



# *The Hebrew University of Jerusalem*

## *Syllabus*

### *International Law and New Security Technologies - 62743*

*Last update 11-03-2025*

*HU Credits:* 1

*Degree/Cycle:* 1st degree (Bachelor)

*Responsible Department:* Law

*Academic year:* 0

*Semester:* 2nd Semester

*Teaching Languages:* English

*Campus:* Mt. Scopus

*Course/Module Coordinator:* Dr. Liron A. Libman

*Coordinator Email:* [liron.libman@gmail.com](mailto:liron.libman@gmail.com)

*Coordinator Office Hours:*

---

Teaching Staff:

Liron Libman

Course/Module description:

Technological advancements have always had a profound influence on the conduct of war, often raising questions about compatibility with existing rules of international humanitarian law (IHL) or the laws of armed conflict. The invention of airplanes at the beginning of the 20th century expanded the battlefield to the air, while in our current era, cyberspace similarly extends the battlefield to new dimensions, raising questions about applicable rules. In search of answers, the rise of hybrid conflicts involving non-state actors and terrorist organizations require us to explore international counterterrorism law and international human rights law as well. We will discuss both existing technology challenges, as well as anticipated ones.

Course/Module aims:

This course aims to develop an understanding of the challenges in international law that arise from the development and adaptation of new technologies in the military and security context.

Learning outcomes - On successful completion of this module, students should be able to:

1. Analyze and assess legal issues that arise from new military and security technologies in light of relevant rules and standards of international law.
2. Identify potential challenges and opportunities presented by new military and security technologies in the context of international law.
3. Develop informed opinions and arguments about the legal implications of new military and security technologies for international law, including the law of armed conflict, human rights law, and counterterrorism law.

Attendance requirements(%):

80%

Teaching arrangement and method of instruction: Discussion based on reading materials before class.

---

### Course/Module Content:

Meeting 1: Introduction –The Legal Landscape and Brief History

Meeting 2: Lethal Autonomous Weapons Systems – Inevitable or a Nightmare?

Meeting 3: AI, Big Data and the Prevention of Terrorism

Meeting 4: When is a Cyber-Attack an "Armed Attack"?

Meeting 5: Regulating New Technologies

### Required Reading:

Required Reading:

Meeting 1: Introduction –The Legal Landscape and A Brief History

1. ICRC, What is International Humanitarian Law?

[https://www.icrc.org/en/doc/assets/files/other/what\\_is\\_ihl.pdf](https://www.icrc.org/en/doc/assets/files/other/what_is_ihl.pdf)

2. Office of the United Nations High Commissioner for Human Rights (UNHCR), Human Rights, Terrorism and Counter-terrorism (Fact Sheet No. 32), pp. 3-9 (chapter I parts A-C),

<https://www.ohchr.org/sites/default/files/Documents/Publications/Factsheet32EN.pdf>

3. UN Office of Counter-Terrorism, International Legal Instruments (a summary of the 19 universal conventions dealing with terrorism),

<https://www.un.org/counterterrorism/international-legal-instruments>

4. UN Charter articles 2(4), 51, <https://www.un.org/en/about-us/un-charter/full-text>

(students that took courses on public international law, the law of armed conflict, international human rights law or international counterterrorism law are requested to refresh their knowledge from these courses).

Meeting 2: Lethal Autonomous weapons systems– inevitable or a nightmare?

1. Project of an International Declaration concerning the Laws and Customs of War. Brussels, 27 August 1874, art. 12, [https://ihl-](https://ihl-databases.icrc.org/assets/treaties/135-IHL-7-EN.pdf)

[databases.icrc.org/assets/treaties/135-IHL-7-EN.pdf](https://ihl-databases.icrc.org/assets/treaties/135-IHL-7-EN.pdf)

2. Hague Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land, 18 October 1907, art. 22 (of the regulations), [https://ihl-](https://ihl-databases.icrc.org/assets/treaties/195-IHL-19-EN.pdf)

[databases.icrc.org/assets/treaties/195-IHL-19-EN.pdf](https://ihl-databases.icrc.org/assets/treaties/195-IHL-19-EN.pdf)

3. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, art. 36, <https://ihl-databases.icrc.org/assets/treaties/470-AP-I-EN.pdf>

4. Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, Geneva, 10 October 1980 (CCW), Preamble, [https://www.icrc.org/en/doc/assets/files/other/icrc\\_002\\_0811.pdf](https://www.icrc.org/en/doc/assets/files/other/icrc_002_0811.pdf)

