

SELECTED PUBLICATIONS and CONTRIBUTIONS

1. L. Daniele, “[Indiscriminate and Disproportionate Attacks in International Law. Bridging the Accountability Gap](#)” (forthcoming September 2025, [Hart Publishing](#) - series: [Studies in International and Comparative Criminal Law](#))
2. L. Daniele, “[Incidentality of the Civilian Harm in International Humanitarian Law and its *Contra Legem* Antonyms in Recent Discourses on the Laws of War](#)”, 29(1) 2024 *Oxford Journal of Conflict and Security Law*, Vol. 29, issue 1, 2024 at <https://academic.oup.com/jcsl/article/29/1/21/7644943>
3. L. Daniele – R. Segal, “[Gaza as Twilight of Israel Exceptionalism: Holocaust and Genocide Studies from Unprecedented Crisis to Unprecedented Change](#),” *Journal of Genocide Research*, forum on 'Israel-Palestine: Atrocity Crimes and the Crisis of Holocaust and Genocide Studies,' 5 March 2024.
4. L. Daniele, «[A lethal misconception, in Gaza and beyond: disguising indiscriminate attacks as potentially proportionate in discourses on the laws of war](#)», *EJILTalk!* – *Blog of the European Journal of International Law*, 7 Novembre 2023, at (al n.8 most read posts of 2023, at <https://www.ejiltalk.org/happy-new-year-happy-15th-birthday-ejiltalk-and-our-most-read-posts-of-2023/>).
5. L. Daniele, «*Jus in Bello* Cornerstone, Except in the West Bank: Bedouin Communities and the War Crimes of Extensive Destruction and Appropriation of Property Not Justified by Military Necessity», capitolo in A. Panepinto, T. Mariniello, A. Amara (eds.) “[Ending Impunity for International Law Violations. Palestinian Bedouin at Risk of Forced Displacement](#)” (Hart Publishing, 2025)
6. R. Falk – L. Daniele, «Climate Justice in an Unequal World: A Chat with Professor Richard Falk, Ecocide’s Legal (Grand)Father», *Opinio Juris*, 10 Luglio 2023, al link: <http://opiniojuris.org/2023/07/10/climate-justice-in-an-unequal-world-a-chat-with-professor-richard-falk-ecocides-legal-grandfather/>
7. L. Daniele – H. Alberro, «Ecocide: why establishing a new international crime would be a step towards interspecies justice», *The Conversation*, 29 June 2021, at <https://theconversation.com/ecocide-why-establishing-a-new-international-crime-would-be-a-step-towards-interspecies-justice-162059> .
8. L. Daniele – T. Mariniello, «L’operazione militare israeliana ‘Guardiano delle mura’ tra cicli di violenza armata e antinomie giuridiche. Note per una reinterpretazione sistematica del crimine di guerra di attacco diretto a strutture civili», *Quaderni di SIDIBlog*, vol.8, 2021/2022.
9. L. Daniele, «Note a Margine dell’operazione ‘Guardiano delle Mura’, parte II. La costruzione *contra legem* delle strutture civili di Gaza come obiettivi militari», co-author: Dr. Triestino Mariniello, 29 June 2021, *Italian Society of International Law Blog* (and Journal), av. at <http://www.sidiblog.org/2021/06/29/note-a-margine-delloperazione-guardiano-delle-mura-parte-ii-la-costruzione-contra-legem-delle-strutture-civili-di-gaza-come-obiettivi-militari-e-il-discrimine-tra-attacchi/> .
10. L. Daniele, «Note a Margine dell’Operazione ‘Guardiano delle Mura’, Parte I. Le Ombre del Dibattito Italiano su Gaza e Sheikh Jarrah, alla luce del Diritto Internazionale», co-author: Dr. Triestino Mariniello 25 June 2021, *Italian Society of International Law Blog* (and Journal), av. at <http://www.sidiblog.org/2021/06/25/note-a-margine-delloperazione-guardiano-delle-mura-parte-i-le-ombre-del-dibattito-italiano-su-gaza-e-sheikh-jarrah-alla-luce-del-diritto-internazionale/>.

