

Prof. Yaffa Zilbershats

EDUCATION:

1992 Ph.D. Bar-Ilan University.

1980 LL.M N.Y.U. International Legal Studies.

1977 LL.B Bar-Ilan University, *Cum Laude*.

VISITS (INCLUDING POST-DOCTORATE) IN ACADEMIC INSTITUTES ABROAD:

15.9.2013 – 4.10.2013 - Bok Visiting International Professor in University of Pennsylvania Law School. Title of course at Penn Law: Legal Aspects of the Israeli-Palestinian Conflict.

2001-2002 Visiting Scholar, N.Y.U Law School.

OTHER PROFESSIONAL EXPERIENCE:

2014 - Member of the Committee for appointing directors at Hadassah

2012- Member for Keshev (Plesner) Committee for equality in military and civil service

2010-2015 Deputy President of Bar-Ilan University

2009 Member of a Public Committee For the Preparation of Citizenship Legislation.

2005 - 2006 Member of the Rubinstein Committee for reviewing Israeli Immigration & Citizenship Law.

2005 - 2015: Member of the Board of the Israel Democracy Institute.

Oct. 2004-2007 Dean, Faculty of Law, Bar-Ilan University.

2004 - 2007: Deputy President of the International Association of Jewish Lawyers and Jurists.

2007 - 2011: Vice President of the International Association of Jewish Lawyers and Jurists

2011 – 2015: Member of the Board of Governors of the International Association of Jewish Lawyers and Jurists (IAJLJ),

1995- 2015: Academic Adviser of IAJLJ and a member of the Advisory Board of Justice, the magazine of IAJLJ.

2004 - 2009: Member of the Board of Governors of the Jewish Agency.

2003-2004 Member of the committee reviewing parliamentary supervision of the Israeli security bodies.

2003-2004 Member of the Neeman committee for drafting the Constitution.

2001-2003 Vice-Dean, Faculty of Law, Bar-Ilan University.

1999-2006 Member of a committee nominated by the Prime Minister to review security issues.

1999-2001 Director in the Israeli Airports Authority.

1996-1997 Teaching Constitutional Law at the IDF.

1995-1999 Editor of the Bar-Ilan University Law Review "Bar-Ilan Law Studies".

1988-2010: Teaching International Law, Constitutional Law and Human Rights Law at Bar-Ilan University.

TEACHING FIELDS:

International Law, Constitutional Law, Human Rights Law.

LAW REVIEW EDITORIAL BOARD MEMBERSHIP:

1994-2015 Editorial Board of "Justice" - Journal of the International Association of Jewish Lawyers and Jurists.

1995-1999 Editor of the Bar-Ilan University Law Review "Bar-Ilan Studies in Law".

CONFERENCES, WORKSHOPS AND TALKS ORGANIZED:

3/3/2014 – The Second Agunah Summit 2014: Resolving the Agunah Problem: State Solutions vs. Non-State Solutions, Faculty of Law , Bar-Ilan University

19-22/6/2013- Conference of the Swiss-Israel Philosophy Foundation on Bioethics (in work)

22-26/6/2011- Conference of the Swiss-Israel Philosophy Foundation on War and Peace as Reflected by Religions.

2/2 – 5/2/2011 Jerusalem and the Dead Sea Conference on Israel as a Jewish and Democratic State, IAJLJ 14th Congress

16/12/2010 A seminar on " Bishvil Hanefesh (In the Soul's Path/For the Soul): Faith, Atheism and Psychotherapy, at Bar-Ilan University.

30/6-4/7/2010 London Conference on Democratic and Legal Norms in the Age of Terror, IAJLJ in cooperation with UKAJLJ.

21/10/2009 Symposium on Ethical and Legal Aspects in the War against Terror, Bar-Ilan University Faculty of Law and the IAJLJ.

21-24/6/2007 Conference of the Swiss-Israel Philosophy Foundation on: Religion and Public Space: Cross-Cultural Dimensions.

5-7/6/2007 International Conference on: Forty Years after 1967: Reappraising the Role and Limits of the Legal Discourse on Occupation in the Israeli-Palestinian Context.

15-18/6/2006 Conference of the Swiss-Israel Philosophy Foundation on: The Justification and Limits of Humanitarian Intervention: Normative and Practical Aspects.

25-26/1/2006 International Conference, Bar Ilan University on: Academic Freedom & the Politics of Boycotts.

22/11/2005 Conference of the Rector Stage on: Academic Ivory Tower: Is There Politics in the Academy? Is the Science Pure?

