ELIAV LIEBLICH

The Buchmann Faculty of Law Tel Aviv University, Tel Aviv, Israel elieblich@tauex.tau.ac.il

ACADEMIC APPOINTMENTS AND VISITING POSITIONS

Tel Aviv University, Faculty of Law

- * Professor of Law, 2020 -
- * Senior Lecturer (Associate Professor), Oct. 2016 –2020

Reichman University, Radzyner School of Law

* Lecturer (Assistant Professor), 2012 – 2016

University of Cologne, Faculty of Law

*Inaugural Hans Kelsen Visiting Professor for the History and Theory of International Law, 2024-2-25

Toronto Law School

*Distinguished Fellow, 2025

Freie Universität Berlin

* Senior Research Fellow, Spring 2023

Columbia Law School

*Visiting Professor of Law, Fall 2022

Northwestern University Pritzker School of Law

* Visiting Associate Professor, Fall 2017

European University Institute, Academy of European Law

* Faculty, 2017 Human Rights Law Course

EDUCATION

Columbia University School of Law, New York, NY

- * J.S.D., 2012
- * LL.M., Cum Laude (Harlan Fiske Stone Scholar), 5/2009

Parker School Certificate of Achievement in International and Comparative Law

<u>Law Review</u>: Managing Editor, Columbia Journal of European Law

Hebrew University of Jerusalem, Faculty of Law and Faculty of Humanities, Jerusalem, Israel

* LL.B., (Joint degree with Islamic and Middle Eastern Studies), Magna Cum Laude, 3/2006

Awards:

Law Review: Hebrew University Law Review, Editorial Board Member, 2006 – 2007

AWARDS AND GRANTS

- * Israel Science Foundation Research Grant: Wars of Recovery (2023-2026)
- * Cegla Prize for Young Faculty (2020)
- * Israel Science Foundation Research Grant: The International Law of Occupation in an Era of Disaggregated Control (2019-2022)
- * Israel Science Foundation Research Grant: Law and Ethics of Proportionality (2017-2019)
- * Alon Fellowship for Outstanding Young Scholars (Israeli Council of Higher Education) 2017-2020
- * Israel Junior Faculty Workshop (2017) (article on police militarization selected as one the winners)
- * Norman E. Alexander Scholarship (Columbia Law School, 2008-2012)
- * Kripps Award for Outstanding Student Specializing in Human Rights, (HUJI, 2006)
- * Bernson Award for Excelling in Social Responsibility, 2006

INTERNATIONAL-LEGAL EXPERIENCE

International Law Association

* Committee Member, Military Assistance upon Request

Annual Meeting of the American Society of International Law 2019

* Member of Organizing Committee

ICRC Expert Meeting on the Principle of Proportionality, Quebec City, Jun. 2016

* Participating Expert

High Contracting Parties of the Convention on Certain Conventional Weapons, Informal Meeting of Experts on Lethal Autonomous Weapons Systems (LAWS), Geneva, Apr. 2016

* Participating Expert, Speaker at Plenary Session

Inquiry of the UN Special Rapporteur on Human Rights in Counterterrorism on the Civilian Impact of Drone Strikes

* Legal Expert, International Law, 2013

The Public Commission to Examine the Maritime Incident of 31 May, 2010 (The Turkel Commission)

* Legal Expert, International Law, 2010

OTHER EXPERIENCE

Tel Aviv University, Institute of National Security Studies

* Neubauer Fellow, International Law, 2011–2012

Tel Aviv University, Buchmann Faculty of Law

* Visiting Scholar, Cegla Center for Interdisciplinary Research of the Law, 2010 – 2011

Yedid - The Association for Community Empowerment, Jerusalem, Israel

*Legislation Counsel, 2008, 2010

Clinical Legal Education Center for Human Rights, Hebrew University of Jerusalem, Faculty of Law

- *Clinical Lecturer Clinic for Legal Aid in Conflict Areas: Sderot, 2008
- *Clinical Lecturer Human Rights Program, 2004 2006, 2008

