

MICHAEL N. SCHMITT

Professor of Public International Law
University of Reading Law School

G. Norman Lieber Distinguished Scholar
United States Military Academy at West Point

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United States Naval War College

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EDUCATION

Doctor of Letters (D.Litt.), Durham University (UK)
LL.M, Yale University (Class Marshall)
JD, University of Texas (Honors)
MA (National Security and Strategic Studies), United States Naval War College (1st in Class)
MA, BA (Political Science), Texas State University (Highest Honors)

PROFESSIONAL EXPERIENCE

2020-PRESENT: Professor of Public International Law, University of Reading Law School

2016- PRESENT: G. Norman Lieber Distinguished Scholar, West Point

2019-PRESENT: Charles H. Stockton Distinguished Scholar-in-Residence, United States Naval War College

2018-2023: Strauss Center Distinguished Scholar and Visiting Professor of Law, University of Texas

2013-2020: Professor of Public International Law, University of Exeter Law School

2011-2019: Charles H. Stockton Professor and Chairman, Stockton Center for International Law, US Naval War College

2010-2011: Chair of Public International Law, Durham University, UK

1999-2010: Dean; Founding Director, Program in Advanced Security Studies; Director, Senior Fellows Program; Professor of International Law. George C. Marshall European Center for Security Studies, Garmisch-Partenkirchen, Germany

1979-1999: Judge Advocate, United States Air Force

PRESENT AND FORMER PROFESSIONAL ACTIVITIES AND MEMBERSHIPS

Strauss Center Distinguished Scholar, University of Texas
Director of Legal Affairs, Cyber Law International
Honorary Professor, Strategy and Security Institute, University of Exeter
Distinguished Scholar, Strauss Center for International Security and Law, University of Texas
Senior Fellow, NATO Cooperative Cyber Defence Center of Excellence
Affiliate, Program in International Law and Armed Conflict, Harvard Law School
Fellow, Royal Society of the Arts (FRSA)
Research Associate, Hebrew University Cyber Law Program
Advisory Board, Institute for International Peace and Security, Cologne University
Board of Directors, International Society for Military Law and the Law of War
Naval War College Foundation Life Member
Texas Bar Association

Secretary of State's Advisory Committee on International Law
United States Council on Foreign Relations Life Member
Advisory Board, Cyber Peace Institute
Advisory Board, International Telecommunications Law Program, Tartu University
Honorary Professor of International Humanitarian Law, Durham University
Advisory Board, International Law Centre, Swedish National Defence College
Advisory Board, Security and Rule of Law Programme, Geneva Centre for Security Policy
Vetted Member, International Institute of Strategic Studies, UK
Elected Member, International Institute of Humanitarian Law
Board of Directors, Lieber Society, American Society of International Law
Texas Bar Association
Steering Committee, Harvard Program on Conflict Research, IHL Research Initiative
Partner, London School of Economics International Humanitarian Law Project
Advisory Board on Curriculum, International Institute of Humanitarian Law, Italy
Executive Board, Lieber Society, American Society of International Law

PRESENT AND FORMER EDITORIAL AFFILIATIONS

Founding General Editor, *Lieber Studies*, Oxford University Press
Board of Advisors, *International Law Studies*
Editorial Board, *International Review of the Red Cross*
Editorial Board, *Journal of National Security Law and Policy*
Board of Recommendation, *Yearbook of International Humanitarian Law*
Editorial Board, *Journal of International Peacekeeping*
Advisory Board, *Journal of Military Ethics*
Advisory Board, *International Humanitarian Law Series*, Brill
Advisory Board, *Journal of International Humanitarian Legal Studies*
Editorial Board, *Journal of Law and Cyber Warfare*
International Advisory Committee, *Estonian Journal of Military Studies*

Editorial Board, *Just Security.org*
Editorial Board, *Texas National Security Review*
General Editor, *Yearbook of International Humanitarian Law*
General Editor, *International Law Studies*

Editorial Board, *Naval War College Review*
Editorial Board, *Connections* (Partnership for Peace Consortium)
Honorary Board of Advisors, *Hague Justice Journal*

