

Curriculum Vitae and List of Main Publications

I. Curriculum Vitae

Personal Details

Name: Talia Einhorn

Place and Date of Birth: Tel-Aviv, 15.12.1951

Citizenship and Identity Card Number: Israeli, 051015873

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Higher Education

A. Dr. Iuris Studies - University of Hamburg:

1991 - 1993: Studies towards a Dr. Iuris degree at the University of Hamburg. The doctoral dissertation on Israel's Free Trade Agreement with the EEC was approved *magna cum laude* by the Doktorvater, Prof.Dr.jur.Dr.rer.pol.h.c. E.-J. Mestmaecker, Director of the Max Planck Institute for Foreign Private and Private International Law in Hamburg, and by Prof. Dr. Meinhard Hilf, Director of the Institute for European Community Law, Public International Law and Constitutional Law Studies at the University of Hamburg. In the course of my studies I was awarded a Max Planck Society scholarship. The Doctor title was awarded in January 1994. A book based on the dissertation was published by Nomos in 1994.

B. LL.M. Studies - Tel-Aviv University:

1987/8 - 1988/9: Completion of LL.M. studies *magna cum laude* at the Faculty of Law of the Tel-Aviv University. The dissertation was awarded the first prize of the Israeli Association for Parliamentary Issues. In the course of my studies I was awarded a Morris Pulver Scholarship.

A book based on this study was published by the Israeli Association for Parliamentary Issues, at the Knesset, Jerusalem.

C. Bachelor Degree Studies

I. LL.B. Studies - Law Faculty, Tel-Aviv University:

1974/5 - 1976/7: Completion *be-hatzlacha*, in a three year intensive program, of a four-year program of LL.B. studies at the Faculty of Law of the Tel-Aviv University. Received Dean's Honorary Certificates in 1974/75 and 1975/76.

II. B.Sc. Studies - Hebrew University of Jerusalem:

1968/9 - 1970/1: Completion of B.Sc. (mathematics-physics) studies *cum laude* at the Faculty of the Natural and Exact Sciences of the Hebrew University of Jerusalem.

Academic Ranks in Institutes of Higher Education

January 2009 – May 2010: Visiting Professor, Indiana University – Indianapolis (IUPUI) School of Law.

As of October 2002: Adjunct Professor of Law (until February 2009) and Visiting Senior Research Associate, Tel-Aviv University Faculty of Management.

October 2003 – September 2008: Professor of Law, Sha'arei Mishpat College of Law, Hod Hasharon, Israel; Adjunct Professor of Law and Visiting Senior Research Associate, Tel-Aviv University Faculty of Management.

June 1999 – December 2002: Senior Research Fellow, T.M.C. Asser Institute for Private and Public International Law, International Commercial Arbitration and European Law, The Hague, the Netherlands.

August 1998 – December 2001: Full Professor and Member of the Law Faculty, Concordia International University Estonia, Tallinn, Estonia.

October 1995 – June 1999: The Israeli Center for Academic Studies, Kiryat Ono, Israel (affiliated with the University of Manchester, UK).

1.10.1994 - 1.6.1996: Part-time lecturer of EC Law and Israel's International Trade Law, Bar-Ilan University, Ramat-Gan, Israel.

1.10.1994 - 1.2.1995: Part-time lecturer of EC Law and Israel's International Trade Law, Tel-Aviv University, Israel.

1.3.1993 - 30.9.1995: Lecturer, Law School, College of Management, Givatayim, Israel. Subjects taught include: EC Law, Israel's International Trade Law, Private International Law.

Scholarships, Awards, Research Grants, etc.