Supreme Court of Israel, Jerusalem, Israel

PUBLICATIONS

Books

- * OCCUPATION IN INTERNATIONAL LAW (OUP, 2022, with Eyal Benvenisti)
- * TRANSNATIONAL ASYMMETRIC ARMED CONFLICT UNDER INTERNATIONAL HUMANITARIAN LAW: KEY CONTEMPORARY CHALLENGES (with Owen Alterman, INSS, Tel Aviv University, 2015) (Updated and translated version in Hebrew, 2017)
- * INTERNATIONAL LAW AND CIVIL WARS: INTERVENTION AND CONSENT (Routledge, 2013) (paperback, 2014)

Edited Volumes

- * RESEARCH HANDBOOK ON INTERNATIONAL LEGAL THEORY AND WAR (Elgar, forthcoming, with Tom Dannenbaum)
- * THE 2022 YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW: NEIGHBORING FRAMEWORKS (Springer, 2024,) (with Heike Krieger et al)
- *THE 2021 YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW: CULTURES OF IHL (Springer, 2023,) (with Heike Krieger et al)

Articles

- * Scholactivism in the Service of Counter-Populism: The Case of the Constitutional Overhaul in Israel, INT'L J, CONST. L. (I·CON) (forthcoming 2024) (with Ittai Bar-Siman-Tov et al)
- * Whataboutism in International Law, 65 HARV. J. INT'L L. (forthcoming 2024)
- * Wars of Recovery, 34 Eur. J. Int'l L. 349 (2023)
- * How to Do Research in International Law? A Guide for Beginners, 62 HARV. INT'L L. J. ONLINE 21 (2021)
- *The Humanization of Jus Ad Bellum: Prospects and Perils, 32 Eur. J. Int'l L. 579 (2021)
- *Why Can't We Agree on When Governments Can Consent to External Intervention? A Theoretical Inquiry, 7 J. USE OF FORCE & INT'L L. 5 (2020)
- * Between the Paradigms: on the Gaza Rules of Engagement Case at the High Court of Justice TAU L. REV. (2020)
- *The Wrongfulness of Unlawful Consensual Interventions, 79 ZAÖRV 667 (2019) (short piece)
- * The Facilitative Function of Jus in Bello 30 Eur. J. Int'l 321 (2019)
- * At Least Something: The UN Special Committee on the Problem of Hungary, 1957 –1958, 30 Eur. J. Int'l 843 (2019)
- * The Case Against Police Militarization, 22 MICH. J. RACE & L. 105 (2018) (with Adam Shinar) (winner of Israel's young faculty prize)
- * Consent, Forcible Intervention, and Internal Justification to Use Force, 111 PROC. AM. Soc. INT'L L 221 (2018) (short piece)
- * Internal Jus ad Bellum, 67 HASTINGS L. J. 687 (2016)
- * Autonomous Weapons and the Problem of Bound Discretion, 39 Tel Aviv L. Rev. 67 (2016) (with Eyal Benvenisti) (Hebrew)
- *Cosmopolitanism at a Crossroads: Hersch Lauterpacht and the Israeli Declaration of Independence, 84 Brit. Y.B. Int'l L. 1 (2014) (with Yoram Shachar)
- * Quasi-Hostile Acts: The Limits on Forcible Disruption Operations under International Law, 32 B.U. INT'L L. J. 101(2014)

- * Show us the Films: Transparency, National Security, and Disclosure of Information Collected by Advanced Weapons and Monitoring Systems under International Law, 45 Isr. L. Rev. 459 (2012)
- * Intervention and Consent: Consensual Forcible Interventions in Internal Armed Conflicts as International Agreements, 29 B.U. Int'l L. J. 337 (2011)
- *The Status of Mercenaries in International Armed Conflict as a Case of Politicization of International Humanitarian Law, 3/2009 BUCERIUS LAW JOURNAL 115 (2009) (Germany)