ACADEMIC AND PROFESSIONAL RECOGNITION

Serge Lazareff Prize, NATO Allied Command Operations, 2023
Inaugural Annual Lecture, *Journal of International Humanitarian Legal Studies*, 2021
17th Annual Ruth Steinkraus-Cohen Law Lecture, UN Association (UK), 2020
Research Scholar of the Year, United States Naval War College, 2017-18
Order of the Cross of Terra Mariana, Awarded by President of Estonia, 2017
James Crawford Biennial Oration, Adelaide Law School, 2017
Visiting Fellow, Australian National University Law School, 2017
Cyber Security Canon Award, Tallinn Manual, 2016
Visiting Distinguished Fellow, Emory Law School International Humanitarian Law Clinic, 2014
Visiting Fellow, Australian National University Law School, 2010
Charles H. Stockton Chair of International Law, Naval War College, 2007-08
Annual Hilaire McCoubrey Lecture, Hull University Law School, 2008
Sir Ninian Stephen Visiting Scholar, University of Melbourne Law School, 2006
Annual Waldemar Solf Memorial Lecture, U.S. Army Judge Advocate General's School, 2003
Klaus Kuhn Prize, International Institute of Humanitarian Law, 2000
Hugh Nott Award, *Naval War College Review*, 1999
Visiting Scholar, Yale Law School, 1997-98
First in Class, Naval War College, 1996
Military Operations and International Law Prize, Naval War College, 1996
Middendorf Award (Honorable Mention), Naval War College, 1996
American Bar Ass'n, Special Commendation for Exemplary Commitment to Public Service, 1995
Society for Strategic Air Command Award, Best *Air Force Law Review* Article, 1994
American Bar Association, Outstanding U.S. Air Force Lawyer, 1991-92
Outstanding Judge Advocate, U.S. Air Forces, Europe, 1991
Ambrose Gherini Prize for International Law, Yale Law School, 1991
New York Bar Association Award for Trial Advocacy, USAF Judge Advocate General's School, 1987
Outstanding Judge Advocate, U.S. Air Forces, Southern Europe, 1985
Various US military and government civilian decorations

MAJOR RESEARCH AND CONSULTING PROJECTS

Editor, Tallinn 3.0, The International Law of Cyber Conflict, NATO Cyber Defence Centre of Excellence (2020-present)

Co-Director, Executive Education in Cyber Law Capacity-Building, Governments of Canada, Netherlands, Australia, Singapore, USA; Organization of American States; and Organization of Security and Cooperation in Europe (2017-present)

Member, Management Board, and Editor-in-Chief, Woomera Manual on the International Law of Military Space Operations (2016-2019)

Director, Tallinn 2.0, The International Law of Cyber Conflict, NATO Cyber Defence Centre of Excellence (2013-2017)

International Law Association Study Group Member, Challenges of 21st Century Warfare (2013-2020)

Steering Committee, Law of Non-International Armed Conflict Harmonization Project, Open Society Institute funded (2012-2016)

Director, Tallinn Manual on the International Law Applicable to Cyber Warfare Project, NATO Cyber Defence Centre of Excellence (2009-2012)

Legal Consultant on International Humanitarian Law and Public International Law to the World Food Programme, Libyan Uprising (2011)

Special Adviser to the Public Commission to Examine the Maritime Incident of 31 May 2010 (Turkel Commission) (2010-2011)

Founding Member, Air and Missile Warfare Program in Legal Education (AMPLE) (2009-2011)

Member, Chatham House (Royal Institute of International Affairs) Project on Characterization of Conflict (2009-2012)

Drafting Committee, Harvard HPCR Manual on International Law Applicable to Air and Missile Warfare (2003-2009)

Member, Group of International Experts, ICRC Interpretive Guidance on the Notion of Direct Participation in Hostilities (2003-2009)

Member, Chatham House and British Institute of International and Comparative Law Joint Project on Perspectives on the ICRC Customary International Humanitarian Law Study (2006-2007)

Expert Consultant to Defense Team, *U.S. v. David Hicks*, Military Commissions (2004-2007)

PUBLICATIONS

Forthcoming Works

Big Data: International Law Issues During Armed Conflict, in *BIG DATA AND ARMED CONFLICT: LEGAL ISSUES ABOVE AND BELOW THE ARMED CONFLICT THRESHOLD* __ (Laura Dickinson and Edward Berg eds., Oxford University Press, 2023).

