



Killing Osama bin Laden: has justice been done?

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The US government has asserted that by killing Osama bin Laden on 1 May 2011, justice has been done. Its view is that the killing was clearly lawful.

But the nature, timing and location of the killing have raised various questions under international law. Was it self-defence? Was bin Laden a battleground casualty? Did the UN Security Council authorise the killing? Was bin Laden protected by international human rights law? Was it lawful for US forces to act in Pakistan? What about putting bin Laden on trial?

The killing also has possible implications for future policies towards al-Qaeda as well as Libya and other countries.

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1 Introduction

After US Navy Seals killed Osama bin Laden in a raid on a Pakistani compound on 1 May 2011, President Obama said in his address to the nation, "Justice has been done".¹

The word "justice" was repeated by the US Attorney General, Eric Holder, in his statement to the US House of Representatives Judiciary Committee: "Osama bin Laden has been brought to justice".² In response to questions from the Senate Judiciary Committee, Holder added that the killing was "entirely lawful":

"Let me make something very clear: The operation in which Osama bin Laden was killed was lawful," Holder told the senators. The raid "was justified as an action of national self-defense" against "a lawful military target," he said.

White House officials earlier said the team that carried out the raid was prepared to take bin Laden alive if he was willing to surrender but instead he resisted capture. Holder reiterated that.

"It was a kill-or-capture mission," Holder said. "He made no attempt to surrender. And I tend to agree with you that even if he had, there would be a good basis on the part of those very brave Navy SEAL team members to do what they did in order to protect themselves and the other people who were in that building."

Holder said the SEALs minimized the loss of life as much as possible. "I'm proud of what they did," Holder added. "And I really want to emphasize that what they did was entirely lawful and consistent with our values."³

A US Congressional Research Service (CRS) report points to a general consensus that the killing was lawful under US law:

Due to OBL's position in AQ's command structure, along with his role in the 9/11 attacks, there appears to be clear consensus that he constituted a legitimate target under the AUMF⁴ at the time of his death. Additionally, the AUMF does not restrict the exercise of the authority it confers to a particular geographic location. Accordingly, at least for purposes of domestic law, the fact that OBL was killed outside of Afghanistan, where U.S. operations against AQ have primarily occurred, does not appear to affect the lawfulness of his targeting.⁵

But there are questions over whether bin Laden's killing was lawful under international law. The CRS report notes some potential issues under international law that may be relevant:

These issues include, inter alia, the degree to which the operation was governed by and consistent with the law of armed conflict, human rights law, customary international law concerning the right of a nation to act in self-defense to deter an impending attack, and the rights and duties of sovereign nations. Some of these issues may turn on particular facts that have not been fully brought to light at the time of this

¹ White House video, "[President Obama on death of Osama bi Laden](#)", 1 May 2011

² US Department of Justice news, "[Statement of Attorney General Eric Holder Before the House Judiciary Committee](#)", 3 May 2011

³ "[AG Holder worries about revenge for bin Laden](#)", *Associated Press*, 4 May 2011

⁴ Authorization to Use Military Force (AUMF, P.L. 107-40), which authorised the US President "to use all necessary and appropriate force" against entities involved in the 11 September 2001 attacks

⁵ [Osama bin Laden's Death: Implications and Considerations](#), Congressional Research Service report for Congress, 5 May 2011, pp2-3

report, including whether Pakistan gave prior (or retroactive) consent to the United States to take action against bin Laden within its territory.⁶

Professor Nick Grief, an international lawyer at Kent University, said that the attack had the appearance of an “extrajudicial killing without due process of the law”. He added: “It may not have been possible to take him alive... but no one should be outside the protection of the law”.⁷

The Archbishop of Canterbury, Dr Rowan Williams, questioned whether justice had been done:

I think the killing of an unarmed man is always going to leave a very uncomfortable feeling; it doesn't look as if justice is seen to be done.⁸

Dr Tom Wright, the former bishop of Durham, who is now a professor at St Andrews University, described bin Laden's killing as “global vigilantism”.⁹

Osama bin Laden's son Omar, in a statement from the family, described his father's killing as an “assassination” and questioned why he was not instead arrested and tried. The family threatens to take legal action.¹⁰

Two Dutch men have reported the “murder” to their local police station, saying “There is a murderer who has admitted the deed on television and who dumped the evidence at sea.”¹¹

