The handle http://hdl.handle.net/1887/22937 holds various files of this Leiden University dissertation

Author: Duffy, H.
Title: The ‘war on terror’ and international law
Issue Date: 2013-12-18
## Table of sources

<table>
<thead>
<tr>
<th>Source</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>A v. SSHD (No. 2 'Torture Evidence')</td>
<td>[2005] UKHL 71.</td>
</tr>
<tr>
<td>Abousfian Abdelrazik v. the Minister of Foreign Affairs and the Attorney General of Canada</td>
<td>2009 FC 580.</td>
</tr>
<tr>
<td>Abu Zubaydah v. Lithuania</td>
<td>Application No. 46454/11, ECtHR, 27 October 2011 (pending).</td>
</tr>
<tr>
<td>Abu Zubaydah v. Poland</td>
<td>Appl. 7511/13, ECtHR, 26 March 2013 (Pending).</td>
</tr>
<tr>
<td>Ahmad &amp; Ors v. United Kingdom</td>
<td>Appls. 24027/07, 11949/08, 36742/08, 66911/09 and 67354/09 ECHR, 2012.</td>
</tr>
<tr>
<td>Aksoy v. Turkey</td>
<td>Appl. 21987/93, ECtHR, 18 December 1996, Reports 1996-VI.</td>
</tr>
<tr>
<td>Al Jedda v. United Kingdom</td>
<td>Appl. No. 27021/08, ECtHR Judgment 7 July 2011.</td>
</tr>
</tbody>
</table>
Table of sources

Al Nashiri v. Poland, Appl. No. 28761/11, ECtHR, 10 July 2012 (Pending).
Al Nashiri v. Romania, Appl. No. 33234/12, ECtHR, 10 July 2012 (Pending).
Al Odah v. United States, 321 F.3d 1134 (DC Cir. 2003).
Al Odah v. United States, No. 02-5251 2002 12.
Al-Saadoon and Mufdhi v. United Kingdom (App no 61498/08) ECtHR Judgment, 02 March 2010.
Al-Skeini v. The United Kingdom, No. 55721/07, ECHR Grand Chamber, Judgment, 7 July 2011.
Allan v. United Kingdom, Appl. 48539/99, ECtHR, 5 November 2002, Reports 2002-IX.
Al-Adahi v. Obama, 613 F.3d 1102 (D.C. Cir. 2010).
Al-Adsani v. The United Kingdom, 35763/97, ECtHR, 21 November 2001.
Arar v. Ashcroft, 532 F.3d 157 (2d Cir. 2008).
Armani da Silva v. the United Kingdom, No. 5878/08, communicated on 28.09.2010, ECHR.
Asiamirova v. Russia (App no 27256/03) ECHR 26 February 2009.
### Table of sources

- **AT v. Secretary of State for the Home Department** [2012] EWCA Civ 42.
- **Attorney-General of Israel v. Eichmann**, Israel Supreme Court (1962), 36 ILR 277.
- **Attorney General of Israel v. Eichmann**; decision of 8 June 2001 of the Court d’Assise of Bruxelles.
- **Avdo and Esma Palić v. Republika Srpska** (Decision on Admissibility and Merits), Human Rights Chamber for Bosnia and Herzegovina, Case no CH/99/3196 (December 2000).
- **Babar Ahmad and Others v. The United Kingdom**, Appl. Nos. 24027/07, 11949/08, 36742 / 08, 66911/09 and 67354/09, Judgment, 10 April 2012.
- **Bakhtriger v. Elwood**, 360 F.3d 414,421 & n.7 (3d Cir. 2004).
- **Barrios Altos Case (Chumbipuma Aguirre et al. v. Peru)** (Merits), 14 March 2001, IACHHR, Series C, 75.
- **C.R. v. United Kingdom**, Appl. 20190/92, 22 November 1995, ECHR, Series A, 335-C.
- **Catan & Others v. Moldova and Russia**, Nos. 4337/04, 8252/05, 8454/06, 19 October 2012.
- **Caroline case**, 41 (1947) AJIL, 205.

Castells v. Spain, Appl. 11798/85, 23 April 1992, ECtHR, Series A, 236.

Castillo Páez v. Peru (Merits), 3 November 1997, IACtHR, Series C, 34.

Castillo Petruzzi and Others v. Peru (Merits), 30 May 1999, IACtHR, Series C, 52.


Cepeda Vargas v. Colombia, Judgement (IACtHR, 26 May 2010).


Ceylan v. Turkey, Appl. 23556/94, 8 July 1999, ECtHR, Reports 1999-IV.


Corfu Channel (United Kingdom v. Albania), Judgment, Appl. No. 40877/98, ECtHR, 30 April 2003.


Cyprus v. Turkey, Commission Admissibility Decision, 26 May 2001, 2 DR 125.

Demirel v. Turkey, Appl. 39324/98, ECtHR, 28 January 2003, unreported.


Djavit An v. Turkey, Appl. 20652/92, 20 February 2003, ECtHR, Reports 2003-III.


Doorson v. Netherlands, Appl. 20524/92, 26 March 1996, ECtHR, Reports 1996-II.


Table of sources


Duinhof and Duijhof v. Netherlands, Appl. 9626/81; 9736/82, 4 May 1984, ECHR, Series A, 79.