Big Data: International Law Issues Below the Armed Conflict Threshold, in *BIG DATA AND ARMED CONFLICT: LEGAL ISSUES ABOVE AND BELOW THE ARMED CONFLICT THRESHOLD* __ (Laura Dickinson and Edward Berg eds., Oxford University Press, 2023).

Germany's Positions on International Law in Cyberspace, in *GERMAN PRACTICE IN INTERNATIONAL LAW* __ (Cambridge University Press, 2023).

Expert Manuals: An Insider's Account, in *MAKING AND SHAPING THE LAW OF ARMED CONFLICT* __ (Sandesh Sivukarin and Christian Burne eds. Oxford University Press, 2023).

Finding International Law in Cyberspace, __ PORTUGUESE JOURNAL OF MILITARY SCIENCES __ (2023)
(with Durward E. Johnson).

Protecting the Environment in Armed Conflict, __ INTERNATIONAL REVIEW OF THE RED CROSS __ (2023)
(with W. Casey Biggerstaff).

Books

PRISONERS OF WAR IN CONTEMPORARY CONFLICT (Co-editor with Christopher Koschnitzky,
Oxford University Press, 2023).

TALLINN MANUAL 2.0 ON THE INTERNATIONAL LAW APPLICABLE TO CYBER OPERATIONS
(Cambridge University Press, 2017) (Project Director).

TARGETING: THE CHALLENGES OF MODERN WARFARE (Co-editor with Paul A.L. Ducheine &
Frans P.B. Osinga) (T.M.C. Asser Press/Springer, 2016).

TALLINN MANUAL ON THE INTERNATIONAL LAW APPLICABLE TO CYBER WARFARE (Cambridge
University Press, 2013) (Project Director).

HARVARD MANUAL ON INTERNATIONAL LAW APPLICABLE TO AIR AND MISSILE WARFARE
(Cambridge University Press, 2013) (Drafting Committee).

THE LIBRARY OF ESSAYS ON INTERNATIONAL HUMANITARIAN LAW, 6. vols. (Co-editor with Wolff
Heinstchel von Heinegg eds., Ashgate, 2012).

I. The Development and Principles of International Humanitarian Law

II. The Scope and Applicability of International Humanitarian Law

III. Detention and Occupation in International Humanitarian Law

IV. The Conduct of Hostilities in International Humanitarian Law

V. The Conduct of Hostilities (part 2) in International Humanitarian Law

VI. The Implementation and Enforcement of International Humanitarian Law

ESSAYS ON LAW AND WAR AT THE FAULT LINES (T.M.C. Asser Press/Springer, 2012).

INTERNATIONAL LAW AND THE WAR IN AFGHANISTAN (Naval War College International Law
Studies, vol. 85) (Contributing editor, 2009).

INTERNATIONAL LAW AND ARMED CONFLICT: EXPLORING THE FAULTLINES (Martinus Nijhoff)
(Contributing editor with Jelena Pejic, 2007).

CRIMES OF WAR 2.0 (Norton) (Legal editor, 2007).

TERRORISM AND INTERNATIONAL LAW (Edizioni Nagard, Dragan European Foundation)
(Contributing editor with Gian Luca Beruto, 2003).

COMPUTER NETWORK ATTACK AND INTERNATIONAL LAW (Naval War College International Law
Studies, vol. 76) (Contributing editor with Brian T. O'Donnell, 2002).

INTERNATIONAL LAW ACROSS THE SPECTRUM OF CONFLICT (Naval War College International Law
Studies, vol. 75) (Contributing editor, 2000).

THE LAW OF MILITARY OPERATIONS (Naval War College International Law Studies, vol. 72) (Contributing editor, 1998).

THE LAW OF ARMED CONFLICT: INTO THE NEXT MILLENNIUM (Naval War College International Law Studies, vol. 71) (Contributing editor with Leslie Green, 1998).

LEVIE ON THE LAW OF WAR (Naval War College International Law Studies, vol. 70) (Editor with Leslie Green, 1998).

BLOCKADE LAW: RESEARCH DESIGNS AND SOURCES (Legal Research Guides, vol. 12) (Hein, 1991).

