# Cyberspace, Terrorism and Counterterrorism

**Dr. Myriam Feinberg**

**Course Number:** 702. 2980.01.A
**Class Time**: TBA
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## Course Description:

This course examines the concepts of cyberterrorism and counterterrorism and provides both a general introduction to cybersecurity and an analysis of practical applications of the use of the Internet both for terrorism purposes and for countering terrorism. It addresses such timely issues as state to state cyber-attacks, and whether this could amount to an armed attack under international law raising issues of self-defense; cyber-attacks by non-state actors; the role of non-state actors, such as hacktivists, in both contributing to and reducing the terrorist threat; the issue of incitement to terrorism and recruitment, and the necessary balance with freedom of speech; as well as the issue of surveillance and the delicate balance between security needs and privacy.

Recent examples, which will be covered in the course include the decision by the President of the United States to impose sanctions against Russia for its interference in the U.S. through 'significant malicious cyber-enabled activities'; as well as the alleged use of the application Telegram by the terrorists responsible of the Paris attacks of November 2015.

The module will be taught with reference to primary sources and Internet resources, such as presidential executive orders imposing sanctions against cyber attacks or dedicated websites for flagging illegal content on social media, as well as to secondary sources from legal and security experts.

## Course Requirements:

- Weekly reading list and active class participation
- 5 1-page reaction papers over the course of the module
- Mid-term exam
- Final assignment

## Final Grade:

- Reaction papers and participation: 35%
- Mid-term exam (in class): 15%
- Final assignment (at home): 50%

**Course Outline and Reading List**

Part I – Weeks 1 to 6: Framework, definitions, actors

- Introduction
  - Nature of cyberspace
  - Transnational aspects
  - Dual-use
  - Technological aspects

- Terrorism and counterterrorism
  - Definitions
  - Evolution and Recent trends
  - Terrorism and criminality

- Cyber terrorism and counterterrorism
  - Actors (states, international organisations, private corporations, terrorists, hacktivists…)
  - Applicable law (domestic law, international law, criminal law, human rights…)
  - Other responses (private internal policies, law enforcement, intelligence organisations…)

Part II – Weeks 7 to 12: Case studies

- Armed attack
  - Threshold of armed attack
  - Non state actors/attribution
  - Critical infrastructure
  - Self defense
  - Applicable framework (humanitarian law)
  - Sanctions

- Online incitement to terrorism
  - Definition of incitement/apology/propaganda
  - Definition of terrorism
  - Balance with freedom of expression and other human rights (privacy, right to access…)

- Communication and privacy
  - Role of social media (Facebook, Twitter, Telegram…)
  - Encryption
  - Privacy and other human rights
  - Hacktivism

- Surveillance
  - Privacy versus efficiency
  - Dual use (experts' use of the Internet to track terrorists)

Reading List (non-exhaustive)

- Tallinn Manual on the International Law Applicable to Cyber Warfare
- Tallinn Manual 2.0
- UN Human Rights Commission, 2016 Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression
- Research Handbook on International Law and Cyberspace, Nikolaos K. Tsagourias, Russell Buchan (eds), Edward Elgar, 2015
- Cyberterrorism: Understanding, Assessment, and Response, Editors: Chen, Tom, Jarvis, Lee, Macdonald, Stuart (Eds.) springer 2014
- UN Office on Drugs and Crime, 'The Use of the Internet for Terrorist Purposes' (2012), 11.
- Counter-Terrorism Implementation Task Force, 'Countering the Use of the Internet for Terrorist Purposes' (Working Group Report, CTITF Publication Series, February 2009).
- Michael Schmitt, 'Classification of Cyber Conflict' (2012) 17 Journal of Conflict and Security Law 245
- Yael Ronen, Incitement to Terrorist Acts and International Law' 23 Leiden Journal of International Law (CUP) 645-674 (2010)
- Richard A. Posner, Privacy, Surveillance, and Law, The University of Chicago Law Review, Vol. 75, No. 1 (Winter, 2008), pp. 245-260