2 Was it self-defence?

The US's main argument is that the killing was an act of national self defence against a lawful military target.¹² This is consistent with the view of the US (and UK) that military action against al-Qaeda is lawful self-defence to prevent and deter further attacks on the United States.¹³

Self-defence is one of the few accepted exceptions to international law's general prohibition on the use of force. [Article 51 of the UN Charter](#) preserves states' “inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations”. The use of force in self-defence must comply with the rules of humanitarian law, and is subject to two main considerations: necessity and proportionality.¹⁴

Armed attack

There is “considerable dispute in legal circles as to whether we are dealing with an armed conflict in respect of al-Qaida in Pakistan”, according to the UN's independent investigator on extrajudicial killings, Christof Heyns.¹⁵ The US view is that the 11 September attacks constituted an “armed attack” which could trigger the use of force under Article 51, and this was reflected in UN Security Council Resolutions 1368 and 1373 which followed the attacks.

⁶ [Osama bin Laden's Death: Implications and Considerations](#), Congressional Research Service report for Congress, 5 May 2011, fn7

⁷ [“Osama bin Laden death: Pakistan says US may have breached sovereignty”](#), *Guardian*, 5 May 2011

⁸ [“Bin Laden killing left 'uncomfortable feeling' – Rowan Williams”](#), *Guardian*, 5 May 2011

⁹ Tom Wright, [“The US plays with myths of heroism”](#), *Church Times*, 6 May 2011

¹⁰ [“Statement From the Family of Osama bin Laden”](#), *New York Times*, 10 May 2011

¹¹ [“Osama bin Laden dead: Dutch men attempt to report Barack Obama”](#), *Telegraph*, 4 May 2011

¹² [“AG Holder worries about revenge for bin Laden”](#), *Associated Press*, 4 May 2011

¹³ See [The legal basis for the invasion of Afghanistan](#), Library Standard Note SN/IA/5340, 26 February 2010

¹⁴ *Military and Paramilitary Activities in and Against Nicaragua* (Nicaragua v US), 1986 ICJ 14, 194. See Christine Gray, *International Law and the Use of Force*, 3rd edition, 2008, pp203-7

¹⁵ [“Osama bin Laden death: Pakistan says US may have breached sovereignty”](#), *Guardian*, 5 May 2011

But many commentators argue that those attacks were not carried out *by or on behalf of a state* – which is still the legal test applied by the International Court of Justice.¹⁶ The US argument was stronger when there was considerable evidence that Afghanistan under the Taliban was supporting al-Qaeda. But many argue that the “armed attack” test should be adapted for a world where ‘non-state actors’ regularly launch attacks against states, often from external bases.¹⁷

Anticipatory or pre-emptive self-defence

The US has also invoked a right to anticipatory or even pre-emptive self-defence.¹⁸ Article 51 does not allow this, but customary international law allows states threatened with the use of force to take appropriate anticipatory measures to repel such a threat if:

- a state is the target of hostile activities of another state; and
- the threatened state has exhausted all alternatives means of protection; and
- the defensive measures are proportionate to the pending danger; and
- the danger is imminent.¹⁹

Many states, and two UN reports, have rejected the idea that the self-defence extends to pre-emptive action against non-imminent threats.²⁰

Necessity and proportionality

The requirements for necessity and proportionality mean that force can be used in self-defence only to ensure that the armed attack (or imminent threat) ends.²¹ So if, for instance, bin Laden was no longer in charge of al-Qaeda activities, self-defence could not justify the killing.²² US officials have said that documents seized during the raid suggested bin Laden had a hand in every recent major al-Qaeda threat,²³ but there have also been assertions that his power within the organisation had been waning for some time.²⁴

Defending nationals abroad

There is some support for the idea that a state can intervene to defend its nationals abroad even when its territory has not been the object of an armed attack. Even if this is the case, the force used must be proportionate to the danger.²⁵

3 Was bin Laden a battleground casualty?

The US argues that it is at war with al-Qaeda, and that it was therefore lawful to target bin Laden as an enemy commander in the field, wherever he was found:

Perhaps the most controversial aspect of this position is the U.S. argument that this conflict can and does extend beyond the “hot battlefield” of Afghanistan to wherever