Articles and Chapters

Prisoner of War Status and Nationals of a Detaining Power, 100 INTERNATIONAL LAW STUDIES 513-40 (2023) (with W. Casey Biggerstaff).

Aid and Assistance as a “Use of Force” Under the Jus ad Bellum, 100 INTERNATIONAL LAW STUDIES 186-228 (2023) (with W. Casey Biggerstaff).

The Regular Armed Forces, Uniforms, and Prisoner of War Status, in PRISONERS OF WAR IN CONTEMPORARY CONFLICT 51-80 (Michael N. Schmitt & Christopher Koschnitzky, eds. Oxford University Press, 2023) (with Christopher Koschnitzky).

International Humanitarian Law and the Conduct of Cyber Hostilities: Quo Vadis, 14 JOURNAL OF INTERNATIONAL HUMANITARIAN LEGAL STUDIES 189-221 (2023)

Normative Architecture and Applied International Humanitarian Law, 104 INTERNATIONAL REVIEW OF THE RED CROSS 2097-2110 (2022).

The Law of Cyber Conflict: Quo Vadis 2.0?, in THE FUTURE LAW OF ARMED CONFLICT 103-121 (Matthew Waxman and Thomas Oakley eds., Oxford University Press, 2022).

Responding to Proxy Cyber Operations under International Law, 6(4) CYBER DEFENSE REVIEW 15-30 (2021) (with Durward Johnson).

The Plea of Necessity: An Oft Overlooked Response Option for Hostile Cyber Operations, 97 INTERNATIONAL LAW STUDIES 1171-1199 (2021) (with Louise Arimatsu).

Collective Cyber Countermeasures?, 12 HARVARD NATIONAL SECURITY JOURNAL 176-214 (2021) (with Sean Watts).

Foreign Cyber Interference in Elections, 97 INTERNATIONAL LAW STUDIES 739-764 (2021).

Cyber Security and International Law, in THE OXFORD HANDBOOK ON THE INTERNATIONAL LAW OF GLOBAL SECURITY 661-678 (Robin Geiss and Nils Melzer eds., Oxford University Press, 2021).

Responding to Hostile Cyber Operations: The “In-Kind” Option, 97 INTERNATIONAL LAW STUDIES 96-121 (2021) (with Durward E. Johnson).

Autonomous Cyber Capabilities and the International Law of Sovereignty and Intervention, 96 INTERNATIONAL LAW STUDIES 549-576 (2020), *reprinted in* AUTONOMOUS CYBER CAPABILITIES UNDER INTERNATIONAL LAW 126-151 (Rain Liivoja AND Ann Väljataga eds. NATO CCD COE, 2021).

Cyber Attacks and Cyber (Mis)information Operations during a Pandemic, 11 JOURNAL OF NATIONAL SECURITY LAW AND POLICY 247-284 (2020) (with Marko Milanovic), *reprinted in* COVID-19: THE LEGAL CHALLENGES 279-320 (Stephen Dycus & Eugene Fidell eds. 2020).

Common Article 1 and the Duty to “Ensure Respect,” 96 INTERNATIONAL LAW STUDIES 674-706 (2020) (with Sean Watts).

Taming the Lawless Void: Tracking the Evolution of International Law Rules for Cyberspace, 3:3 TEXAS NATIONAL SECURITY REVIEW 32-47 (Autumn 2020).

An International Attribution Mechanism for Hostile Cyber Operations, 96 INTERNATIONAL LAW STUDIES 196-222 (2020) (with Yuval Shany).

International Humanitarian Law and the Targeting of Non-State Intelligence Personnel and Objects, 31 DUKE JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW 309-347 (2020).

International Humanitarian Law and the Conduct of Hostilities, in THE OXFORD GUIDE TO INTERNATIONAL HUMANITARIAN LAW 147 -174 (Dapo Akande & Ben Saul eds., Oxford University Press, 2020).

NATO Collective Defense at 70: Confession and Response Revisited, 34 EMORY INTERNATIONAL LAW REVIEW 85-120 (2019).

Wired Warfare 3.0: Protecting the Civilian Population during Cyber Operations, 101(1) INTERNATIONAL REVIEW OF THE RED CROSS 333-355 (2019).

Classification of Cyber Capabilities and Operations as Weapons, Means, or Methods of Warfare, 95 INTERNATIONAL LAW STUDIES 179-225 (2019) (with Jeffrey Biller).

