

Curriculum Vitae

Prof. Yuval Shany
Hersch Lauterpacht Chair in Public International Law
Hebrew University, Mount Scopus

PERSONAL DETAILS

Date of birth: 28 March 1969

Country of birth: Israel

Permanent address: 4 Topaz St., Reut 71908 Israel

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EDUCATION

Hebrew University, Jerusalem, Israel
LL.B. in Law, *Cum Laude*, April 1995.

New York University School of Law, New York, NY, U.S.A.
L.L.M. in International Legal Studies May 1997.

University of London, School of Oriental and African Studies,
Department of Law, London, U.K.
Ph.D. in International Law, 2001.

APPOINTMENTS at the HEBREW UNIVERSITY

Hebrew University, Faculty of Law, Jerusalem, Israel

- *Teaching Assistant* to Prof. Ruth Lapidot, 1995-96 (Law Faculty), Prof. Michla Pomerantz (Social Sciences Faculty), Prof. Moshe Hirsch, 1994-95 (Law Faculty)
- *Visiting Lecturer*, 2000-2005 (Law Faculty), 1999-2002 (Social Sciences Faculty)
- *Hersch Lauterpacht Chair in Public International Law*, 2005-present
- First Appointment (senior lecturer) – 2005; Tenure – 2007; Associate

- Professor – 2008; Full Professor – 2012
- *Dean*, 2012-2016

Teaching subjects: introduction to international law, international human rights law, international humanitarian law, international courts and tribunals, war and self-defense, human rights in the Supreme Court's jurisprudence, national security and human rights.

ADDITIONAL FUNCTIONS/TASKS AT THE HEBREW UNIVERSITY

- *International Law Forum* (member, 2005-present; co-director 2016-present)
- *Minerva Center for Human Rights*, Academic Director (2006- 2009), Chair of Academic Committee (2011-2012; 2016-present)
- *Director of the LL.M and LL.D. programs* (2010-2012)
- *Member of the University Research Council* (2010-2012)
- *Co-Director of Transitional Justice Program* (2016-present)
- *Director, CyberLaw program, Federmann Cyber Security Research Centre* (2017-present)

SERVICE IN OTHER ACADEMIC AND RESEARCH INSTITUTIONS

Current Appointments:

Israel Democracy Institute, Jerusalem, Israel

- *Senior Research Fellow*, 2008-2017
- *Vice President for Research*, 2017-2021

Past Appointments:

The College of Management Academic Studies, Law School, Tel Aviv, Israel

- *Senior Law lecturer (full-time appointment)*, 1997-2005
- *Visiting Lecturer*, 2005-2007

Executive Board, CONCORD Research Institute, 2003-present

Editor of Hamishpat Law Review, 2000-2003

Project on International Courts and Tribunals (PICT)

Board of Directors, 2007-2012

Rapporteur for PICT/ILA Study Group on Int'l Courts and Tribunals,

2002-2004

Associate Researcher, 1998-2007

Tel Aviv University, Faculty of Law, Tel Aviv, Israel

Visiting Lecturer, 2001-2005

Teaching subjects: introduction to international law

Harvard Law School, Human Rights Program, Cambridge, MA, USA

- *Visiting Fellow*, 2003-2004

Amsterdam University, Amsterdam Center for International Law,
Amsterdam, the Netherlands

- *Visiting Researcher*, 2004

Georgetown Law Center, Washington D.C., U.S.

- *Visiting Professor*, 2007

Teaching Subject: International Courts and Tribunals

University of Michigan Law School, Ann Arbor, MI, U.S.

- *Visiting Professor*, 2008

Teaching Subject: International Courts and Tribunals

University of Sydney, Australia

- *Visiting Professor*, 2009, 2012

Teaching Subject: International Humanitarian Law

Columbia University Law School, New York, NY, U.S.