Book Chapters

- * The Law of Warfare: 1989-2022, in CAMBRIDGE HISTORY OF INTERNATIONAL LAW (Eyal Benvenisti & Dino Kritsiotis eds, forthcoming CUP)
- *Can there be A Crime of Internal Aggression?, in RETHINKING THE CRIME OF AGGRESSION: INTERNATIONAL AND INTERDISCIPLINARY PERSPECTIVES (Eckart Conze and Stefanie Bock eds., 2021, TMC Asser Press/Springer)
- * Self-Defense against Non-State Actors and the Myth of the Innocent State, in GLOBAL GOVERNANCE AND HUMAN RIGHTS (Nehal Bhuta & Rodrigo Vallejo eds., forthcoming OUP)
- * On the Continuous and Concurrent Application of ad Bellum and in bello Proportionality, in Necessity and Proportionality in International Peace and Security Law 41 (Clauss Kress & Robert Lawless eds., 2020 OUP)
- * The 1956 Soviet Intervention in Hungary, in International Law on the Use of Force: a Case-Based Approach 48 (Tom Ruys & Olivier Corten eds. 2018 Oxford University Press)
- * Assimilation through Law: Hans Kelsen and the Jewish Experience, in The Law of Strangers: Critical Perspectives on Jewish Lawyering and International Legal Thought 51 (James Loeffler and Moria Pazeds., 2019, Cambridge University Press)
- * The Obligation to Exercise Discretion in Warfare: Why Autonomous Weapon Systems are Unlawful (With Eyal Benvenisti), in Autonomous Weapons Systems: Law, Ethics, Policy (Nehal Bhuta et al. eds., Cambridge University Press, 2016)
- * Beyond Life and Limb: Exploring Incidental Mental Harm under International Humanitarian Law, in Applying International Humanitarian Law in Judicial and Quasi-Judicial Bodies: International and National Aspects 185 (Derek Jinks et al. eds., TMC Asser, 2014)
- *Consensual Intervention and the Responsibility to Protect, in The Responsibility to Protect: From Theory to Practice 141 (Andre Nollkaemper & Julia Hoffman eds., 2012)

Book Reviews

* Tom Dannenbaum, The Crime of Aggression, Humanity and the Soldier, 113 Am. J. INT'L L. 664 (2019)

Select Short Pieces

- * The End of Israel's Democracy? FOREIGN AFFAIRS (Feb. 8, 2023) (with Adam Shinar)
- * O&A on Russia-Backed Referendums in Eastern Ukraine and International Law, JUST SECURITY (Sep. 24, 2022)
- * Wrong to the Core: The Supreme Court of Israel's Ruling on Masafer Yatta, VERFASSUNGSBLOG (May, 2022)
- *You Keep on Using that Word on Methods in (International) Legal Scholarship, OPINIO JURIS (Mar. 22, 2022)
- *Not Far Enough: The European Court of Human Rights' Interim Measures on Ukraine (Mar. 7, 2022)
- * Counterterrorism Off the Rails: Israel's Declaration of Palestinian Human Rights Groups as "Terrorist" Organizations JUST SECURITY (Oct. 24, 2021) (with Adam Shinar)
- * <u>Dispatch from Israel on Human Shields: What I Should've Said to a Dad on the Playground</u>, JUST SECURITY (May 18, 2021)
- *Targeted Killing of General Soleimani: Why the Laws of War Should Apply, and Why it Matters, JUST SECURITY (Jan. 13, 2020)

- * <u>Assessing Turkey's "Resettlement Plans in Syria under the Law of Occupation</u>, JUST SECURITY (Oct. 23, 2019) (with Eyal Benvenisti)
- *The Golan Heights and the Perils of "Defensive Annexation", JUST SECURITY (Apr. 4. 2019)
- *The Salisbury Incident and the Threshold for "Unlawful Use of Force" under International Law: between Stigmatization and Escalation, Ethical War (Apr. 28, 2018)
- * <u>Collectivizing Threat: An Analysis of Israel's Legal Claims for Resort to Force on the Gaza Border</u>, JUST SECURITY (May 16, 2018)
- * <u>The Normative and Functional Approaches to Occupation: A Response to Aeyal Gross</u>, OPINIO JURIS (Aug. 29, 2017)
- * Police Militarization in the Trump Era, JUST SECURITY (Feb. 1, 2017) (with Adam Shinar)
- * What Law Applies to the Resort to Force Against Non-State Actors? Filling the Void of "Internal Jus Ad Bellum", JUST SECURITY (Oct. 18, 2016)
- *House Demolitions 2.0, JUST SECURITY (Dec. 18, 2015)
- * Reflections on the Israeli Report on the Gaza Conflict, JUST SECURITY (June 25, 2015)
- * <u>Update on Israel/Palestine and the Revival of International Prize Law</u>, Opinio Juris (Sep. 14, 2014)
- * Yet Another Front in Israeli/Palestinian Lawfare International Prize Law, Opinio Juris (Jan. 13, 2014)

