

OONA A. HATHAWAY

Gerard C. and Bernice Latrobe Smith Professor of International Law
Yale Law School
127 Wall Street • New Haven, CT 06511
(203) 436-8969

PRESENT EMPLOYMENT

- 2009-present **YALE UNIVERSITY SCHOOL OF LAW**, New Haven, CT.
Gerard C. and Bernice Latrobe Smith Professor of International Law
Founder and Director, Center for Global Legal Challenges (since 2011)
Counselor to the Dean (2017-2022)
- 2010-present **YALE UNIVERSITY**, New Haven, CT
Professor of Political Science, Department of Political Science
Faculty, MacMillan Center for International and Area Studies (2010-2024)
Faculty, Jackson School of Global Affairs (previously Jackson Institute for International Affairs)
Yale University Faculty of Arts & Sciences (2015-present)
Budget Advisory Group (attended all budget meetings for more than 30 University units and advised the Provost on decisions related to the budget, which in FY 2025 included roughly \$6 billion in revenue) (2022-2025)

EXPERIENCE

- 2025-present **AMERICAN SOCIETY OF INTERNATIONAL LAW, Washington, DC**
President-elect (will assume 2-year presidency in April 2026)
- Fall 2025 **AMERICAN ACADEMY OF BERLIN**, Berlin, Germany
Berlin Fellow
- 2005-present **ADVISORY COMMITTEE ON INTERNATIONAL LAW FOR THE LEGAL ADVISER, U.S. DEPARTMENT OF STATE**, Washington, D.C.
Committee Member & Special Government Employee
- Fall 2022 **SCIENCES PO**, Paris, France
Visiting Fellow, MaxPo Center on Coping with Instability in Market Societies (formed in collaboration with Max Planck Institute for the Study of Societies)
- 2014-2015 **DEPARTMENT OF DEFENSE, OFFICE OF THE GENERAL COUNSEL**
Special Counsel to the General Counsel for National Security Law
Recipient of Office of the Secretary of Defense Award for Excellence
Top Secret/SCI Clearance, with CI
- 2008-2009 **U.C. BERKELEY SCHOOL OF LAW**, Berkeley, CA
Professor of Law
- 2002-2008 **YALE UNIVERSITY SCHOOL OF LAW**, New Haven, CT
Associate Professor of Law, 2002-2008; Professor of Law, 2008
- October 2006 **UNIVERSITY OF TORONTO FACULTY OF LAW**, Toronto, Canada
Distinguished Visitor

January 2006 **HARVARD LAW SCHOOL**, Cambridge, MA
 (Winter Term) *Jeremiah Smith Jr. Visiting Associate Professor*

2000-2002 **BOSTON UNIVERSITY SCHOOL OF LAW**, Boston, MA
Associate Professor

1999-2000 **HARVARD UNIVERSITY CENTER FOR ETHICS AND THE PROFESSIONS & HARVARD UNIVERSITY CARR CENTER FOR HUMAN RIGHTS POLICY**, Cambridge, MA
Eugene P. Beard Visiting Graduate Fellow

Summer 1999 **MCDERMOTT, WILL & EMERY**, Boston, MA & Washington, DC.
Associate

1998-99 **JUSTICE SANDRA DAY O’CONNOR**, U.S. Supreme Court, Washington, DC.
Law Clerk

1997-98 **JUDGE PATRICIA WALD**, U.S. Court of Appeals, D.C. Circuit, Washington, DC.
Law Clerk

EDUCATION

YALE LAW SCHOOL, J.D., June 1997
Yale Law Journal, Editor-in-Chief
Yale Journal of International Law, Managing/Articles Editor
 Lowenstein International Human Rights Clinic

HARVARD COLLEGE, B.A. in Government, *summa cum laude*, June 1994
 Thomas Temple Hoopes Prize (for outstanding research and writing)
 Gerda Richards Crosby Prize (for outstanding research and writing)
 Phi Beta Kappa, John Harvard Scholar, Elizabeth Agaziz Award, Dean’s List

PROFESSIONAL MEMBERSHIPS, SERVICE, AND HONORS

American Academy of Arts and Sciences (elected 2025)
 Guggenheim Fellow, 2025-2026
 Belin Prize, American Academy of Berlin (2025)
 Reporter, Restatement (Fourth) of the Foreign Relations Law of the United States,
 American Law Institute (since 2023); Member (since 2017); Adviser to the
 Domestic Effect of Treaties (2013-18)
 Nonresident Scholar, Carnegie Endowment for Peace (since 2023)
 Co-organizer, “The UN Security Council and the Rule of Law” Panel Series 2023-
 26, with the Permanent Mission of Austria to the United Nations in New York
 Founding Editor & Executive Editor, JustSecurity.org
 Council on Foreign Relations, Member (since 2011)
 Advisory Committee to the IACC Treaty Committee, Integrity Initiatives
 International (since 2022)
 Bar memberships: United States Court of Appeals for the Second Circuit (admitted
 in 2019); Connecticut (admitted 2017); U.S. Supreme Court Bar (admitted in
 2009); Washington, D.C. Bar (admitted in 2000); New York State Bar, Third
 Department (admitted in 1998)

Order of the Coif Distinguished Visitor, 2023
 Council of Advisers on Application of the Rome Statute to Cyberwarfare (2019-21)
 ABA Working Group on Proxy Warfare (2018-19)
 Secured grant of over \$400,000 from Hewlett Foundation to support
 interdisciplinary 2-year cyber-security initiative at Yale in 2016-2018
 Board of Editors, Yale Journal of International Law (2009-16)
 Board of Editors, J. of International Law & International Relations (2006-18)
 Board of Directors, Yale Law Journal Co., 2006-08
 Nonresident Fellow, New American Foundation, 2006-07
 Recipient of The MacMillan Center's Director's Award, 2004
 Recipient of Carnegie Scholars Award, 2004

BOOKS & RESTATEMENT VOLUMES

[THE INTERNATIONALISTS](#): HOW A RADICAL PLAN TO OUTLAW WAR REMADE THE
 WORLD (with Scott Shapiro) (2017, Simon & Shuster)
 Editions: U.K. Edition (Penguin Allen Lane) [published](#) September 2017;
 Japanese Edition [published](#) 12 October 2018; Italian Edition [published](#)
 November 2018; Chinese Edition [published](#) in Fall 2021.
 Recognition: *New York Times Book Review* Editors' Choice; *The Economist*,
 "Books of the Year 2017"; 2018 Scribes Book Award Winner; Shortlisted
 for Lionel Gelber Prize, Duke of Westminster Prize for Military Literature.