¹⁶ See Karl Zemanek, “[Armed Attack](#)”, *Max Planck Encyclopedia of Public International Law*, last updated April 2009 (accessed 11 May 2011)

¹⁷ See Ashley S. Deeks, “[Pakistan's Sovereignty and the Killing of Osama Bin Laden](#)”, *ASIL Insights* Volume 15, Issue 11, 5 May 2011; Christine Gray, *International Law and the Use of Force*, 3rd edition, 2008, ch5

¹⁸ See David Yost, “NATO and the anticipatory use of force”, *International Affairs* 83: 1 (2007) 39-68; Christine Gray, *International Law and the Use of Force*, 3rd edition, 2008, pp208-217

¹⁹ Rebecca Wallace and Olga Martin-Ortega, *International Law*, 6th edition, 2009, pp297-8

²⁰ Christine Gray, *International Law and the Use of Force*, 3rd edition, 2008, pp212

²¹ See Christine Gray, *International Law and the Use of Force*, 3rd edition, 2008, pp203-7

²² Markus Krajewski, comment on Marko Milanovic, “[Was the Killing of Osama bin Laden Lawful?](#)”, *EJIL Talk*, 2 May 2011

²³ “[Bin Laden death 'not an assassination' - Eric Holder](#)”, *BBC news online*, 12 May 2011

²⁴ See for example Brynjar Lia, “[Al Qaeda Without Bin Laden](#)”, *Foreign Affairs*, 11 May 2011

²⁵ See Rebecca Wallace and Olga Martin-Ortega, *International Law*, 6th edition, 2009, pp298-9; Christine Gray, *International Law and the Use of Force*, 3rd edition, 2008, pp202

members of al Qaeda are found. For the United States (and others that adopt this position), once a state is in an armed conflict with a non-state armed group, that conflict follows the members of that group wherever they go, as long as the group's members continue to engage in hostilities against that state (either on the "hot battlefield" or from their new location).²⁶

The opposite view is that armed conflicts have geographic limits as a matter of international law, and that the existence of an armed conflict is determined by the facts on the ground in the state in question:

The hostilities there between a state and an organized non-state actor must be protracted and intense for an armed conflict to exist. If the level of violence is sporadic or the non-state actors lack a certain level of organization, no armed conflict exists, and any state wishing to address the threat posed by those non-state actors must use law enforcement tools.²⁷

Ashley Deeks summarises the debate:

If the U.S. conflict with al Qaeda is limited to the "hot battlefield" of Afghanistan (and possibly Yemen, Iraq, and the border regions of Pakistan), then the United States could not lawfully have targeted Bin Laden as a belligerent in an armed conflict. If, alternatively, the U.S. conflict with al Qaeda is not limited to "hot battlefields," then the United States could make a determination that Bin Laden was a lawful target under the laws of armed conflict, even when unarmed and at home in his compound in Abbottabad. The United States clearly made the latter determination.²⁸

If the US is at war with al-Qaeda, international humanitarian law would have made it unlawful for soldiers to kill bin Laden if he had surrendered.²⁹

4 Did the UN Security Council authorise the killing?

No Security Council Resolution has explicitly called for the death of bin Laden, but many have declared al-Qaeda's activities to be threats to peace and security, and a number explicitly mention bin Laden. [Resolution 1373 \(2001\)](#), passed just days after the 11 September attacks, calls on states to "take the necessary steps to prevent the commission of terrorist acts"³⁰ – a phrase capable of wide interpretation. But it also requires states to ensure that terrorists are "brought to justice",³¹ and stresses the need to comply with the UN Charter when combating terrorism,³² which includes complying with the general prohibition on the use of force and its limited exceptions.³³

Even if the Security Council did not authorise the killing of bin Laden, it appears to have welcomed it. On 2 May 2011 it issued a statement welcoming the news "that Osama bin Laden will never again be able to perpetrate such acts of terrorism". The statement adds:

²⁶ Ashley S. Deeks, "[Pakistan's Sovereignty and the Killing of Osama Bin Laden](#)", *ASIL Insights* Volume 15 Issue 11, 5 May 2011

²⁷ Ashley S. Deeks, "[Pakistan's Sovereignty and the Killing of Osama Bin Laden](#)", *ASIL Insights* Volume 15 Issue 11, 5 May 2011

²⁸ Ashley S. Deeks, "[Pakistan's Sovereignty and the Killing of Osama Bin Laden](#)", *ASIL Insights* Volume 15 Issue 11, 5 May 2011

²⁹ See Third Geneva Convention [on the Treatment of Prisoners of War](#), 12 August 1949

³⁰ Operative para 2(b)

³¹ Operative para 2(e)

³² Preamble, para 5

³³ [UN Charter article 2\(4\)](#)

The Security Council recognizes this critical development and other accomplishments made in the fight against terrorism and urges all States to remain vigilant and intensify their efforts in the fight against terrorism. [...]