5. UNGA Res. 78/241, Lethal autonomous weapons systems (28.12.2023)

6. ICRC Position and Background Paper on Autonomous Weapon Systems, 12 May

---

2021, [https://www.icrc.org/sites/default/files/document\\_new/file\\_list/icrc\\_position\\_on\\_aws\\_and\\_background\\_paper.pdf](https://www.icrc.org/sites/default/files/document_new/file_list/icrc_position_on_aws_and_background_paper.pdf)

7. Draft articles on autonomous weapon systems – prohibitions and other regulatory measures on the basis of international humanitarian law (“IHL”)(Working paper submitted by Australia, Canada, Japan, the Republic of Korea, the United Kingdom, and the United States submitted to CCW Group of Governmental Experts in the area of lethal autonomous weapons systems, annex III (thematic compilation of the consensus conclusions and Recommendations)(2023),[https://docs-library.unoda.org/Convention\\_on\\_Certain\\_Conventional\\_Weapons\\_Group\\_of\\_Governmental\\_Experts\\_on\\_Lethal\\_Autonomous\\_Weapons\\_Systems\\_\(2023\)/CCW\\_GGE1\\_2023\\_WP.4\\_Rev1.pdf](https://docs-library.unoda.org/Convention_on_Certain_Conventional_Weapons_Group_of_Governmental_Experts_on_Lethal_Autonomous_Weapons_Systems_(2023)/CCW_GGE1_2023_WP.4_Rev1.pdf)

8. Magdalena Pacholska "Autonomous Weapons" (ASSER research paper 2023-03), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4388065](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4388065)

#### Meeting 3: AI, big data and the prevention of terrorism

1. Boaz Ganor, Artificial or Human: A New Era of Counterterrorism Intelligence? 44 STUDIES IN CONFLICT & TERRORISM 605 (2021)

2. Shiri Krebs, Predictive Technologies and Opaque Epistemology in Counterterrorism Decision-Making, in 9/11 AND THE RISE OF GLOBAL ANTI-TERRORISM LAW 199 (Arianna Vidaschi and Kim Lane Scheppele, eds., 2021)

#### Meeting 4: When is a cyber-attack an "armed attack"?

1. UN Charter articles 2(4), 51, <https://www.un.org/en/about-us/un-charter/full-text>

2. TALLINN MANUAL 2.0 ON THE INTERNATIONAL LAW APPLICABLE TO CYBER OPERATIONS (Michael N. Schmitt ed., 2nd edition, 2017) rules 69, 71-73.

3. International Law Association, Final Report on Aggression and the Use of Force 24-26 (2018), [https://www.ila-hq.org/en\\_GB/documents/conference-report-sydney-2018-7](https://www.ila-hq.org/en_GB/documents/conference-report-sydney-2018-7)

4. Draft Articles on Responsibility of States for Internationally Wrongful Acts (2001), art. 4-11 (attribution), art. 49-54 (countermeasures), [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf)

#### Meeting 5: Regulating new technologies

1. Yahli Shereshevsky, International humanitarian law-making and new military technologies, IRRC 2131 (2022), <https://international-review.icrc.org/articles/international-humanitarian-law-making-and-new-military-technologies-920>

2. Chris Jochnick and Roger Normand, The Legitimation of Violence: A Critical History of the Laws of War, 35 HARV. INT'L. L. J. 49, 66-77 (1994)

3. Kasmira Jefford, What next for talks on regulating 'killer robots'? GENEVA SOLUTIONS 21.12.2021, <https://genevasolutions.news/global-news/what-next-for-talks-on-regulating-killer-robots>

#### Additional Reading Material:

Additional Reading:

---

Meeting 2: Lethal Autonomous weapons systems– inevitable or a nightmare?

1. SIMON CHESTERMAN, *WE, THE ROBOTS? REGULATING ARTIFICIAL INTELLIGENCE AND THE LIMITS OF LAW* 44-53 (2021)
2. CCW Group of Governmental Experts (GGE) on Lethal Autonomous Weapons Systems (2025), <https://meetings.unoda.org/meeting/74855>
3. Human Rights watch "Making the Case: The Dangers of Killer Robots and the Need for a Preemptive Ban" (2016), [https://www.hrw.org/sites/default/files/report\\_pdf/arms1216\\_web.pdf](https://www.hrw.org/sites/default/files/report_pdf/arms1216_web.pdf)
4. Eliav Lieblich and Eyal Benvenisti "The obligation to exercise discretion in warfare: why autonomous weapons systems are unlawful", in *AUTONOMOUS WEAPONS SYSTEMS LAW, ETHICS, POLICY* 245 (N. Bhuta, S. Beck, R. Geiß, H. Liu and C. Kreß eds., 2016)
5. Draft Articles on Responsibility of States for Internationally Wrongful Acts (2001), art. 2, 4, 34-37, [https://legal.un.org/ilc/texts/instruments/english/draft\\_articles/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/draft_articles/9_6_2001.pdf)
6. ICJ Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)(2012), <https://www.icj-cij.org/case/143>
7. ICTY Gotovina et al. (IT-06-90), <https://www.icty.org/case/gotovina/4>
8. Rome Statute of the International Criminal Court (1998), art. 1, 28,30, <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

