

## 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

*Phone numbers:* 08-9264898 (H); 02-5882541 (W); 054-8820648 (Cell)

*E-mail address:* shany.yuval@gmail.com

### 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, national security and human rights, digital 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; 2016-2022)
- *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)
- *Academic Director, Clinical Legal Education Center* (2020-2022)

## SERVICE IN OTHER ACADEMIC AND RESEARCH INSTITUTIONS

### **Current Appointments:**

#### **Israel Democracy Institute, Jerusalem, Israel**

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

#### **Graduate Institute of International and Development Studies, Geneva**

- *Visiting Professor*, 2019-  
*Teaching Subject: International Human Rights Law and Litigation*

#### **Oxford University – Institute for Ethic in AI**

- *Visiting Researcher*, 2023-2024

### **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*
- *Co-director, 2021-2022*

*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

## OTHER ACTIVITIES

### **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

### **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.

### *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**

**International Review of the Red Cross** (2008-2012)

**ESIL Book Series**

### *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  
***Cheshin Prize for Senior Law Researcher***, Hebrew University, 2022  
***Gorny Prize for Senior Public Law Researcher***, Israeli Public Law Association, 2022  
***Serge Lazereff Prize***, NATO Office of Legal Affairs, 2022

#### 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 (3-year grant)***, National Cyber Directorate, 2016-2019  
***Dutch Ministry of Foreign Affairs*** (Attribution of cyber-attacks), 2018-2020  
***Insurance Companies' Association*** (Smart cars and insurance), 2018-2021  
***Israeli Ministry of Foreign Affairs*** (Israel International Practice and COVID-19), 2020-2021  
***Volkswagen Stiftung*** (Contextualizing robot behavior), 2020-2021  
***HUJI-Geneva U Research Grant*** (liability and autonomous vehicles), 2020-2022  
***ISTRC*** (Liability of level 3 autonomous vehicles), 2021-2022

*Toole Foundation* (Ethical obligations to consider social disruption by technology companies), 2021-2022

*ERC Grant* (5-year project on the three generations of digital human rights), European Union, 2023-2028

## 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), 2021, 268pp, Cambridge University Press
16. "The Quest for Core Values in the Application of Legal Norms" (Co-edited with Khalid Ghanayim), 2021, 352pp, Springer Nature
17. Basic Law: Israel the Nation State of the Jewish People – A Commentary (Co-edited with Yedidia Stern), forthcoming in 2023, est. 300pp, Israel Democracy Institute (in Hebrew)
18. Engagement of Domestic Courts with International Law (Co-edited with Andre Nollkaemper and Anotnios Tzanakopoulos), forthcoming in 2023, est. 300pp, Oxford University Press

### **Chapters in Collections**

19. "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
20. "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)
21. "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
22. "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
23. "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.
24. "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
25. "International Dispute Settlement", 20 pp, in Robbie Sabel (ed.) "Public International Law", 2009, Sacher Institute Publishing (in Hebrew)

26. "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
27. "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
28. "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
29. "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
30. "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)
31. "The Legitimacy Paradox and Self-Representation", 8 pp, in Timothy Waters (ed.), *Milosevic - An Autopsy* (2012)
32. "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)
33. "Should the Implementation of International Rules in Domestic Courts be Bolstered?", 10 pp. in Antonio Cassese (ed), *Realistic Utopia* (2011)
34. "The Legitimacy-Deficit of Special International Criminal Tribunals", 15 pp., in Fionnuala Ni-Aolain and Oren Gross (eds.), *Exceptional Courts and Military Commissions* (2011)
35. "Guarding the Guards in the war against Terrorism", 32 pp, in Amichai Cohen and Christopher Ford (eds.), *Rethinking the Law of Armed Conflict in the Age of Terrorism* (2012) 99-132
36. "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.
37. "International Dispute Settlement", 20 pp, in Robbie Sabel and Yael Ronen (eds.) *Public International Law*, 2015, Sacher Institute Publishing (in Hebrew)
38. "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
39. "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
40. "The Second Turkel Committee Report: A Silent Revolution in Investigation Law", 18 pp, in Karin Carmit Yefet, Turkel Book (Nevo, 2019)(in Hebrew) 293-307
  41. "Israel", in Fulvio Palombino (ed.), Duelling for Supremacy: International Law and National Fundamental Principles, (Cambridge University Press, 2019) 167-183
  42. "International Courts as Inter-Legality Hubs", in Jan Klabbers and Gianluigi Palombella (eds.), The Challenge of Inter-Legality (Cambridge University Press, 2019) 319-338
  43. "Effectiveness of International Adjudication", Max Planck Encyclopedia of International Procedural Law, September 2019 (Online)
  44. "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
  45. "The End of the War/Peace Limit on the Application of International Human Rights Law: A Response to Andrew Clapham", in Bardo Fassbender and Knut Traisbach (eds.), The Limits of Human Rights (Oxford University Press, 2020) 319-330
  46. "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, 2020) 71-89
  47. "Co-application and Harmonization of IHL and IHRL: Are Rumours about the Death of Lex Specialis Premature?", in Robert Kolb, Gloria Gaggioli and Pavle Kilibarda (eds.), Research Handbook on Human Rights and Humanitarian Law: Further Reflections and Perspectives (Edward Elgar, 2022) 9-28
  48. "Rule of Law *de jure* and/or *de facto*?: Shamgar and the International Law of Belligerent Occupation", 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, 2021) 179-198.
  49. "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)
  50. "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)
  51. "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)