Uncertainty in the Law of Targeting: Towards a Cognitive Framework, 10 HARVARD NATIONAL SECURITY JOURNAL 148-194 (2019) (with Michael Schauss).

“Virtual” Disenfranchisement: Cyber Election Meddling in the Grey Zones of International Law, 19 CHICAGO JOURNAL OF INTERNATIONAL LAW 30-67 (2018), *reprinted in* INFORMATION WARFARE IN THE AGE OF CYBER CONFLICT 186-214 (Routledge, Christopher Whyte et al eds., 2020)

“Enemy Controlled Battlespace”: The Contemporary Meaning and Purpose of Additional Protocol I’s Article 44(3) Exception, 51 VANDERBILT JOURNAL OF TRANSNATIONAL LAW 1353-1380 (2018) (with Kubo Mačák).

International Cyber Norms: Reflections on the Path Ahead, 111:3 MILITAR RECHTELIJK TIJDSCHRIFT 12-20 (2018).

Invisible Injuries: Concussive Effects and International Humanitarian Law, 9 HARVARD NATIONAL SECURITY JOURNAL 72-99 (2018) (with Chad Highfill).

Assessing U.S. Justifications for Using Force in Response to Syria’s Attacks: An International Law Perspective, 9 JOURNAL OF NATIONAL SECURITY LAW AND POLICY 283-303 (2017) (with Christopher Ford).

Sovereignty in Cyberspace: Lex Lata Vel Non?, 111 AMERICAN JOURNAL OF INTERNATIONAL LAW UNBOUND 213-218 (2017) (with Liis Vihul).

International Law and the Military Use of Unmanned Maritime Systems, 98(2) INTERNATIONAL REVIEW OF THE RED CROSS 567-592 (2017) (with David Goddard).

Joint and Combined Targeting: System and Process, in WEIGHING LIVES IN WAR 298-324 (Jens Ohlin, Larry May & Claire Finkelstein eds. Oxford University Press 2017) (with Jeffrey Biller, Sean Fahey, David Goddard & Chad Highfill).

Respect for Sovereignty in Cyberspace, 95 TEXAS LAW REVIEW 1639-1670 (2017) (with Liis Vihul).

Peacetime Cyber Responses and Wartime Cyber Operations under International Law: An Analytical Vade Mecum, 8 HARVARD NATIONAL SECURITY JOURNAL 239-282 (2017).

Grey Zones in the International Law of Cyberspace, 42:2 YALE JOURNAL OF INTERNATIONAL LAW ONLINE 1-21 (2017).

Beyond State Centrism: International Law and Non-State Actors in Cyberspace, 21:3 JOURNAL OF CONFLICT AND SECURITY LAW 1-17 (2016) (with Sean Watts).

Investigations under International Humanitarian Law, in HANDBOOK OF THE LAW OF ARMED CONFLICT 556-71 (Rain Liivoja & Tim McCormack eds., Routledge 2016) (with Sasha Radin).

The Emergence of Legal Norms for Cyber Conflict, in BINARY BULLETS: THE ETHICS OF CYBERWARFARE 13-55 (Fritz Allhoff et. al., Oxford University Press, 2016) (with Liis Vihul).

The Nature of International Law Cyber Norms, in INTERNATIONAL LAW CYBER NORMS: LEGAL, POLICY AND INDUSTRY PERSPECTIVES 23-47 (Anna-Maria Osula & Henry Roigas eds., CCD COE, 2016) (with Liis Vihul).

Air Law and Military Operations, in THE HANDBOOK OF THE LAW OF MILITARY OPERATIONS 354-374 (Terry Gill & Dieter Fleck eds., 2d ed., Oxford University Press, 2016).

Targeting in Operational Law, in THE HANDBOOK OF THE LAW OF MILITARY OPERATIONS 269-306 (Terry Gill & Dieter Fleck eds., 2d ed., Oxford University Press, 2016).

The Tyranny of Context: Israeli Targeting Practice in Legal Perspective, 37 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL LAW 53-139 (2015) (with John Merriam).

In Defense of Due Diligence in Cyberspace, 125 YALE LAW JOURNAL FORUM 68-81 (2015).