The Security Council further reaffirms its call on all States to work together urgently to bring to justice the perpetrators, organizers and sponsors of terrorist attacks and its determination that those responsible for aiding, supporting or harbouring the perpetrators, organizers and sponsors of these acts will be held accountable.

The Security Council reaffirms that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law. [...]³⁴

This statement gives no any indication that the Security Council considers bin Laden's killing to be incompatible with international law.³⁵

5 Was bin Laden protected by international human rights law?

The US argues that international human rights law (IHRL) does not bind the US extraterritorially, i.e. it does not apply to US actions abroad.

An alternative argument is that IHRL applies extraterritorially only where a person is under the effective control of the acting state. Whether or not the US forces had effective control over bin Laden would then have to be determined.

Even if bin Laden were protected by IHRL, the right to life is not absolute: a state may kill people without breaching IHRL as long as it does not do so "arbitrarily".³⁶ In self-defence situations this means that the killing must be necessary and proportionate; in war the killing must comply with international humanitarian law, for example not targeting civilians or prisoners of war.

The United Nations High Commissioner for Human Rights, Navi Pillay, has reportedly asked the US for the "precise facts" about Osama bin Laden's killing.³⁷ This was supported by a statement from the UN's special rapporteur on summary executions, Christof Heyns, and the special rapporteur on human rights and counter-terrorism, Martin Scheinin. They said that the US "should disclose the supporting facts to allow an assessment in terms of international human rights law standards" and that "it will be particularly important to know if the planning of the mission allowed an effort to capture Bin Laden."³⁸

Contrary to initial reports, bin Laden was not armed at the time of the raid, but his retreat into his bedroom (after an initial shot missed him) was apparently interpreted as an act of resistance.³⁹

³⁴ UN Security Council press notice SC/10239, *Security Council Presidential Statement, Welcoming End of Osama bin Laden's Ability to Perpetrate Terrorist Acts, Urges States to Remain Vigilant*, 2 May 2011

³⁵ See Dov Jacobs, comment on Marko Milanovic, "Was the Killing of Osama bin Laden Lawful?", *EJIL Talk*, 2 May 2011

³⁶ "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life" (International Covenant on Civil and Political Rights, Article 6(1)).

³⁷ "UN rights boss asks US for facts on bin Laden killing", *Reuters*, 3 May 2011

³⁸ "Osama bin Laden: statement by the UN Special Rapporteurs on summary executions and on human rights and counter-terrorism", *Office of the High Commissioner of Human Rights press release*, 6 May 2011

³⁹ See "Osama bin Laden death: al-Qaeda leader killed after he retreated into his room", *Telegraph*, 6 May 2011

6 Was it lawful for US forces to act in Pakistan?

The use of force by the US on Pakistani soil against a third party would be legal in only three circumstances:

- Pakistan consented; or
- the UN Security Council authorised it; or
- the US was acting in self-defence and assessed that Pakistan was “unwilling or unable” to suppress the threat to the US unilaterally.⁴⁰

Consent

At the moment it is unclear whether Pakistan knew of or consented to the attack before it happened.⁴¹ There are some reports that Pakistan may in the past have agreed to allow US missions of this sort privately but publicly object after the event.⁴² In the case of bin Laden, Pakistan seems to have endorsed the killing after the event.⁴³ However, both Pakistan’s foreign minister and its former president Pervez Musharraf reportedly said that US forces may have breached their country’s sovereignty,⁴⁴ and Pakistan’s prime minister warned the US that Pakistan will defend its air space if American forces mount another raid on terrorists suspected of hiding inside the country. The head of Pakistan’s army, General Ashfaq Kayani, has also “warned the US not to try another stealth mission in Pakistan”.⁴⁵ Whatever the case, in the current circumstances Pakistan is unlikely to challenge the US’s actions substantively.