52. "The COVID-19 Pandemic Crisis and International Law: A Constitutional Moment, A Tipping Point or More of the Same?", est. 7 pp. in Makane Mbengue and Jean d'Aspremont (eds.), *Crisis Narratives in International Law* (Brill, 2021)
53. "The Nation State Law's Self Determination Clause", est. 20 pp. in Yedidia Stern and Yuval Shany (eds.), *Basic Law: Israel the Nation State of the Jewish People – A Commentary* (Israel Democracy Institute, forthcoming in 2021)(in Hebrew)
54. "Democracy in Times of Emergency", est. 12 pp., in Dana Blander (ed.), *Introduction to Democracy* (Israel Democracy Institute and the Broadcast University, forthcoming in 2021)(in Hebrew)
55. "Integrating Privacy Concerns in the Development and Introduction of New Military or Dual Use Technologies" (with Tal Mimran), in *The Rights to Privacy and Data Protection in Times of Armed Conflict* (Asaf Lubin and Russell Buchan eds., CCDCOE, 2022) 29-49
56. "AI in Military Settings" (with Yahli Shereshevsky), in *Cambridge Handbook on Artificial Intelligence and Human Rights* (Lorna McGregor and Daragh Murray eds., Cambridge University Press, forthcoming in 2023), 24pp
57. "International Law in Europe and Legal Realism" (with Maria Varaki), in *Oxford Handbook on International Law in Europe* (Anne Van Aaken *et al* eds. Oxford University Press, forthcoming in 2023) 18 pp.

### Articles

58. "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.
59. "The Right to a Satisfactory Environmental as a Human Right under International Law", 31 pp, 6 *Hamishpat* (2001) 297 (in Hebrew)
60. "Domestic Violence as a Form of Torture under International Law", 40 pp, 7 *Hamishpat* (2002) 151, (in Hebrew)
61. "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.
62. "Bargaining under the Shadow of the Court: Domestic and International Perspectives", 28 pp, 1 *Nekudat Mifgash* (2003) 46 (in Hebrew).
63. "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)
64. "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

65. "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
66. "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
67. "The First MOX Plant Award: Coordinating between Competing Environmental Regimes and Dispute Settlement Procedures", 12 pp, 17 *Leiden Journal of International Law* (2004) 815
68. "Capacities and Inadequacies: A Look at the Two Separation Barrier Cases", 16pp, 38 *Israel Law Review* (2005) 230
69. "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,
70. "Toward a General Margin of Appreciation Doctrine", 33 pp, 16 *European Journal of International Law* (2005) 907
71. "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
72. "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
73. "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
74. "Consolidation of Arbitration Proceedings: Is International Law of any Relevance?", 14 pp, 21 *ICSID Review – Foreign Investment Journal* (2006) 135
75. "Jurisdictional Competition between International and National Courts: Should International Jurisdiction-Regulating Rules Apply", 54 pp, XXXVII *Netherlands Yearbook of International Law* (2007) 3
76. "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
77. "The Case for Judicial Review over Social Rights: Israeli Perspectives" (co-written with Yoram Rabin), 25 pp, 14 *Israel Affairs* (2007) 681
78. "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