Edwards and Lewis v. the United Kingdom [GC], Appl. Nos. 39647/98 and 40461/98, ECHR 2004-X.

Egyptian Initiative for Personal Rights and Interights (on behalf of Sabbah and Others) v. Arab Republic of Egypt, Comm. No. 334/06, 13 February 2012, ACHPR.

Einhorn v. France, Appl. 71555/01, Decision on admissibility, 16 October 2001, Reports 2001-XI.


El-Masri v. the Former Yugoslav Republic of Macedonia, [GC], No.39630/09, 13 December 2012.


Erdogdu v. Turkey, Appl. 25723/94, 15 June 2000, ECHR, Reports 2000-VI.


Federal Constitutional Court, (Bundesverfassungsgericht – BverfG), 10 Jan., Reg. no.2 BvR 2557/06.


Finogenov & Ors. v. Russia (Appl. No. 18299/03 and 27311/03), 20 December 2011, ECHR.

Finucane v. The United Kingdom (Appl. No. 29178/95), ECHR Chamber, Judgment, 1 July 2003.

Fox, Campbell and Hartley v. United Kingdom, Appl. 12244/86; 12245/86; 12383/86, 30 August 1990, ECHR, Series A, 182.


Gäfgen v. Germany [GC], No. 22978/05, 2010 ECHR 759, 1 June 2010.

Gafarov v. Russia, Appl. No. 25404/09, ECHR, 21 October 2010.


Giuliani and Gaggio v. Italy (Appl. No. 23458/02), ECHR Chamber Judgment, 24 March 2011.


Goodwin (Christian) v. The United Kingdom, Appl. No. 28957/95, Judgment, 11 July 2002.
Goygova v. Russia, no. 74240/01, 4 October 2007.
Grieves v. The United Kingdom, Appl. No. 57067/00, ECtHR, 16 December 2003.
Gündüz v. Turkey, no. 35071/97, ECHR 2003-XI.
Habeas Corpus in Emergency Situations (Arts. 27(2) and 7(6) of the American Convention on Human Rights), Advisory Opinion OC-8/87, 30 January 1987, IACtHR, Series A, 8.
Halis Doğan v. Turkey (no. 2), Appl. No. 71984/01, ECtHR 25 July 2006.
Hamdi v. Rumsfeld, Case 03-6696, Supreme Court Certiorari to the United States Court of Appeals for the Fourth Circuit, 28 June 2004.
Hess v. United Kingdom, Appl. 6231/73, EuroCommHR, Admissibility Decision, 28 May 1975, 2 DR 72.
Incal v. Turkey, Appl. 22678/98, ECtHR 9 June 1998.
Isayeva v. Russia, Appl. No. 57947/00, 57948/00 and 57949/00 of 24 February 2005.
Ismoilov and Others v. Russia, Appl. No. 2947/06, ECtHR (2009).
Issa and Others v. Turkey, Appl. 31821/96, ECtHR, Decision on admissibility, 20 May 2000, unreported.
Ituango Massacres v. Colombia, Merits, 1 July 2006, Inter-AmChHR Series C. No. 148.
J. Mohamed v. Jeppesen Dataplan, Inc., 586 F.3d 1108 (9th Cir. 2008).
Jeebhia & Others v. Minister for Home Affairs & Anr. 2009 (5) SA 54, Supreme Court of South Africa.
Jones and Others v. United Kingdom (Appl. Nos. 34356/06 and 40528/06), ECtHR (pending).
Kaya v. Turkey, Appl. No. 22535/93, ECtHR, 28 March 2000.
Khaled El-Masri v. United States P-419-08, Inter-American Commission on Human Rights (pending).
Khan v. United Kingdom, Appl. 35394/97, 12 May 2000, ECtHR, Reports 200-V.
Kılıç v. Turkey, Appl. 22492/93, 28 March 2000, ECtHR, Reports 2000-III.
Kiyingba v. Obama, 555 F. 3d 1022 (D.C. Cir. 2009).
Maskhadov v. Russia, Application 18071/05, ECtHR 6 June 2013.
Labita v. Italy, Appl. No. 26772/95, ECtHR 6 April 2000.
Lamanna v. Austria (Merits), Appl. 28923/95, ECtHR, 10 July 2001, unreported.
Lawless v. Ireland, Appl. 332/57, 1 July 1961, ECHR, Series A, 3.

Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, 9 July 2004, ICJ Report 136.


Letelier v. Chile, IACtHR, Report No. 167/10, Petition 402-03, Chile, 1 November 2010.

Leyla Şahin v. Turkey [GC], no. 44774/98, ECHR 2005.

Lingens v. Austria, Appl. 9815/82, 8 July 1986, ECHR, Series A, 103.


Magomed Musaye v. and Others v. Russia, no. 8979/02, 23 October 2008.


Maskhadov v. Russia (no. 18071/05), ECHR Admissibility Decision, 8 July 2008.

Maslov v. Austria, Appl. No. 1638/03, ECHR Judgment (Grand Chamber), 23/06/2008.

Matthew v. The Netherlands, no. 24919/03, ECHR 2005-IX.


McCallum v. United Kingdom, Appl. 9511/81, 30 August 1990, ECHR, Series A, 183.


