

ELIAV LIEBLICH

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

ACADEMIC APPOINTMENTS AND VISITING POSITIONS

Tel Aviv University, Faculty of Law

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

Interdisciplinary Center, Herzliya (IDC), Radzyner School of Law

- * Lecturer (Assistant Professor), 2012 – 2016

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

Law Review: *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

- * 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

* *Law Clerk to the Hon. (Acting) Justice David Cheshin, 2006 – 2007*

PUBLICATIONS

Books

* *ELEMENTS OF INTERNATIONAL LAW: INTERNATIONAL LAW OF OCCUPATION (with Eyal Benvenisti, forthcoming, OUP)*

* *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)*

Articles

* *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)

Chapters in Books

- **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 (James Loeffler and Moria Paz eds., Forthcoming, 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 Online Pieces

* [*Dispatch from Israel on Human Shields: What I Should've Said to a Dad on the Playground*](#), 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)

* [*Assessing Turkey's "Resettlement Plans in Syria under the Law of Occupation"*](#), 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)

* [*Collectivizing Threat: An Analysis of Israel's Legal Claims for Resort to Force on the Gaza Border*](#), JUST SECURITY (May 16, 2018)

* [*The Normative and Functional Approaches to Occupation: A Response to Aeyal Gross*](#), 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)

* [*Update on Israel/Palestine and the Revival of International Prize Law*](#), OPINIO JURIS (Sep. 14, 2014)

* [*Yet Another Front in Israeli/Palestinian Lawfare – International Prize Law*](#), OPINIO JURIS (Jan. 13, 2014)

Op-Eds

* *The High Court of Justice and the Art of Repression*, HA'ARETZ (Hebrew, December 28, 2013)

* *The World is Unlikely to Accept*, HA'ARETZ (Hebrew, February 13, 2013)

* *Taking the Wind out of the Flotilla's Sail*, HA'ARETZ (Hebrew, June 7, 2011)

* *If Palestine will be Recognized*, HA'ARETZ (Hebrew, December 21, 2010)

* *For the Separation of Settlement from Sovereignty*, HA'ARETZ (Hebrew, April 27, 2010)

SELECT PRESENTATIONS AT CONFERENCES/EVENTS

* 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* (MPIIL Heidelberg, 9.11.2018)
- * On the Continuous and Concurrent Application of *Ad Bellum* and *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, Linköping, Sweden, June 8, 2010)

ORGANIZATION OF ACADEMIC EVENTS

- * 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)

- * 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
- * Zion

PROFESSIONAL ACTIVITIES

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

BAR ADMISSION

- * Member of the Israel Bar Association, 12/2007