The Decline of International Humanitarian Law Opinio Juris and the Law of Cyber Warfare, 50 TEXAS INTERNATIONAL LAW JOURNAL 189-231 (2015) (with Sean Watts).

Israeli Targeting: A Legal Appraisal, 68:4 NAVAL WAR COLLEGE REVIEW 15-33 (Autumn 2015) (with John Merriam).

The Use of Cyber Force and International Law, in OXFORD HANDBOOK ON THE USE OF FORCE IN INTERNATIONAL LAW 1110-30 (Marc Weller ed., Oxford University Press, 2015).

The Notion of ‘Objects’ during Cyber Operations: A Riposte in Defence of Interpretive Precision, 48 ISRAEL LAW REVIEW 81-109 (2015).

The Law of Cyber Targeting, 68:2 NAVAL WAR COLLEGE REVIEW 11-30 (2015); also published as TALLINN PAPER No. 7, 20 pp. (2015).

State Opinio Juris and International Humanitarian Law Pluralism, 91 INTERNATIONAL LAW STUDIES 171-215 (2015) (with Sean Watts).

Rewired Warfare: Rethinking the Law of Cyber Attack, 96 INTERNATIONAL REVIEW OF THE RED CROSS 189-206 (2014).

‘Below the Threshold’ Cyber Operations: The Countermeasures Response Option and International Law, 54 VIRGINIA JOURNAL OF INTERNATIONAL LAW 697-732 (2014).

‘On Target’: Precision and Balance in the Contemporary Law of Targeting, 7 JOURNAL OF NATIONAL SECURITY LAW AND POLICY 379-409 (2014) (with Eric Widmar).

Attacking ‘Islamic State’ and the Khorasan Group: Surveying the International Law Landscape, 53 COLUMBIA JOURNAL OF TRANSNATIONAL LAW BULLETIN 1-29 (2014) (with Louise Arimatsu).

Cyber Countermeasures and Effects on Third Parties: The International Legal Regime, 14 BALTIC YEARBOOK OF INTERNATIONAL LAW 1-21 (2014) (with M. Christopher Pitts), reprinted in INTERNATIONAL LAW FROM A BALTIC PERSPECTIVE 258-80 (Ineta Ziemele ed. 2021)

Drone Law: A Reply to UN Special Rapporteur Emmerson, 55 VIRGINIA JOURNAL OF INTERNATIONAL LAW DIGEST 13-28 (2014).

The Law of Cyber Warfare: Quo Vadis?, 25 STANFORD LAW AND POLICY REVIEW 269-99 (2014).

The Nature of International Law Cyber Norms, TALLINN PAPER No. 5, 31 pp. (2014) (with Liis Vihul).

The International Law of Unconventional Statecraft, 5 HARVARD NATIONAL SECURITY JOURNAL 349-376 (2014) (with Andru E. Wall).

Proxy Wars in Cyber Space: The Evolving International Law of Attribution, I(II) FLETCHER SECURITY REVIEW 55-73 (2014) (with Liis Vihul).

Legitimacy versus Legality Redux: Arming the Syrian Rebels, 7 JOURNAL OF NATIONAL SECURITY LAW AND POLICY 139-159 (2014).

Narrowing the International Law Divide: The Drone Debate Matures, 39 YALE JOURNAL OF INTERNATIONAL LAW ONLINE 1-14 (2014); reprinted in ONE NATION UNDER DRONES 133-149 (John Jackson ed., Naval Institute Press, 2018).

The Law of Air Warfare, in OXFORD HANDBOOK OF INTERNATIONAL LAW IN ARMED CONFLICT 118-144 (Andrew Clapham and Paola Gaeta eds, Oxford University Press, 2014).

Charting the Legal Geography of Non-International Armed Conflict, 90 INTERNATIONAL LAW STUDIES 1-19 (2014); 52 THE MILITARY LAW AND LAW OF WAR REVIEW 93-112 (2013).

Extraterritorial Lethal Targeting: Deconstructing the Logic of International Law, 52 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 77-114 (2013).

The Ibar River Bridge Attack: A Legal Assessment, 12 JOURNAL OF MILITARY ETHICS 376-379 (2013).