[FOUNDATIONS OF INTERNATIONAL LAW AND POLITICS](#) (with Harold H. Koh)
 (Foundation Press 2004) (a reader intended for legal and political science
 audiences), reviewed in Christopher C. Joyner, *International Law Is, as
 International Relations Theory Does?*, 100 AM. J. INT'L L. 248 (2006)

[RESTATEMENT OF THE LAW FOURTH: THE FOREIGN RELATIONS LAW OF THE UNITED
 STATES](#), Preliminary Draft No. 1 (Feb. 2024) (with Curtis Bradley & William
 Dodge); Preliminary Draft No. 2 (Feb. 2025) (with Curtis Bradley & William
 Dodge)

ARTICLES AND CHAPTERS

[Recognition Rules](#), 100 NYU LAW REVIEW 785 (2025) (with Justin Cole & Alaa
 Hachem)

[The Dangerous Rise of "Dual-Use" Objects in War: History, Evidence, and the
 Case for Reform](#), 134 YALE LAW JOURNAL 2645 (2025) (with Azmat Khan & Mara
 Revkin)

[Might Not Right](#), FOREIGN AFFAIRS (June/July 2025) (with Scott J. Shapiro)

[Crisis and Change at the United Nations](#), 46 MICHIGAN JOURNAL OF
 INTERNATIONAL LAW 1 (2025) (with Maggie Mills and Heather Zimmerman)

[The effect of conflict on medical facilities in Mariupol, Ukraine: a quasi-
 experimental study](#) (with Danielle N. Poole, Daniel Andersen, Nathaniel A.
 Raymond, et al) 5 PLOS Global Public Health (2025)

[*Mistakes in War*](#), 173 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1 (2024) (with Azmat Khan)

[*International Law Goes to War in Ukraine*](#), 38 EMORY INTERNATIONAL LAW REVIEW 569 (2024)

[*For the Rest of the World, the President Has Always Been Above the Law*](#), FOREIGN AFFAIRS (July 16, 2024)

[*Don't Go to War with the ICC*](#), FOREIGN AFFAIRS (May 24, 2024)

[*International Law Scholarship: An Empirical Study*](#), 49 YALE JOURNAL OF INTERNATIONAL LAW 100 (2024) (with John D. Bowers)

[*War Unbound: Gaza, Ukraine, and the Breakdown of International Law*](#), FOREIGN AFFAIRS (May/June 2024)

[*War Reparations: The Case for Countermeasures*](#), 76 STANFORD LAW REVIEW 971 (2024) (with Maggie Mills & Thomas Poston)

[*A New Tool for Enforcing Human Rights: Erga Omnes Partes Standing*](#), 62 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 259 (2024) (with Alaa Hachem & Justin Cole)

[*Major Questions about International Agreements*](#), 172 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1845 (2024) (with Kristen Eichensehr)

[*The effect of conflict on medical facilities in Mariupol, Ukraine: a quasi-experimental study*](#) (with Danielle N. Poole, Daniel Andersen, Nathaniel A. Raymond, Jack Parham, Caitlin Howarth, Oona A. Hathaway, Kaveh Khoshnood, Yale Humanitarian Research Lab) PLOS Global Public Health (forthcoming 2024)

[*The Rise of Nonbinding Agreements*](#), 90 UNIVERSITY OF CHICAGO LAW REVIEW 1981 (2023) (with Curtis Bradley & Jack Goldsmith)

[*How the Erosion of U.S. War Powers Constraints Has Eroded International Law Constraints on the Use of Force*](#), 14 HARVARD NATIONAL SECURITY L. J. 336 (2023)

[*Has the Alien Tort Statute Made a Difference?: A Historical, Empirical, and Normative Assessment*](#), 107 CORNELL L. REV. 1205 (2022) (with Ellen Nohle & Chris Ewell)

[*Myths and Realities of Global Governance*](#), 45 HARV. J. PUBLIC POLICY 31 (2022)

[*The Covid-19 Pandemic and International Law*](#), 53 CORNELL INT'L L.J. 149 (2022) (with Preston J. Lim, Alasdair Phillips-Robins & Mark Stevens)

[*Keeping the Wrong Secrets: How Washington Misses the Real Security Threat*](#), FOREIGN AFFAIRS (January/February 2022)

[*Secrecy's End*](#), 106 MINNESOTA L. REV 691 (2021)

[*Congressional Oversight Over Modern Warfare*](#), 63 WILLIAM & MARY L. REV. 137 (2021) (with Tobias Kuehne, Randi Michel & Nicole Ng)

[*Nestlé USA, Inc. v. Doe and Cargill, Inc. v. Doe: The Twists and Turns of the Alien Tort Statute*](#), 2020-2021 ACS Supreme Court Review (October 27, 2021)

[*National Security Lawyering*](#), 68 UCLA LAW REVIEW 2 (2021)

[*The Transparency Crisis for Executive Agreements: An Empirical and Normative Analysis*](#), 134 HARVARD L. REV. 629 (2020) (w/ Curtis Bradley & Jack Goldsmith)

[*Aiding and Abetting in International Law*](#), 104 CORNELL LAW REVIEW 1593 (2019) (with Srinath Kethireddy, Alexandra Francis, Alyssa Yamamoto & Aaron Haviland)

[*Response*](#), *Roundtable on The Internationalists: How a Radical Plan to Outlaw War Remade the World*, H-Diplo (Nov. 18, 2019) (with Scott Shapiro)

A Comparative Foreign Relations Law Agenda: Opportunities and Challenges, in [*OXFORD HANDBOOK OF COMPARATIVE FOREIGN RELATIONS LAW*](#) (Curtis Bradley, ed., 2019)

[*International Law and Its Transformation Through the Outlawry of War*](#), 95 INTERNATIONAL AFFAIRS 45 (Oxford Univ. Press 2019) (with Scott Shapiro)

[*Yemen: Is the U.S. Breaking the Law?*](#), HARVARD NATIONAL SECURITY REVIEW (2019) (with Srinath Kethireddy, Alyssa Yamamoto, and Aaron Haviland)