Select International Media Appearances: Haaretz (English), CNN, BBC, NBC, New York Times, The Economist, Foreign Affairs

Select Op-Eds

- * The Israeli Police under Itamar Ben Gvir, HAARETZ (Hebrew, December 10, 2022) (with Adam Shinar)
- * Sovereignty Sounds better than Apartheid, HAARETZ (Hebrew, January 11, 2020)
- * Regulation 119: The High Court of Justice's Historic Mistake ((Hebrew, August 12, 2022) (with Adam Shinar)
- * A University under A Military Regime, HAARETZ (Hebrew, December 28, 2013)
- * The World is Unlikely to Accept, HAARETZ (Hebrew, February 13, 2013)
- * Taking the Wind out of the Flotilla's Sail, HAARETZ (Hebrew, June 7, 2011)
- * If Palestine will be Recognized, HAARETZ (Hebrew, December 21, 2010)
- *For the Separation of Settlement from Sovereignty, HA'ARETZ (Hebrew, April 27, 2010)

SELECT PRESENTATIONS AT CONFERENCES/EVENTS

- * Perpetual War and International Law: Legacies of the War on Terror, discussant, presented at Oxford ELAC (6.1.2023)
- * The Backlash against the Backlash: Taking Stock of the Israeli Constitutional Crisis, presented at Freie Universität, Berlin, Berlin Potsdam Research Group International Rule of Law Rise or Decline? (17.4.2023)
- * The International Law of Occupation: Basic Principles and Key Dilemmas, presented at New York University School of Law, IHL Lecture (30.9.2022)
- * The International Law of Occupation: Contemporary Challenges, presented at New York Law School International Law Lecture Series (3.10.2022)
- * How to Do Research International Law: Demystifying Methods and Theory (Columbia Law School, 26.9.2022)

- * Symposium on Early Career International Law Academia Closing Panel Discussion (Online, American Society of International Law, 8.6.2022)
- * Necessary for What? Recourse to Force to Recover Occupied Territories and the Justifications for Self-Defense (Online, King's College, Department of War Studies, 30.5.2022)
- * Doctrinal Research Methods in International Law (Maastricht Faculty of Law (Online, 23.11.2021)
- * Self Determination and Consent, International Law Association Committee Meeting (Online, 6.5.2021)
- * The Humanization of Jus ad Bellum, Hauser Colloquium (Online, NYU Law, 16.3.2021)
- * Aggression as a Violation of the Right to Life, Irish Centre of Human Rights (Online, NUI Galway, 15.2.2021)
- * Authority to Consent, International Law Association Kyoto Session (Online, Dec. 7, 2020)
- * Risking Soldiers under IHL, presented in *Book Launch for Yagil Levi* (Open University, 9.3.2020)
- * Intervention and Authority, presented at *Military Assistance on Request* (Ghent, 5.12.2019)
- * The Humanization of Jus ad Bellum, presented at *Human Rights and the Resort to Force* (Oxford, ELAC 15.11.2019)
- * On the Supreme Court's Ruling on the Gaza Rules of Engagement, presented at *Gaza and the Law* (TAU Law, 11.6.2019)
- * Comment on Chaim Gans's "Two Visions of Zionism," (TIL-TAU, 29.5.2019)
- * Cultural Heritage and the Laws of War: Key Dilemmas, presented at *Cultural Heritage: Philosophy, Law, Policy* (TAU Law, 29.11,2018)
- * The Expert Report on Proportionality, presented at *Special Event on the Occasion of the Release of the ICRC Expert Report on Proportionality* (TAU Law, 26.11.2018)
- * Concluding Observations, presented at *The Max Planck Trialogues on the Law of Peace and War: Intervention by Invitation* (MPIL Heidelberg, 9.11.2018)
- * On the Continuous and Concurrent Application of *Ad Bellum* an *In Bello* Proportionality, presented in the *Annual Workshop of the Lieber Institute* (United States Military Academy, West Point, 30.10.2018)
- * Aggression and Internal Conflicts, presented in *Rethinking the Crime of Aggression: International and Interdisciplinary Perspectives* (Marburg University, 21.9.2018)
- * Response TAU Minerva Center Annual Lecture (20.6.2018)
- * At Least Something The UN's Special Committee on the Problem of Hungary (TAU IL Workshop, 16.4.2018)
- * At Least Something The UN's Special Committee on the Problem of Hungary (ICON-S-Israel 11.3.2018)
- * Comment on Margaret Hu's "Post-Snowdengate" (TAU, 8.2.2018)
- * The Function and Justification of Jus in Bello (Bar Ilan Public Law Workshop, 24.1.2018)
- * The Myth of the Innocent State (EUI, Florence, 24.3.2018)
- *Comment on Adil Ahmad Haque's "Law and Morality at War" (Stockholm University, 25.6.2017)
- * Comment on Aeyal Gross's "The Writing on the Wall" (TAU, 7.6.2017)
- * Military Intervention and Consent, presented in 2017 Annual Meeting of the American Society of International Law (Washington DC, April 14, 2017)
- * The UN Special Committee on Hungary, in Commissions of Inquiry What Difference do they Make? (EJIL/Cambridge, 5.1.2017)
- * Assimilation through Law: Hans Kelsen and the Jewish Experience (presented in the 11th Annual Conference of the Law & History Association (Jerusalem, Oct. 12, 2015)
- * Hersch Lauterpacht and the Israeli Declaration of Independence, presented in *Jewish Rights, Minority Rights, Human Rights? Towards a Historical Genealogy of the Human Rights Discourse in the 20th Century* (TAU, March 18, 2015)