10-13/11/2005 Conference of the International Association of Jewish Lawyers and Jurists: Legal Issues - International Aspects.

9/11/2005 Panel in Memory of Prime Minister Izhak Rabin- A Decade to the Murder: Is the Nationality has been shot?

15/6/2005 Panel in honor of Dr. Shachar Lifshits' book on Cohabitation Law in Israel.

7/6/2005 Panel in Honor of the book of the President of the Supreme Court, Justice Aharon Barak, on the Judge in a Democracy.

24/5/2005 International Taxation Panel in honor of the book of Dr. Tsilly Dagan.

20/12/2004 Lecture of Prof. Irwin Cotler on: Pursuit of Justice.

14-15/6/2004 International Conference in Bar-Ilan University on: War Terrorism and Rogue States.

23-26/12/2002 International Conference of the International Association of Jewish Lawyers and Jurists on: Israel 2004- Dilemmas and Solutions.

The Jolson Center:

19-21/3/2001 Conference, The Supreme Court of Israel.

14-15/1/2002 Conference, The Habad Movement in the 20th Century.

The Posen Program for Jewish Civilization:

Lectures:

25/4/2002 by Prof. Elyezer Schweid, The Foundations of the Identity of the Jewish People.

10/3/2002 by Prof. S.N. Eisenstadt, The Jewish Historical Experience in the Framework of Comparative Universal History.

30/1/2002 by Prof. Shlomo Avineri, Self-determination and the Burden of History in the Crystallization of Modern Jewish Identity.

Forum on Jewish Identity over the Ages:

13/5/2002 Debate on Jewish Secular Identity.

22/4/2002 Status of Women in the Religious Zionist Movement.

18/3/2002 The "Shas" Movement.

PARTICIPATION IN CONFERENCES, WORKSHOPS AND INVITED LECTURES:

20/11/2014 - The Eilat Conference on International Human Rights and Israel – Politicization or a Complex Reality? , IAJLJ 15th Congress. Lecture on Occupation and Apartheid.

3/3/2014 – The Second Agunah Summit 2014: Resolving the Agunah Problem: State Solutions vs. Non-State Solutions, Faculty of Law, Bar-Ilan University. Chairman of the 2th session: The State's Role in Finding a Solution to the Plight of Mesoravot Get.

16-17/6/13 The Israel Democracy Institute: The Place of Religious Zionism in Israeli Society: integration, separatism or leadership? Chairman of the 8th session.

17-18/3/13 The Israel Democracy Institute & Metzilah: International Conference on Immigration and the Future of the Nation State. Chairman of session and concluding remarks.

20-22/12/12 The Israeli Association of Public Law Conference. Participating in a panel: The duty to serve in the army or in civil service.

31/1/2012 The Seventh Ambassadors' Forum, Bar-Ilan University: "UNRWA, Refugees and the Peace Process: Options and Alternatives". Lecture on "Return of the Palestinian Refugees to the State of Israel"

5-7/7/2011 Lo-Bashamayim Colloquium. Participation in two panels: "Zionism in International Law" and "Law and Morality".

6/6/2011 Nitzotzot, the president's Doctoral Forum for Innovation in Torah and Science, Bar-Ilan University. Conference on The Status of Refugees in law and in Halacha. Lecture on "Designing Immigration Policy to the State of Israel".

12/5/2011 Haifa Conference of Institute of Advances Judicial Studies and The Faculty of Law of Haifa University on Refugees and Immigration Laws. Opening lecture: "Criteria for Designing Immigration Policy to Israel"

1/4/2011 Israel Studies Colloquium at Monash University, Melbourne, Australia on: The Israeli Nation State: Political, Constitutional and Cultural Challenges. Lecture on "The Role of The Majority and The Minority in Shaping The Immigration to Israel".

3/2/2011 Jerusalem and The Dead Sea Conference on Israel as a Jewish and Democratic State, IAJLJ 14th Congress. Lecture on "Return to the State of Israel: Whose Right is it?"

18/1/2011 The Israel Democracy Institute & The Van Leer Jerusalem Institute: Conference on The Rabbis letter: Undermining Society and Democracy? Chairman of a panel on politics.

4/10/2010 Seminar for the management of the General Security Services on International Law. Lecture on Universal Jurisdiction- Directions and Changes.

30/6/2010 London Conference on Democratic and Legal Norms in the Age of Terror, IAJLJ in cooperation with UKAJLJ. Panel on Universal jurisdiction –Other Perspectives.

10-13/6/2010 The Fifth Swiss Israel Philosophy Foundation on: The End of The nation State? Theoretical Dimensions and Historical Realities. Lecture on International Law Limitations on National Sovereignty.

