

ASEM KHALIL

H.H. Shaikh Hamad Bin Khalifa Al-Thani Professor of Constitutional & International Law
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CURRENT POSITIONS

Vice President for Community Affairs (since 2016), Supervisor of the Constitutional Law Unit (since 2014) Member at the Law Department (since 2006), Birzeit University. Adjunct Professor at the Global Campus Arab World, Arab Master's Programme in Democracy and Human Rights, University Saint Joseph, Lebanon (since 2014). Member of the Board of Commissioners (since 2017), The Independent Commission for Human Rights, ICPH, Palestine and Member of the General Assembly of Al-Haq (since 2015) Al-Haq, Palestine.

EDUCATION

Ph.D. in Public Law, University of Fribourg, Switzerland (2003-2006). Master in Public Administration, National School of Administration, France (2004-2005). Dottorato in Utroque Iure, Lateran University, Rome (1998-2003).

PREVIOUS EXPERIENCES

Acting Director, Institute of Law (2018-2019). Research Fellow, NYU School of Law, Global Hauser (2015-2016). Visiting Researcher at Max Planck Institute for Comparative Public Law and International Law, Heidelberg (2015). Dean of the Faculty of Law and Public Administration, Birzeit University (2012-2015). Consultant at the Palestinian General Personnel Council for the Palestinian National School of Administration (2014-2015). Chairperson, Birzeit University Legal Committee (2012-2015) Acting Chairperson, Master of Law (2014-2015). Acting Director, Birzeit School of Government (Since 2014) Project Director (EU €1,8M Funded Project – Birzeit Component) (2013-2015). Director, The Ibrahim Abu-Lughod Institute of International Studies (2010-2012). Research Fellow, NYU School of Law, Global Hauser (2009-2010). Adjunct Professor, Bethlehem University (2008-2014). Acting Head of Research, Institute of Law, Birzeit University (2006-2008).

MEMBERSHIPS, GRANTS & AWARDS

The Fulbright Visiting Senior Scholar Award (2015-2016). Member of the Board of Administrators of the Palestinian Judicial Institute (2014-2015). Birzeit University Research Committee Grant (\$7330) (2014). Research Project: Refugee Camps: A Space for refuge, or a Place to Escape? Birzeit University Research Committee Grant (\$17900) (2014). Research Project: Artificial Political Systems: Towards a Constitutional Theory for the Arab World. Birzeit University Research Committee Grant (\$7500) (2013) Research Project: Refugees' Protection Regime in Jordan. The Open Society Palestinian Rule of Law Award for Professors of Law (2009-2010). Member of the CARIM Network, European University Institute, Italy (2006-2011). Member of the Palestinian Judicial Institute Academic Committee (2008-2014).

Consultancies (latest)

UNDP, Sawasya, Conduct workshops for Judges and CSO on Amendment to Judicial Law, December 2019. MAS & NAD, Report on the Status of Human Rights and Governance in East Jerusalem, 2018-2019. The Arab Association of Constitutional Law, Drafting the Arab Companion of Constitutional Law (with Xavier Philippe), 2019.

Editor or Review Experience (selected)

I have been reviewing articles upon requests from the following Journals: [Human Rights Review](#), Journal of [Politics and Law](#), Journal of the Arab American University of Jenin.

Languages

Arabic (mother tongue), English (excellent), French (Excellent), Italian (Excellent): Reading and Writing.

LATEST PUBLIC EVENTS (Selected; [Full list available here](#))

AGYA Conference, Berlin, 8-11 Nov 2019. Paper (in Abstentia): Legal Education in Palestine: What Place for History, Philosophy and Linguistics?, The Agha Khan University, London, April 2016. Paper: Governance and the Constitution in Palestine: From Books to Action, and Back. University of Münster, Conference: Underrated Legislatures: Role and potential of Arab parliaments in times of transformation, Nov 2014. Paper: The Alternatives to Parliaments in "Reactionary" Democracies: What Lessons from Palestine? Carnegie Workshop on the Future of Palestine, Amman, 17 Sep 2014. Paper: The future of the Palestinian Authority as a governing body of the West Bank and Gaza Strip. Oxford University, UK, Refugee Studies Center, 20-21 Sep 2013. Discussant in a Roundtable on: UNRWA- Oxford Workshop 'Setting a Research Agenda for Palestine Refugees: Syrian Crisis and Participation'. The European University Institute, Florence, Italy, 10 May 2013. Paper: EU Contribution to the Consolidation of Israeli Politics of Borderless Inclusion and Exclusion: Israel and 'its' Palestinian Subjects. The British Academy, London, UK, 2-3 May 2013. Paper: From Revolution (in)to Constitution: The Palestinian Case.