[*What is a War Crime?*](#) YALE JOURNAL OF INTERNATIONAL LAW (2019) (with Paul Strauch, Beatrice Walton, Zoe Weinberg)

[*Response to Critics*](#), [*GLOBAL CONSTITUTIONALISM*](#), Vol. 7, No. 3 (2018) (with Scott Shapiro) (Agora on *The Internationalists*, in *Global Constitutionalism*)

[*War Manifestos*](#), 85 CHICAGO LAW REVIEW 1139 (2018) (with William Holste, Scott Shapiro, Jacqueline Van De Velde, and Lisa Wang Lachowicz)

[*War Manifestos Database*](#), Yale Law School (with William Holste, Scott Shapiro, Jacqueline Van De Velde, and Lisa Wang Lachowicz)

[*Ensuring Responsibility: Common Article 1 and State Responsibility for Non-State Actors*](#), 95 TEXAS LAW REVIEW 539 (2017) (with Emily Chertoff, Lara Domínguez, Zachary Manfredi and Peter Tzeng)

[*Consent is Not Enough: Why States Must Respect the Intensity Threshold in Transnational Conflict*](#), 165 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 11 (2016) (with Rebecca Crootoft, Daniel Hessel, Julia Shu, and Sarah Weiner).

[*Asking for Directions: The Case for Federal Courts To Use Certification Across Borders*](#), YALE LAW JOURNAL FORUM (November 2015) (with Michael Wishnie).

Fighting the Last War: The United Nations Charter in the Age of the War on Terror, in [*THE U.N. CHARTER*](#) (Joseph Lambert & Ian Shapiro, eds.) (2014).

[*Consent-Based Humanitarian Intervention*](#), 46 CORNELL INTERNATIONAL LAW JOURNAL 499 (2013) (with Julia Brower, Ryan Liss, Tina Thomas, & Jacob Victor).

[*The Power to Detain: Detention of Terrorism Suspects After 9/11*](#), YALE JOURNAL OF INTERNATIONAL LAW (2013) (with Samuel Adelsberg, Spencer Amdur, Philip Levitz, Freya Pitts, and Sirine Shebaya).

[*The Treaty Power: Its History, Scope, and Limits*](#), CORNELL LAW REVIEW (2013) (w/ Spencer Amdur, Celia Choy, Samir Deger-Sen, Haley Nix, John Paredes & Sally Pei).

[*Tortured Reasoning: The Intent to Torture Under International and Domestic Law*](#), 52 VIRGINIA J. OF INT'L LAW 791 (2012) (w/ Aileen Nowlan & Julia Spiegel).

Between Power and Principle, in [THE ROLE OF ETHICS IN INTERNATIONAL LAW](#) (Donald Earl Childress III, ed.) (Cambridge University Press, 2012).

[*The Law of Cyber-Attack*](#), CALIFORNIA LAW REVIEW (2012) (with Rebecca Crootof, Philip Levitz, Haley Nix, Aileen Nowlan, William Perdue, Julia Spiegel).

[*The Relationship Between International Humanitarian Law and Human Rights Law in Armed Conflict*](#), MINNESOTA LAW REVIEW (2012) (with Rebecca Crootof, Philip Levitz, Haley Nix, William Purdue, Chelsea Purvis, Julia Speigel).

[*International Law at Home*](#), YALE JOURNAL OF INTERNATIONAL LAW (2012) (with Sara Solow & Sabria McElroy).

[*International Law at a Crossroads*](#), YALE JOURNAL OF INTERNATIONAL AFFAIRS (2012) (with Sara Solow & Sabria McElroy).

[*Outcasting: Enforcement of Domestic and International Law*](#), 121 YALE LAW JOURNAL 252 (2011) (with Scott Shapiro).

[*Human Rights Abroad: When Do Human Rights Treaty Obligations Apply Extraterritorially?*](#), ARIZONA STATE LAW JOURNAL (2011) (with Philip Levitz, Elizabeth Nielsen, Aileen Nowlan, William Perdue, Chelsea Purvis, Sara Solow, and Julia Spiegel).

[*Limited War and the Constitution*](#), MICHIGAN LAW REVIEW (2011) (with Bruce Ackerman).

[*The Case for Promoting Democracy Through Export Control*](#), HARVARD JOURNAL OF LAW & PUBLIC POLICY 17 (2010).

[*Presidential Power over International Law: Restoring the Balance*](#), 119 YALE LAW JOURNAL 140 (2009).

[*Treaties' End: The Past, Present and Future of International Lawmaking in the United States*](#), 117 YALE LAW JOURNAL 1236 (2008).

[*International Delegation and Domestic Sovereignty*](#), LAW AND CONTEMPORARY PROBLEMS (2008).

[*Domestic Enforcement of International Law: Hamdan v. Rumsfeld*](#), in STORIES IN INTERNATIONAL LAW (Foundation Press, 2007)

[*Why Do Nations Commit to Human Rights Treaties?*](#), 51 JOURNAL OF CONFLICT RESOLUTION 588 (2007) (peer review journal).

[*The Continuing Influence of the New Haven School*](#), YALE JOURNAL OF INTERNATIONAL LAW 553 (2007).

[*Rationalism and Revisionism in International Law*](#), 119 HARVARD LAW REVIEW 1404 (2006) (with A. Lavinbuk).

[*Between Power and Principle: An Integrated Theory of International Law*](#), 72 UNIVERSITY OF CHICAGO LAW REVIEW 469 (2005), reviewed in *Legal Affairs* by Michael Ignatieff.

[*The New Empiricism in Human Rights: Insights and Implications*](#), AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS 206 (2004).

The International Law of Torture, in [TORTURE: PHILOSOPHICAL, POLITICAL, AND LEGAL PERSPECTIVES](#) (Sanford Levinson ed., Oxford University Press 2004).

[*The Cost of Commitment*](#), 55 STANFORD LAW REVIEW 1821 (2003).

[*Testing Conventional Wisdom*](#), 13 EUROPEAN JOURNAL OF INTERNATIONAL LAW 185 (2003) (peer review journal).

[*Do Human Rights Treaties Make a Difference?*](#), 111 YALE L. JOURNAL 1935 (2002)

[*Path Dependence in the Law: The Course and Pattern of Change in a Common Law Legal System*](#), 86 IOWA LAW REVIEW 601 (2001).