- *Visiting Professor*, 2009-2010

Teaching Subjects: International Courts and Tribunals, Human Rights

Max Planck Institute for International and Comparative Law, Heidelberg,
Germany

- *Visiting Researcher* 2011

Center for Transnational Legal Studies, London, UK

- *Visiting Professor*, 2012

Teaching Subjects: International Courts and Tribunals, International
Economic Law (with Prof. Moshe Hirsch)

Geneva Academy of International Humanitarian Law and Human Rights

- *Visiting Professor*, 2018-2019
Teaching Subject: The co-application of human rights and IHL
Graduate Institute of International and Development Studies, Geneva
- *Visiting Professor*, 2019-2021

OTHER ACTIVITIES

Present positions:

UN Human Rights Committee

Member of the Committee, 2013-2020
Co-Rapporteur for New Communications and Interim Measures, 2015-16
Co-Rapporteur for General Comment No. 36 (Right to Life), 2015-2018
Vice-Chair, 2017-2018, 2019-2020
Chair, 2018-2019

Past positions:

Ministry of Justice, State of Israel

Counsel for the State of Israel before the UN Committee on Economic, Social and Cultural Rights, November 1998
Law Clerk, Supreme Court Division, 1994-95

Meridor-Nehushtan Law Firm, Jerusalem, Israel

Associate, 1996
Law Clerk, 1995-96
Areas of Practice: civil and commercial law.

Have provided expert advice or amicus briefs in about 20 cases, including US Supreme Court, Israel Supreme Court, and UNCLOS arbitration

Board of Editors and Advisory Boards

Liber Amicorum Shamgar (5 vol.; 2003)
Hamishpat Law Review (Academic editor 2000-2003)
IDF Law Review
Israel Law Review (Co-Editor in Chief since 2009)
Journal of International Dispute Settlement
International Law Studies

Membership in bars and organizations

The Israeli Bar, 1996
The American Society of International Law, 1996
The British Institute of International and Comparative Law, 1997
The International Law Association, 2012
 Co-rapporteur of study group on engagement of national courts with international law, 2012-2016
European Society of International Law, 2012
 Co-chair of interest group on international courts and tribunals, 2014-2016
Institut de Droit International, associate member, 2017

PRIZES AND SCHOLARSHIPS

Spears prize - international law students, Hebrew University, Law Faculty, 1995
Rubin prize - best international and comparative NYU Law Review student note, 1997
Certificate of Merit for Pre-Eminent Contribution to Creative Legal Scholarship, American Society of International Law, 2004
University President Prize for Outstanding Research, Hebrew University 2009-2010

RESEARCH GRANTS

Research Grant, Israel Science Foundation, 2006
FP7 Grant - Impact of International Criminal Courts on National Criminal Proceedings in the Aftermath of Mass Atrocities (DOMAC) (4 University research program), European Union, 2007-2010
ERC Grant (5-year project on effectiveness of international courts), European Union, 2008-2013
Cyber Law Program (2-year grant), National Cyber Directorate, 2017-2019

LIST OF PUBLICATIONS

Doctoral dissertation

1. "The Competing Jurisdictions of International Court and Tribunals: which Rules Govern?", Supervisor: Philippe Sands, Ph.D. awarded on 31 October 2001, published in revised form as a book (Oxford University Press, 2003)

Books

2. "Manual on International Court and Tribunals" (co-written with Philippe Sands and Ruth Mackenzie), 1999, 346 pp, Butterworths, London
3. "The Competing Jurisdictions of International Courts and Tribunals", 2003, 348 pp, Oxford University Press, Oxford
4. "International Law between War and Peace" (co-written with Orna Ben Naftali), 2006, 488 pp, Ramot, Tel Aviv University, Tel Aviv (in Hebrew)
5. "Regulating Jurisdictional Interactions between National and International Courts", 2007, 216 pp, Oxford University Press, Oxford
6. "Manual on International Court and Tribunals" (co-written with Ruth Mackenzie and Cesare Romano), 2010, 500 pp, Oxford University Press, Oxford
7. "Assessing the Effectiveness of International Courts" (with participation of 6 co-authors), 2014, 322 pp, Oxford University Press, Oxford
8. "Questions of Jurisdiction and Admissibility before International Courts", 2016, 170 pp, Cambridge University Press, Cambridge