- * Forcible Alternatives to War and the Israel-Gaza Conflict, invited lecture at Oxford Institute for Ethics, Law and Armed Conflict (Oxford, October 16, 2014)
- * The Separation Wall in Israeli Legal Discourse, presented in *The ICJ's Wall Opinion Revisited* (Potsdam University and Brot fur die Welt, Berlin, July 7, 2014)
- * A Regulatory Approach to the Problem of Autonomous Weapons Systems (with Eyal Benvenisti), presented in *Autonomous Weapons Systems Law, Ethics Policy* (EUI, Florence, April 25, 2014)
- * Assimilation through Law: Hans Kelsen and the Jewish Experience (TAU Law and History Workshop, Dec. 28, 2015)
- * Comment on Rotem Giladi's "Not Our Salvation," Concluding Event at the Minerva Center (TAU, 29.3.2015)* The Comoros Islands Referral, HUJI International Law Forum (Hebrew University, 12.1.2015)
- * Legality of Military Operations during "Protective Edge" under International Law, Panel Participation (Haifa University, Nov. 5, 2014
- * Comment: Evan Criddle's "Reclaiming the Grotian Tradition of Humanitarian Intervention" (TAU Conference, "Sovereignty as Trusteeship for Humanity", June 17, 2014
- * Israel and the U.N. (Hebrew University Practice/Academy Forum, May 14th, 2014)
- * Hersch Lauterpacht and the Israeli Declaration of Independence (TAU International Law Forum, Apr. 28, 2014)
- * The Crimea Crisis in International Law (TAU International Law Forum, Mar. 31, 2014)
- * Participation in Workshop, Sources, Interpretation and Fragmentation of IHL (IDC, Dec. 9, 2013)
- * Syria and the Crisis of Human Rights (Amnesty International June 14, 2013)
- * Bombs Ahoy! Targeting of Pirate Equipment in Somalia and the Limits of Global Law Enforcement, presented in Workshop on "The Global State" (IDC, March 13, 2013)
- * Israel's Right to Self-Defense: Three Legal Dilemmas, presented in the 13th Annual Herzliya Conference (Herzliya, March 12, 2013)
- * Victory as a Military Advantage in *In Bello* Proportionality, presented in *The Limits of Military Power: Strategic, Moral and Legal Considerations* (IDC, January 23, 2013)
- * Sovereignty between Effectiveness and Universalism, presented in *Extraterritoriality, Human Rights and Thoughts about Avant-Garde* (Ex-territory Project, Haifa, December 20, 2013)
- * Law and Security at Sea, presented in *Law & Security: Perspectives from the Field and Beyond* (ICT, INSCT, IDC Herzliya, July 1st, 2013)
- * Bombs Ahoy! Forcible Counter-Piracy Actions on Somali Territory: Between Law Enforcement and Conduct of Hostilities, presented in *Conduct of Hostilities and Law Enforcement: A Contradiction in Terms?* (Minerva Center for Human Rights, Hebrew University, & The ICRC, December 3–4, 2012)
- * Consent by Opposition Groups: Between Recognition and Humanitarian Intervention; Between Legality and Necessity, presented in *The Israel Institute for Advanced Studies*, (Hebrew University, Research Group on Migration of Criminal Law Principles from National to International Law, February 27. 2012)
- *Comment: The Gaza Blockade, presented in *Food Law: New Horizons* (Faculty of Law, Tel Aviv University, June 13, 2011)
- * Show us the Films: Modern Monitoring Capabilities and Obligations of States to Disclose Information, presented in *New Technologies, Old Law Applying IHL in a New Technological Age* (Minerva Center for Human Rights, Hebrew University, & The ICRC, November 27 29, 2011)
- * Consensual Intervention and the Responsibility to Protect, presented in *The Responsibility to Protect: From Principle to Practice* (European Science Foundation, Linkoping, Sweden, June 8, 2010)

