature of international law and examines the sources of international law treatise custom general principles jus cogens and equity Also covers important fields of international law individuals and human rights recognition and self determination war and peace and the United Nations Antarctica outer space the law of the sea and international environmental laws and international conflict of laws foreign sovereign immunity and act of state *Proceedings of the ... Annual Meeting* American Society of International Law. Annual Meeting, American Society of International Law, 2002 *Proceedings of the Annual*

*Meeting American Society of International Law*, 2002      Federal Courts and the International Human Rights Paradigm  
Kenneth C. Randall, 1990      **Digest of United States Practice in International Law, 2009** Elizabeth R.

Wilcox, 2011-04-07 Co published by Oxford University Press and the International Law Institute and prepared by the Office of the Legal Adviser at the Department of State the Digest of United States Practice in International Law presents an annual compilation of documents and commentary highlighting significant developments in public and private international law and is an invaluable resource for practitioners and scholars in the field Each edition compiles excerpts from documents such as treaties diplomatic notes and correspondence legal opinion letters judicial decisions Senate committee reports and press releases Each document is selected by members of the Legal Adviser's Office of the U S Department of State based on their judgments about the significance of the issues their potential relevance to future situations and their likely interest to scholars and practitioners In almost every case the commentary to each excerpt is accompanied by a citation to the full text Featured in the 2009 Digest are excerpts from and discussion of numerous documents relating to issues of current interest including the following Final Rule issued by the U S Department of Health and Human Services eliminating ban on people with HIV from entering the United States 74 Fed Reg 56 547 Nov 2 2009 Chapter 1 Nationality Citizenship and Immigration U S federal court decisions involving First Amendment challenges to district court decisions upholding denials of visas to individuals accused of having contributed funds to terrorist organizations e g the Second Circuit vacated and remanded a district court's decision upholding the denial of a visa to Muslim scholar Tariq Ramadan *American Academy v Napolitano* 573 F 3d 115 2d Cir 2009 Chapter 1 Nationality Citizenship and Immigration U S motion to dismiss petition for a writ of habeas corpus filed by a Mexican national who claimed that he would be tortured if extradited to Mexico to face homicide charges *Saldana v United States* No 2 09 cv 02786 JPM cgc W D Tenn 2009 Chapter 3 International Criminal Law Eleventh Circuit affirmation of district court's 2008 decision denying writ of habeas corpus to former Panamanian dictator Manuel Noriega to prevent his extradition to France *Noriega v Pastrana* 564 F 3d 1290 11th Cir 2009 Chapter 3 International Criminal Law U S grant of two petitions for certiorari in a case challenging constitutionality of the provisions of the Antiterrorism and Effective Death Penalty Act of 1996 Pub L No 104 132 110 Stat 1214 that make it a criminal offense for any person within the United States or subject to U S jurisdiction knowingly to provide material support or resources to a designated foreign terrorist organization *FTO Holder v Humanitarian Law Project* 130 S Ct 534 2009 *Humanitarian Law Project v Holder* 130 S Ct 534 2009 Chapter 3 International Criminal Law Statement of Secretary of State Hillary Rodham Clinton about the Human Rights Agenda for the 21st Century Georgetown University December 14 2009 Chapter 6 Human Rights U S statements to the UN Human Rights Council relating to the Gaza conflict and the report of the UN Fact Finding Mission on the Gaza Conflict the Goldstone Report Chapter 6 Human Rights Statement of President Barack H Obama and memorandum to the Secretary of State and the Administrator of the United States Agency for International Development on the rescission of the Mexico City

Policy which had directed USAID to withhold USAID funds from any nongovernmental organization using non USAID funds to engage in activities relating to abortion Chapter 6 Human Rights Letter of Secretary of State Hillary Rodham Clinton to Senator Jeanne Shaheen outlining U S initiatives to end the use of rape and sexual violence in conflict zones particularly in Sudan and the Democratic Republic of the Congo accompanied by the proposed Strategic Plan for Combating Violence Against Women in Sudan and the Democratic Republic of the Congo DRC and Statement of Secretary of State Clinton to the UN Security Council regarding U S led Resolution concerning sexual violence in situations of armed conflict Chapter 6 Human Rights Statement of Ambassador Susan Rice U S Permanent Representative to the United Nations and White House Senior Advisor Valerie Jarrett on the views of the U S towards the UN Convention on the Rights of Persons with Disabilities signed by the U S on July 30 2009 Chapter 6 Human Rights Statement of Harold Hongju Koh Department of State Legal Adviser to the International Court of Justice discussing whether the unilateral declaration of independence by the Provisional Institutions of Self Government of Kosovo is in accordance with international law Chapter 9 Diplomatic Relations Succession and Continuity of States U S federal court decisions relating to actions brought under sovereign states under the Foreign Sovereign Immunities Act including actions against the Holy See the Islamic Republic of Iran and the Kingdom of Saudi Arabia Chapter 10 Foreign Sovereign Immunity Diplomatic note indicating change in policy of the Department of State to extend the definition of family forming part of the household of a diplomatic agent to include same sex domestic partners domestic partners for purposes of the application of the Vienna Convention on Diplomatic Relations and Vienna Convention on Consular Relations in the United States 74 Fed Reg 36 112 July 22 2009 Chapter 10 Foreign Sovereign Immunity The Office of the U S Trade Representative s 2009 Special 301 Report to identify those foreign countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to U S persons that rely upon intellectual property protection Chapter 11 Trade Commercial Relations Investment and Transportation Statement of the Contact Group on Piracy off the Coast of Somalia CGPCS hosted by the United States at UN Headquarters in New York Chapter 12 Territorial Regimes and Related Issues President Barack H Obama s December 18 2009 press briefing relating to the Copenhagen Accord reached by the major world economies at the Fifteenth Session of the Conference of the Parties to the UN Framework Convention on Climate Change Chapter 13 Environment and Other Transnational Scientific Issues Testimony of Keith Loken Assistant Legal Adviser for Private International Law Department of State in support of the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance which was signed by the United States but awaits Senate approval Chapter 15 Private International Law Various documents relating to the U S position on the imposition or retention of sanctions against or the curtailment of assistance to countries including the Democratic People s Republic of Korea Iran Eritrea the Democratic Republic of Congo Sudan Burma Madagascar and Honduras Chapter 16 Sanctions Memorandum of President Barack H Obama to the Secretaries of State Treasury and