McKerr v. United Kingdom (Merits), Appl. 28883/95, 4 May 2001, ECHR, Reports 2001-III.

McVeigh, O’Neill and Evans v. United Kingdom, Appl. 8022/77; 8025/77; 8027/77, Euro Comm.HR 18 March 1981.
<table>
<thead>
<tr>
<th>Source</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medvedyev &amp; Ors v. France</td>
<td>Appl. 3394/03, ECtHR, 29 March 2010.</td>
</tr>
<tr>
<td>Motassadej, Judgment, Higher Regional Court of Hamburg, August 19 2005</td>
<td></td>
</tr>
<tr>
<td>Murray v. United Kingdom</td>
<td>Appl. 14310/88, 28 October 1994, ECtHR, Series A, 300-A.</td>
</tr>
<tr>
<td>N. v. Finland</td>
<td>Appl. No. 38885/02, ECtHR, 26 July 2005.</td>
</tr>
<tr>
<td>Nada v. Switzerland [GC], Application no. 10593/08, ECtHR, 12 September 2012.</td>
<td></td>
</tr>
<tr>
<td>Naletilic and Martinovic (Trial Chamber), IT-98-34-T, 31 March 2003.</td>
<td></td>
</tr>
<tr>
<td>Nasr and Ghali v. Italy</td>
<td>Appl. No. 44883/09 ECtHR, 22 Nov. 2011.</td>
</tr>
<tr>
<td>Ogur v. Turkey</td>
<td>Appl. 21594/93, 20 May 1999, ECtHR, Reports 1999-III.</td>
</tr>
</tbody>
</table>
892

Onoufriou v. Cyprus, no. 24407/04, 7 January 2010.
Opuz v. Turkey, Appl. No. 33401/02, ECtHR, 2009.
Organisation des Modjahedines du peuple d’Iran, v. Council of the European Union, United Kingdom of Great Britain and Northern Ireland, Case T228/02, Judgment Of The Court Of First Instance (Second Chamber) 12 December 2006.
Othman (Abu Qatada) v. UK, (Appl. No. 8139/09), ECtHR, 12 January 2012.
Ozug Gundem v. Turkey, Appl. No. 23144/93, ECtHR16 March 2000.
Ploski v. Poland, no. 26761/95, ECtHR Judgment, 12 November 2002.
Prosecutor v. Akayesu, Case ICTR-96-4-T, ICTR, Trial Chamber, Judgment, 2 September 1998.
Prosecutor v. Aleksovski, Case No. IT-05-14/1-T, Judgement (Trial Chamber), 25 June 1999.
Prosecutor v. Brima, Alex Tamba et al, Case No. SCSL-04-16-T, Judgment (Trial Chamber), 20 June 2007.
Prosecutor v. Charles Taylor, Case No. SCSL-03-01-T, Judgment (Trial Chamber), 18 May 2012.
Prosecutor v. Delalic et al., Case IT-96-21-T, ICTY, Trial Chamber, Judgment, 16 November 1998.
Table of sources

Prosecutor v. Dragan Nikolic, Case No IT-94-2, Review of Indictment.
Prosecutor v. Furundija, Case IT-95-17/1-T, ICTY, Trial Chamber, Judgment, 10 December 1998.
Prosecutor v. Gbagbo, ICC-02/11-01/11.
Prosecutor v. Gotovina et al., Case No. IT-06-90, Judgment (Trial Chamber), 15 April 2011.
Prosecutor v. Kordic and Cerkez, Case IT-95-14/2-PT, ICTY, Trial Chamber, Decision on the Joint Defence Motion to Dismiss the Amended Indictment, 2 March 1999.
Prosecutor v. Kupreskic et al., Case IT-95-16-T, ICTY, Trial Chamber, Judgment, 14 January 2000.
Prosecutor v. Lukić and Lukić, Case No. 98-32/1-T, Judgement (Trial Chamber), 20 July 2009.
Prosecutor v. Martić, Case IT-95-11-R61, ICTY, Trial Chamber, Review of the Indictment pursuant to Rule 61, 6 March 1996.
Prosecutor v. Milošević, Case IT-02-54.
Prosecutor v. Dragomir Milošević, Case No. IT-98-29/1-T, Judgment (Trial Chamber), 12 December 2007.
Prosecutor v. Oric, Case No. IT-03-68-T, Judgement (Trial Chamber), 30 June 2006.
Prosecutor v. Perisic, Case No. IT-04-81, Judgment (Trial Chamber) 6 September 2011.
Prosecutor v. Popovic et al., Case No. IT-05-88, Judgment (Trial Chamber), 10 June 2010.
Prosecutor v. Radovan Karadzic, Case No IT-95-5/18-AR73.4, Decision on Karadzic’s Appeal of Trial Chamber decision on the alleged Holbrooke Agreement, 12 October 2009.
Prosecutor v. Tadic, Case IT-94-1-AR72, ICTY, Appeals Chamber, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, 2 October 1995.
Prosecutor v. Tadic, Case IT-94-1-T, ICTY, Trial Chamber, Judgment, 7 May 1997.
Prosecutor v. Thomas Lubanga Dyilo, Case No. ICC-01/04-01/06, Judgment, ICC, 14 March 2012.
Prosecutor v. Lubanga, No. ICC-01-04-01/06, Decision on Sentence, 10 July 2012.
Prosecutor v. Lubanga, Decision Establishing the Principles and Procedures to be Applied to Reparations (Reparations), Case no. ICC-01/04-01/06, 7 August 2012.
Table of sources


Questions Concerning the Obligation to Prosecute or Extradite (Belgium v. Senegal), ICJ Judgment, 20 July 2012.