Morris Pulver Scholarship (1988); The First Prize of the Israeli Association for Parliamentary Issues (1990); Max Planck Gesellschaft scholarships granted for research at the Max Planck Institute for Foreign and Private International Law in Hamburg (1.10.1992-31.12.1992; 1.8.1994-30.9.1994; 1.8.1995-31.10.1995; 1.8.1996-30.9.1996, 1-31.12.1996; 1-17.8.1997, 13-30.9.1997, 1-31.10.1997; 15.8.1998-30.9.1998); The Hague Academy of International Law, The Hague (18.8.1997-12.9.1997); Research Fellow at T.M.C. Asser Institute for Private and Public International Law, International Commercial Arbitration and European Law, The Hague (September 1997; 1.7.1998-5.8.1998; 15.6.1999-15.12.1999; 2003); Sapir Foundation research grant (together with Prof. Yossi Spiegel of Tel-Aviv University Faculty of Management, 2003/ 2004).

Member (associate) of the International Academy of Comparative Law; the German Society of International Law; member of the Scientific Council of the Interdisciplinary Association of Comparative and Private International Law; ILA (International Law Association) International Trade Law Committee; ILA Cultural Heritage Law Committee; ASCOLA (Academic Society for Competition Law); Hague Conference on Private International Law, Foreign Law Experts Meeting (2007); the International Advisory Committee consulting the Republic of China Private International Law Reform Committee (2005); the Board of the Israeli Association for the Study of European Integration (1997-2000); a public committee, established by the Israeli Ministry of Trade and Industry, to make recommendations regarding the implementation in Israeli law of the WTO/GATT 1994 Agreements regarding anti-dumping and subsidies and countervailing measures (1994-1995); the German Association for the Study of European Integration; the

Association of Friends of Max Planck Institute for Foreign Private and Private International Law, Hamburg; the Israeli Bar Association (since 1978).

Presentations and Guest Lectures

The Institute of Judicial Training for Judges, Israel; The Institute of Legal Training for Attorneys and Legal Advisers, Ministry of Justice, Israel; The Helmut Kohl Institute for European Studies, Hebrew University of Jerusalem; The Israel Academy of Sciences and Humanities; The Center for the Study of Rationality, Hebrew University of Jerusalem; Specialization Course on Intellectual Property, WIPO Worldwide Academy/ University of Turin Faculty of Law, Turin; T.M.C. Asser Instituut; The Hague; Law Faculties of the Universities of Bielefeld, Bologna, Ghent, Hamburg, Lecce, Moscow (MGIMO), Soochow University (Taipei), Utrecht, Vienna, Vilnius, Warsaw.

Testimony before the US Congress Joint Economic Committee regarding The Economic Relations Between Israel and the Palestinian Authority in view of the Economic Protocol (Annex V of the Interim Agreement on the West Bank and Gaza Strip) (21.10.1997 Hearing).

Teaching

Courses taught in recent years: Conflict of Laws (Private International Law), International Business Transactions, International Commercial Arbitration, International Economic Law, Public International Law, European Union Law, International Intellectual Property Law, Corporate Law.

Research/Teaching Fields of Interest

Conflict of laws (private international law), comparative law, international economic law, cultural heritage law.

Professional Training and Experience

1976/7 - 1977/8: Period of articles ('stage'), prior to admission to the Israeli Bar Association, at the Law Offices of Dr. J. Rotenstreich (former President of the Israel Bar Association) – E. Gitzelter, adv., Tel-Aviv.

1.11.1978 - 31.5.1984: advocate, private practice, Tel-Aviv. I drafted and negotiated commercial contracts, real estate transactions, contracts for the computerisation of an insurance company; represented clients in civil and administrative law litigation before the supreme, district, and magistrate courts of law, including petitions to the High Court of Justice; handled various problems of property law, including city development planning.

3.6.1984 - 2.6.1989: IMI industries, Ramat-Ha'Sharon, Israel, responsible for international business transactions. My responsibilities included the study and consultation on different regimes of export/ import regulation (mainly Israel, EC and European Countries, US, Central & South America); public procurement in Israel and in foreign countries; the terms and conditions for foreign (mainly US) aid programs; Israeli legislation regarding the encouragement of investment in industries; drafting and negotiation of international contracts relating, inter alia, to sales of goods and services;

research and development programs in cooperation with foreign legal entities; the set-up of industrial plants (including turn-key projects with foreign companies); the development and licensing of computer programs; know-how licensing; letters of credit; agency and distributorship agreements; warranties and products liability.