[*Positive Feedback: The Impact of Trade Liberalization on Industry Demands for Protection*](#), 52 INTERNATIONAL ORGANIZATION 575 (1998) (peer review journal).

APPELLATE BRIEFS AND EXPERT REPORTS

[*Russia's Systematic Program of Coerced Adoption and Fostering of Ukraine's Children*](#), Humanitarian Research Lab at Yale School of Public Health: New Haven. (Dec. 3, 2024) (with Nathaniel A. Raymond and Caitlin N. Howarth et al.)

[*Remote Assessment of Bombardment of Ukraine's Power Generation and Transmission Infrastructure*](#), 1 October 2022 to 30 April 2023, 29 February 2024. Humanitarian Research Lab at Yale School of Public Health and Ukraine Digital Verification Lab: New Haven (with Caitlin N. Howarth, Kaveh Khoshnood, Nathaniel A. Raymond et al.)

Expert Witness in *Mondelez International, Inc. v. Zurich American Insurance Company* (wrote expert report and testified before jury on the meaning of “war,” “hostilities,” and “hostile or warlike actions” and whether the cyber operation known as NotPetya met those definitions)

[*U.S. War Powers: Time For Reform Report of the Sub-Committee on War Powers – Princeton Initiative on Restoring the Constitutional Powers of Congress*](#) (with Tom Campbell and Andrew C. Rudalevige) (August 2024)

Counsel of Record, [*Amicus Brief for Yale Law School Center for Global Legal Challenges, Nestlé v. Doe & Cargill v. Doe*](#), U.S. Supreme Court (Oct. 2020) (merits stage)

Co-Counsel, [*Amicus Brief of Professors Jack Goldsmith and Oona Hathaway as Amici Curiae in Support of Appellants and Reversal, Edgar v. Ratcliffe*](#), U.S. Circuit Court of Appeals for the Fourth Circuit (August 2020) (on appeal from the U.S. District Court)

Counsel of Record, [*Amicus Brief for International Law and Foreign Relations Law Experts, Al-Alwi v. Trump*](#), U.S. Circuit Court of Appeals for the D.C. Circuit (October 2017) (on appeal from the U.S. District Court)

Counsel of Record, [*Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Jesner*](#), U.S. Supreme Court (June 2017) (merits stage)

Counsel of Record, [*Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Bond*](#), U.S. Supreme Court (August 2013) (merits stage)

Counsel of Record, [*Amicus Brief for Yale Law School Center for Global Legal Challenges, U.S. v. Bond*](#), U.S. Supreme Court (October 2012) (certiorari stage)

Counsel of Record, [*Supplemental Amicus Brief for Yale Law School Center for Global Legal Challenges, Kiobel v. Shell Oil Co.*](#), U.S. Supreme Court (June 2012)

Counsel of Record, [*Amicus Brief for Yale Law School Center for Global Legal Challenges, Kiobel v. Shell Oil Co.*](#), U.S. Supreme Court (December 2011)

Co-Counsel, [*Amicus Brief for Non-Governmental Organizations and Scholars as Amici Curiae in Support of Rehearing or Rehearing En Banc, Al-Bihani v. Obama*](#), Court of Appeals for the D.C. Circuit (March 22, 2010)

Counsel of Record, [*International Law Experts Brief, Kiyemba v. Obama*](#), U.S. Supreme Court (December 2009)

POPULAR AND OTHER SHORT WRITING

[*Is the Prohibition on the Use of Force Collapsing?*](#) Carnegie Endowment for International Peace (Aug. 26, 2025)

[*Trump's Strikes on Iran Were Unlawful. Here's Why That Matters*](#), N.Y. TIMES (June 23, 2025)

[*The New Transparency Rules and the El Salvador Detention Agreement*](#), JUST SECURITY (April. 17, 2025) (with Curtis Bradley & Jack Goldsmith)

[*A Step in the Right Direction for Prepublication Review*](#), JUST SECURITY (Feb. 6, 2025) (with Jack Goldsmith)

[*Should the Rebels be Recognized as the New Government of Syria? How International Law Could Provide a Clearer Answer*](#), JUST SECURITY (Jan. 6, 2025) (with Justin Cole)

[New Report Documents Russia’s Systematic Program of Coerced Adoption and Fostering of Ukraine’s Children](#), JUST SECURITY (Dec. 4, 2024) (with Isabel Gensler and Madeline Babin)

[Abu Ghraib Torture Survivors’ Landmark Win Gives Hope for Alien Tort Statute Case](#), JUST SECURITY (Nov. 20, 2024)

[We’re About to Find out How Much America’s Leadership Matters](#), N.Y. TIMES (Nov. 18, 2024)

[The ODNI’s New and Disappointing Prepublication Review Process](#), JUST SECURITY & LAWFARE (Sept. 4, 2024) (with Jack Goldsmith)

[How to Reform the UN Without Amending Its Charter](#), Carnegie Endowment (July 15, 2024) (with Maggie Mills and Heather Zimmerman)

[Can the UN Security Council Still Help Keep the Peace? Reassessing Its Role, Relevance, and Potential for Reform](#), Carnegie Endowment (July 2, 2024) (with Stewart Patrick)

[Transparency of International Agreements Under the Revised Case-Zablocki Act: An Assessment After Six Months](#), Just Security & Lawfare (June 10, 2024) (with Curtis Bradley & Jack Goldsmith)

[Role of International Law in Contemporary Times](#), Keynote Address for Conference “Nuclear Weapons and International Law: The Renewed Imperative in Light of the Ukraine War,” Georgetown International Law Journal Online (April 2024)

[How to Make Russia Pay to Rebuild Ukraine](#), Just Security (Feb. 20, 2024) (with Thomas Poston and Maggie Mills)

[Taking Stock of ICJ Decisions in the ‘Ukraine v. Russia’ Cases—And implications for South Africa’s case against Israel](#), Just Security (Feb. 5, 2024)

[The International Court of Justice’s Balancing Act](#), Carnegie Endowment for International Peace (Jan. 26, 2024) (with Mariano-Forentino Cuéllar)

[The Promise and Risk of South Africa’s Case Against Israel](#), Just Security (Jan. 4, 2024) (with Alaa Hachem)