Publications (Selected; [Full list available here](#))

- Khalil, Asem. [Statutory Law](#). In: The Max Planck Encyclopedia of Comparative Constitutional Law. Oxford: Oxford University Press. Oxford: Oxford University Press, June 2019.
- توام، رشاد وعاصم خليل. [مقاربات نظرية جديدة في النظام شبه الرئاسي على ضوء الإقبال العربي عليه](#). المجلة القانونية التونسية، العدد قادم، 2019.
- Khamis, Yasmin & Asem Khalil. [Palestine](#). In: 2018 Global Review of Constitutional Law. Richard Albert, David Landau, Pietro Faraguna and Simon Drugda, (eds.). I•CONnect and the Clough Center for the Study of Constitutional Democracy at Boston College, 2019, pp. 224-228.
- Khalil, Asem. [Courting Economic and Social Rights in Palestine: Justiciability, Enforceability and the Role of the Supreme Constitutional Court](#). Journal Sharia and Law, College of Law, U.A.E. University, 2019, pp 33-60.
- خليل، عاصم. ["التعددية القانونية" كمدخل لفهم الظواهر القانونية في فلسطين: "القانون العشائري" كحالة دراسية](#). مجلة كلية القانون الكويتية العالمية، العدد 3، 2019.
- مجدوبة، سجي وعاصم خليل. [حقوق الإنسان في فلسطين والعالم: مفهوم متغير في عالم متغير](#)، وقائع مؤتمر مواطن السنوي للعام 2018، 2019، ص. 103-137.
- Khalil, Asem. [State of Necessity](#). In: The Max Planck Encyclopedia of Comparative Constitutional Law. Oxford: Oxford University Press, February 2018.
- Khalil, Asem. [Citizenship](#). In: The Max Planck Encyclopedia of Comparative Constitutional Law. Oxford: Oxford University Press, May 2017.
- طه، نورا وعاصم خليل. [التعددية من وجهة نظر قانونية ودستورية: الواقع الراهن في فلسطين والمشرق العربي والتحديات المستقبلية](#)، مجلة اللقاء، 1، 2017، ص. 49-64.
- Khalil, Asem. ["Impulses from the Arab Spring on the Palestinian State-Building Process."](#) In: Constitutionalism, Human Rights and Islam after the Arab Spring, 861-878. Rainer Grote and Tilmann Röder (eds.). *Oxford University Press* 2016.
- Khalil, Asem. [The Palestinian Authority: Unsettling Status Quo Scenarios](#), AlShabaka, 5 October 2016.
- Khalil, Asem and Raffaella Del Sarto. ["The Legal Fragmentation of Palestine-Israel and European Union Policies Promoting the Rule of Law"](#). In: Fragmented Borders, Interdependence and External Relations: The Israel-Palestine-European Union Triangle. Edited by Raffaella A. Del Sarto, pp.129-154. *Palgrave*, 2015.
- خليل، عاصم. [دراسات في النظام الدستوري الفلسطيني](#). سلسلة الأبحاث والدراسات. جامعة بيرزيت: كلية الحقوق والإدارة العامة، 2015.
- بدير، نوار وعاصم خليل. [دور المحاكم الدستورية والمحاكم العليا في تحديد ملامح الحق في الخصوصية وضمن احترامه من قبل باقي سلطات الدولة](#)، مجلة كلية القانون الكويتية العالمية 3 (9) 2015، ص. 133-173.