Ramzy v. the Netherlands, Application no 25424/05, pending before ECHR.


R (B Mohamed) v. Foreign Secretary [2008] EWHC 2048 (Admin) (21 August 2008).

R (Binyam Mohamed) v. Secretary of State for Foreign and Commonwealth Affairs (No 4) [2009] EWHC 152 (Admin).


Ramirez Sanchez v. France [GC], no. 59450/00, ECHR 2006-IX.


Refah Partisi (Welfare Party) and Others v. Turkey, Appl. 41340/98, 41342/98, 41343/98, 41344/98, 13 February 2003, ECtHR, Reports 2003-II.


S.W. v. United Kingdom, Appl. 20166/92, 22 November 1995, ECHR, Series A, 335-B.
Saadi v. Italy (Appl. No. 37201/06), ECHR Judgment of 28 February 2008.
Saadi v. the United Kingdom [GC], no. 13229/03, ECHR 2008.
Sabanchieva and Others v. Russia (Appl. no. 38450/05), ECHR Decision on Admissibility, 8 November 2008.
Salman v. Turkey [GC], Merits, Grand Chamber, 27 June 2000, 34 EhRR 17 111.
Sarikaya v. Turkey, Appl. No. 36115/97, 22 April 2004, ECHR.
Secretary of State for the Home Department v. Lord Alton of Liverpool and Others judgment 7 May 2008 Court of Appeal, EWCA Civ.
Secretary of State for the Home Department (Appellant) v. [I] and others (FC) (Respondents), House of Lords, [2007] UKHL 45, decided 31 October 2007.
Secretary of State for the Home Department v. AF [2009] UKHL 28 (no3).
Sener v. Turkey, Appl. 26680/95, ECHR, 18 July 2000, unreported.
Shamayev and Others v. Georgia and Russia, No. 36378/02, ECHR 2005-III.
Stran Greek Refineries and Statis Andreadis v. Greece, Appl. 1342/87, 9 December 1994, ECHR, Series A, 301-B.
Sunday Times v. United Kingdom (No. 1), Appl. 6538/74, 29 March 1979, ECHR, Series A, 30.
Surek and Ozdemir v. Turkey, Appl. 23927; 24277/94, ECHR, 8 July 1999, unreported.
Suresh v. Canada (Minister of Citizenship and Immigration) [2002] 1 SCR 3, the Supreme Court of Canada.
Surek v. Turkey (No. 2), Appl. 24122/94, ECHR, 8 July 1999, unreported.
Tagayeva & Ors. v. Russia, Appl. No. 26562/07, 4 October 2012.
Tamayo (Loayza) v. Peru (Merits), IACtHR, 17 September 1997, Series C, 33.
The Case of the SS Lotus, Judgment, 7 September 1927, 127 PCIJ, Series A, no. 10.
The Public Committee Against Torture in Israel v. The Government of Israel, HCJ 769/02, Israeli Supreme Court, 14 December 2006.
Thomas v. Mowbray [2007] HCA 33 (High Court of Australia, 2 August 2007).
Timishev v. Russia, Appl. No. 55762/00 and 55974/00, 13 Dec. 2005.
Tomic v. United Kingdom, Appl. No. 17837/03, Admissibility decision, 14 October 2003.
Table of sources

United States Diplomatic and Consular Staff in Teheran (United States v. Iran), ICJ Reports 1980, 3.


United States v. Abu Ali, 528 F. 3d 210, 269 (4th Cir. 2008).

United States v. Al-Moayad, District Court of the Eastern District of New York.


United States v. Battle, Ford, Ahmed Bilal, Muhammad Bilal, Al Saoub and Lewis, District Court of the District of Oregon, Case CR 02-399 HA.

United States v. Farrane 634 F2d 127 (2 Cir.2011).

United States v. Fawaz Yunis, 924 F 2d 1086 (DC Cir. 1991).

United States v. Goba, Alwan, Mosed, Taheer and Galab, District Court of the Western District of New York.

United States v. Iyman Faris, District Court for the Eastern District of Virginia.


United States v. Otto, Case 000-Mauthausen-5 (DJAWC, 10 January 1947).

United States v. Ressam, 679 F. 3d 1069, 1106 (9th Cir. 2012).


Van Mechelen and Others v. Netherlands, Appl. 21363/93; 21364/93; 21427/93; 22056/93, 23 April 1997, ECtHR, Reports 1997-III.

Varnava and Others v. Turkey [GC], nos. 16064/90, 16065/90, 16066/90, 16068/90, 16069/90, 16070/90, 16071/90, 16072/90 and 16073/90, §§ 182-184, 18 September 2009.


Yurttas v. Turkey, Appl. Nos. 25143/94 and 27098/95, 27 May 2004, ECHR.

**Table of sources**


**Table of treaties**

1899

1903
- Agreement between the United States and Cuba for the Lease of Lands for Coaling and Naval Stations, 16–23 February 1903, TS 418.