[I Clerked for Justice O’Connor. She Was My Hero, but I Worry About Her Legacy](#), New York Times (Dec. 3, 2023)

[Seizing Sovereign Assets Violates International Law](#), Washington Post (Nov. 16, 2023) (with Thomas Poston and Maggie Mills)

[The Emergence of Collective Countermeasures](#), Articles of War (Nov. 1, 2023) (with Thomas Poston and Maggie Mills)

[In the Case Against Syria, a New Tool for Enforcing Human Rights](#), Just Security (Oct. 9, 2023) (with Alaa Hachem and Justin Cole)

[How the Expansion of “Self-Defense” Has Undermined Constraints on the Use of Force](#), Just Security (Sept. 18, 2023)

[*Recovering a Role for the Courts in Decisions to Wage War: How Congress Can Overcome the Political Question Doctrine \(Some of the Time\)*](#), Just Security (June 12, 2023) (with Aaron X. Sobel & Michael Sullivan)

[*What Donald Trump and Reality Winner Have in Common*](#), N.Y. Times (June 11, 2023)

[*It's Time to Fix Congress' Classification Infrastructure*](#), Just Security (May 31, 2023) (with Michael Sullivan and Aaron Sobel)

[*The Legal Authority to Create a Special Tribunal to Try the Crime of Aggression Upon the Request of the UN General Assembly*](#), Just Security (May 5, 2023)

[*How Russia's Invasion of Ukraine Tested the International Legal Order*](#), On the Record (Brookings Institution) (April 3, 2023)

[*Russia's Crime and Punishment: How to Prosecute the Illegal War in Ukraine*](#), Foreign Affairs (Jan. 17, 2023)

[*Congress Mandates Sweeping Transparency Reforms for International Agreements*](#), Just Security (December 23, 2022) (with Jack Goldsmith & Curtis Bradley)

[*Why We Need the Alien Tort Clarification Act Now*](#), Just Security (Oct. 27, 2022) (with Chris Ewell and Ellen Nohle)

[*Biden's New Counterterrorism Policy Guidance Further Entrenches the Forever War*](#), Just Security (October 10, 2022)

[*International Tribunal to Prosecute the Crime of Aggression Against Ukraine: An agreement between the United Nations and Ukraine can pave the way*](#), Just Security (Sept. 20, 2022)

[*Has the Alien Tort Statute Made a Difference?*](#) Transnational Litigation Blog (Aug. 1, 2022) (with Chris Ewell and Ellen Nohle)

[*A Crime in Search of a Court: How to Hold Russia Accountable*](#), Foreign Affairs (May 19, 2022)

[*The United States Finally Sees the Point of the International Criminal Court*](#), Washington Post (April 17, 2022)

[*The Best Path for Accountability for the Crime of Aggression Under Ukrainian and International Law*](#), Just Security (April 11, 2022) (with Alexander Komarov)

[*Ukraine's Constitutional Constraints: How to Achieve Accountability for the Crime of Aggression*](#), Just Security (April 5, 2022) (with Alexander Komarov)

[*Still at War: The United States in Somalia*](#), Just Security (March 31, 2022) (with Luke Hartig)

[*Still at War: The United States in Yemen*](#), Just Security (March 24, 2022) (with Luke Hartig)

[*Why China Giving Military Assistance to Russia Would Violate International Law*](#), Just Security (March 17, 2022) (with Ryan Goodman) (also available in [Chinese](#) and [Ukrainian](#))

[*International Law Goes to War in Ukraine*](#), Foreign Affairs (March 15, 2022)

[*Supplying Arms to Ukraine is Not an Act of War*](#), Just Security & Lawfare (March 12, 2022) (with Scott J. Shapiro)

[*To What Extent and Under What Conditions Might Cyber Operations or Cyberwarfare Constitute Crimes Specified in the Rome Statute?*](#) ICC Forum (Mar.5, 2022)

[*Putin Can't Destroy the International Order by Himself*](#), Just Security & Lawfare (Feb. 24, 2022) (with Scott J. Shapiro)

[*Prepublication Review and the Quicksand Foundation of Snepp*](#), Just Security (Jan. 31, 2022) (with Jack Goldsmith) (also posted on Lawfare)

[*An Opportunity for Congress to Require Transparency of the Executive's International Agreements*](#), Just Security (April 21, 2021) (with Curtis Bradley & Jack Goldsmith) (also posted on Lawfare)

[*Knowns and Unknowns of US Syria Strike: Looming Int'l and Domestic Law Issues*](#), Just Security (March 5, 2021)

[*Why Guantánamo Detainees Should Have Access to COVID Vaccines*](#), Just Security (Feb. 1, 2021) (with Ryan Goodman & Steve Vladeck)

[*The Failed Transparency Regime for Executive Agreements*](#), Just Security (Dec. 10, 2020) (with Curtis Bradley & Jack Goldsmith) (also posted on Lawfare)

[*Nestlé USA, Inc. v. Doe I*](#), Oral Argument 2.0 (December 2020)

[*Fewer troops won't end wars. Most U.S. combat involves airstrikes*](#), Washington Post (Dec. 4, 2020).

[*Covid-19 and International Law: A 12-Part Series*](#), Just Security (November 2020) (with Mark Stevens, Preston Lim, and Alasdair Phillips-Robins)

[*Reengaging on Treaties and Other International Agreements \(Part II\): A Path Forward*](#), Just Security (Oct. 6, 2020)

[*Reengaging on Treaties and Other International Agreements \(Part I\): President Donald Trump's Rejection of International Law*](#), Just Security (Oct. 2, 2020)

[*Welcome to the Post-Leader World*](#), Foreign Policy (July 4, 2020) (with Scott J. Shapiro)

[*Black Lives Matter Might Just Rescue American Democracy*](#), Just Security (June 16, 2020)

[*The Trump Administration's Indefensible Legal Defense of Its Asylum Ban*](#), Just Security (May 15, 2020)

[*After Covid-19, We Need to Redefine "National Security,"*](#) Slate (April 7, 2020)

[*Universal Health Care is a National Security Issue*](#), Just Security (March 12, 2020)

[*The Soleimani Strike Defied the U.S. Constitution*](#), The Atlantic (January 4, 2020)