Language Proficiency

Fluent in Hebrew and English; very good knowledge of German; good knowledge of Spanish; reading ability in French, Dutch and Danish.

II. MAIN PUBLICATIONS

A. BOOKS

a. AUTHORED BOOKS

1. Einhorn, Talia, *Proscription of Parties that have a Racist Platform under Art. 7A of the Basic Law: Ha-Knesset*, Jerusalem: The Israeli Association for Parliamentary Issues 1993 (in Hebrew. English summary) (108 + xxii pp.).
2. Einhorn, Talia, *The Role of the Free Trade Agreement between Israel and the EEC: The Legal Framework for Trading with Israel between Theory and Practice*, Baden-Baden: Nomos 1994 (in English. German summary) 250pp.
3. Einhorn, Talia, *Private International Law in Israel*, Amsterdam: Kluwer Law International 2009 (in English) 396pp.

b. EDITED BOOKS

1. A. E. Kellermann/ K. Siehr/ T. Einhorn (eds.), *Israel among the Nations: International and Comparative Law Perspectives on Israel's 50th Anniversary*, London: Kluwer Law International 1998 (in English) (392 + xvi pp.).
2. J. Basedow/ I. Meier/ A.K. Schnyder/ T. Einhorn/ D. Girsberger (eds.), *Private Law in the International Arena – Liber Amicorum Kurt Siehr*, The Hague: T.M.C. Asser Press 2000 (in English, German and French) (910 + xxxv pp.).
3. T. Einhorn (ed.), *Spontaneous Order, Organization and the Law – Liber Amicorum Ernst-Joachim Mestmäcker*, The Hague: T.M.C. Asser Press 2003 (in English) (457 + xxiv pp.).
4. T. Einhorn, K. Siehr (eds.), *Intercontinental Cooperation through Private International Law: Essays in Memory of Peter E. Nygh*, The Hague: TMC Asser Press 2004 (in English) (509 + xxii pp.).

B. REFEREED JOURNALS

- a. EDITOR-IN-CHIEF:** *European Business Organization Law Review* 1-3 (2000-2002. Since 2003 member of the Advisory Board), published by T.M.C. Asser Press/Cambridge University Press. A refereed inter-disciplinary quarterly, critically analyzing the whole range of organizations chosen by companies, groups of companies, and state-owned enterprises to pursue their business activities and offer goods and services all over the European Union.
<<http://journals.cambridge.org/action/displayJournal?jid=EBR> >