11. L. Daniele, «'Imprisoning' Self-Determination – The Israeli Military Law Enforcement System in the West Bank and its Relevance for the ICC», *Opinio Juris*, 7 February 2020, av. at <http://opiniojuris.org/2020/02/07/icc-and-palestine-symposium-imprisoning-self-determination-the-israeli-military-law-enforcement-system-in-the-west-bank-and-its-relevance-for-the-icc/>.
12. L. Daniele, «Un passo avanti della giustizia penale internazionale contro la "istituzionalizzazione della tortura": la CPI autorizza in appello l'indagine sui possibili crimini internazionali commessi in Afghanistan (e in Europa) durante la War on Terror», *'Quaderni di SIDIBlog'*, Italian Society of International Law and European Union Law, online (28 April 2020) at: <http://www.sidiblog.org/2020/04/28/un-passo-avanti-della-giustizia-penale-internazionale-contro-l-istituzionalizzazione-della-tortura-la-cpi-autorizza-in-appello-l-indagine-sui-possibili-crimini-internazio/>.
13. L. Daniele, «The International Criminal Court between Human Rights and Realpolitik». Chapter in 'Human Rights Institutions, Tribunals and Courts: Legacy and Promise', *Major Reference Works Handbook Series*, Gerd Oberleitner [eds.], Springer, 8 June 2018, pp. 355-376, av. at https://link.springer.com/referenceworkentry/10.1007/978-981-10-5206-4_13.
14. L. Daniele, «Enforcing Illegality: Israel's Military Justice in the West Bank», *Questions of International Law*, 30 November 2017, av. at http://www.qil-qdi.org/wp-content/uploads/2017/11/03_Israeli-Military-Justice-System_Daniele_FIN.pdf.
15. L. Daniele, «Negazionismo e Libertà di Espressione: dalla Sentenza Perinçek c. Svizzera, alla Nuova Aggravante Prevista nell'Ordinamento Italiano», 12 October 2017, *Diritto Penale Contemporaneo*, 10/2017, pp. 79-104, at <https://archiviodpc.dirittopenaleuomo.org/upload/4311-daniele1017.pdf>
16. L. Daniele, «Penal Populism and the BDS Movement After Security Council Resolution 2334» *Open Democracy*, 30 January 2017, at <https://www.opendemocracy.net/luigi-daniele/penal-populism-and-bds-movement-after-security-council-res-2334> (translated in German, French, and Spanish).
17. L. Daniele, «Criminalizzazione delle lotte per la legalità internazionale: il caso del movimento "Boicottaggio, Disinvestimento e Sanzioni" (anche alla luce della recente Risoluzione 2334 del Consiglio di Sicurezza)» *'Quaderni di SIDIBlog'*, Italian Society of International Law and European Union Law, Vol. 4/5, 2017-18, pp. 290-310, and online at <http://www.sidiblog.org/2017/01/10/criminalizzazione-delle-lotte-per-la-legalita-internazionale-il-caso-del-movimento-boicottaggio-disinvestimento-e-sanzioni-anche-alla-luce-della-recente-risoluzione-2334-del-consiglio-d/>.
18. L. Daniele, «Disputing the Indisputable. Genocide Denial and Freedom of Expression in the Perinçek v. Switzerland Grand Chamber Judgement of the European Court of Human Rights» *Nottingham Law Journal*, 25, 2016, pp. 141 ss., at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4289996
19. L. Daniele, «La Palestina aderisce alla Corte Penale Internazionale: e ora?» *'Quaderni di SIDIBlog'*, Italian Society of International Law and European Union Law, Vol. 2, 2015, pp. 393 ss., and online at <http://www.sidiblog.org/2015/01/10/la-palestina-aderisce-alla-corte-penale-internazionale-e-ora/>