[*How to Recover a Role for Congress and the Courts in Decisions to Wage War*](#), Just Security (Jan. 10, 2020) (with Geoffrey Block)

[*How to Revive Congress's War Powers*](#), Texas National Security Review (Nov. 2019)

[*Turkey is Violating International Law. It Took Lessons from the U.S.*](#), Washington Post (Oct. 22, 2019)

[*Good Governance Paper No. 5: Prepublication Review – How to Fix a Broken System*](#), Just Security & Lawfare (cross posted) (Oct. 19, 2020) (with Jack Goldsmith)

[*The Missing State Department Memo on US Officials' Possible Aiding and Abetting Saudi War Crimes*](#), Just Security (July 24, 2019)

[*Bolton's Stated Predicate for War With Iran Doesn't Work*](#), Just Security (May 31, 2019)

[*Trump's Golan Policy and Its Threat to the Post-War International Legal Order*](#), Just Security (May 16, 2019) (with Scott Shapiro)

[*What is a War Crime?*](#) Just Security (April 15, 2019) (with Paul Strauch, Beatrice Walton, and Zoe Weinberg)

[*Accountability for War Crimes in Syria: The "Criminalization" Confusion*](#), Just Security (April 11, 2019) (with Paul Strauch, Beatrice Walton, and Zoe Weinberg)

[*Saudi Coalition "Admission" of Error in Bombing Cholera Treatment Center Implicates the United States*](#), Just Security (Jan. 25, 2019)

[*Executive Agreements: International Lawmaking Without Accountability?*](#) Just Security & Lawfare (Jan. 9, 2019) (with Curtis A. Bradley and Jack Goldsmith)

[*The Death of Article II Treaties?*](#) Just Security & Lawfare (Dec. 13, 2018) (with Curtis A. Bradley and Jack Goldsmith)

[*The International Criminal Court is No Threat to America, But John Bolton Is*](#), Just Security & Newsweek (September 12, 2018)

[*Bruce Ohr Is One of the DOJ's Top Russia Crime Fighters. Is that why the president wants him fired?*](#) Just Security & Slate Magazine (August 30, 2018)

[*The Three Options for Prosecuting Trump*](#), Just Security & Slate Magazine (August 23, 2018)

[*Yemen in Crisis*](#) (10-article series), Just Security (Mar.-Apr., 2018) (with Alexandra Francis, Aaron Haviland, Srinath Reddy Kethireddy & Alyssa Yamamoto)

[*Bad Legal Arguments for the Syria Strikes*](#), Lawfare & Just Security (April 14, 2018) (with Jack Goldsmith)

[*The Downsides of Bombing Syria*](#), Lawfare & Just Security (April 10, 2018) (with Jack Goldsmith)

[*A Syria Plan that Breaks the Law*](#), New York Times (Jan. 23, 2018) (with Sen. Cory Booker)

[*The Big Picture: Trump, Trade and War*](#), Public Books (Nov. 10, 2017) (with Scott Shapiro)

[*What Realists Don't Understand About Law*](#), Foreign Policy (Oct. 9, 2017) (with Scott Shapiro)

[*The Internationalists vs. the Realists and Neocons*](#), Lawfare (September 25, 2017) (with Scott Shapiro)

[*Making War Illegal Changed the World. But It's Becoming Too Easy to Break the Law*](#), The Guardian (September 14, 2017) (with Scott Shapiro)

[*Outlawing War? It Actually Worked*](#), The New York Times (Sept. 2, 2017) (with Scott Shapiro)

[*How to Oppose Trump from Within Government*](#), Newsweek (January 2017) (with Sarah Weiner)

[*Why the Spike in Civilian Casualties of U.S. Military Action?*](#), Newsweek (March 2017)

[*Disappointing DoD Inspector General Report on Pre-Publication Review*](#), Lawfare & Just Security (cross-posted) (June 23, 2016) (with Jack Goldsmith)

[*The Scope of the Prepublication Review Problem, And What to Do About It*](#), Lawfare & Just Security (cross-posted) (Dec. 30, 2015) (with Jack Goldsmith)

[*More Problems with Prepublication Review*](#), Lawfare & Just Security (cross-posted) (Dec. 28, 2015)

[*Path Dependence and the Prepublication Review Process*](#), Lawfare & Just Security (cross-posted) (Dec. 28, 2015) (with Jack Goldsmith)

[*The Government's Prepublication Review Process is Broken*](#), Washington Post (December 26, 2015) (with Jack Goldsmith)

[*On Syria, a U.N. Vote Isn't Optional*](#), The New York Times (September 3, 2013) (with Scott Shapiro)

[*Attacking Syria without U.N. Approval Would Be A Mistake*](#), Washington Post (August 28, 2013) (with Scott Shapiro)

[*Going It Alone: The Anti-Counterfeiting Trade Agreement as a Sole Executive Agreement*](#), ASIL INSIGHTS (Aug. 24, 2011) (with Amy Kapczynski)

[*Our Unbalanced Democracy*](#), New York Times (August 1, 2011) (w/ Jacob Hacker)

[*Obama's Illegal War*](#), Foreign Policy (June 1, 2011) (with Bruce Ackerman)

[*The Death of the War Powers Resolution?*](#), Washington Post (May 18, 2011) (with Bruce Ackerman)

[*The World After Bin Laden*](#), Wash. Post (May 3, 2011) (with Bruce Ackerman)

[*The Clock is Ticking on Obama's War*](#), Foreign Policy (April 6, 2011) (with Bruce Ackerman)

[*It's Not Up to the President to Impose a No-Fly Zone Over Libya*](#), The Huffington Post (March 9, 2011) (with Bruce Ackerman)

[*Did Congress Approve America's Longest War?*](#) THE GUARDIAN (January 27, 2011) (with Bruce Ackerman)

[*How to Swing Arms Control: Obama Can Model Nixon and Clinton to Get a New Treaty Through Congress*](#), LA TIMES (April 3, 2010) (with Bruce Ackerman)

[*Hear the Uighurs: The Critical Guantanamo Case the Supreme Court Should Not Duck*](#), Slate Magazine (February 17, 2010) (with Rebecca Crootof)

[*What Will Congress Do About Afghanistan?*](#), Slate Magazine Online (December 9, 2009) (with Bruce Ackerman)

[*America needs to prepare for early Iraq pullout*](#), The Financial Times (August 23, 2009) (with Bruce Ackerman)

[*How Obama Can Fix an Illegal War, San Francisco Chronicle*](#) (Jan. 23, 2009) (with Bruce Ackerman)

[*The Iraq War is Now Illegal*](#), The Daily Beast (Jan. 1. 2009) (with Bruce Ackerman)

[*A legal time bomb in Iraq*](#), The Guardian (U.K.) (December 12, 2008) (with Bruce Ackerman)

[*Bush should include Congress, The Boston Globe*](#) (November 26, 2008) (with Congressman Bill Delahunt)

[*Bush's Final Illusion: The president's agreement with Iraq bypasses Congress. Again*](#), Slate Magazine (October 21, 2008) (with Bruce Ackerman)

[*The Case for Replacing Article II Treaties with Ex Post Congressional-Executive Agreements*](#), American Constitution Society Issue Brief (Nov. 16, 2008).