ORGANIZATION OF ACADEMIC EVENTS

- * Co-organizer, The Apartheid Debate in Israel Palestine (TAU Law, 31.3.2022)
- * Co-organizer, The Pandemic Treaty (TAU Law, 21.3.2022)
- * Co-organizer, Global Health Governance, Sovereignty and Human Rights in the Shadow of COVID-19 (TAU Law, 27.4.2020)

- * Organizer, Special Event on the Occasion of the Release of the ICRC Expert Report on Proportionality (TAU Law. 26.11.2018)
- * Organizing Committee Member, 2019 Annual Meeting of the American Society of International Law (March 2019)
- * Co-organizer: International Conference: 50 Years After 1967: Evaluating the Past, Present and Future of the Law of Belligerent Occupation (TAU/HUJI/ICRC/ColMan, May 22-23, 2017)
- *Co-organizer: Panel: "International Law and the Jewish Experience in the Early-mid 20th Century", 11th Annual Conference of the Law & History Association (Jerusalem, Oct. 12, 2015)
- *Roundtable: Stephen C. Neff (IDC Herzliya, June 3, 2015)
- * International Conference: Israel and International Criminal Law: Local and Global Issues (IDC Herzliya, 21.5.2015)
- * Roundtable: Palestine's Accession to the ICC (IDC Herzliya, 8.1.2015)
- * Roundtable: David Luban (IDC Herzliya, May 19th, 2014)
- * Roundtable: From Cast Lead to Pillar of Defense: A Preliminary Analysis of the Application of International Law (IDC Herzliya, January 9th, 2013) (with Dr. Daphne Richemond-Barak)
- * Co-organization and participation, 4th Workshop on Contemporary Challenges to the Law of Armed Conflict (IDC, June 22–24, 2015)
- * Co-organization and participation, 3rd Workshop on Contemporary Challenges to the Law of Armed Conflict (IDC, June 22–24, 2014)
- * Co-organization and participation, 2nd Workshop on Contemporary Challenges to the Law of Armed Conflict (IDC, June 10–12, 2013)
- *Co-Organization and participation, 1st Workshop on Contemporary Challenges to the Law of Armed Conflict (IDC, June 17–19, 2012)

PEER REVIEWER (Partial List)

- * American Journal of International Law
- * Asian Journal of International Law
- * British Yearbook of International Law
- * Ethics and International Affairs
- * European Journal of International Law
- * Global Responsibility to Protect Journal
- * Hart Publishing
- * Harvard Law School PILAC Project
- * International Theory
- * Journal of International Humanitarian Legal Studies
- * Israel Law Review
- * Leiden Journal of International Law
- * Military Law and Law of War Review
- *Oxford Journal of Legal Studies
- *Oxford University Press
- *Theoretical Inquires in Law

PROFESSIONAL ACTIVITIES

* Board Member, Gisha – Legal Center for the Freedom of Movement, 3/2014

BAR ADMISSION

* Member of the Israel Bar Association, 12/2007