1907

1923

1925
- Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, Geneva, 17 June 1925; 94 LNTS 65, entered into force 8 February 1928.

1926

1928

1930
- ILO Convention (No. 29) Concerning Forced or Compulsory Labour, 28 June 1930, 39 UNTS 55, entered into force 1 May 1932.

1936

1937
- Convention for the Prevention and Punishment of Terrorism; never entered into force, League of Nations Doc. C.546M.383 1937 V.
Table of sources

1945
- Statute of the International Court of Justice, San Francisco, 26 June 1945, ICJ Acts and Documents No. 5.

1946
- Charter of the Tokyo Tribunal (Charter of the International Military Tribunal for the Far East), 19 January 1946.

1947

1948
- American Declaration on the Rights and Duties of Man, OAS Res. XXX, adopted by the Ninth International Conference of American States, 1948.

1949

1950

1951
Table of sources

1954

1956
· Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Geneva, 7 September 1956, 226 UNTS 3, entered into force 30 April 1957.

1957

1959

1963

1965

1966
· International Covenant on Civil and Political Rights, New York, 16 December 1966, 999 UNTS 171, entered into force 23 March 1976 and Protocol II.

1969

1970
· Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations, GA Res. 2625 (XXV), adopted by consensus on 24 October 1970, UN Doc. GA Res. 2625 (XXV).

1971
· Arts. 4(1), 5(2), 7.
· OAS Convention to Prevent and Punish Acts of Terrorism Taking the Form of Crimes against Persons and Related Extortion that are of International Significance, Washington, DC, 2 February 1971, OAS Treaty Series No. 37.
<table>
<thead>
<tr>
<th>Year</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1973</td>
<td>Commission Inter-Americana de Derechos Humanos; Segundo Informe sobre la Situacion de los Derechos Humanos en Chile (1976), OEA/Ser.L./V/II.37, Doc. 19.</td>
</tr>
<tr>
<td>Year</td>
<td>Source</td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
</tr>
<tr>
<td>1990</td>
<td>Treaty on European Union, Maastricht, 7 February 1992, as subsequently modified.</td>
</tr>
</tbody>
</table>
Table of sources

1994


1995


1997


1998


1999


2001

2002
- Inter-American Convention against Terrorism, Bridgetown, 3 June 2002, OAS Res. 1840 (XII-0/02).

2003

2004

2006

2008

TABLE OF RESOLUTIONS, REPORTS AND OTHER SOURCES

1966

1967
- UN General Assembly, Declaration on Territorial Asylum, 14 December 1967, UN Doc. A/RES/2312(XXII).

1970
- Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations, GA Res. 2625 (XXV), adopted by consensus on 24 October 1970, UN Doc. GA Res. 2625 (XXV).

1974
- UN General Assembly, Res. 3220 (XXIX), 6 November 1974, Assistance and Cooperation on accounting for persons missing or dead during armed conflicts.
- UN General Assembly, Res. 3314 (XXIX), 'Definition of Aggression', 14 December 1974, UN Doc. GA Res. 3314 (XXIX).
<table>
<thead>
<tr>
<th>Year</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982</td>
<td>HRC, General Comment No. 8: Right to liberty and security of the person (Article 9) [1982], UN Doc. HRI/GEN/1/Rev.6 (2003).</td>
</tr>
<tr>
<td>1986</td>
<td>UN HRC General Comment No. 15: The position of aliens under the Covenant [1986], in UN Doc. HRI/GEN/1/Rev.6 (2003), at 140.</td>
</tr>
<tr>
<td></td>
<td>HRC, General Comment 20, Right to be free from torture, cruel, inhuman or degrading treatment (Article 7), 10 March 1992, UN Doc HRI/GEN/A/Rev.1, p. 30.</td>
</tr>
<tr>
<td>1993</td>
<td>HRC, General Comment 22, The Right to freedom of thought, conscience and religion, 30 July 1993, UN Doc. CCPR/C/21/Rev.1/Add.4.</td>
</tr>
</tbody>
</table>
Table of sources


1994
- HRC, General Comment No. 6: Right to Life (Article 6) [1994], UN Doc. HRI/GEN/1/Rev.6 (2003) at 127.

1995
- Art. 25(6).

1996

1997
- Concluding observations of the HRC: Lebanon, UN Doc. CCPR/C/79/Add.78 (1997).
- Concluding observations of the HRC, Slovakia, UN Doc. CCPR/C/79/Add.79 (1997).
- Concluding observations of the HRC: Georgia, UN Doc. CCPR/C/79/Add.74 (1997).

1998

1999

2000
2001

- HRC, General Comment 29: States of Emergency (article 4), 31 August 2001, UN Doc. CCPR/C/21/Rev.1/Add.11.
- Concluding Observations of the HRC: Uzbekistan, UN Doc. CCPR/CO/71/UZB (2001)

2002

- Concluding observations of the HRC: Sweden, UN Doc. CCPR/CO/74/SWE (2002).

2003

- Parliamentary Assembly Council of Europe Resolution 1340 (2003), Rights of persons held in the custody of the United States in Afghanistan or Guantánamo Bay.
- Concluding Observations, Israel, HRC, UN Doc. CCPR/CO/78/ISR, 21 August 2003.