Books edited

9. "Economic, Social and Cultural Rights in Israel" (co-edited with Yoram Rabin), 2004, 1013 pp, Ramot, Tel Aviv University, Tel Aviv (in Hebrew)
10. "Sovereignty, Supremacy, Subsidiarity: The Shifting Allocation of Authority in International Law" (co-edited with Tomer Broude), 2008, 437 pp, Hart Publishing, Oxford
11. "Multi-Sourced Equivalent Norms in International Law" (Co-edited with Tomer Broude), 2011, 300 pp, Hart Publishing, Oxford
12. "Handbook on International Adjudication" (Co-edited with Cesare Romano and Karen Alter), 2013, 975 pp, Oxford University Press, Oxford
13. "Lapidoth Book" (Co-edited with Hilly Moodrick Even-Chen)(2020), 218 pp, Nevo/Sacher Institute (in Hebrew)
14. "Reducing Online Hate Speech Recommendations for Social Media Companies and Internet Intermediaries", 2020, 322 pp, Israel Democracy Institute
15. "Strengthening Human Rights Protections in Geneva, Israel, the West Bank and Beyond" (Co-edited with Joseph David, Yael Ronen and Joseph HH Weiler), forthcoming in 2021, est. 300pp, Cambridge University Press
16. "The Quest for Core Values in the Application of Legal Norms" (Co-edited with Khalid Ghanayim), forthcoming in 2021, est. 400pp, Springer Nature

Chapters in Collections

17. "Israeli Counter-Terrorism Measures: Are They 'Kosher' under International Law?", 22 pp, in Michael N. Schmitt (ed.), "Terrorism and International Law: Challenges and Responses", 2003, International Institute of Humanitarian Law, San Remo
18. "International Economic, Social and Cultural Rights: How can they be Invoked by Israeli Court?", 49 pp, in Yoram Rabin and Yuval Shany (eds.) "Economic, Social and Cultural Rights in Israel" 2004, Ramot, Tel Aviv University, Tel Aviv (in Hebrew)
19. "Stuck in a Moment in Time: The International Justiciability of Economic, Social and Cultural Rights", 30 pp, in Daphna Barak-Erez and Aeyal Gross (eds.) "Exploring Social Rights", 2007, Hart Publishing, Oxford
20. "Similarity in the Eye of the Beholder: Revisiting the Application of Rules Governing Jurisdictional Conflicts in the *Lauder/CME* cases", 19 pp, in Arthur Rovine (ed.) "Contemporary Issues in International Arbitration and Mediation" 2008, Martinus Nijhoff Publishing
21. "Self Determination and Uti Possidetis as Applied in the Case of Kosovo: Are the Two Principles Conflicting or Complementary in Nature?", 7 pp, in GUAM, Basic Principles for the Settlement of the Conflicts on the Territories of the GUAM States, 2008, GUAM.
22. "From New York to Srebrenica and Darfur: The Roads to and from the Genocide Convention", 25 pp, in Paola Gaeta (ed.) "The UN Genocide Convention: A Commentary", 2009, Oxford University Publishing
23. "International Dispute Settlement", 20 pp, in Robbie Sabel (ed.) "Public International Law", 2009, Sacher Institute Publishing (in Hebrew)
24. "Dédoublément fonctionnel" and the Mixed Loyalties of National and International judges", 16 pp, in Filippo Fontanelli, Giuseppe Martinico & Paolo Carrozza (eds.), Shaping Rule of Law Through Dialogue: International and Supranational Experiences, 2009, Europa
25. "Human Rights and Humanitarian Law as Competing Legal Paradigms for Fighting Terror", 25 pp, in Orna Ben Naftali (ed), Collected Courses of the Academy of European Law: Human Rights and International Humanitarian Law, Vol. XIX/1 (2010) 1
26. "Compliance with Decisions of International Courts as Indicative of their Effectiveness: A Goal-Based Analysis", 3 Select Proceedings of the European Society of International Law (James Crawford and Sarah Nouwen eds., 2010) 229-242
27. Judicial Independence as an Indicator of International Court Effectiveness: A goal-based approach", 15 pp., in Shimon Shetreet and Christopher Forsyth (eds.), The

Culture of Judicial Independence: Conceptual Foundations and Practical Challenges (2011) 251