30-31/5/2010 Interdisciplinary Center Herzlia , Conference on "Law and Man", in Honor of professor Amnon Rubinshtein . Lecture on Global Justice Considerations in Designing Immigration Policy for Israel.

26-27/5/2010 Workshop of The Israel Democracy Institute on: Binational State as an Alternative to A Jewish Democratic State: A Critical Approach.

18/2/2010 ISA Annual Conference , New Orleans. Lecture on Cast Lead Operation from a Moral and Ethical Point of View.

5/1/2010 Conference on: Israel and International Law: Developments and Tendencies in 2009, chairman of a panel on Legal Implications of Cast Lead Operation. The Hebrew University.

21/10/2009 Symposium on Ethics & Law in The War Against Terror, Bar Ilan Law Faculty with IAJLJ.

1-2/6/2009 Ono Academic College and Columbia University Law School, a Conference on Legal Aspects of the Fight Against Terrorism.

25-27/5/2009 Minerva Conference on Human Rights and Justice in Immigration: National & International Perspectives. Lecture on Global Justice and Immigration.

9-10/12/2008 Conference on 60 Years since the Adoption of the UDHR: The Genocide Convention. Panel on Realistic Expectations from International Law.

8-9/12/2008 Minerva Bi-Annual Conference on Human Rights: Lecture on Judicial Review of Immigration Issues.

19-22/6/2008 The Third Swiss Israel Philosophy Foundation: The Politics of Distributive Justice: Norms and Implementation Modalities, Response to Michael Walzer on Global and Local Justice.

2-4/6/2008 Conference in Honor of Michael Walzer on: Justice, Culture and Tradition.

18-19/3/2008 Symposium on "America-Israel Dialogue: Human Rights and Security", The Interdisciplinary Center Herzliya & The American Jewish Congress. Panel on: Human Rights and Security Needs in International Law.

10-13/3/2008 Human Life and Dignity Conference at The Jerusalem Center for Ethics Mishkenot Sha'ananim. Lecture on: The Sanctity of Combatants' Life in International Law.

19-20/6/2007 Conference at Ono Academic College on: Fifteen Years of Basic Laws -The Influence of the Basic Laws on Non-Constitutional Law.

11-13/6/2007 23rd Annual AIS Conference on: Israel as an Immigrant Society: Between the Melting Pot and Multiculturalism.

10/1/2007 Seminar at Tel Aviv University, Lecture: The Impact of International Law on Israeli Public Law.

7/1/2007 Conference at Sha'arei Mishpat College on: Private Law, Public Law and What is Between Them.

31/10/2006 Seminar at Bar-Ilan University on: Statehood in the Test of Reality - from Security to Clear Thinking.

26-28/6/2006 The 30 Annual Conference of History on Peace & War.

15-18/6/2006 Conference of the Switzerland-Israeli Philosophy Foundation on: The Justification and Limits of Humanitarian Intervention: Normative and Practical Aspects.

29-30/1/2006 International Conference at the Inter Disciplinary Center Herzelya, on: International Influences on National Legal Systems.

2-5/1/2006 The 6th Assembly of the Orthodox Leadership, Lecture on: Jewish and Democratic State — in the Test of Time.

2004-2005 Workshop on: "Equality", Bar Ilan University.

15/11/2005 Interdisciplinary Conference on: Environment, Medicine & Law in the Boundaries of Israel.

29/5-1/6/2005 International Conference at Haifa University, lecture on: From Nuremberg to Rome: The Creation of International Criminal Law, A Critical Analysis.

11/4/2005 Conference at Tel Aviv University on the Palestinians lecturing on: Do the Palestinians Have a Right to Return to the State of Israel?

14-17/11/2004 Conference of the GA of the Jewish Communities in Cleveland Ohio, lecture on A Constitution to the State of Israel.

18/3/2004 Colloquium in honor of Justice Dalia Dorner, lecture on the Jewish Identity of the State of Israel in the Decisions of Justice Dalia Dorner.

22/1/2004 Panel at Tel Aviv University on the Separation Fence.