2004

HRC, General Comment No. 31: The Nature of general legal obligation imposed on state parties to the covenant, 26 May 2004, UN Doc. CCPR/C/21/Rev.1/Add.132005.


Resolution 1433 (2005), Lawfulness of detentions by the United States in Guantánamo Bay, Parliamentary Assembly Council of Europe.

HRC Concluding Observations on Tajikistan, 18 July 2005, UN Doc. CCPR/CO/84/TJK.


‘In Larger Freedom’, report of the Secretary-General, UN Doc A/59/2005.


2007
- PACE Resolution 1539 (2007), The United States of America and international law.

2008
- Report of the UN Committee on the Rights of the Child (Guantanamo Bay), New York, 6 June 2008.

2009
- Interpretative Guidance on the Notion of Direct Participation in Hostilities under IHL’, ICRC.

2010
- ‘Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development’, Working Group on Arbitrary Detention, 2 March 2010, UN Doc. A/HRC/13/30/Add.1.
- Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Martin Scheinin, ‘Compilation of good practices on legal and institutional frameworks and measures that ensure respect for human rights by intelligence agencies while countering terrorism, including on their oversight’, 17 May 2010, A/HRC/14/46, para 15.
Table of sources

- Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Interim Report to the General Assembly of the UN, A/66/268 (5 August 2011).
- Inter-American Commission on Human Rights, Resolution No. 2/11, Regarding the Situation of the Detainees at Guantánamo Bay, United States, MC 259-02, 22 July 2011

2012
- Committee against Torture, General Comment on Implementation of article 14 (redress for victims of torture).
· HR Council resolution on arbitrary deprivation of nationality, A/HRC/20/L9 (2012).

2013
· Interim Report of Special Rapporteur on Terrorism and Human Rights (Drones), October 2013.
### Index

| 9/11 | 1.1; 12.1 |
| A | Abu Ghraib prison | 7A.4.2; 7B.6; 7B.14.2; 8A.1 |
| | abuse of process | 4B.4.3 |
| | accountability | 4B.5; 6B.3.4; 7B.14.2; 7B.15; 8C.3; 8D; 10.5; 12 |
| | admissible evidence (See evidence) | 11.3.2 |
| | Afghanistan | 4B.1.2.2; 5B.1; 5B.6; 6B.1.2.1; 7B.3; 11.1.2 |
| | Aiding and Assisting | 3.3.1; 10.3.4.2; 10.4 |
| | African Union/OAU | 2.1.5; 7A.1; 7B.7.1 |
| | agency and attribution | 3.1.1; 3.3.2(i); 7A.43.1 |
| | aggression | 4A.1.1.3 |
| | Al Shabaab | 5B.2; 6B.2.2.1 |
| | al-Qaeda | 7A.15; 8C.3; 8D; 10.5; 12 |
| | · armed conflict with - | 6B.1.1 |
| | · in Arabian Peninsula – | 6B.2.2.1 |
| | · nature of - | 6B.1.1 |
| | · and ‘associated groups’ | 6B.1.1 |
| | · and Afghanistan | 3.1.1.3 |
| | Algeria | 7B.4 |
| | amnesty laws | 4A.1.2.3 |
| | apology for terrorism | 4B.2.1.2(vi); 7B.1.1 |
| | ‘armed attacks’ (See self defence) |
| | armed conflicts |
| | · applicable humanitarian law | 6A.1; 6B.2.112 |
| | · applicable human rights law | 6A.1.3; 6B.1.1.3 |
| | · terrorism in armed conflict | 2.1.4; 4A.1.1.2 (See also Afghanistan; al-Qaeda; Pakistan; Yemen; war crimes) |
| | assassinations | 7B.3.3 |
| | ‘association’ with terrorism | 4B.2.1; 6B.1; 7A.5.6; 7B.5.1 |
| | Australia | 4B.2.1; 4B.2.2; 4B.4.3; 7B.7 |
| | aviation | 2.1.3; 10.3.1; 10.4.2 |
| | axis of evil | 1.1 |
| B | Bagram Air Base | 6B.3.3; 7B.3; 7B.6; 11.1.2 |
| | Bahrain | 7B.11; 4A.1.2.3 |
| | Bali | 4B.1.2; 6B.1.1.2 |
| | Bangladesh | 4B.2.3 |
| | Belgium | 4(introduction); 4A.1.3.1; 7A.2.1; 7A.4.2; 7B.6.2 |
| | bin Laden, Osama | 4A.1.3; 4B.1.2; 5B.1.1.3; 7B.8; 9 |
| | Bosnia | 10.3.2 |
| | Bounties | 6B.2.3 |
| C | Cambodia | 4A.1.3.2; 7B.14.4 |
| | Canada | 4A.1.3.1; 4B.4.3; 7B.8; 10.5; 11.4; 11.4 |
| | Central African Republic | 5A.2.2 |
| | children | 6B.2.2.5; 4B.4.3; 8.1 |
| | Chile | 7B.11; 8B.4.4.1 |
| | China | 5A.2.2.3 |
| | civilians (See war crimes, crimes against humanity, targeting and detention) |
| | cluster bombs | 6A.2.4; 6B.3.2 |
Colombia | 5B.5
colonialism. See liberation movements
combatants | 6A.2.1.1
complicity | 10.3; 10.4
conspiracy | 4B.2.1.2
cooperation, inter–state
· and human rights restrictions
  | 4A.2; 4B.4; 7A.5.10; 7B.10
· refusal to cooperate by US
  | 4B.1; 4B.5; 10.5
· with criminal justice | 4A.2; 4B.3
· with drone attacks | 7B.15
· with extraordinary rendition
  | 10.4
· with Guantanamo Bay process
  | 8C.2
corporate responsibility; See non-state actors
Council of Europe | 21.5; 8C.1; 8C.2; 10.2
cries against humanity | 4A.1.1.1; 4B (introduction); 10.3.5
criminal jurisdiction | 4A.1.3
closed material proceedings | 7B.7; 11.4
collective responsibility | 33.1, 4A.1.2.1; 7A.4.3.2; 10.3.4.3
community impact | 7B.1
criminal law principles | 4A.1.2
customary law as a source | 1.1.3; 1.4; 12.2; 7A.1
diplomatic immunity: See immunities
direct participation in hostilities
| 6A.2.1.2; 6B.2.2; 6B.3.1; 7B.3.3; 9.2.2
derogation | 7B.12; 11.1.2.3
due diligence | 3.1.1.2; 3.1.2; 7A.4.2; 10.3.3.2
due process (See fair trial)