b. ARTICLES IN REFEREED JOURNALS

1. Einhorn, Talia, "The Role of the Israeli Courts in Promoting Free Trade", *Bar-Ilan Law Studies* 12 (1995) 165-224 (in Hebrew).
2. Einhorn, Talia, "Restitution of Archaeological Artifacts: The Arab-Israeli Aspect", *International Journal of Cultural Property* 5 (1996) 133-153 (in English).
3. Einhorn, Talia, "The Treaty-Making Power: A Call for Reform", *Hamishpat* 4 (1996) 367-384 (in Hebrew).
4. Einhorn, Talia, "Israeli Law, Jewish Law and the Archaeological Excavation of Tombs", *International Journal of Cultural Property* 6 (1997) 47-79 (in English).
5. Einhorn, Talia, "The Need for a Rule-Oriented Israeli-Palestinian Customs Union: The Role of International Trade Law and Domestic Law", *Netherlands International Law Review* 44 (1997) 315-345 (in English).
6. Einhorn, Talia, "Reconciling Israeli Antidumping Law with WTO/ GATT International Trade Law Rules", *Israel Law Review* 32 (1998) 81-138 (in English).
7. Einhorn, Talia, "The Impact of the WTO Agreement on TRIPs (Trade Related Aspects of Intellectual Property Rights) on EC Law: A Challenge to Regionalism", *Common Market Law Review* 35 (1998) 1069-1099 (in English); reprinted in: *International Trade Law on the 50th Anniversary of the Multilateral Trade System* (Paolo Mengozzi [ed.]), Milano: Giuffrè 1999, pp. 533-573.
8. Einhorn, Talia, "Monitoring Directors in Public Companies under Israeli Law: Comparative Perspectives", *European Business Organization Law Review* 2 (2001) *Special issue: Liber Amicorum Ernst-Joachim Mestmäcker* (T. Einhorn [ed.]) 525-551 (in English); reprinted in: *Spontaneous Order, Organization and the Law – Liber Amicorum Ernst-Joachim Mestmäcker* (Talia Einhorn [ed.]) The Hague: T.M.C. Asser Press 2003, pp. 97-123.
9. Einhorn, Talia, "The Israeli – Arab Peace Process: the Law Reform Perspective", *European Journal of Law Reform* 3 (2001) 149-161 (in English).
10. Einhorn, Talia, "The Ascertainment and Application of Foreign Law in Israeli Courts – A reform proposal", *Mosnei Mishpat* 4 (2005) *Special issue: Sefer Shaki [Essays in Honor of Avner Hai Shaki]* (Aharon Barak *et al.* [eds.]) pp. 305-316 (essentially based on **C.8** hereunder) (in Hebrew).
11. Einhorn Talia/ Spiegel Yossi, "The Liberalization of the Israeli Postal Services", *Israel Economic Quarterly* 53 (2006), pp. 111-165 (in Hebrew).

12. Einhorn, Talia, "Same-Sex Family Unions in Israeli law", *Utrecht Law Review* 4 (2008), pp. 222-235; reprinted in *Debates in Family Law around the Globe at the Dawn of the 21st Century* (Katharina Boele-Woelki [ed.]), Antwerpen: Intersentia 2009, pp. 319-337 (in English).

C. ARTICLES IN BOOKS WHICH ARE NOT CONFERENCE PROCEEDINGS

1. Einhorn, Talia, "Equality in Israeli Family Law", in: *Gleichheit im Familienrecht unter Beruecksichtigung des Einflusses von Verfassungen und internationalen Uebereinkommen (Equality in Family Law - The Influence of Constitutions and International Conventions)* (B. Verschraegen [ed.]), Bielefeld: Gieseking 1997, 249-280 (in English).
2. Einhorn, Talia, "The Legal Framework for Israel's International Trade: International and Domestic Perspectives", in: *Israel among the Nations: International and Comparative Law Perspectives on Israel's 50th Anniversary* (A. Kellermann/ K. Siehr/ T. Einhorn [eds.]), London: Kluwer Law International 1998, 155-175 (in English).
3. Einhorn, Talia, "The Impact of the WTO Agreement on TRIPs (Trade Related Aspects of Intellectual Property Rights) on EC Law: A Challenge to Regionalism", *Common Market Law Review* 35 (1998) 1069-1099 (in English); reprinted in: *International Trade Law on the 50th Anniversary of the Multilateral Trade System* (Paolo Mengozzi [ed.]), Milano: Giuffrè 1999, pp. 533-573 (see also **B** above).
4. Einhorn, Talia, "Jewish Divorce in the International Arena" in: *Private Law in the International Arena – Liber Amicorum Kurt Siehr* (J. Basedow et al. [eds.]), The Hague: T.M.C. Asser Press 2000, 135-153 (in English).
5. Einhorn, Talia, "Der arabisch-israelische Frieden. Eine Fata Morgana", in: *Hat Israel noch eine Chance? Palästina in der neuen Weltordnung* (Hermann L. Gremliza [Hrsg.]), Hamburg: Konkret 2001, 141-155 (in German).
6. Einhorn, Talia, "The Expansion of Israeli Unjust Enrichment Law: The Mixed Blessings of a Mixed Legal System", in: *Aufbruch nach Europa: Festschrift for the 75th Anniversary of the Max Planck Institute for Foreign Private and Private International Law in Hamburg* (Basedow/ Drobnig/ Ellger/ Hopt/ Kötz/ Kulms/ Mestmäcker [eds.]), Tübingen: Mohr Siebeck 2001, 905-922 (in English).
7. Einhorn, Talia, "Monitoring Directors in Public Companies under Israeli Law: Comparative Perspectives", in: *Spontaneous Order, Organization and the Law - Liber Amicorum Ernst-Joachim Mestmäcker* (Talia Einhorn [ed.]) The Hague: T.M.C. Asser Press 2003, pp. 97-123 (see also **B.8** above).