- 2002-2003 Workshop on: "Citizenship and Return", Bar-Ilan University.
- 29/12/2003 Panel at Tel-Aviv University on the Palestinian Refugees.
- 14-16/12/2003 Conference in the Hebrew University in Jerusalem, a lecture on: International Criminal Court.
- 14/1/2003 Panel organized by the Israeli History Society, lecturing on Genocide and International Law.
- 16-18/12/2002 International Conference in Haifa University on: The Crime and the Punishment.
- 6/11/2002 Panel at the Hebrew University on The Right Of Return of the Palestinian Refugees.
- 12-15/12/2001 Conference of the International Association of Jewish Lawyers and Jurists, Moderator of a panel on: Human Rights Issues in a Confrontation with Non-State Belligerents - A Delicate Balance.
- 3/12/2001 Lecturing to Judges on Constitutional Remedies.
- 4/6/2001 Panel of the for Public Law Association: lecture on Basic Law: The Government.
- 3-5/6/2001 Conference in the Hebrew University in Jerusalem, Moderator of a panel on: Compliance with International Norms.
- 13-17/5/2001 Eilat Conference, lecture on Administrative Law.
- 17/1/2001 Panel on Human Rights at Tel Aviv University faculty of Law lecture on Current Human Rights Decisions of the Israeli Supreme Court.
- 13-16/8/2000 Conference of the International Association of Jewish Lawyers and Jurists, a Lecture on: Update on Human Rights Decisions.
- 4/5/2000 Conference at Haifa University on Lands in Israel: Between Zionism and Equality. Lecture on the Right to Residence.
- 14/1/2000 Conference at the Minerva center for Human Rights on Citizenship: The Concept of Citizenship - Reconsidered.
- 12/1998 International Public Trial: The International Association of Jewish Lawyers and Jurists on "Freedom of Political Expression".
- 12/1998 Conference on The Law in Israel in the Next Jubilee.
- 12/1995 Conference on The Right to Equality and Otherness.
- 3/1993 International Symposium on Anti-Semitism. Sponsored by Bar-Ilan University (Held in London).
- 12/1992 International Public Trial: The International Association of Jewish Lawyers and Jurists on "International Terror".

6/1992 International Symposium on "Anti-Semitism - Old and New" - in the Framework of the Dedication of the Law Faculty Building.

1989, 1990, 1991, 1992 Annual Lectures of the Raoul Wallenberg Chair for the Study of Human Rights.

1988 Conferences on Human Rights on the Occasion of the Inauguration of the Raoul Wallenberg Chair for the Study of Human Rights.

INVOLVEMENT IN NATIONAL/INTERNATIONAL ACADEMIC COMMITTEES/PRIZE COMMITTEES:

2013 Head of the committee to the promotion of Dr. Amichai Cohen to the rank of Associate Professor in the law faculty of Ono Academic College

2011 Member of the committee to the promotion of Dr. Iris Kanor to the rank of Associate Professor in the law faculty of the College on Management.

2011 A member of the Committee of Israel Prize in the Research of Law

2009 Member of the Committee of the Israel Science Foundation.

2005 Committee of the Switzerland-Israeli Philosophy Foundation (by Keren Kayemet Le' Israel).

2001 Committee of the Israel Science Foundation.

SUPERVISION OF RESEARCH STUDENTS:

Supervised number of Ph.D. & L.L.M. students.

PUBLIC POSITIONS:

2014 - Member of the Committee for appointing directors at Hadassah

2012- Member for Keshev (Plesner) Committee for equality in military and civil service

2010- present Deputy president, Bar-Ilan University

2009 Member of the Public Committee for the Preparation of Citizenship Legislation.

2005-2006 Member of the Rubinstein's committee nominated by the Minister of Interior to review Israel's Immigration and Citizenship Laws.

2004 - 2007 Deputy President of the International Association of Jewish Lawyers and Jurists.

2007 - 2011 Vice President of the International Association of Jewish Lawyers and Jurists

2003-2004 Member of the Ne'eman committee for drafting the Constitution.

2003-2004 Member of the committee reviewing parliamentary supervision of the Israeli security bodies.

1999 - 2006 Member of a committee nominated by the Prime Minister for reviewing personal security details.

1999-2001 Director in the Israeli Airports Authority.

1995-present Academic Adviser of the International Association of Jewish Lawyers and Jurists.

PUBLICATIONS

HEBREW

BOOKS (EDITOR)

The Law of Israel in the Next Jubilee (Yedidya Z. Stern, Yaffa Zilbershats eds., 2003).

POSITION PAPER

Return of Palestinian Refugees to the State of Israel (Mezila, 2010)

Articles

1. *Ruth Lapidot - In honor of her receiving the Israel Prize*, 59 *Orech Hadin* 40 (2006).
2. *Coping with the non-Jewish Immigration to Israel (case comment)*, 10 *Mishpat U'Mimshal* 87 (2006).
3. *A Jewish Democratic State in the Decisions of Judge Dalia Dorner*, 22(2) *Bar Ilan Law Stud.* 463 (2006).
4. *The IDF in the West Bank and Gaza: Legitimate Belligerent Occupation or Prohibited Colonialism*, 20 *Bar-Ilan L. Stud.* 547 (2004).