28. "Two Sides of the Same Coin? Judging Milošević and Serbia before the ICTY and ICJ", 30 pp, in Timothy Waters (ed.), *Milosevic - An Autopsy* (2012)
29. "The Legitimacy Paradox and Self-Representation", 8 pp, in Timothy Waters (ed.), *Milosevic - An Autopsy* (2012)
30. "One Law to Rule Them All: Should International Courts be viewed as Guardians of Procedural Order and Legal Uniformity?", 20 pp. , in Andre Nollkaemper and Ole Kristian Fauchald (eds.), *Unity or Fragmentation of International Law: the Role of International and National Tribunals* (2012)
31. "Should the Implementation of International Rules in Domestic Courts be Bolstered?", 10 pp. in Antonio Cassese (ed), *Realistic Utopia* (2011)
32. "The Legitimacy-Deficit of Special International Criminal Tribunals", 15 pp., in Fionnuala Ni-Aolain and Oren Gross (eds.), *Exceptional Courts and Military Commissions* (2011)
33. "Guarding the Guards in the war against Terrorism", 32 pp, in Amicahi Cohen and Christopher Ford (eds.), *Rethinking the Law of Armed Conflict in the Age of Terrorism* (2012) 99
34. "The Effectiveness of the Human Rights Committee and the Treaty Body Reform", 20 pp., in *Der Staat im Recht. Festschrift für Eckart Klein Zum, 70*, (M. Breuer *et al* eds., 2013) 1307-1325.
35. "International Dispute Settlement", 20 pp, in Robbie Sabel and Yael Ronen (eds.) *Public International Law, 2015*, Sacher Institute Publishing (in Hebrew)
36. "Stronger Together: Legitimacy and Effectiveness of International Courts as Potentially Mutually Reinforcing Notions", 18 pp, in Harlan G. Cohen, Nienke Grossman and Geir Ulfstein (eds.), *Legitimacy and International Courts*, 2018, Cambridge University Press
37. "Sources and the Enforcement of International Law: What Norms International Law-Enforcement Bodies Actually Invoke?", in Samantha Besson and Jean D'Aspremont (eds.) *Oxford Handbook on Sources of International Law* (Oxford University Press, 2018) 789-211
38. "The Second Turkel Committee Report: A Silent Revolution in Investigation Law", 18 pp, in Karin Carmit Yefet, *Turkel Book* (Nevo, 2019)(in Hebrew)
39. "Israel", in Fulvio Palombino (ed.), *Supremacy of International Law vs. National Fundamental Principles*, (Cambridge University Press, 2019) 167-183
40. "International Courts as Inter-Legality Hubs", in Jan Klabbers and Gianluigi Palombella (eds.), *The Challenge of Inter-Legality* (Cambridge University Press, 2019) 319-338
41. "Effectiveness of International Adjudication", *Max Planck Encyclopedia of International Procedural Law*, September 2019 (Online)
42. "The Limited Utility of the ICC's Performance Indicators", in Richard H. Steinberg (ed.), *The International Criminal Court: Contemporary Challenges and Reform Proposals* (Brill J Nijhoff, 2020)180-185

43. "The End of the War/Peace Limit on the Application of International Human Rights Law: A Response to Andrew Clapham", 11 pp, in Bardo Fassbender and Knut Traisbach (eds.), *The Limits of Human Rights* (Oxford University Press, 2020) 319
44. "Can Strasbourg be Replicated at a Global Level? A View from Geneva", 21 pp, in Helmut Philipp Aust and Esra Demir-Gürsel (eds.), *The European Court of Human Rights - Current Challenges in Historical and Comparative Perspective* (Edward Elgar, forthcoming in 2020)
45. "Co-application and Harmonization of IHL and IHRL: Are Rumours about the Death of *Lex Specialis* Premature?", 23 pp, in Robert Kolb, Gloria Gaggioli and Pavle Kilibarda (eds.), *Research Handbook on Human Rights and Humanitarian Law: Further Reflections and Perspectives* (Edward Elgar, forthcoming 2020)
46. "Rule of Law *de jure* and/or *de facto*?: Shamgar and the International Law of Belligerent Occupation", est 18 pp, in Joseph David, Yael Ronen, Yuval Shany and Joseph HH Weiler (eds.), *Strengthening Human Rights Protections in Geneva, Israel, the West Bank and Beyond* (Cambridge University Press, forthcoming in 2021).
47. "International Courts in a Politicised World", est. 31 pp. in Charles N. Brower, Judge Joan E. Donoghue, Professor Cymie R. Payne, and Esmé Shirlow (eds.), *By Peaceful Means: International Adjudication and Arbitration* (Oxford University Press, forthcoming in 2021)
48. "Assessing the Effectiveness of the International Court of Justice" (co-written with Rotem Giladi), est. 19 pp. in Carlos Espósito, Kate Parlett and Callista Harris (eds.), *Cambridge Companion to the International Court of Justice* (Cambridge University Press, forthcoming in 2021)
49. "The Institutional Role of the Judiciary in Israel's Constitutional Democracy" (co-written with Guy Lurie), est. 24 pp. in Aharon Barak, Barak Medina and Yaniv Roznai (eds.), *Oxford Handbook on the Israeli Constitution* (Oxford University Press, Forthcoming in 2021)
50. *The COVID-19 Pandemic Crisis and International Law: A Constitutional Moment, A Tipping Point or More of the Same?*, est. 7pp. in Makane Mbengue and Jean d'Aspremont (eds), *Crisis Narratives in International Law* (Brill, forthcoming in 2021)

