

List of Publications
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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)
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 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.
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 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)
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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)
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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.

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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)
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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.
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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)
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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
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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
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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
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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)
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109. "The Road Taken: ICCPR and discriminatory restrictions on religious freedom", 34 Harvard Journal of Human Rights (2021) 305-313
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Miscellaneous

114. *Report on the State of Israel (2001)* in Yearbook of International Humanitarian Law (T.M.C. Asser, 2004)
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Submitted to publication

132. “To Use AI or not Use AI? Autonomous Weapon Systems and their complicated relationship with the right to life”, 22 pp.

133. “Human Rights Norms Applicable in the Situation of Armed Conflict: Beyond the *lex generalis/lex specialis* framework”, 17 pp.

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