Wound, Capture, or Kill: A Reply to Ryan Goodman's "The Power to Kill or Capture Enemy Combatants", 24 EUROPEAN JOURNAL OF INTERNATIONAL LAW 855-861 (2013).

The Syrian Intervention: Assessing the Possible International Law Justifications, 89 INTERNATIONAL LAW STUDIES 744-756 (2013).

Cyber Activities and the Law of Countermeasures, in PEACETIME REGIME FOR STATE ACTIVITIES IN CYBERSPACE 659-690 (Katarina Ziolkowski ed. 2013).

"Out of the Loop": Autonomous Weapon Systems and the Law of Armed Conflict, 4 HARVARD NATIONAL SECURITY JOURNAL 231-281 (2013) (with Jeffrey C. Thurnher).

Precision Air Warfare and the Law of Armed Conflict, 89 INTERNATIONAL LAW STUDIES 669-695 (2013); 43 ISRAEL YEARBOOK ON HUMAN RIGHTS 297-319 (2013) (with Christopher Markham).

International Law in Cyberspace: The Penumbra Mist of Uncertainty, 126 HARVARD LAW REVIEW FORUM 176-180 (2013).

Autonomous Weapon Systems: A Reply to the Critics, 4 HARVARD NATIONAL SECURITY JOURNAL 1-37 (2013).

International Law in Cyberspace: The Koh Speech and Tallinn Manual Juxtaposed, 54 HARVARD JOURNAL OF INTERNATIONAL LAW ON-LINE 13-37 (2012), extract reprinted in CYBERSECURITY AND CYBERLAW 959-862 (Abraham Wagner and Nicholas Rostow eds., Carolina Academic Press, 2020).

Classification of Cyber Conflict, 17 JOURNAL OF CONFLICT AND SECURITY LAW 245-260 (2012); 89 INTERNATIONAL LAW STUDIES 233-251 (2013); reprinted in III LAW ON THE USE OF FORCE AND ARMED CONFLICT (Robert Cryer & Christian Henderson eds., Elgar, 2017).

Iraq (2003 Onwards), in INTERNATIONAL LAW AND THE CLASSIFICATION OF CONFLICT 356-386 (Elizabeth Wilmschurst ed., Oxford University Press, 2012).

Classification in Future Conflict, in INTERNATIONAL LAW AND THE CLASSIFICATION OF CONFLICT 455-477 (Elizabeth Wilmschurst ed., Oxford University Press, 2012).

The Status of Opposition Fighters in a Non-International Armed Conflict, 88 INTERNATIONAL LAW STUDIES 119-144 (2012); 42 ISRAEL YEARBOOK ON HUMAN RIGHTS 27-54 (2012).

Discriminate Warfare: The Military Necessity – Humanity Dialectic of International Humanitarian Law in PROTECTING CIVILIANS DURING VIOLENT CONFLICT: THEORETICAL AND PRACTICAL ISSUES FOR THE 21ST CENTURY 85-102 (David Lovell ed., Ashgate, 2012).

"Attack" as a Term of Art in International Law: The Cyber Operations Context, PROCEEDINGS OF THE 4TH INTERNATIONAL CONFERENCE ON CYBER CONFLICT 283-293 (Christian Czosseck, Rain Ottis & Katharina Ziolkowski eds., 2012).

The 'Use of Force' in Cyberspace: A Reply to Dr. Ziolkowski, PROCEEDINGS OF THE 4TH INTERNATIONAL CONFERENCE ON CYBER CONFLICT 311-316 (Christian Czosseck, Rain Ottis & Katharina Ziolkowski eds., 2012).

Unmanned Combat Aircraft Systems (Armed Drones) and International Humanitarian Law: Simplifying the Oft Benighted Debate, 30 BOSTON UNIVERSITY INTERNATIONAL LAW JOURNAL 595-619 (2012).

Iraq-Kuwait War (1990-1991), in VI MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW 376 (Rudiger Wolfrum ed., Oxford University Press, 2012).

Debellatio, in II MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW 1065 (Rudiger Wolfrum ed., Oxford University Press, 2012).

Cyber Operations and the Jus ad Bellum Revisited, 56 VILLANOVA LAW REVIEW 569-606 (2011).

Cyber Operations in the Jus in Bello: Key Issues, 87 INTERNATIONAL LAW STUDIES 89-110 (2011); 41 ISRAEL YEARBOOK ON HUMAN RIGHTS 113-135 (2011).