UN authorisation

The question of UN Security Council authorisation is discussed above.

“Unwilling or unable”

International law gives little guidance about what the “unwilling or unable” test requires. Ashley Deeks suggests a few principles that can be ascertained from state practice:

The principles might include requirements that the acting state: (1) ask the territorial state to address the threat and provide adequate time for the latter to respond; (2) reasonably assess the territorial state’s control and capacity in the region from which the threat is emanating; (3) reasonably assess the territorial state’s proposed means to suppress the threat; and (4) evaluate its own prior interactions with the territorial state. However, an important exception to the requirement that the acting state request that the territorial state act arises where the acting state has strong reasons to believe that the territorial state is colluding with the non-state actor, or where asking the territorial state to take steps to suppress the threat might lead the territorial state to tip off the non-state actor before the acting state can undertake its mission.⁴⁶

⁴⁰ See for example Ian Brownlie, “International Law and the Activities of Armed Bands”, 7 *International and Comparative Law Quarterly* 712, 732 (1958); Noam Lubell, *Extraterritorial Use of Force Against Non-State Actors* (2010); Harold Koh, US Legal Adviser, “[The Obama Administration and International Law](#): Keynote Address at the American Society of International Law 104th Annual Meeting”, 25 March 2010.

⁴¹ See “[The killing of Osama bin Laden: the Pakistan connection](#)”, *Library Standard Note SN/IA/5947*, May 2011

⁴² “[Osama bin Laden mission agreed in secret 10 years ago by US and Pakistan](#)”, *Guardian*, 9 May 2011

⁴³ See President Zardari, “[Pakistan did its part](#)”, *Washington Post*, 3 May 2011

⁴⁴ “[Osama bin Laden death: Pakistan says US may have breached sovereignty](#)”, *Guardian*, 5 May 2011;

“[Musharraf: Bin Laden death positive; sees retaliation](#)”, *Reuters*, 2 May 2011

⁴⁵ “[Obama: Bin Laden raid was longest 40 minutes of my life](#)”, *Guardian*, 9 May 2011

⁴⁶ Ashley S. Deeks, “[Pakistan’s Sovereignty and the Killing of Osama Bin Laden](#)”, *ASIL Insights* Volume 15 Issue 11, 5 May 2011

Deeks suggests that the US has “strong arguments that Pakistan was unwilling or unable to strike against Bin Laden”, and that Pakistan’s defense, “while understandable from a political perspective, seems weak as a matter of international law”.⁴⁷

An alternative argument is that acts of self-defence do not require the consent of the state where they take place, because they are not an attack on or against its territory.⁴⁸ However, this view is not yet clearly established in international law.

7 What about putting bin Laden on trial?

The UN special rapporteurs Christof Heyns and Martin Scheinin argue that terrorists should be arrested and tried as criminals, and not killed except as a last resort:

In certain exceptional cases, use of deadly force may be permissible as a measure of last resort in accordance with international standards on the use of force, in order to protect life, including in operations against terrorists. However, the norm should be that terrorists be dealt with as criminals, through legal processes of arrest, trial and judicially decided punishment.⁴⁹

The *Guardian* asked four commentators from different disciplines – none of them lawyers – whether it would have been preferable to capture bin Laden and put him on trial. The question elicited general agreement, but also an acceptance of the practical difficulties:

AC Grayling, professor of philosophy at Birkbeck College, University of London: It would have been preferable to do that — not because it would have been easier and not because it would have saved other lives in future — but because in the ideal, if we were to live up to the principles of our civilisation (or the ones we claim, anyway) it would have been the right thing to do. But practicality makes very, very different demands.

Colonel Tim Collins, former Royal Irish Regiment commander and counterinsurgency expert: I don't think that was a consideration. Had he been captured, I think we would have had a whole series of issues about jurisdiction and where he would have been tried and by whom. It would have been very complicated. Now that he's dead, it's much less complicated. But ultimately, there was intelligence which could have been gleaned from that. The fact of the matter is it's probably neater that he wasn't captured but the right thing probably would have been to capture him.

Mona Siddiqui, professor of Islamic Studies at the University of Glasgow: It would have been difficult to give him a fair trial. I'm not saying he wouldn't have been guilty. But two of the pillars on which the west stands are freedom and justice – this action diminishes that status.