8. Einhorn, Talia, “The Ascertainment and Application of Foreign Law in Israeli Courts – Getting the facts and fallacies straight”, in: *Intercontinental Cooperation through Private International Law – Essays in Memory of Peter E. Nygh* (Einhorn/Siehr [eds.]), The Hague: TMC Asser Press 2004 (in English).
9. Einhorn, Talia, “Israeli International Family Law – the liberalization of Israeli substantive Family Law”, *Balancing of Interests – Essays in Honor of Peter Hay* (Rasmussen-Bonne et al. [eds.]) Frankfurt a.M.: Recht und Wirtschaft 2005, pp. 141-150 (in English).
10. Einhorn, Talia, “The Liberalization of Postal Services – Israeli and European Perspectives”, in: *Recht und spontane Ordnung – Festschrift für Ernst-Joachim Mestmäcker* (Engel/ Möschel [eds.]), Baden-Baden: Nomos 2006, pp. 103-136 (in English).
11. Einhorn, Talia, “Family Unions in Israel – The Tensions between Religious Law and Secular Law and the Quest for Coherent Law”, in: *Rett og tolerance – Festschrift til Helge Johan Thue 70 år* (Frantzen/Giertsen/Cordero Moss [eds.]), Oslo: Gyldendal Akademisk 2007, pp. 697-715 (in English).

D. ARTICLES IN CONFERENCE PROCEEDINGS

1. Einhorn, Talia, “The Application of WTO-law by the Courts of Law in the EU and in Israel”, in: *Essays on European Law and Israel* (A.M. Rabello [ed.]), Jerusalem: The Sacher Institute for Legislative Research and Comparative Law, The Hebrew University of Jerusalem 1996, 1023-1044 (in English).
2. Einhorn, Talia, “The EC-Israel Association Agreement: Comparative Aspects of Liberalizing International Trade”, in: *Proceedings of the First Legal Colloquium Israel-Italy 4-8 May 1997* (A.M. Rabello [ed.]), Jerusalem: The Sacher Institute for Legislative Research and Comparative Law, The Hebrew University of Jerusalem 1999, 649-673 (in English).
3. Einhorn, Talia, “Same-Sex Family Unions in Israeli law”, in: *Debates in Family Law around the Globe at the Dawn of the 21st Century* (Katharina Boele-Woelki [ed.]), Antwerpen: Intersentia 2009, pp. 319-337 (in English) (see also **B.12** above).

E. OTHER SCIENTIFIC PUBLICATIONS

1. Einhorn, Talia, Review of European Legal Traditions and Israel (A.M. Rabello [ed.]), (Jerusalem: The Sacher Institute for Legislative Research and Comparative Law, The Hebrew University of Jerusalem 1994) *Israel Law Review* 29 (1995) 754-756 (in English).