- Khalil, Asem. [“Palestinians to Citizens: Is Citizenship a Solution to the Palestinian Refugee Problem?”](#) 6 *Middle East Law and Governance* 3. 2014, 204-224.
- عبد الغفور، محمد وعاصم خليل. ["الضمانات الدستورية للحقوق السياسية على ضوء ممارسات المحاكم العليا والدستورية"](#)، في: الحقوق السياسية في فلسطين: بين سندان التشريع ومطرقة الإنقسام وأفاق المصالحة، 185-235، معهد الحقوق، 2014.
- توام، رشاد وعاصم خليل. [فلسطين بين دستور الدولة والحاجة إلى ميثاق وطني: مقاربات استراتيجية في النظام السياسي الفلسطيني](#)، كتاب محكم منشور عن مؤسسة مسارات، 2014.
- Khalil, Asem. [“Beyond the Written Constitution: Constitutional Crisis of, and the Institutional Deadlock in, the Palestinian Political System as Entrenched in the Basic Law.”](#) 11 (2013) *International Journal of Constitutional Law* 34-73.
- Khalil, Asem. [“Legal and Regulatory Framework of Highly-Skilled Migration: The Case of the Palestinian Authority”](#). In: *Migration from North Africa and the Middle East: Skilled Migrants, Development and Globalization*. Philippe Fargues and Alessandra Venturini (eds.), pp. 112-133. London, *I.B. Tauris*, 2015.
- خليل، عاصم. ["قانون" التشريع و"قانون" الحرية: هل الديمقراطية بديل عن حكم القانون](#)، كتاب محكم منشور عن مؤسسة مواطن لدراسات الديمقراطية، 2013.
- Khalil, Asem. [“Constitution-Making and State-Building: Redefining the Palestinian Nation”](#). In: *Constitutionalism in Islamic Countries: Between Upheaval and Continuity*, Rainer Grote and Tilmann Röder (eds.). pp.583-596, *Oxford University Press*, 2012.
- خليل، عاصم. [المحاكم الكنسية في فلسطين](#)، في: القضاء الشرعي والكنسي في فلسطين، 4-27. جامعة بيرزيت – معهد الحقوق، 2012.
- خليل، عاصم. [منهجية البحث القانوني وأصوله: تطبيقات من النظام القانوني الفلسطيني](#)، رام الله: دار الشروق، 2012.
- Khalil, Asem. ["Quelle système politique pour la Palestine ? Leçons tirées de la crise politique de l'Autorité Palestinienne et de l'impasse institutionnelle conformément à la Loi Fondamentale."](#) In: Raphaël Porteilla, Jaques Fontaine, Philippe ICARD, et André Larceneux, *Quel État ? Pour Quelle Palestine ?* pp. 343-356. Paris: *L'Harmattan*, 2011.
- Khalil, Asem. [“Socioeconomic Rights of Palestinian Refugees in Arab Countries.”](#) (2011) *International Journal of Refugee Law* 4, 680-719.
- Khalil, Asem & Jamil Salem. [“Legal Framework of Palestinian Economic \(under\)development.”](#) In: Koen Byttebier and Kim Van der Borght (eds.), *Imagining a Shared Future: Perspectives on Law, Conflict and Economic Development in the Middle East*. Pp. 171-198. *Cameron May Ltd*, London: 2011.
- خليل، عاصم. ["صناعة الدستور وبناء الدولة: إعادة تعريف الشعب الفلسطيني"](#). في: البحث عن الدولة الفلسطينية: الانعكاسات القانونية والسياسية والاقتصادية. (وقائع المؤتمر المنعقد في معهد الحقوق بتاريخ 25 تشرين الأول 2011)، ص. 29-46. بيرزيت: معهد الحقوق، 2011.
- Jarbawi, Ali & Asem Khalil. [Armed Conflicts And The Security of Women](#) . In: *Women in the Concept and Issues of Human Security: Arab and International Perspectives*, Vol. II. Eds. Bahgat Korany, Hania Sholkamy and Maya Morsy. Cairo: Arab Women Organisation, 2010, pp.61-88.
- Khalil, Asem. [From constitutions to constitutionalism in Arab states: beyond paradox to opportunity.](#) *Transnational Legal Theory*. 1(3), 2010, 421-451.
- Khalil, Asem. [Palestinian Nationality and Citizenship: Current Challenges and Future Perspectives.](#) European University Institute Robert Schuman Centre for Advanced Studies CARIM Research Report No. 2007/7, 2010.
- Khalil, Asem. [“Formal and Informal justice in Palestine: Dealing with the Legacy of Tribal Law.”](#) *La tribu à l'heure de la globalisation, Etudes Rurales*, no. 184, 2009, 169-183.
- خليل، عاصم. [عملية تحضير الدستور الفلسطيني: لماذا؟ وكيف؟ ولماذا الآن](#)، مجلة دراسات (الجامعة الأردنية)، المجلد 36 العدد 2 (2009)، 223-242.
- عاصم خليل وجميل سالم. [القانون والتنمية في ظل تجربة السلطة الفلسطينية بعد أوسلو](#)، مجلة الشريعة والقانون، (2009) 40 ، 259-420.