79. "A Pragmatic Objection to Moral Distinctions: A Comment on 'The Morality and Law of War'", 15 pp, 40 *Israel Law Review* (2007) 701
80. "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
81. "Faraway So Close: The Legal Status of Gaza after Israel's Disengagement", 15 pp, 8 *Yearbook of International Humanitarian Law* 2005 (2007) 359
82. "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
83. "Binary Law Meets Complex Reality: The Occupation of Gaza Debate", 18 pp, 41 *Israel Law Review* (2008) 68
84. "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
85. "The Law Applicable to Non-Occupied Gaza", 16 pp, 42 *Israel Law Review* (2009) 101
86. "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
87. "The Analogy's Limit: Defending the Rights of Peoples", 12 pp, 7 *J.I.C.J.* (2009) 541
88. "National Courts as International Actors: Jurisdictional Implications", 31 pp, [www.federalismi.it](http://www.federalismi.it) (2009)(web-journal)
89. "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
90. "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
91. "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
92. "Assessing the Effectiveness of International Courts: A Goal-Based Approach", 106 *A.J.I.L.* (2012) 225-260
93. "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
94. "Taking Universality Seriously: A Functional Approach to Extraterritoriality in International Human Rights Law", 7 *The Law and Ethics of Human Rights* (2013) 27-51
95. "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

96. "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
97. "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) 233-243
98. "Legal Entitlements, Changing Circumstances and Inter-temporality: A Comment on the Creation of Israel and the Status of Palestine", 49 *Israel Law Review* (2016) 391-408
99. "A Human Rights Perspective to Global Battlefield Detention: Time to Reconsider Indefinite Detention", 93 *Int'l L. Stud.* (2017) 102-131
100. "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
101. "Afterward: Plurality as a form of (mis)management of international dispute settlement", 28 *Eur. J. Int'l L* (2018) 1241-1249
102. "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
103. "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
104. "Influence of Human Rights Law on Israeli Legislation" (with Amichai Cohen and Tal Filberg), 10 *Hukim* (2018) 69-122 (in Hebrew)
105. "An International Attribution Mechanism for Hostile Cyber Operations" (with Michael B Schmitt), 96 *Int'l L. Stud.* (2020) 196-222
106. "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)
107. "Invalidations of Laws in Israel in a Comparative Perspective" (with Guy Lurie), 49 *Israel YB of Human Rights* (2019) 261-280.
108. "The Extraterritorial Application of International Human Rights Law", *Recueil des cours* (2020) 9-152
109. "The Road Taken: ICCPR and discriminatory restrictions on religious freedom", 34 *Harvard Journal of Human Rights* (2021) 305-313
110. "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), 32 *European Journal of International Law* (2021) 1249-1282
111. "Occupation, Annexation and the Regularization Law" (with Amichai Cohen), 19 pp. *Tel Aviv Law Review – Online Forum* (2022)(in Hebrew)

112. "The Switch: Israel's High Court of Justice Transition from Occupation Law to Human Rights Law" (with Amichai Cohen), *I-Con International Journal of Constitutional Law* (2023) 1-25
113. "Digital Rights and the Outer Limits of International Human Rights Law", *German Law Journal* (forthcoming in 2023).

### **Miscellaneous**

- 114 *Report on the State of Israel (2001)* in *Yearbook of International Humanitarian Law* (T.M.C. Asser, 2004)
115. *Report on the State of Israel (2002)* in *Yearbook of International Humanitarian Law* (T.M.C. Asser, 2004)
116. *Report on the State of Israel (2003)* in *Yearbook of International Humanitarian Law* (T.M.C. Asser, 2005)
117. *Report on the State of Israel (2004)* in *Yearbook of International Humanitarian Law* (T.M.C. Asser, 2006)
118. *Report on the State of Israel (2005)* in *Yearbook of International Humanitarian Law* (T.M.C. Asser, 2006)
119. *Report on Israeli compliance with incorporation obligations under human rights treaties* (co-written with Prof. Ruth Lapidot and Dr. Orna Ben-Naftali) (50 pp.) (2004)
120. *An Interdisciplinary Look at the Separation Barrier – Symposium* (co-edited with Prof. Frances Raday) (2004)
121. "Bosnia, Serbia and the Politics of International Adjudication", 45 *Justice* (2008) 21, 6 pp.
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