5. *Should the Right to Residence Be Attributed to Minorities Only*, 6 Mishpat U'Mimshal 87 (2001).
6. *Citizenship – What is it and what is it going to be?* 16 Bar-Ilan L. Stud. 85 (2000)
7. *Freedom of Movement Within a State*, 4 Mishpat U'Mimshal 793 (1998).
8. *The Role of International Law in Israeli Constitutional Law*, 4 Mishpat U'Mimshal 47 (1997).
9. *Coping with Dangerous Drugs under International and Israeli Law*, 13 Bar-Ilan L. Stud.461 (1996).
10. *Commercial Speech*, 3 Mishpat U'Mimshal 509 (1996).
11. *Preventing a Person from Leaving a Country by Court Order*, 12 Bar-Ilan L. Stud. 71 (1995).
12. *The Right to Leave a Country*, 23 Mishpatim 69 (1994).
13. *The Adoption of International Law into Israeli Law: The Real is Ideal*, 24 Mishpatim 317 (1994).

BOOK CHAPTERS

1. *Freedom of Movement*, in *International Law* 189 (2003).
2. *Citizenship: What it is and what it will be*, in *The Law of Israel in the Next Jubilee* (Yedidya Z. Stern, Yaffa Zilbershats eds., 2003).

SERIES OF PAMPHLETS (EDITOR)

Zivion-Series of position papers on various issues regarding the friction between religion and state. (Co-editor with Yedidya Z. Stern).

FOREIGN LANGUAGES

BOOKS (AUTHOR)

The Human Right to Citizenship (Transnational) N.Y., 2002.

ARTICLES

1. *Response to the Article "Apartheid, International Law, and the Occupied Palestinian Territory"* EJIL (2013), Vol. 24 No. 3, 915–928.

2. *Sovereign States Control of Immigration: A Global Justice Perspective*, 43(1) Israel Law Review 126 (2010).
3. *The Court is not Competent to Hear Political Non-Legal Submissions*, 38 Justice (2004).
4. *Universal Jurisdiction - the Waking Giant*, 35 Justice (2003).
5. *Reconsidering the Concept of Citizenship*, 36 Tex. Int'l L. J. 689 (2001).
6. *Update on Human Rights Decisions in Israel*, 26 Justice (2000).
7. *Extraditing Israeli Citizens to the U.S. - Extradition and Citizenship Dilemmas*, 21 Mich. J. Int'l L. 297 (2000).
8. *Social Justice in Israel*, 17 Justice (1998).
9. *The Adoption of International Law into Israeli Law: The Real is Ideal*, 25 Israel Year book on Human Rights 243 (1996).
10. *The Israeli Constitution After the Mizrahi Bank v. Migdal*, 10 Justice (1996).
11. *Highlighting Constitutional Changes in the Israeli Legal System*, 7 Justice (1995).
12. *The Right to Leave Israel and its Restriction on Security Grounds*, 28 Isr. L. Rev. 626 (1994).
13. *Combating International Terrorism Through the UN Council: Security The Libyan Case*, 6 The Newsletter of the International Association of Jewish Lawyers and Jurists (1992).

BOOK CHAPTERS

1. *A Jewish Majority as the Leading Criterion for Shaping Immigration Policy to Israel*, in *The Israeli Nation-State: Political, Constitutional, and Cultural Challenges* (Fania Oz-Salzberger and Yedidia Z. Stern eds., 2014), pp. 191-209.
2. *Housing Rights in Constitutional Legislation: A Conceptual Classification*, in *Contemporary Housing Issues in Contemporary Housing Issues in a Globalized World* (With Rachelle Alterman and Michelle Oren)(Padraic Kenna ed., 2014), pp.141-158
3. *No Right No Return - International Law and the Palestinian Right to Return to the State of Israel*, in *Max Planck Institute for International Law* (Eyal Benvenisti ed., 2007).

WORK IN PROGRESS

BOOKS

1. Legal Aspects of the Israeli Palestinian Conflict.
2. International Regulation of Planning (with Etti Rosenblum).
3. The Law of Immigration and Citizenship in Israel (with Liav Orgad).

ARTICLES

1. Rethinking the Implementation of International Law in the Israeli and the U.S.A Legal Systems
2. Theoretical Aspects of the International Regulation of Planning (with Etti Rosenblum).
3. Criticism of the Goldstone Report