Commerce instructing them to take certain actions to implement a new policy to promote democracy and human rights in Cuba including facilitating greater contact between separated family members in the United States and Cuba and increasing the flow of remittances and information to the Cuban people Chapter 16 Sanctions U S positions on the peace process in the Israeli Palestinian conflict and the resolution of the North South conflict in Sudan as well as U S positions on peacekeeping in Georgia Kosovo Lebanon and Somalia Chapter 17 International Conflict Resolution and Avoidance Excerpts from Executive Order 13491 Ensuring Lawful Interrogations 74 Fed Reg 4893 Jan 27 2009 which was intended to improve the effectiveness of human intelligence gathering to promote the safe lawful and humane treatment of individuals in United States custody and of United States personnel who are detained in armed conflicts to ensure compliance with the treaty obligations of the United States including the Geneva Conventions and to take care that the laws of the United States are faithfully executed Chapter 18 Use of Force Arms Control and Disarmament and Nonproliferation Excerpts from Executive Order 13492 Review and Disposition of Individuals Detained At the Guant namo Bay Naval Base and Closure of Detention Facilities 74 Fed Reg 4897 Jan 27 2009 Chapter 18 Use of Force Arms Control and Disarmament and Nonproliferation Other U S positions relating to treatment of detainees upon release as well as U S federal court decisions relating to habeas litigation involving current detainees held at Guantanamo and in Afghanistan and civil suits involving former Guantanamo detainees Chapter 18 Use of Force Arms Control and Disarmament and Nonproliferation **Terrorism** Robert A. Friedlander,Howard Sidney Levie,Donald J. Musch,Yonah Alexander,Douglas C. Lovelace (Jr.),1979 An extensive collection of significant documents covering all major and minor issues and events regarding terrorism Government reports executive orders speeches court proceedings and position papers are presented in full text reprint Oceana Website *Denver journal of international law and policy* ,1990 **Choice** ,2003 **Counter-terrorism and the Use of Force in International Law** Michael N. Schmitt,2002 explores the legality of the attacks against Al Qaeda and the Taliban under the jus ad bellum that component of international law that governs when it is that a State may resort to force as an instrument of national policy P iii Intelligence Report ,1985 *Michigan Law Review* ,2003

This book delves into Civil Litigation Against Terrorism. Civil Litigation Against Terrorism is a vital topic that needs to be grasped by everyone, from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Civil Litigation Against Terrorism, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:
  - Chapter 1: Introduction to Civil Litigation Against Terrorism
  - Chapter 2: Essential Elements of Civil Litigation Against Terrorism
  - Chapter 3: Civil Litigation Against Terrorism in Everyday Life
  - Chapter 4: Civil Litigation Against Terrorism in Specific Contexts
  - Chapter 5: Conclusion
2. In chapter 1, the author will provide an overview of Civil Litigation Against Terrorism. This chapter will explore what Civil Litigation Against Terrorism is, why Civil Litigation Against Terrorism is vital, and how to effectively learn about Civil Litigation Against Terrorism.
3. In chapter 2, this book will delve into the foundational concepts of Civil Litigation Against Terrorism. This chapter will elucidate the essential principles that must be understood to grasp Civil Litigation Against Terrorism in its entirety.
4. In chapter 3, this book will examine the practical applications of Civil Litigation Against Terrorism in daily life. The third chapter will showcase real-world examples of how Civil Litigation Against Terrorism can be effectively utilized in everyday scenarios.
5. In chapter 4, this book will scrutinize the relevance of Civil Litigation Against Terrorism in specific contexts. This chapter will explore how Civil Litigation Against Terrorism is applied in specialized fields, such as education, business, and technology.
6. In chapter 5, the author will draw a conclusion about Civil Litigation Against Terrorism. The final chapter will summarize the key points that have been discussed throughout the book.

The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. It is highly recommended for anyone seeking to gain a comprehensive understanding of Civil Litigation Against Terrorism.

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### **Civil Litigation Against Terrorism Introduction**

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