Articles

51. "Chromalloy: U.S. Law and International Arbitration at the Crossroads" (co-written with Stephen T. Ostrowski), 43 pp, 73 *New York University Law Review* (1998) 1650.
52. "The Right to a Satisfactory Environmental as a Human Right under International Law", 31 pp, 6 *Hamishpat* (2001) 297 (in Hebrew)
53. "Domestic Violence as a Form of Torture under International Law", 40 pp, 7 *Hamishpat* (2002) 151, (in Hebrew)

54. "The Sharon Case: Revisiting the Doctrine of Command Responsibility" (co-written with Keren Michaeli), 89 pp, 34 *New York University Journal of International Law and Politics* (2002) 797.
55. "Bargaining under the Shadow of the Court: Domestic and International Perspectives", 28 pp, 1 *Nekudat Mifgash* (2003) 46 (in Hebrew).
56. "The Entry into force of the Rome Statute: What are its implications for the State of Israel", 17 pp, 15 *Hamishpat* (2003) 28 (in Hebrew)
57. "Living in Denial: The Application of Human Rights in the Occupied Territories" (co-written with Orna Ben Naftali), 101 pp, 37 *Israel Law Review* (2004) 17
58. "The Israeli Constitutional Revolution: Has the Time Come for Protecting Economic and Social Rights?" (co-written with Yoram Rabin), 46 pp, 37 *Israel Law Review* (2004) 299
59. "Does One Size Fit All? Reading the Jurisdictional Provisions of the New Iraqi Special Tribunal Statute in the light of the Statutes of other International Criminal Tribunals", 8 pp, 2 *International Journal of Criminal Justice* (2004) 338
60. "The First MOX Plant Award: Coordinating between Competing Environmental Regimes and Dispute Settlement Procedures", 12 pp, 17 *Leiden Journal of International Law* (2004) 815
61. "Capacities and Inadequacies: A Look at the Two Separation Barrier Cases", 16pp, 38 *Israel Law Review* (2005) 230
62. "The Right to a Satisfactory Environment as a Human Right in the Recent Adam, Teva Va-Din Case : Did the Supreme Court of Israel Satisfactorily Use International Law?", 6pp, IV *The ICFAI Journal of Environmental Law* (2005) 59,
63. "Toward a General Margin of Appreciation Doctrine", 33 pp, 16 *European Journal of International Law* (2005) 907
64. "Contract Claims v. Treaty Claims: Mapping the Conflicts between ICSID Decisions on Multi-Sourced Investment Claims", 16 pp, 99 *American Journal of International Law* (2005) 835
65. "How Supreme is the Supreme Law of the Land? A Comparative Analysis of the Influence of International Human Rights Conventions upon the Interpretation of Constitutional Texts by Domestic Courts", 63 pp, 31 *Brooklyn Journal of International Law* (2006) 341
66. "Head against the Wall? Israel's Rejection of the Advisory Opinion on the Legal Consequence of the Construction of a Wall in the Occupied Palestinian Territories", 20 pp, 7 *Yearbook of International Humanitarian Law* (2006) 352
67. "Consolidation of Arbitration Proceedings: Is International Law of any Relevance?", 14 pp, 21 *ICSID Review – Foreign Investment Journal* (2006) 135
68. "Jurisdictional Competition between International and National Courts: Should International Jurisdiction-Regulating Rules Apply", 54 pp, XXXVII *Netherlands Yearbook of International Law* (2007) 3