Giles Fraser, Canon Chancellor of St Paul's Cathedral: He was a war criminal and should have been put on trial. People are dying in that part of the world to establish the rule of law and human rights. Going in and shooting him undermines the whole of that purpose. A lot of people are using 'justice' as a euphemism for 'revenge'. It's absolutely wrong.⁵⁰

⁴⁷ Ashley S. Deeks, “Pakistan's Sovereignty and the Killing of Osama Bin Laden”, *ASIL Insights* Volume 15 Issue 11, 5 May 2011

⁴⁸ See Jordan J Paust, “Self-Defense Targetings of Non-State Actors and Permissibility of U.S. Use of Drones in Pakistan”, *Journal of Transnational Law & Policy*, Vol. 19, No. 2, p. 237, 2010

⁴⁹ “Osama bin Laden: statement by the UN Special Rapporteurs on summary executions and on human rights and counter-terrorism”, *Office of the High Commissioner of Human Rights press release*, 6 May 2011

⁵⁰ “Osama bin Laden's death – killed in a raid or assassinated?”, *Guardian*, 6 May 2011

The US Attorney-General has told the BBC that bin Laden's surrender would have been accepted if offered, but that the protection of the Navy Seals who carried out the raid was uppermost in their minds.⁵¹

The US has had a criminal case open against bin Laden since the Manhattan Federal District Court's June 1998 indictment. According to the *9/11 Commission Report*, this indictment related to a plan the CIA had at one stage to capture bin Laden and turn him over for trial, either in the US or in an Arab country.⁵² A US Presidential Decision Directive, PDD-39, from June 1995, stated that "When terrorists wanted for violation of U.S. law are at large overseas, their return for prosecution shall be a matter of the highest priority." If extradition procedures were unavailable or put aside, the United States could seek the local country's assistance in a rendition, secretly putting the fugitive in a plane back to America or some third country for trial.⁵³

8 Some possible implications

Many of the questions around bin Laden's killing may only be resolved if the US releases the instructions given to the US Navy Seals and clarifies what efforts were made in the course of the military operation to force bin Laden to surrender and to assess the threat he posed at that particular moment.

But even without these answers, the killing could have significant implications for future policies on al-Qaeda as well as Libya and other countries.

The nature of bin Laden's killing may be a sign that the US is increasingly likely to kill rather than to capture al-Qaeda members. If so, this may stem from the current administration's reluctance to send new inmates to Guantanamo Bay, and the negative experience of attempting a criminal trial of Khaled Sheikh Mohammed, who admitted being the architect of the September 11 attacks.⁵⁴

There may be implications too for the situation in Libya. Some of the arguments used to present bin Laden's killing as lawful could also be applied if coalition forces kill Colonel Gaddafi. General Sir David Richards, the UK's Chief of Defence Staff, has reportedly said that the killing of Osama bin Laden should serve as a warning to Gaddafi.⁵⁵

A wider implication is that the killing may be seen as a precedent for targeted killings of individuals by any state, across international boundaries, at least where terrorism is involved. The US is not the only state to have used force against a non-state actor in another sovereign state, in the context of the fight against terrorism: Israel, Turkey and Colombia have also done so, without the consent of the other state or authorisation by the UN Security Council.⁵⁶ The more states act in this way, the more likely it is to become accepted, at least politically if not as a matter of international law.

⁵¹ "Bin Laden death 'not an assassination' - Eric Holder", *BBC news online*, 12 May 2011

⁵² "Prosecutors Are Expected to Seek Dismissal of Charges Against Bin Laden", *New York Times*, 3 May 2011

⁵³ "Diplomacy", *National Commission on Terrorist Attacks upon the United States (9/11 Commission) Staff Statement No. 5* [undated; viewed 16 May 2011], p2. The document goes on to give four examples.

⁵⁴ See "White House refuses to reveal photographs", *Financial Times*, 5 May 2011

⁵⁵ "Osama bin Laden killing 'should serve as warning to Gaddafi' says head of Armed Forces", *Telegraph*, 6 May 2011

⁵⁶ Tatiana Waisberg, "Colombia's Use of Force in Ecuador Against a Terrorist Organization: International Law and the Use of Force Against Non-State Actors", *ASIL Insights* Volume 12 Issue 17, 22 August 2008