2. Einhorn, Talia, Review of E. Ahiram/ A. Tovias, *Whither EU-Israeli Relations? Common and Divergent Interests* (Frankfurt a.M.: Lang 1995) *Medinah Mimshal Vihasim Benleumiym (State Government and International Relations)* 41 (1996) 241-242 (in Hebrew).
3. Einhorn, Talia, “Whose Scrolls Are They Anyway? – The Arab-Israeli aspect of restitution of cultural objects according to international law”, *ERETZ – The Geographic Magazine from Israel* 12(4) (1997), p. 67 (in English); *ERETZ ve-TEVA, The Israeli Geographic Magazine* 11(4) (1997), p. 70 (in Hebrew).
4. Einhorn, Talia, Review of D. M. Sassoon, *C.I.F. and F.O.B. Contracts* (5th ed.), (London: Sweet & Maxwell 1995), *Israel Law Review* 31 (1997) 860-861 (in English).
5. Einhorn, Talia, “The Economic Relations between Israel and the Palestinian Authority” (based upon Testimony before the US Congress Joint Economic Committee Hearing concerning Israel’s Economic Future and its Impact on US Relations), *Justice* June 1998 40-43 (in English).
6. Einhorn, Talia, Review of E.-U. Petersmann (ed.), *International Trade Law and the GATT/ WTO Dispute Settlement System* (London: Kluwer Law International 1997), *RabelsZ* 63 (1999) 766-769 (in English).
7. Einhorn, Talia, “The Rights of the Living – Urban Development and Archaeological Rescue Excavations from a Legal Perspective”, *Mivnim* [A Monthly Magazine for Architects, Contractors and Engineers] Oct. 1999 24-30 (in Hebrew).
8. Einhorn, Talia, “The Israeli – Arab Peace Process: the Law Reform Perspective”, *Nativ* (3/2002) 45-51 (in Hebrew); published also as ACPR (Ariel Center for Policy Research) Policy Paper No. 138 (2002) under the title “The Arab – Israeli Peace Mirage: Legal Perspectives” (in English).
9. Einhorn, Talia, “Israel and the International Criminal Court”, *Nativ* (4-5/2002) 36-40 (in Hebrew).
10. Einhorn, Talia, “The Status of Palestine/Land of Israel and its Settlement under Public International Law”, *Nativ* (May 2003) 3-9 (in Hebrew); *Nativ* (October 2003) (in English).
11. Einhorn, Talia, Review of Mads Andenas, Silvia Diaz Alabart, Sir Basil Markesinis, Hans Miklitz and Nello Pasquini (eds.), *Liber Amicorum Guido Alpa – Private Law Beyond the National Systems* (British Institute of International and Comparative Law 2007), *European Journal of Law Reform* 11 (2009) 133-136 (in English).

12. Einhorn, Talia, Review of Kurt Siehr, Reinhard Zimmermann (eds.), *The Draft Civil Code for Israel in Comparative Perspective* (Mohr Siebeck 2008), *RabelsZ* (in English) (forthcoming).
13. Einhorn, Talia, Review of Symeon C. Symeonides, *American Private International Law* (Kluwer Law International 2008), *RabelsZ* (in English) (forthcoming).

F. ENTRIES IN ENCYCLOPEDIAS

1. Einhorn, Talia, “Revocation of Testaments”, in: volume V – Succession, *International Encyclopedia of Comparative Law published under the Auspices of the International Association of Legal Science* (U. Drobnig – K. Neumayer [eds.]) (accepted for publication).
2. Einhorn, Talia, *The Private International Law of Israel* (396 pages), in: *Kluwer’s International Encyclopedia of Laws – Private International Law* (B. Verschraegen (ed.)) (IEL 19th Supplement, Oct. 2008) (the contribution has also been published as a separate monograph – see **A** above).
3. Einhorn, Talia, “Customs Law, International”, in: *Max Planck Encyclopedia of Public International Law* (R. Wolfrum (ed.)) 3rd ed., 23pp (Oxford University Press 2009).
4. Einhorn, Talia, “Transit of Goods over Foreign Territory”, in: *Max Planck Encyclopedia of Public International Law* (R. Wolfrum (ed.)) 3rd ed., ca. 11pp (Oxford University Press 2009) (forthcoming).