[*What Bush Will Surrender in Iraq*](#), TIME MAGAZINE (ONLINE), September 10, 2008 (with Bruce Ackerman)

[*Into No-Man's Land, THE L.A. TIMES, July 25, 2008*](#) (with Bruce Ackerman)

[*The War's Expiration Date*](#), THE WASHINGTON POST ONLINE, Saturday, April 5, 2008 (with Bruce Ackerman)

[*An Agreement That Needs Agreement*](#), THE WASHINGTON POST ONLINE, Saturday, Feb. 15, 2008 (with Bruce Ackerman)

[Why We Need International Law](#), THE NATION, November 19, 2007

A Tortured Way to Run War on Terror, NEWSDAY, October 26, 2005

Judge Roberts and International Law & other posts, Supreme Court Extra: Think Progress.

[Debate Club: Is International Law Really Useful?](#), LEGAL AFFAIRS (Jan. 2005)

The Court Puts the White House in its Place, NEWSDAY, June 30, 2004 (op-ed discussing the Supreme Court's cases on the rights of prisoners in the war on terror)

Human Rights and Security, a paper for the United Nations High Level Panel on Global Security Threats (commissioned by the UN Foundation) (2004)

[Two Cheers for International Law](#), 27 WILSON QUARTERLY 50 (Autumn 2003)

[Making Human Rights Treaties Work: Global Legal Information and Human Rights in the 21st Century](#), 31 INT'L J. OF LEGAL INFO. 312 (2003)

[Making Human Rights Treaties Work](#), Project Syndicate (Nov. 2002)

Book Note, The Politics of the Confirmation Process, 107 YALE L. J. 235 (1996)

Lifting the Veil, 19 HARV. POL. REV. 16 (Mar. 1992). Winner of the Kennedy School of Government Political Journalism Award.

TALKS AND MEDIA (last 2 years only)

[Might Unmakes Right with Professor Hathaway](#), The Ballpark Podcast (Aug. 26, 2025)

[Oona Hathaway on the Collapse of Norms Against the Use of Force](#), Lawfare Daily (Aug. 6, 2025)

[Civilian Agency in the Digital Realm](#), Beyond Compliance Podcast, (July 14, 2025) Organized Conference, "Are We Witnessing the End of the Prohibition on the Use of Force?" Carnegie Endowment for International Peace (June 23, 2025)

[As Trump Uses War and the Threat of War, He Ignores the UN and the US Congress](#), Background Briefing with Ian Masters (July 2, 2025)

[Talking Foreign Policy: President Trump's International Policy Shifts](#) (June 23, 2025)

[Does the Law of War Still Work?](#) Arizona State University, Sandra Day O'Connor School of Law (April 23, 2025) (remote)

War Unbound, Berkeley Public Law & Policy Workshop, U.C. Berkeley School of Law (Apr. 11, 2025) (remote)

["Mistakes" in War](#), See Generally Podcast (March 29, 2025)

International Law Chats: An ABILA Podcast, [Episode 1: U.S. v. Them?](#)

Territorial Conflict in a Changing Global Order, Vanderbilt Law School (Nashville, TN) (March 24, 2025)

[Law Will Tear U.S. Apart Again with Oona Hathaway](#), Asymmetrical Haircuts Podcast (Mar. 6, 2025)

Laws of Armed Conflict, American Academy of Arts and Sciences (March 5, 2025)

The Rise of Dual Use Objects in War, Columbia Law School: Colloquium in Global Legal Thought (Feb. 27, 2025)

[Would a US Takeover of Gaza be Against International Law?](#) BBC Newshour (Feb. 6, 2025)

[Trump, Conquest, & the Laws of War](#), Power Problems Podcast (Feb. 4, 2025)

[The Just Security Podcast: Russia's Program of Coerced Adoption of Ukraine's Children](#), Just Security Podcast (Dec. 4, 2024)

[The rules of war aren't protecting civilians. Can they be enforced?](#) NPR (interview by Greg Myre) (Oct. 30, 2024)

Secrecy, Accountability and the National Security State, Princeton University, Princeton, NJ (Nov. 1, 2024)

The War in Ukraine: Lessons Learned and Challenges Ahead for International Criminal Law, International Law Weekend, NY, NY (Oct. 24, 2024)

Can the International Court of Justice save the international order in the face of Security Council paralysis? Permanent Mission of Austria to the UN in New York & YLS Center for Global Legal Challenges, NY, NY (Oct. 23, 2024)

ASIL International Courts & Tribunals Interest Group Webinar: [Provisional Measures](#), online (Sept. 25, 2024)

The Dangerous Rise of Dual-Use Objects in War, University of Pennsylvania Law School, Philadelphia, PA (Sept. 24, 2024)

[ASIL Webinar on the ICJ and the Israel West Bank Opinion](#), online (Sept. 23, 2024)

Non-Legally Binding Instruments in International Law, Committee of Legal Advisers on Public International Law, Vienna, Austria (appeared remotely)

Women in International Law, New York Bar Association (Sept. 11, 2024) (New York, NY)

New Threats to International Peace & Dialogue on International Security, Alpbach, Austria (Aug. 24-26, 2024)

[A Better Way to Freeze \(and Seize?\) Russian Assets?](#), Clauses and Controversies Podcast (Aug. 20, 2024)

[Can Law Govern War? Gaza, Israel, and Beyond](#), Entitled Podcast (June 27, 2024)