69. "The Prohibition against Torture and Cruel, Inhuman and Degrading Treatment and Punishment: Can the Absolute be Relativized under Existing International Law?" 30 pp, 56 *Catholic University Law Review* (2007) 837
70. "The Case for Judicial Review over Social Rights: Israeli Perspectives" (co-written with Yoram Rabin), 25 pp, 14 *Israel Affairs* (2007) 681
71. "A Development of Modest Proportions: The Application of the Principle of Proportionality in the *Targeted Killings* Case" (co-written with Amichai Cohen), 11 pp, 5 *Journal of International Criminal Justice* (2007) 310
72. "A Pragmatic Objection to Moral Distinctions: A Comment on 'The Morality and Law of War'", 15 pp, 40 *Israel Law Review* (2007) 701
73. "Judicial Independence in The Hague and Freetown: A Tale of Two Cities" (co-written with Sigall Horowitz), 17 pp, 21 *Leiden Journal of International Law* (2007) 113
74. "Faraway So Close: The Legal Status of Gaza after Israel's Disengagement", 15 pp, 8 *Yearbook of International Humanitarian Law 2005* (2007) 359
75. "Redrawing Maps, Manipulating Demographics: On Exchange of Populated Territories and Self-Determination", 26 pp, 2 *Journal of Law and Ethics of Human Rights* (2008) 286
76. "Binary Law Meets Complex Reality: The Occupation of Gaza Debate", 18 pp, 41 *Israel Law Review* (2008) 68
77. "Squaring the Circle: Independence and Impartiality of Party-Appointed Adjudicators in International Legal Proceedings", 17 pp, 30 *Loyola of Los Angeles Journal of International and Comparative Law Review* (2009) 473
78. "The Law Applicable to Non-Occupied Gaza", 16 pp, 42 *Israel Law Review* (2009) 101
79. "No Longer a Weak Department of Power? Reflections on the Emergence of a New International Judiciary", 18 pp, 20 *European Journal of International Law* (2009) 73
80. "The Analogy's Limit: Defending the Rights of Peoples", 12 pp, 7 *J.I.C.J.* (2009) 541
81. "National Courts as International Actors: Jurisdictional Implications", 31 pp, www.federalismi.it (2009)(web-journal)
82. "In Defence of Functional Interpretation of the Rome Statute: A Response to Yaël Ronen's 'ICC Jurisdiction over acts Committed in the Gaza Strip'", 15 pp, 8 *J.I.C.J.* (2010) 329
83. "The Israeli Supreme Court and the Incremental Expansion of the Scope of International Law on Belligerent Occupation" (with Guy Harpaz), 38 pp, 43(3) *Israel Law Review* (2011) 514
84. "Beyond the Grave Breaches Regime: The Duty to Investigate Alleged Violations of International Law Governing Armed Conflicts" (co-written with Amichai Cohen), 45 pp, 14 *IHL Yearbook* (2011) 37-84
85. "Assessing the Effectiveness of International Courts: A Goal-Based Approach", 106 *A.J.I.L.* (2012) 225-260

86. "An Old House with New Bricks or a New House of Old Cards? On National Courts, the International Rule of Law and the Power of Legal Imagination" 4 *Jerusalem Review of Legal Studies* (2012) 50-66
87. "Taking Universality Seriously: A Functional Approach to Extraterritoriality in International Human Rights Law", 7 *The Law and Ethics of Human Rights* (2013) 27-51
88. "Seeking Domestic Help: The Role of Domestic Criminal Law in Legitimizing the Work of International Criminal Tribunals", 11 *Journal of International Criminal Justice* (2013) 5-26
89. "How Can International Criminal Courts Have a Greater Impact on National Criminal Proceedings? Lessons from the First Two Decades of International Criminal Justice in Operation", 46 *Israel Law Review* (2013) 431-453
90. "Does International Law Grant the People of Crimea and Donetsk a Right to Secede? Revisiting Self-Determination in Light of the 2014 Events in Ukraine", 11 pp, XXI *Brown Journal of World Affairs* (2014) 233
91. "Legal Entitlements, Changing Circumstances and Inter-temporality: A Comment on the Creation of Israel and the Status of Palestine", 18 pp, 49 *Israel Law Review* (2016) 391
92. "A Human Rights Perspective to Global Battlefield Detention: Time to Reconsider Indefinite Detention", 93 *Int'l L. Stud.* (2017) 102-131
93. "All Roads Lead to Strasbourg?: Application of the Margin of Appreciation Doctrine by the European Court of Human Rights and the UN Human Rights Committee", 9 *Journal of International Dispute Settlement* (2018) 180-198
94. "Afterward: Plurality as a form of (mis)management of international dispute settlement", 28 *Eur. J. Int'l L* (2018) 1241-1249
95. "Influence of Human Rights Law on Israeli Legislation" (with Amichai Cohen and Tal Filberg), 10 *Hukim* (2018) 69-122 (in Hebrew)
96. "A Rule Book on the Shelf? Tallinn Manual 2.0 on Cyberoperations and Subsequent State Practice" (with Dan Efrony)(2018) 112 *Am. J. Int'l L.* 583-657
97. "The Absolute Prohibition of Torture and Cruel, Inhuman or Degrading Treatment - Real or Chimera? Israeli Law on Special Interrogation Techniques" (with Mordechai Kremnitzer), 26 pp, *Law & Business* (forthcoming in 2020)(in Hebrew)
98. "Invalidations of Laws in Israel in a Comparative Perspective" (with Guy Lurie), 49 *Israel YB of Human Rights* (2019) 261-280.
99. "Illiberal Measures in Backsliding Democracies: Differences and Similarities between Recent Developments in Israel, Hungary, and Poland", *Journal of Law and Ethics of Human Rights* (2020) 125-152
100. "An International Attribution Mechanism for Hostile Cyber Operations" (with Michael B Schmitt), 96 *Int'l L. Stud.* (2020) 196-222