E
East Timor | 4A.1.2
Economic and social rights | 7A.3.2; 7A.5.9
Ecuador | 5B.5; 7B.11
Egypt | 4B.2.3; 7A.5.2; 7B.4; 7B.6.2; 7B.15
Emergencies and derogation | 7A.3; 7A.5.4; 7B.4
enemy combatants | 6B.2.1; 8B.3
enforced disappearance | 10.3.3.3
enhanced interrogation techniques
| 7B.6; 10.2
European Arrest Warrant | 4B.3.1; 4B.3.2
European Evidence Warrant | 4B.3.1
evidence | 4B.1; 4B.1.2; 4B.2.3; 4B.3.2.1; 7B.7.3
extradition | 4A.2; 4B.3; 4B.5; 7A.5.10; 7B.10
extraordinary rendition and secret detention
| 7A.5.2; 10; 11.4
extra-territorial jurisdiction under IHRL
| 7A.2; 7B.2; 8B.1; 9.2.3; 10.3.3.1; 11.2.1

F
fair trial and due process | 7A.5.4; 7A.10; 7B.6.2; 8B.4.4; 10.5; 12.3.4
financing of terrorism | 2.1.3; 2.3; 63.1.1
Finland | 7B.14
France | 4B.4.2; 5B.3.1; 6B.1.1.2; 7B.10.4; 7B.14
freedom of assembly and association
| 7A.5.4; 7B.11 (See also association)
freedom of expression | 7A.3.1; 7A.5.6
Index

freedom of movement | 7B.7.2
freezing of assets | 7A.5.8; 7B.8

G
General principles of law | 1.3.3
genocide | 4A.1
Germany | 4A.1, 4B.1.2; 7B.11; 10.5; 11.4
Glorification | 4B.2 (4B.2.vi); 4A.5.6
Grenada | 7A.2
Guantanamo Bay | 8; 7B.2
Guatemala | 4A.1.3.1; 8B.4.4.1

H
habeas corpus | 7A.5.7; 7B.7.1; 8C.3; 11.1
harbouring terrorists | 3.1.1.3
hijacking | 2.1.3
hostages | 3.1.1.2; 7B.3
hot pursuit | 5A.3.3; 5B.5
humanitarian intervention | 5B.3.5

I
immunities | 4A.1.2.3; 7B.14; 10.5
India | 4B.2.3
International Committee of the Red Cross (ICRC) | 2.2.1.5; 6A.1.1; 6A.2.1.2; 6B.2.1.4; 8A.1; 10.2
International Criminal Court | 2.2.3; 4A.1.3.2; 4B.1.3.2
interrogation | 10.4.1.3 (See also enhanced interrogation, and Guantanamo)
Iran | 5B.1; 5B.6
Iraq | 4B.1.2.2; 5B.3; 6B.1.2.3; 7B.2; 7B.3; 7B.6; 7B.9
Israel | 6A.2.12; 7A.2.1
Italy | 4B.5; 10.3
Indigenous leaders | 7B.11
Investigate– duty to | 7A.4; 7B.3.4; 9.2.3; 9.2.4; 10.3.5

J
joint criminal enterprise | 4A.1.2
Jordan | 7B.11
jus ad bellum (See use of force)

K
Kenya | 5B.5; 10.5

L
Lebanon | 4B.1.2.1; 6A.1.1.1; 7A.5.5
legality principle | 2.2.5; 4A.1.2.2; 4B.2.1; 7A.5.5; 7B.5; 12.3.5
liberation movements | 2.1.2
Libya | 5A.2.2.2
life - right to | 7A.5.1; 7B.2; 7B.3; 9.2.3
listing and delisting | 4B.3.1; 7B.8;
11.5
Lithuania | 10.5