Gaza, Ukraine, and the Breakdown of International Law, Council on Foreign Relations Annual Meeting, New York, NY (June 14, 2024)

[Israeli Strike Kills 35 in Rafah](#), ABC News (May 27, 2024)

Principles Under Pressure: The Geneva Conventions at 75 and the Future of International Humanitarian Law, Foreign Policy (May 23, 2024) (online)

Convenor and Moderator, The United Nations and International Security: Reassessing the UN's Role, Reform, and Relevance, The Carnegie Endowment, Washington, DC (May 16, 2024)

Foreign Affairs Podcast, [Gaza and the Breakdown of International Law: A Conversation With Oona Hathaway](#) (May 15, 2024)

Confiscation of Russian Assets, Central European University, Invisible University for Ukraine (May 9, 2024)

Background Briefing with Ian Masters: [Strengthening the Laws of War as Non-combatants Die in Gaza and Ukraine](#) (May 7, 2024)

"Mistakes" in War, Lauterpacht Centre, Cambridge University, Cambridge, UK (May 3, 2024)

[Israel's prime minister worries the ICC will soon issue arrest warrants for Israelis](#), NPR's Morning Edition (May 1, 2024)

"Mistakes" in War, Leiden University, The Hague, The Netherlands (Apr. 28, 2024)

Breyer Lecture: The US, the West, and International Law in a World of Strategic Competition, Panelist, The Brookings Institution (April 5, 2024)

NATO at 75: Collective Defence Past, Present, and Future, American Society of International Law Annual Meeting, Washington, DC (April 4, 2024)

War Reparations, Office of Legal Affairs, NATO (online) (Mar. 12, 2024)

Conference Organizer, *The Yale Journal of International Law's* 50th Anniversary Conference: Celebrating the Work of W. Michael Reisman, Yale Law School (March 8, 2024)

Interview with Isaac Chotiner, [The Importance of the I.C.J. Ruling on Israel](#), New Yorker (Jan. 27, 2024)

Mark Zacher Distinguished Visitor Lecture, "The Past, Present and Future of the Global Legal Order," UBC, Vancouver, Canada (Feb. 27, 2024)

[The Just Security Podcast: ICJ Provisional Measures in South Africa v. Israel](#) (Jan. 26, 2024)

Pod Save the World, [Biden Launches Air Strikes Against Houthis In Yemen](#) (Jan. 17, 2024)

BBC NewsHour, [Houthi strikes in Yemen: deterrent or escalation?](#) (Jan. 11, 2024)

PBS NewsHour, [South Africa accuses Israel of genocide against Palestinians at top international court](#) (Jan. 11, 2024)

MSNBC Velshi (Jan. 12, 2024) (discussing ICJ case filed by South Africa against Israel under the Genocide Convention)

The International Legal Order: Radical Speculation, "Stand Tall for the Rule of Law in Ukraine," Lviv Ukraine (Dec. 7-10, 2023)

Israel/Palestine: Legal and Humanitarian Considerations, Yale University Jackson School of Global Affairs (Dec. 4, 2023)

New Questions on the Special Tribunal for the Crime of Aggression, Advisory Committee on International Law, Dept. of State, Washington DC (Dec. 1, 2023)

Covering National Security Law (with Charlie Savage), ABA Annual Review of the Field of National Security Law, Washington, DC (Nov. 16, 2023)

Congressional Briefing on the REPO Act, Senate Foreign Relations Committee, Washington, DC (Nov. 16, 2023)

Major Questions About International Agreements, ASIL Mid-year Meeting, Pittsburgh, PA (Nov. 10, 2023)

Keynote address, The Nuclear Weapons and International Law Conference, New York State Bar Association (Nov. 8, 2023)

MSNBC Velshi, [The History of War Crimes](#) (Nov. 4, 2023)

NPR's Here and Now: "[What international law says about the Israel-Hamas war](#)," October 30, 2023

The Development of Rules of International Law in Cyberspace, The Oxford Process, Yale Law School, New Haven, CT (Oct. 28, 2023)

Order of the Coif Lecture: International Law Goes to War in Ukraine, Emory Law School, Atlanta, GA (Oct. 26, 2023)

The Security Council as Guardian of the UN Charter? United Nations, New York, New York (Oct. 25, 2023)
 Yale: For Humanity, Kennedy Center, Washington, DC (Oct. 24, 2023)
 Congressional Briefing: War Powers Reform, Bipartisan Policy Working Group, Washington, DC (Oct. 24, 2023)
 Russia & Ukraine: A Springboard or a Setback for International Accountability? International Law Weekend, ABILA (Oct. 20, 2023)
[America is Eroding the International Order](#), Power Problems Podcast (Oct 17, 2023)
 Major Questions About International Agreements, University of Pennsylvania, Philadelphia, PA (Oct. 13, 2023)
 The Past, Present, and Future of the International Legal Order, Cecil A. Wright Memorial Lecture, University of Toronto School of Law, Toronto, Canada (Oct. 12, 2023)
 Congressional Staff Briefing: Nonbinding Agreements, Brookings Institution (Oct. 6, 2023)

COURSES TAUGHT (last 5 years)

Foreign Affairs and International Law in Practice
 International Law
 Constitutional Law
 International Adjudication
 Intelligence Law (with Robert Litt, former General Counsel of the ODNI)

LAW SCHOOL & UNIVERSITY SERVICE (last 5 years)

Budget Advisory Group, Yale University, 2022-present
 YLS Clerkship Committee (chair), 2019-present
 YLS Appointments Committee, 2024-2025, 2021-2022, 2020-21
 Yale University Standing Advisory and Appointments Committee for the School of Management & Jackson School of Global Affairs, 2020-2025
 Director, Yale Cyber Leadership Forum, 2017-2023
 Counselor to the Dean, Yale Law School, 2017-2022
 First-Year Legal Writing Committee (chair), 2023-2024
 Global Constitutionalism Seminar Organizing Committee, 2023
 Yale University Standing Advisory and Appointments Committee for the School of Management, 2020-2022
 Provost's Advisory Committee on Global Strategy, Yale University, 2019-2022
 Intellectual Community Committee (chair), 2021-2022
 YLS Grading Committee (chair), 2020-2021
 Academic Continuity Committee, Yale University, 2020