Drone Operations under the Jus ad Bellum and Jus in Bello: Clearing the "Fog of Law", 13 YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW 311-326 (2011).

Wings over Libya: the No-fly Zone in Legal Perspective, 36 YALE JOURNAL OF INTERNATIONAL LAW ONLINE 45-58 (2011).

Investigating Violations of International Law in Armed Conflict, 2 HARVARD NATIONAL SECURITY JOURNAL 31-84 (2011).

Cyber Operations in International Law: The Use of Force, Collective Security, Self-Defense, and Armed Conflicts, in DETERRING CYBERATTACKS: INFORMING STRATEGIES AND DEVELOPING OPTIONS FOR U.S. POLICY 151-78 (Computer Science and Telecommunications Board, National Academies Press, 2010).

Military Necessity and Humanity in International Humanitarian Law: Preserving the Delicate Balance, 50 VIRGINIA JOURNAL OF INTERNATIONAL LAW 795-839 (2010).

Deconstructing Direct Participation in Hostilities: The Constitutive Elements, 42 NEW YORK UNIVERSITY JOURNAL OF INTERNATIONAL LAW AND POLITICS 697-739 (2010).

Targeting in Operational Law, in THE HANDBOOK OF THE LAW OF MILITARY OPERATIONS 245-275 (Terry Gill & Dieter Fleck eds., Oxford University Press, 2010).

The Interpretive Guidance on the Notion of Direct Participation in Hostilities: A Critical Analysis, 1 HARVARD NATIONAL SECURITY JOURNAL 5-44 (2010), *reprinted in* INTERNATIONAL HUMANITARIAN LAW (John Cerone ed. 2014) (forthcoming)

Air Law and Military Operations, in THE HANDBOOK OF THE LAW OF MILITARY OPERATIONS 303-323 (Terry Gill & Dieter Fleck eds., Oxford University Press, 2010).

The Law of War at the Vanishing Point: Reflections on Law and War in the 21st Century, HARVARD INTERNATIONAL REVIEW 64-68 (Spring 2009).

Human Shields and International Humanitarian Law, 47 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 292-338 (2009); 38 ISRAEL YEARBOOK ON HUMAN RIGHTS 17-59 (2009). Republished in THE PROGRESSION OF INTERNATIONAL LAW: FOUR DECADES OF THE ISRAEL YEARBOOK ON HUMAN RIGHTS, AN ANNIVERSARY VOLUME 331-373 (Yoram Dinstein and Fania Domb eds. 2011)

International Law and Counterterrorism (with Dean Dwigans), in TOWARD A GRAND STRATEGY AGAINST TERRORISM 86-102 (Christopher Harmon et al., eds., McGraw-Hill, 2010).

Targeting Narcoterrorists in Afghanistan: The Limits of International Humanitarian Law, 12 YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW 301-320 (2009).

Targeting and International Humanitarian Law in Afghanistan, in 85 INTERNATIONAL LAW STUDIES 307-339; 39 ISRAEL YEARBOOK ON HUMAN RIGHTS 99 (2009).

Contemporary "Methods" of Warfare and International Humanitarian Law, in CRIMINAL JURISDICTION 100 YEARS AFTER THE 1907 HAGUE PEACE CONFERENCE, Proceedings of the 8th Joint Conference 317-324 (Willem J.M. van Genugten, Michael P. Scharf & Sasha E. Radin eds., Asser Press, 2009).

"Change Direction" 2006: Israeli Operations in Lebanon and the International Law of Self-Defense, 29 MICHIGAN JOURNAL OF INTERNATIONAL LAW 127-164 (2008); 84 INTERNATIONAL LAW STUDIES 265-301 (2008).

Lawyers on Horseback? Thoughts on Judge Advocates and Civil-Military Relations, 55 UCLA LAW REVIEW 1407-1436 (2008) (with Michael Kramer).

Proportionate and Discriminate Use of Weapons: Challenges for a Military Commander, 37 COLLEGIUM (College of Europe) 53-63 (2008), reprinted as *The Principle of Distinction and Weapons Systems on the Battlefield*, II:1 CONNECTIONS (PfP Consortium) 46-56 (2008).

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