M
Macedonia | 10.3.2
Mali 6 (introduction) | 6B.2.1.1
Material support for terrorism | 4B.2.1 (v); 7B.5.1; 7B.11
membership of a criminal organisation | 4B.2.1 (iii); 7B.5.1
military commissions and special courts | 4B.2.3(i); 7A.5.4; 7A.10; 8A.5; 8B.4.4
Moldova | 7A.2
Morocco | 7B.6; 11.3

N
Nationality | 7A.2.2; 7B.9; 7B.14.2; 11.3
NATO | 5A.2.1.2; 10.2
Necessity and proportionality | 7B.3.3
Netherlands | 3.1.1; 4B.1.3; 5B.3; 6B.2.2.1; 6B.4.1; 6B.4.2; 6B.2.2.4; 7A.5.10
New Zealand | 4A.1.3.1
night raids | 6B.3.1.2
non-retroactivity | 4A.1.2.2; 7A.5.5; 7B.5.2; 8B.4.1.1
non-state actor responsibility | 3.2; 7A.4.1; 4
nuclear terrorism | 2.1.3
nuclear weapons | 6B.3
Nuremberg | 4A.1.3; 8D

O
Occupation | 5B.3; 6A.2.6; 11.2.1
Index

Ombudsperson, UN Sanctions | 7B.1; 7B.8

P
Pakistan | 5B.2; 6B.2.2.1; 6B.2.2.3; 7B.3.2; 7B.33; 9.1
Penalties | 4B.2.2; 7B.5.1; 10.3.3.3
Peru | 7A.3; 8B.4.4.1
Poland | 10.2; 10.5.5
Portugal | 10.2; 10.5
prescription | 4A.1.2.3; 10.5
preparatory acts to terrorism | 4B.2.1
presumption of innocence (See criminal law principles?) | 4B.2.3; 7A.5.4
prisoners of war | 6A.2.5.2; 6B.2.4.1; 8B.3.1
privacy rights | 7A.5.7; 7B.13
private security companies | 3.3.2; 6B.3.4; 7B.4.3.1; 7B.14.2
provocation | 4B.2.1; 7B.5.1
profiling | 7B.12
property rights | 7A.5.8; 7B.8
prosecutions – terrorism | 4B.1. See accountability and criminal processes

R
religious freedom | 7A.3.1; 7B.12
remedies and reparation | 7A.4; 7B.3.3; 7B.14; 10.3.3.3; 10.5; 8C.3; 12.4
Russia | 5B.5; 7A.2; 7A.5; 7B.2; 9.3; 9.4

S
Sanctions (See listing)
Saudi Arabia | 4B.1.2; 4B.1.2.2; 5B.3
Secrecy | 6B.3.4; 7B.1.4.2; 8A.1; 8B.4.4.5; 10.2; 11.4; 12.3.5
Security Council | 2.2.2; 4B.3.1; 5A.2.2; 5B.1.1.4; 5B.3.1; 4B.3.2; 7B.1.1; 7B.1.2
self defence | 5A.2.1; 9.2.1; 10.3.1; 12.2.2
Sierra Leone | 2.2.3; 2.1.4; 4 (introduction); 4A.1.2.1; 4A.1.1.4; 4A.1.3.2
soft law as source of law | 1.2; 12.2
Somalia | 5B.5; 5A.2.2; 7B.2.2; 10.2
South Africa | 4B.2.3; 7B.4; 11.3
Spain | 4B.2.3(iii); 4B.4.1; 4B.4.5; 8C3; 10.5
special courts (See military commissions and special courts)
Sri Lanka | 7B.6.2; 7B.7.1
Staging and stopover | 10.4.2
State centricity of international law | 1.1, 3.2
Sudan | 7B.5.1
Sweden | 7B.8
Syria | 5A.3; 7B.11

T
targeting
· - In IHL | 6B.2.2; 6B.3.1; 9.2.2
· - In human rights (See Life)
Transfer (and refoulement) | 7A.5.10; 7B.10; 10.3.3.3; 11.3
torture and inhuman treatment | 6A.2.5; 6B.3.3; 7A.5.2; 7B.6; 9.3; 10.2; 12.4
Turkey | 5A; 7A.2.1; 7B.2; 7B.11; 7B.3

U
Uganda | 7B.11; 10.5
Uruguay | 7A.2; 8B.4.4.1; 10.3.3.1
United Kingdom | 4A.2.1; 4B.1.2; 4B.2.1; 4B.2.2; 4B.3; 4B.4; 5A.3.1; 5B.1; 5B.2; 5B.3; 6B.3.3; 7B.4; 7B.7.1; 7B.7.3; 7B.9; 7B.10.2; 7B.14; 8C.2; 10.5
United Nations
t · Counter-Terrorism Committee | 2.2.4; 7A.1; 7B.1.1; 7B.5.1
t · General assembly | 2.2.4; 2.1.1; 2.2.2; 4A.1.1; 4A.2.1
 · Global Counter-Terrorism Strategy | 2.2.4; 4A.2.1
 · (See also security council)

V
Victims of Terrorism | 7A.4.2; 7B.14.2; 7B.14.4
Index

Victims of counter terrorism (See accountability)

W
war crimes | 4A.1.1.2; 6A.2.7
‘war on terror’ characteristics | 12.3
women | 7B.11; 7B.12; 7A.1
wounded and sick | 6A.2.5.2; 8A.1.2