101. "The Extraterritorial Application of International Human Rights Law", *Receuil des cours* (2020) 9-152
102. "The Road Taken: ICCPR and discriminatory restrictions on religious freedom", 11pp, *Harvard Journal of Human Rights* (forthcoming in 2021)
103. It's the End of the (Offline) World as We Know It: From Human Rights to Digital Human Rights – A Proposed Typology (With Dafna Dror), 37 pp, *European Journal of International Law* (forthcoming in 2021)

Miscellaneous

100. *Report on the State of Israel (2001)* in Yearbook of International Humanitarian Law (T.M.C. Asser, 2004)
101. *Report on the State of Israel (2002)* in Yearbook of International Humanitarian Law (T.M.C. Asser, 2004)
102. *Report on the State of Israel (2003)* in Yearbook of International Humanitarian Law (T.M.C. Asser, 2005)
103. *Report on the State of Israel (2004)* in Yearbook of International Humanitarian Law (T.M.C. Asser, 2006)
104. *Report on the State of Israel (2005)* in Yearbook of International Humanitarian Law (T.M.C. Asser, 2006)
105. *Report on Israeli compliance with incorporation obligations under human rights treaties* (co-written with Prof. Ruth Lapidoth and Dr. Orna Ben-Naftali) (50 pp.) (2004)
106. *An Interdisciplinary Look at the Separation Barrier – Symposium* (co-edited with Prof. Frances Raday) (2004)
107. "Bosnia, Serbia and the Politics of International Adjudication", 45 *Justice* (2008) 21, 6 pp.
108. *The Proportionality Principle in International Law – a study prepared for the Israel Democracy Institute* (99 pp.), (in Hebrew)(2009)
109. *Treaty-Making Powers in Israel* (co-written with Moshe Hirsch, Guy Harpaz, Tomer Broude, Barak Medina and Gil-Ad Noam)(2009).
110. "The role of National Courts in Advancing the Goals of International Criminal Tribunals", 6 pp, *ASIL Proceedings* 2009 (2010)
111. *Israel and the Additional Protocols to the Geneva Conventions: a Reevaluation* (co-written with Ruth Lapidoth and Ido Rosenzweig)(2011) (in Hebrew)
112. *Investigating War Crime Allegations in Israel: Policy Recommendations* (Co-written with Amichai Cohen), (2011) (in Hebrew)
113. The Quest for World Order and Human Dignity in the Twenty-First Century: Constitutive Process and Individual Commitment (Book Review), 108 *AJIL* (2014) 123, 4 pp.
114. Can't Live With, Can't Live Without: International Human Rights and International Politics, 54 *Justice* (2015) 7, 6 pp.

115. “The Universality of Human Rights: Pragmatism Meets Idealism”, The JBI Lecture series (2018) 36pp.
116. A proposal for a new Basic Law: Equality (2020), Israel Democracy Institute, est. 50 pp (in Hebrew).