Meeting 3: AI, big data and the prevention of terrorism

1. Henry Kissinger, *How the Enlightenment Ends*, *THE ATLANTIC* (June 2018), <https://www.theatlantic.com/magazine/archive/2018/06/henry-kissinger-ai-could-mean-the-end-of-human-history/559124/>
2. Peter Margulies, *Surveillance by Algorithm: The NSA, Computerized Intelligence Collection, and Human Rights*, 68 *FLA. L. REV.* 1045 (2016).
3. UNESCO, *RECOMMENDATION ON THE ETHICS OF ARTIFICIAL INTELLIGENCE* (2021), <https://unesdoc.unesco.org/ark:/48223/pf0000381137>
4. UNGA Res. 77/211, *The right to privacy in the digital age* (15.12.2022), <https://docs.un.org/en/A/RES/77/211>
5. UNGA Res. 78/265, *Seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable development* (21.3.2024), <https://digitallibrary.un.org/record/4043244?v&eq;pdf>
6. Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, Vilnius, 5.9.2024, art. 3(2),(4), <https://rm.coe.int/1680afae3c>
7. UN AI ADVISORY BODY, *GOVERNING AI FOR HUMANITY* (Final Report, September 2024), <https://www.un.org/en/ai-advisory-body>

Meeting 4: When is a cyber-attack an "armed attack"?

1. Jonathan A. Ophardt, *Cyber Warfare and the Crime of Aggression: The Need for Individual Accountability on Tomorrow's Battlefield*, 9 *DUKE L. AND TECH. REV.* [I] (2010)
2. Priyanka R. Dev, *Use of Force and Armed Attack Thresholds in Cyber Conflict: The*

---

*Looming Definitional Gaps and the Growing Need for Formal U.N. Response*, 50 *TEX. INT'L L. J.* 381 (2015)

3. Titiriga Remus, *Cyber-Attacks and International Law of Armed Conflicts; a Jus ad Bellum Perspective*, 8 *J. INT'L COM. L. & TECH.* 179 (2013).

4. Lorraine Finlay; Christian Payne, *The Attribution Problem and Cyber Armed Attacks*, 113 *AJIL UNBOUND* 202 (2019).

5. Caroline Krass, *Implementing Integrated Deterrence in The Cyber Domain: The Role Of Lawyers*, *LIEBER INSTITUTE*, 18.4.2023, <https://lieber.westpoint.edu/implementing-integrated-deterrence-cyber-domain-role-lawyers/>

6. Roy Schondorf, *Israel's perspective on Key Legal and Practical Issues Concerning the Application of International Law to Cyber Operations*, *EJIL: TALK!* 9.12.2020, (*jus ad bellum* section), <https://www.ejiltalk.org/israels-perspective-on-key-legal-and-practical-issues-concerning-the-application-of-international-law-to-cyber-operations/>

#### *Meeting 5: Regulating new technologies*

1. Rebecca Crootof, *Regulating New Weapons Technology*, in *THE IMPACT OF EMERGING TECHNOLOGIES ON THE LAW OF ARMED CONFLICT 1* (Ronald T.P. Alcalá & Eric Talbot Jensen eds., 2019)

2. Sean Watts, *Autonomous Weapons: Regulation Tolerant or Regulation Resistant*, 30 *TEMP. INT'L & COMP. L.J.* 177 (2016).

3. Steve Calandrillo & Nolan Kobuke Anderson, *Terrified by Technology: How Systemic Bias Distorts U.S. Legal and Regulatory Responses to Emerging Technology*, 2022 *U. ILL. L. REV.* 597 (2022).

4. SIMON CHESTERMAN, *WE, THE ROBOTS? REGULATING ARTIFICIAL INTELLIGENCE AND THE LIMITS OF LAW* 236-240 (2021)

#### Grading Scheme:

Essay / Project / Final Assignment / Home Exam / Referat 95 %

Active Participation / Team Assignment 5 %

#### Additional information: