



**Minerva Center for the Rule of Law
under Extreme Conditions**

Minerva Center for the Rule of Law under Extreme Conditions

Annual report - 2019

Haifa and Hamburg, June 2020

Table of Contents:

Personnel and framework of activity	3
1. PI Initiated Research	4
I. Tools and mechanisms for public engagement in local authorities with regard to earthquake preparedness, response and recovery, final year	4
II. Towards an Israeli doctrine and legislative-regulative framework dealing with emergencies	7
III. National Research and Knowledge Center for Emergency Preparedness	8
IV. Databases	10
2. Research Projects and Researchers Selected for Support	11
I. Post-doctoral Researchers	11
II. Doctoral Students	27
III. External Research Funded by the Center	28
3. Conferences and Additional Activities	34
I. Conferences and Workshops	34
II. Seminars and Lectures	34
III. Visiting Scholars	36
IV. Website, Facebook, Twitter and YouTube	38
4. Publications and Submissions	38
I. Publications 2019	38
II. Publications Forthcoming	40
III. Publications Submitted for Review	40
IV. Proposals Submitted and in Review	41
5. Research Plan for 2020	41
I. Ongoing PI Initiated Research	42
II. Planned conferences and workshops	42
III. On-going Seminars	46
Financial report	47

In accordance with the contract between the Minerva Stiftung Gesellschaft für die Forschung m.b.h. and the University of Haifa, we present this report which covers the Center's activities for 2019.

Personnel and framework of activity

In 2019, the Center was home to a team of nine PIs (Prof. Eli Salzberger, Prof. Gad Barzilai, Prof. Florian Jessberger (Hamburg), Dr. Itaman Mann, Prof. Stefan Oeter (Hamburg), Prof. Amnon Reichman, Prof. Deborah Shmueli and Prof. Anne van Aaken (Hamburg)); one academic coordinator (Dr. Michal Ben Gal), working part-time as researcher, administrator and website manager, Twelve young scholars (doctoral students and post-doctoral researchers, of which five (Dr. Denard Veshi from Albania, Dr. Idit Shafran Gittleman, Dr. Anna Evangelidi from Greece/UK, Dr. Yahli Shereshevsky, Dr. Nadav Dagan) completed their affiliation by December 2019, Two (Dr. Ronnen Ben Arie and Jian Jiang from China/Germany) continue from 2019 to 2020, and four (Dr. Oren Shlomo, Dr. Rottem Rosenberg Rubins, Dr. Robert Neufeld, Dr. Tamar Megiddo and Dr. Shelly Aviv Yein) began their affiliation in October 2019 for 2019-2020 academic year); one project head (Adv. Ido Rosenzweig), and two to four research assistants, depending on project needs. In addition, the Center hosted ten young researchers from eight countries¹ for a two weeks workshop, and eight senior researchers from eight² countries for talks at the young researchers workshop, seminars and research visits.

The Center is located in the Terrace ("Madrega") building at the University of Haifa, room 1013. Center activities include: 1) research initiated by the principal investigators; 2) support for research projects and related activities conducted by external researchers, including graduate students, post-doctoral and established researchers; and

¹ Macedonia, Kazakhstan, Germany, UK, Japan, India and Israel

² UK, Greece, Italy, Germany, Denmark, Canada, Finland and Israel

3) conferences, workshops and round tables, supporting and complementing the research activities of the PIs, and further developing a research community with connections to policy and decision-makers in relevant fields.

The Israeli-based Center team meets every two weeks on Wednesdays. A Young Researchers Forum is held in the morning in which the post-doc, docs, and additional young researchers meet to discuss their “work in progress”. Prior to each meeting, one of the young researchers distributes a draft of his/her work, which is presented and discussed among the group. A seminar talk is held in the afternoon, usually given by one of the members of the Center’s community or by a scholar who has received a support from the Center. The lectures are open to the public and most of them are streamlined on YouTube (reaching several thousand viewers).

The Israeli PIs hold separate meetings to discuss substantive as well as administrative aspects of the Center’s operation; Israeli and German PIs meet during the year via video-conferencing and in person in either Israel or Germany.

1. PI Initiated Research

I. Tools and mechanisms for public engagement in local authorities with regard to earthquake preparedness, response and recovery, final year

Led by Prof. Deborah Shmueli, team: Dr. Michal Ben Gal, Dr. Emil Israel;

funded also by the *Israel Ministry of Science and Technology*, 200,000 NIS (around 51,500 Euros), 1/12/2016-30/11/2019.

2019 was the final year of a three-year project funded by the Israeli Ministry of Science and Technology. It builds on findings from of the evaluation of the Israeli earthquake framework research conducted in 2013-2016 (resulting in two publications*), which pointed to a significant gap in the preparedness of local authorities for earthquakes. At inception, the project began as an effort to piggy back ongoing 'regular' planning processes with elements necessary for emergency readiness in order to better

engage stakeholders in emergency planning. The concept was to take what we know about collaborative planning processes and negotiation principles and embed these within disaster management, to build community resilience in the face of a future potentially calamitous event. After making the case for applying collaborative planning principles to the pre-disaster stage, we emphasize the advantage of incorporating disaster preparedness elements into regular projects and day-to-day activities. This inclusion ties well into resilience arguments: when regular planning gives thought to the possibility for some disaster (and how the community would respond to it) we enhance resilience, we promote adaptation and even transformation at a time when we are not pressed by the need to respond to a disaster in real time. In this manner we also address the challenge of how to engage communities when the need is apparently not 'ripe' – by weaving community resilience and disaster thought into everyday decisions, within collaborative processes. In lieu of an appropriate ongoing planning process within the grant time-frame, the implementation stage focused on developing a piggy-back project, the description of which is bellow.

During emergencies, selected schools already serve as designated resilience centers for impacted populations. Along with the Haifa municipality, potential schools were identified in which to install solar energy systems with batteries and transform the schools into autonomous energy structures, increasing abilities of local authorities to provide essential services during grid-disrupting emergencies. The eventual deployment of a network of schools as "energy islands" will contribute to Israel's functioning during emergencies. During normal times, the systems will provide energy to school buildings, save costs, and serve as an educational exhibit (solar energy, environment, emergency management). Of the cases developed, one elementary school was designated as a pilot, and for that school, full specifications and costs were presented. The system includes solar photo-voltaic (PV) panels and a battery-based storage system. The system is connected to the electricity grid, or in the case of network disruption, it can disconnect from the network and convert the school into an energy island. In normal times, the system will provide energy for the school's use according to the Public Utilities Authority

– Electricity Guidelines. The model is based on similar systems installed in Florida schools. Florida built 112 systems in its coastal communities, and in 2017, when Hurricane Irma hit, 41 of the schools operated as energy-independent shelters.

The goal is technology transfer of a Florida-like system to the Israeli context, as well as development of a system which will enable energy management of the resilience center as an emergency mini-grid, and deliver optimal energy usage during emergency events, ensuring energy reserves in all weather conditions.

Focusing on this project included expanding our research team to include one of the architects of the Florida project from the US, a local architect specializing in green architecture, and an electrical engineer; and discussions which took place with numerous stakeholders from Haifa, the Ministry of Energy, and the Electric Company. Together with the *Ministry of Energy* and the *Planning Administration of the Ministry of Interior* **regulatory barriers** (particularly with the *Electric Company*) were examined and are not expected to present barriers.

The Ministry of Energy is interested in co-funding such a pilot and a commitment from the Haifa Municipality to fund their portion (half) of the pilot was reached within the municipality. The tentative timing for an RFI from the Ministry of Energy is April 2020 – depending on there being a new government elected on March 2, 2020.

Related publication:

Shmueli, D., Ozawa, C. and S. Kaufman, forthcoming. "Mining Collaborative Planning for Disaster Preparedness and Response", *International Journal of Constitutional Law*, Special Issue.

Conference Presentations:

Public Engagement in Preparation of Impending Hazards: addressing the challenges, Association of American Geographers (AAG), New Orleans, Louisiana, May 2018.

Preparing and Responding to Disasters: a planning process for integrating public participation and expert input, (ACSP), Buffalo, NY, October 2018, with C. Ozawa and S. Kaufman.

Association of Collegiate Planning Schools, Greenville South Carolina, Earthquake

Readiness in Volatile Regions: the Case of Israel, presenter with E. Segal, M. Ben Gal, E. Feitelson and A. Reichman

*Shmueli, D., Ben Gal, M., Segal, E., Reichman, A., Feitelson, E. " How can regulatory systems be assessed? The case of earthquake preparedness in Israel", Evaluation.

* Shmueli, D., Segal, E., Ben Gal, M., Feitelson, E., Reichman, A., 2019. "Earthquake Readiness in Volatile Regions: the case of Israel", Natural Hazards, Vol. 98, No. 2, 405-423, DOI 10.1007/s11069-019-03698-x.

II. Towards an Israeli doctrine and legislative-regulative framework dealing with emergencies

Led by Prof. Eli Salzberger and Prof. Shlomo Mizrahi (from the School of Political Science at the University of Haifa), with our post-doc, Dr. Robert Neufeld; time period: 1/1/2019-30/12/2020.

Funded by the National Emergency Knowledge and Research Center (Supported by the Israel Ministry of Science and Technology and The National Emergency Management Authority, Ministry of Defense)

During its short history Israel had gone through numerous emergencies, most of which were related to national security incidents. It is surprising, therefore, that Israel lacks a solid doctrine and comprehensive legislative and regulative framework dealing with preparation towards emergencies, handling and mitigating such emergencies and recovering from them. Furthermore, the legislation that does exist on the law-books is far from reflecting reality, creating a dangerous gap between the law in the books and law in action.

The proposed research is meant to fill these lack and gap. Based on a comparative study of the emergencies doctrines and legislative frameworks in other countries, as well as the current Israeli formal and practiced frameworks, we will put forward a legislation proposal to deal with the structure and management of the emergency field. It will be based on proposed policy research analysis of the main regulatory and coordination

problems that characterize emergency management in Israel and the alternatives to deal with them, producing also a policy paper with policy recommendations.

III. National Research and Knowledge Center for Emergency Preparedness

Led by Prof. Deborah Shmueli (Center Head); Dr. Michal Ben Gal (research coordinator), team of 85 researchers divided into 8 methodological groups, Law group led by Prof. Eli Saltzberger, whereas Prof. Gad Barzilai, Prof. Amnon Reichman are members of group.

Funded by the Ministry of Science and Technology and the National Emergency Management Administration of the Ministry of Defense, 3,000,000 NIS, 2018-2020.

Partial funding to Law group (Minerva) on competitive research basis.

THE NATIONAL KNOWLEDGE AND RESEARCH CENTER FOR EMERGENCY READINESS with eighty-five researchers was established in January 2018 by the Israel Ministry of Science and Technology and the National Emergency Management Authority (NEMA) of the Ministry of Defense. The Center operates in parallel to the Minerva Center for RLUeC in Haifa University. Core institutions involved are University of Haifa (the Center hub), the Technion and the Hebrew University, together with researchers from Rafael Advanced Defense Systems, Rambam Hospital, Tel Hai College, and the Israel School for Humanitarian Aid; with partners from the municipality of Haifa and NATAN International Humanitarian Aid. The Center's mission is to provide a state-of-the-art scientific research institute to serve as a think-tank for policy framers, decision-makers, the academic community and practitioners from all sectors. The two intertwined functions of the Center are 1) independently generated, cutting-edge and multi-disciplinary research, and 2) solicited real-time response to requests by NEMA, government ministries, elected officials, NGOs and other stakeholders. Currently the Center is fully involved with the management of Covid-19 crises. Details will be provided in next year's report.

The Center provides three levels of knowledge:

- Basic Science – both theoretical and empirical, regarding generic understandings of emergencies as such, the variables that differentiate between various types of emergencies, and the interplay between emergencies and 'normalcy'. Basic science is currently lacking, since it requires long-term commitment, of the kind that the Center can generate (and then reap the fruits of the investment). Attention will be paid to case studies (of single events from a comparative perspective using comparative data) and to theories that allow for comparing one event to another.
- Synergy – one of the outputs of the cross-disciplinary and cross-institutional Center structure is the development of a language embracing a more comprehensive perspective on emergency management. Since emergencies are often studied in an insulated manner by one discipline or another, developing a common language among disciplines will not only catalyze a richer, more robust understanding of the interaction among the many components necessary for better emergency management, but will also assist distinct state institutions, which also, on occasion, operate in an insular manner, to establish a more comprehensive approach.
- Comparative international studies and transferal of applicable transnational experience to the Israeli context. This level is crucial for policy recommendations, which the Center will generate in response to requests or pursuant to the internal research agenda.

Conceptually the Center is structured similarly to Minerva along two axes: the nature of the extreme condition (man and nature and belligerencies) and the time period (before, during, and after). Coping with a disaster in each timeframe is approached through the multiple disciplines and their research frames, and a multidisciplinary lens. The research goals include not only understanding and documenting the current situation (the 'what is') but also normative analysis – including critical and constructive evaluations and suggestions for improvement (the 'what ought to be').

The Center is comprised of 8 disciplinary research groups: **Social Science; Public Health and Emergency Medicine; Welfare and Social Work; Engineering, Technology, and**

Planning; Risk Assessment and Management; Environment; Law; and Public Policy. The Law and Public Policy groups have a dual role: they receive the research outputs of the other six groups, assess their implications for law and policy and make recommendations, providing a built-in operational pipeline aspect to the research. This ensures the integrative dimension critical for the success of the Center. Minerva PIs lead/participate in the Law and Public Policy groups.

Outlines of research at the Center is available on its website: <http://muchanut.haifa.ac.il>

>> [Center Research](#)

IV. Databases

A database within the framework of the new National Knowledge and Research Center for Emergency Readiness that was developed in 2018 continues to grow. This database is part of the new center's website and is linked with the Minerva website. It includes three types of data:

(1) Publication repository: data on bibliographic sources on emergency readiness retrievable by: a. research topic (Engineering Technology and Planning; Environment; Law; Public Health and Emergency Medicine; Public Policy; Risk Assessment and Management; Social Science; and Welfare and Social Work). The Law and Public Policy components are Minerva-related. b. Emergency type (Natural, Man-made, Belligerencies) and c. specific disaster (Fire, Flood, Earthquake, Epidemic, Environmental, Chemical, Nuclear, Cyber, War, Terror).

(2) Links to other related databases

(3) Case studies and emergency events

ArmJust - database of judicial decisions of and about courts of armed opposition groups (AOGs), Hosted by the University of Manchester, developed by Dr. [Antal Berkes](#) from the University of Manchester, in collaboration with colleagues from the University of Manchester and the University of Louvainwith with the support of the Minerva Center for the Rule of Law under Extreme Conditions. This database classifies and publishes judicial decisions of and about courts of armed opposition groups (AOGs).

The relevant judicial decisions concern contemporary armed conflicts and so-called “frozen conflicts” without ongoing hostilities, where an AOG has consolidated its effective control over the area.

The focus is on a particular type of judicial decisions, namely those concerning human rights (in the broad sense: civil and political rights, socio-economic rights and even third generational human rights) and/or invoking international law. The reason for this restriction is the interest to study the interrelations between international law and the justice provided by unrecognised armed opposition groups/*de facto* regimes.

The relevant judicial decisions of and about courts of AOGs are classified in three main categories:

1. [Judgments of AOGs \(and *de facto* regimes\);](#)
2. [Judgments of domestic courts of States regarding courts of AOGs;](#)
3. [Judgments of international courts regarding courts of AOGs.](#)

2. Research Projects and Researchers Selected for Support

I. Post-doctoral Researchers

In 2019 the Center hosted Ten (10) post-doctoral researchers, of which four were affiliated from October 2018 until September 2019 (Nadav Dagan, Yahli Shereshevsky Idit Shafran Gittleman, Anna Evangelidi), one started in October 2018 and continues to 2020 (Ronnen Ben Arie), and five began in October 2019: Shelly Aviv Yeini, Tamar Megiddo, Rottem Rosenberg Rubins, Oren Shlomo, and Robert Neufeld. Shelly is a joint appointment with the HCGES (Haifa Center for German and European Studies), and Robert a joint appointment with the National Research and Knowledge Center for Emergency Preparedness, mentioned above. Ronnen Ben Arie also continues (part-time) in 2020, so that in the 2019-2020 academic year we have six post-docs.

a. Dr. Nadav Dagan: Emergency, power and proper authorization

Nadav Dagan began his post-doc fellowship at the Center in October 2017 and continued through 2019. His normative research explores two main fields of law that

regulate governmental powers and the exercise thereof in national emergencies: vires and discretion. The requirements of due authorization as well as discretion law are of special importance during large-scale emergencies, since situations of this sort dramatically increase the tendency to centralize powers and control.

During emergencies the general public and political institutions may show an increased propensity to grant the executive all tools deemed necessary to deal with the evolving emergency, including extraordinary measures, or acquiesce to governments' demands. Hence, new powers may be granted to the authorities by the legislature, and the government usually pushes to deepen and widen its discretion as per existing powers as far as it possibly can.

Exploring the complementary and closely connected fields of vires and discretion, this research aims to construct a normative framework for legal examination of which powers are (and should be) conferred on government officials and how these powers ought to be exercised in times of emergency. The research presently focuses on the legal requirement of authorization in public law.

This stage of the research concentrates on the nature of governmental powers during national emergencies and the justifications for the legal requirement of authorization, with special emphasis on statutory authorization. In particular, it investigates various theoretical and doctrinal approaches that can be classified into one of two broad categories: legality and non-legality, inclusive of prerogative powers and contra-legal acts.

b. Dr. Yahli Shereshevsky: Informal Jus ad bellum lawmaking

Yahli's project focuses on the continuous debate over the right to self-defense against an imminent armed attack by non-state actors. The law on the use of force against non-state actors is vague and the path of traditional lawmaking and soft law initiatives have proven futile since the relevant actors cannot reach an agreement on the substance of such outputs. Under these circumstances any significant gap filling initiative has a potential to be influential and relevant states have strong incentive to use informal

lawmaking technics to influence the law.

The project mainly explores the involvement of former state officials as significant actors in these new lawmaking initiatives. While state unilateral lawmaking initiatives are expected to be influential, their perceived partiality might decrease their persuasive force. Academic works by former state officials, while still associated with state interests, might receive greater legitimacy in the international legal community. The proposed project focuses on the role Sir Daniel Bethlehem's article in the *American Journal of International Law* as a focal point of reference in the legal battle over the use of force in such situations. The project offers a unique account on the way in which academic work is used by states to justify their legal positions. It uses this concrete example to explore the importance of allegedly neutral sources that are not directly produced by states as legitimizing tools of state positions in contemporary international law making.

c. Dr. Idit Shafran Gittleman: Political theories of the rule of law under extreme conditions

Idit Shafran-Gittleman was a part-time post-doctoral scholar at the Center since October 2017. The famous Latin phrase *inter arma enim silent leges* ("in times of war, the laws fall silent") demonstrates an approach by which war is not part of civilized human life, subject to laws of decency and morality, but rather an outburst of primeval instincts of aggression or survival, therefore not subject to any set of rules. War strips man of all dress of human civilization, and takes him back to his primal, primitive, pre-civilized form.

At least *prima facie*, the existences of just war theories, as well as laws of war, stand in some contradiction to this approach. They reflect the view according to which even at times of war there are basic human rules that should be maintained and observed, and that some actions should never be performed, whatever the circumstances. Indeed, putting moral realism supporters aside, it is widely agreed that both the law, as well as morality, speak, and should be speaking, *inter arma* as well.

However, we do tend to accommodate some flexibility to the rules under extreme circumstances or severe conditions, sometimes allowing violation of human rights for

example, under such conditions, when unavoidable in order to prevent greater harm, or when characterized as security measures.

This tension between the approach according to which at times of such conditions the law should be silent, and the insistence that even when facing extreme conditions, we should nevertheless maintain the rule of law, at least to a certain degree, is present not only with regard to war-time, but also to other sorts of extreme conditions times such as natural disasters, etc.

During such times, it is often the case that states announce a "state of emergency" which allows them to either apply a whole different set of laws, or to amend the existing laws. For example, article 16 of the French constitution provides for "exceptional powers" (Pouvoirs exceptionnels) to the president in times of acute crisis. In Israel too, the continuation of the emergency regulations is approved every six months since the country's establishment in 1948, since, according to the state: "There's a fundamental need for the laws due to the war on terror".

The research reviews the different political theories facing this question. It first maps the theories, locating them on an imaginary graph at the one end of which stands the view that there should be no changes in the rule of law even under extreme conditions, while at the other end stands the view reflected by the above mentioned Latin phrase. The aim is to conclude with a normative theory of the role which law should play under extreme conditions.

d. Dr. Anna Evangelidi: From drones to cyberspace: the evolving concept of warfare and the legal challenges

Anna's project is motivated by the constant development towards weapon technologies that seek to achieve more and have greater consequences with less and less risk, as manifested in the use of unmanned aerial vehicles (UAVs) or drones and promised by the advancement of increasingly autonomous weapon technology, which represent models of violence that challenge the fundamental legal and ethical premises of the existing law of armed conflict (LOAC). Against this background, this research considers the

rise of cyberspace as a more and more prominent means and method of warfare, and the range of cyber activities that pave the way for the increasing militarization of cyberspace. Concerned about the legal argumentation which tends to concede too much to the dubious promises of advanced and sophisticated weapon technology, and which claims to speak to humanitarian sensitivities, this research suggests that there are still important questions to be asked and answered. With that in mind, it explores the multi-layered structure of the cyber domain and unpacks the essential and unique features of a realm that is at once virtual and real, intangible and physical, and examines what this means for the law conceptually and normatively. In this context, it considers whether the ways of conceptualizing and understanding more traditional forms of warfare and kinetic hostilities are well-suited to the peculiarities and particularities of cyberspace, and looks at the contribution of the work of expert groups like the Tallinn Manual on International Law applicable to Cyber Warfare in that respect. In the rapidly evolving world of conflict, the research also examines how the adversarial relationship of those found on the opposite ends of cyber activities is shaped both at the collective and the individual levels, and how the lines between the military sphere and the civilian lifeworld in cyberspace are re-drawn.

Anna was also a post-doc affiliate at the Center for Cyber, Law and Policy at the University of Haifa

e. Dr. Ronnen Ben-Arie : City at war: Haifa in the aftermath of the 1948 War

Cities are known to be targets of war and violence and the urban space often functions as a vehicle of war and terror, as cities are becoming more and more the primary space in which war, terror and violence are taking place and war itself is becoming more and more urbanized. However, the transformation and management of cities and of urban life and the city's resilience that enables its perseverance and sustainability through the conditions of war and its aftermath, still lack research and conceptualization. The research addresses this lacuna by exploring the concrete and specific practices, regulations, procedures and policies that were implemented during and following the

1948 war in the city of Haifa, intended to restore order and sustain urban life. The 1948 war was a time of extreme conditions for the city of Haifa. After decades of rapid development and growth, within a short time the city transformed completely. Throughout the years of the war (1947-1949), the city lost half of its population, as around 70,000 Arab-Palestinian residents, out of a total population of 145,000, fled or were forced out of the city and only 3,500 remained. At the same time and during the few years following the war, tens of thousands of Jewish immigrants arrived in the City and by 1951 its population again reached the total of 147,000. The City, its population and its management have radically transformed, yet municipal functions were sustained through these transformations. The research explores and analyses the sustainability of the City through radical transformations during a time of extreme conditions. The research pays particular attention to the management of the City as a whole and the connections and relations among the different parts of the City and its neighborhoods; to the continuity of operation of major urban infrastructures and industries; to the utilization, reconstruction and rehabilitation of the derelict parts of the city and abandoned properties through their habitation by incoming migrants; and the interrelations among the different levels of governance, the municipal and the national, and the various authorities and organizations involved.

f1. Dr. Shelly Aviv Yeini: Advanced Air Defense Systems and Proportionality in Jus ad Bellum

This research aims to explore the potential ways in which advanced air defense systems (AADS) may require a different take on the traditional evaluation of proportionality in jus ad bellum. It explores how the news of potential lives lost, rather than actual lives lost effects the assessment of proportionality, and whether the financial burden posed by the employment of AADS is taken into account as well. The use of Iron Dome in 2012 and 2014 makes an excellent test case to demonstrate such legal analysis of proportionality through different perceptions thereof. It will then offer guidelines for the proper assessment of proportionality when employing AADS, which may offer some

clarity on a rather ambiguous and underexplored matter.

In analyzing the impact that AADS put on the assessment of proportionality, this research will proceed in three stages. First, it will offer a comprehensive description of AADS technology. It will present the distinct protection that AADS provide to home front security alongside its costs and shortcomings. It will use the Iron Dome operations in 2012 and 2014 to demonstrate such advantages and costs. It will also outline some of the criticism towards Israel in both operations for lack of proportionality.

In the second stage, the research will examine the different approaches to proportionality in *jus ad bellum* – as well of the common confusion between proportionality in *jus ad bellum* and *jus in bello*. It will demonstrate the ways in which Iron Dome effects the assessment of proportionality when analyzing Israel's resort to force in both operations. This is especially distinct in the tit-for-tat approach, when actual damage is measured against the response to such harm. The research will then consider whether the following components are relevant to the assessment of damage, and if so – how much weight do they carry: 1) potential damage rather than actual damage (that was avoided due to the use of AADS); 2) economic damage due to the high operational costs of AADS for each rocket interception; 3) Disturbance to normal day-to-day life by threat of rockets.

In the third stage of the research, Shelly aims to offer guidelines for the assessment of proportionality in *jus ad bellum* when AADS are deployed. Such guidelines can aid states in better understanding a major component of their right to self-defense, which has become increasingly unclear with new technological developments. It would aim to suit the principles of "just war" and to make sure that on the one hand states maintain their right to self-defense, and on the other the principle of proportionality is not devoid of content. I will demonstrate the actual applicability of such guidelines in the analysis of proportionality regarding the use of Iron Dome in 2012 and 2014 so as to show how it should have properly affected the assessment of proportionality.

f2. Dr. Shelly Aviv Yeini: Rethinking the Exclusion of Border Incidents from the Scope of

Armed Attack

Article 51 of the UN Charter sets the exception to Article 2(4) of the Charter, which prohibits the use of force to resolve international disputes and provides that states have an “inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations”. While Article 2(4) uses the term "use of force", article 51 refers to an "armed attack", which implicates that 'while every use of force against the territorial integrity or political independence of another state is prohibited, not every such use of force will constitute an armed attack'.

The term “armed attack” – which upon its occurrence the right to self-defense is activated, is rather vague, and is not defined within the Charter. In the Nicaragua case and the Oil platform case, the International Court of Justice (ICJ) had stated that grave forms of use of force constituting an armed attack, must be distinguished from other less grave forms of use of force by their scale and effects.

In Nicaragua, the ICJ has distinguished between an armed attack and 'a mere frontier incident'; a distinction that is has been understood to create a category that is excluded from the cope of armed attack. Such exclusion has been widely criticized. This research aims to develop guidelines to assess whether a given border incident falls into the scope of an armed attack. Such guidelines are complementary to the traditional scale and effects test and will by specially designed to address the unique characteristics of frontier incidents. Such guidelines can be used by states in real time to assess whether a specific incident may trigger their right to self-defense.

In developing guidelines for the assessment of frontier incidents as armed attack, this research will proceed in three stages. First, it will offer a comprehensive analysis of current legal status of armed attack. It will present the determinations made in the Nicaragua case, and the legal debate they inspired. In the second stage, I will challenge the perception that frontier incidents fall short of armed attacks and present three types of frontier incidents that challenge such notion: Kidnapping of soldiers and civilians; digging of cross border combat tunnels and mass breach of state's border. I will demonstrate on the basis of the second Lebanon war, the Gaza war of 2014 and the latest

protests at the Gaza border, the ways in which border incidents may be perceived as triggering the national right of self-defense. In the third stage, based on the analysis of the extreme cases of frontier incident, together with the review of 'traditional' frontier incidents, the researcher plans to identify the factors that differentiate a 'mere frontier incident' from an acute one. Such factors include, inter alia, the elements of intent, complexity of the event, military character of the event, and accumulation of incidents.

g. Tamar Megiddo: Babysitter Justice

With the rise of populist politics around the world, progressive, activist courts have been a primary target of criticism by populist politicians and thinkers. Plausibly, one consequence of the threatened legitimacy of courts may be a renewed reluctance to rule on politically high-stakes issues. This project studies one course of action to which courts may resort in such situations: evading ruling on the merits of a case, preferring, rather, to “babysit” it, in the hope that the underlying conflict resolves itself without explicit judicial intervention. By “babysitting” a case, a court keeps a case pending, refraining from ruling on its merits for an extended period of time. During that time, the court might hold occasional hearings, urge the parties to negotiate, or require them to report on the underlying dispute.

The court’s choice to keep cases pending rather than rule on their merits raises concerns, as the court’s formal mandate is to decide the cases brought to it,² and not preside over negotiations, and given that rights may continue to be gravely violated in the interim. Simultaneously, the value of the court’s function as an arena for inter-party engagement should not be easily dismissed.

The practice of judicial evasion from ruling on the merits has received little scholarly attention. There is a robust literature on the strategy of, and conditions under which courts have expanded their judicial review powers. Voluminous scholarship also exists with respect to the motives for instigating, and the benefits for parties who engage in public interest litigation. However, the research argue that there is an important qualitative difference between cases where a final decision on the merits is realistically

anticipated – and cases where it is not (e.g., babysitting), regardless of the favorability of such decision.

The paper explores an Israeli case study in order to illustrate and analyze the practice of judicial babysitting. In 2007, a petition was filed with the Supreme Court of Israel against the pushback policy exercised by the IDF against migrants and asylum seekers crossing the Israeli-Egyptian border. This practice was alleged to violate the non-refoulement principle, which prohibits the deportation of person to a place where she faces risk to her life or liberty. Although voicing its discomfort with the practice in hearings, the court kept the case pending for almost four years, declining to issue an interim injunction. In 2011 the government decided to halt the practice. Shortly after, the court finally ruled that the petition has exhausted itself and should be denied. By babysitting the case, the court achieved several things: (1) it avoided having to render a decision and commit to a specific normative position and thus exposing itself to political criticism; (2) it was able to convey to the government certain signals which triggered reconsideration of its position, even without issuing an explicit decision; (3) it was also able to provide litigants with certain benefits, including, primarily, a forum in which the government was bound to engage with them.

The government was able to avoid an adverse decision at the price of having to undertake certain steps which it might not otherwise wish to take. Following the court's guidance, it promulgated and later amended a procedure regulating the pushback policy and occasionally reported on its implementation. Nonetheless, the government was forced to operate under some legal uncertainty as the court refrained from legitimizing its practice.

As for the petitioners, even though they were not able to obtain the judicial decision they were hoping for, they were able to utilize the proceedings to generate support for their cause otherwise. Among others, the proceedings served as a measure to force the government's attention and responsiveness to their arguments; as an axis around which to beckon the intervention of international bodies, including UN bodies and global NGOs, and to generate public awareness and media attention.

Nevertheless, babysitting continues to suggest certain foundational difficulties. First, the court clearly did not fulfill its role as a settler of disputes. Arguably, the petitioners' right to access to justice also includes a right to have their case decided, not only heard. Second, babysitting did a disservice to the court's role as a guide for behavior and as an institution entrusted with furthering the coherence of the law and its implementation on the ground. Further, when deciding to babysit, the court seems to operate on a certain tentative assessment of the facts and the law, but this remains preliminary, unspecified and unreasoned.

Third, the deterring factor of babysitting vis-à-vis the government that is attached to the threat of an adverse ruling may over time erode if the court often resorts to babysitting and rarely acts on the threat.

Finally, and most importantly, the court's refusal to rule on the case and even to issue an interim injunction allowed for the pushback of over 600 individuals, some of which are known to have been held incommunicado in Egypt or deported back to their countries, tortured or killed. This, most starkly, was babysitter justice's highest price. The contribution of the paper is threefold. First, at the descriptive level, by calling attention to the phenomenon of judicial babysitting that is likely to expand in the present political climate. Second, by conceptualizing the practice of babysitting, mapping and categorizing the conditions under which a court may engage in babysitting, and evaluating the practice's implications for litigants. Finally, from a theoretical and normative point of view, by evaluating the implications of this practice for democratic checks and balances and rights' protection.

h. Rottem Rosenberg Rubins: From a state of exception to hyper-legality: Israeli counterterrorism law in the post-two-state era

We live in historic times. Twenty-five years after the first Oslo Accord, the two-state solution to the Israeli-Palestinian conflict is all but officially off the table. The contemporary political discourse renouncing the two-state solution often appears unsubstantiated by an alternative plan on the macro-level, as the government denies that

Israel is currently an apartheid state, but refuses to commit to a solution of a binational state in which Palestinians and Israelis receive equal rights. However, important developments occurring in the field of criminal law suggest that on the micro-level, state apparatuses are beginning to adapt to the post-two-state era. This research focuses on one such development, namely, the comprehensive 2016 Counterterrorism Bill, introduced by the government to enable Israel to cope with security offences within the confines of its conventional criminal procedure.

The Counterterrorism Bill introduces aggravated sentences for existing security offences, as well as several new offences, many of which are preventive by nature. It permits extended periods of interrogation and pre-charge detention of terrorist suspects compared with those allowed for suspects of non-security related offences and creates new powers to seize assets belonging to groups linked to terrorist activity. It also replaces many of the Defense (Emergency) Regulations with permanent statutes and transfers certain powers from the Israeli military forces to the civilian criminal justice system. While the bill is formally domestic and applies solely in the state of Israel, it was designed with the Palestinian residents of the occupied territories in mind. It aims to substitute the law enforcement powers previously executed by the military commander of the Gaza area and applies to Israelis and to the population of the Gaza strip alike. As for Palestinian residents of the West Bank, they are usually tried in military tribunals; however, the prosecution is free to bring their cases to the Israeli civilian courts. Moreover, the bill entails arrangements pertaining specifically to suspects and witnesses who live in both Gaza and the West Bank, indicating that at least some of its powers are expected to apply to both populations.

The research attempts to identify the underlying logic of the new Counterterrorism Bill and the type of relationship it envisions between Israel and the occupied territories. It applies a methodology of Critical Analysis of Law (CAL) to the legislation process of the bill, including the legislation itself; the draft bill and the annexed explanatory notes; the protocols of the Parliamentary hearings concerning the bill, and the litigation pertaining to the legislation thus far. By taking a broadly contextual and

interdisciplinary approach to legal studies, that combines analysis and critique, CAL assists in forming three main arguments:

First, the Counterterrorism Bill signifies a gradual shift from an “armed conflict paradigm” for combatting terrorism, namely, a perception of terrorism as a military conflict between a state and an entity external to it, to a “homeland security paradigm”. The latter views terrorism as a threat that materializes at home and must be combatted via civilian law enforcement apparatuses. This indicates that the legislation perceives the occupied territories as a de-facto part of Israel and views Palestinian residents accused of security offences as a type of “homegrown terrorists”.

The second argument concerns the precise membership status designated by the new legislation to Palestinian residents of the occupied territories, under the forming one-state solution. The shift to the homeland security paradigm comes at the “price” of adopting at least some of the rights and protections inherent to the conventional criminal process, which is typically reserved for members of the polity. While the Counterterrorism Bill does not fully eliminate emergency powers such as administrative detention or abolish the legal segregation between Israelis and Palestinians, it reduces the use of exceptional measures typical of what Jakobs has termed “enemy criminal law”. The research hypothesizes that the new balance struck by the state between principles of enemy criminal law and citizen criminal law indicates that Palestinians are gradually acquiring an intermediate status in the Israeli political community, one of neither “insider” nor “outsider”. In the eyes of the Israeli government, such a status – which entails diminished rights compared with those granted to citizens, but incorporates certain protections associated with permanent membership in the community – may constitute a potential model for governing the Palestinian population in the post-two-state era.

Third, an attempt is made to demonstrate that this potential model abides by the core characteristics of what Hussain has termed “hyper-legality” – an inflation of laws, rules and legal mechanisms that causes the subjects of power to be over-regulated rather than abandoned by the rule of law. This reality is inconsistent with the Agambenian “state of exception” model for combatting terrorism, namely, with the exclusion of suspected

terrorists from the normal legal order of the state. Rather than viewing Israel's new counterterrorism policy as a normalized state of exception (i.e., the incorporation of exceptional measures into the normal legal order), Rottem suggests it exemplifies the tendency of hyper-legal systems to classify their subjects into groups of risk and over-regulate groups considered most "dangerous". This tendency is apparent with regard to Palestinians under occupation, who are considered by the Counterterrorism Bill to be a particular security threat and are accordingly over-criminalized. However, we are currently also witnessing attempts to use the legislation to criminalize Israeli citizens who may be considered a threat to public order under the forming one-state solution – particularly Jewish settlers of the West Bank accused of terrorist acts against Palestinians. Thus, the counterterrorism legislation arguably allows us a glimpse into a future in which the membership status of various groups residing under Israeli rule – including groups that formally enjoy the full rights of citizenship – is increasingly conditioned and securitized. The research will consider the potential implications of such a future to the institution of Israeli citizenship.

i. Oren Shlomo: From Contested Sovereignty to Urban Politics: Palestinian Rights-Claiming and 'Accessing the State' in post-Oslo East Jerusalem

This study empirically describes and theorizes new forms of Palestinian encounters with the state in Jerusalem hypothesizing their shifting in the post-Oslo era from non-recognition and rejection of Israeli rule, to the utilization of state governmental and legal apparatus to make claims on the state. The analyses facilitates an assessment of the implications of this development in relation to Palestinians' partial inclusion in state apparatus and the restructuring of their political positioning, the development of civil sentiment between the Palestinians and state agencies, and the overall restructuring of urban politics, governance and modes of control under the extreme urban and political conditions in Arab Jerusalem.

Thus this research is situated within a growing body of knowledge which investigates new forms of governance, control and resistance that have emerged in the

post-Oslo era of the Israeli-Palestinian conflict – an era which is characterized by a shift from peace resolution to 'conflict management' (Bar-Siman-Tov 2007). In the context of East Jerusalem (EJ), the so-called 'post-Oslo era' refers mainly to the events that have brought about the political, social, and economic 'fall' of the intended Palestinian capital, as it has gradually transformed from the urban center of the West Bank to a poor, isolated and neglected city with its urban functionalities and economy oppressed and weakened to near collapse (Cohen 2011; Klein 2005; Shlomo 2017).

This research innovates by applying the urban 'southern' approach to EJ which focuses on the politics of marginalized groups and informal settlements, such as slums, favelas, and refugee camps of the cities in the Global South, whose dwellers are largely excluded and disassociated from the state's formal governmental, legal and administrative orders (Bénit-Gbaffou and Oldfield 2011). Situated within this framework, the study examines how the transition from 'politics of favors' and encroachment to a formal discourse and political practice of rights claiming evolves. Further, it explores what political subjectivities have been produced in this right claiming process within a context of not only poverty, marginality, urban informality and alienation from the state as described in the literature on the politics of urban informalities (Bayat 1997; Roy and AlSayyad 2004), but one where the very legitimacy of the ruling power is rejected – as in the case of EJ.

j. Robert s. Neufeld: Towards an Israeli doctrine and legislative-regulative framework dealing with emergencies

This research is funded by the National Knowledge and Research Center, led by Eli Salzberger and Shlomo Mizrachi and mentioned above. During its short history Israel had gone through numerous emergencies, most of which were related to national security incidents. It is surprising, therefore, that Israel lacks a solid doctrine and comprehensive legislative and regulative framework dealing with preparation towards emergencies, handling and mitigating such emergencies and recovering from them. Furthermore, the legislation that does exist on the law-books is far from reflecting reality, creating a

dangerous gap between the law in the books and law in action (e.g. The Home front Command which is currently the main body to deal with emergency is not mentioned in any legislation and the veteran Civil Defense Law 1951 does not reflect the actual decision-making and institutional structure addressing emergencies). This research is meant to fill these lack and gap by:

- A comparative study of the emergency doctrines and legislative frameworks in other countries, among which are Japan, Canada, the Philippines and the UK – countries with different features regarding both the type of threats, as well as governmental structures (e.g. federation or a unitary country) and legal cultures (e.g. common law vs. civil law). The research will analyze the different arrangements relating to various variables such as 1) whether the law relates to all stages of emergency – preparation and mitigation, management and recovery, 2) centralized vs. de-centralized emergency regime, 3) institutions and command structures during normality (preparation stage) and during emergency, 4) powers and authorities vis-à-vis the government, administration, local authorities, public entities, private entities and individuals, during normality and emergency, 5) enforcement mechanisms, judicial review and checks and balances during normality and emergency.
- Analyzing the Israeli current emergency management system and proposal of required reforms, which will involve also interviews with past and present key office holders in the emergency realm. The research will use the methodology of policy research including the following steps: 1) identifying the main problems; 2) setting the main goals and specific targets; 3) identifying various alternatives regarding the regulatory and command structure that may minimize the problems; 4) evaluating these alternatives, prioritize them and produce recommendations. In doing so, normative and positivistic approaches are integrated, namely applying both value-oriented evaluation and interest-based evaluation and integration of the two.

II. Doctoral Students

a. **Denard Veshi** Refugee Flow: a Law and Economics Approach, supervised by Prof. Eli Salzberger and Prof. Michael Faure (University of Maastricht) in the framework of the EDLE

Since 2011, due to the Syrian civil war, Libya's institutional breakdown, and Eritrea's political unrest, record numbers of migrants have been arriving irregularly at the EU's south-eastern external borders, publicly known as "Europe's refugee crisis." The thesis aims to analytically study the protection of refugee rights by applying an economic analysis to international refugee law and to European asylum law, after highlighting the HRs approach to positive law through case-law study. Its main part offers a L&E model constructed on the assumption that refugees, as well as national States, *might* aim to maximize their net benefits. This research focuses on the most important variables that impact refugee decision-making and the main "push" factors that impact lawmakers in enacting and modifying refugee laws (e.g. the protection of national security and the safeguarding of the national job market). Furthermore, this thesis examines the economic advantages and disadvantages of a centralized supranational asylum law [within *acquis communautaire*] that might result in the elimination of competition between legal orders in asylum law and the removal of negative externalities caused by "asylum shopping." In summary, the "Refugee Crisis" is critically analyzed through a multidisciplinary approach since there is the application of HRs approach as well as L&E methods by also considering case-law study and the positive law.

(thesis was submitted in December 2019 and is under evaluation)

b. **Jian Jiang**: Vulnerabilities, Cybersecurity, and the Role of Law and Regulation herein, Supervised by Prof. Eli Salzberger with Prof. Niels Philipsen (University of Rotterdam) in the framework of the EDLE

The thesis analyses the phenomenon of software vulnerabilities and their exploit. It focuses on three aspects: (1) the vulnerability, which is inevitable is a by-product of software but makes significant impacts on cybersecurity; (2) the cybersecurity, which is becoming one of the most important social concerns under the background of the booming trend of Internet of Things; and (3) the law and regulation herein, which is designed to address problems of vulnerabilities and cybersecurity in the long run.

(Due to be submitted in 2020)

III. External Research Funded by the Center

In 2019 the Center supported the following projects:

a. Emre Turkut: Human Rights at the Margin: an analysis of Turkey's post-coup derogation measures

On 15 July 2016, Turkey suffered an attempted military coup, allegedly orchestrated by the so-called Gülen movement, leaving 246 persons dead and 2,194 wounded. Shortly after the attempted coup, on 21 July the Turkish authorities announced a nationwide state of emergency pursuant to Articles 119- 121 of the Turkish Constitution and the 1983 State of Emergency Law. On the same day, **referring to the failed coup and 'other terrorist attacks'**, Turkey informed the Council of Europe of its intention to derogate from the European Convention on Human Rights (ECHR) pursuant to Article 15 ECHR and therefore to temporarily suspend a number of rights and freedoms. A similar notification pursuant to Article 4 of the International Covenant on Civil and Political Rights (ICCPR) was lodged with the United Nations shortly thereafter. In the wake of the 21 July declaration, the Turkish authorities adopted a wide range of emergency decrees, closing over 2,500 institutions, including schools and media outlets. More than 120,000 public servants were dismissed from their posts, including approximately 3,800 judges and prosecutors. More than 100,000 others, including military personnel, civil servants and teachers have been detained, with over 50,000 arrested. The state of emergency

has been prolonged on a periodic basis, and continues at the time of writing.

The Turkish case is not an isolated example. Quite the contrary, even if few States have taken measures as drastic as Turkey, the number of State derogations from human rights instruments appears at an all-time high. Following the 9/11 attacks, the United Kingdom lodged a derogation notice from the ECHR (which was later defeated both by the House of Lords and by the European Court of Human Rights (ECtHR)). France did the same in the wake of the November 2015 Paris terrorist attacks. Ukraine also derogated from the ECHR in relation to the ongoing conflict in the eastern part of the country. Last but not least, in October 2016, the British government announced its intention to derogate from the ECHR in respect of its involvement in military operations abroad.

The present research seeks to tackle two main research questions. (I) First, are the Turkish emergency measures compatible (*de lege lata*) with international human rights law, and with international law more generally? (II) Second, drawing from the Turkish case, is the current derogation regime viable and sufficiently determinate? Inasmuch as the latter question is answered in the negative, the project seeks to make suggestions (*de lege ferenda*) in terms of addressing the fallacies of this regime and in terms of identifying alternatives to derogation.

b. Dr Sofia Galani: Hostage-Taking and Counter-Terror Policies: Lessons Learnt from the Israeli Experience

This study examines the Israeli counter-terror policies, focusing on terrorist hostage-taking. It will consider how Israel has responded to the taking of Jewish people hostage within and beyond its territory since the proclamation of the establishment of the state of Israel in 1948. The purpose of this assessment will be to examine how hostage-taking has affected the human rights of hostages and how Israel has sought to protect hostages while also safeguarding national security interests. To explore this, I will consider the Israeli policies at three different stages: before, during and in the aftermath of a hostage-taking situation. More specifically, I will examine the use of intelligence for the prevention of terrorist hostage-taking; the negotiation, ransom policies, and conduct

of rescue missions for the release of hostages; and the availability of reparation mechanisms for the victims of hostage-taking. This study will contribute to greater understanding of the development of the Israeli counter-terror policies in light of the threats posed to hostages and national security and of how to balance these two for the purpose of protecting hostages without losing sight of national security interests.

c. Dr. Elena Cirkovic: Space, Ice and Final Frontiers of International Law

(Support for a short visit. Dr. Cirkovic presented her draft paper: The “Earth system” as an actor in international law” in a seminar lecture, 13.3.2019)

International law has mapped the world in dimensions of territory, property, jurisdiction, ownership, and use of both sentient and non-sentient life, and the non-human world in general. However, with the now existential problem of global warming and general climate change, there is a need to add the extra dimensions of other aggregate states or spaces.

The release of Methane (CH₄) in the Arctic that was heretofore trapped under the now receding ice sheets, threatens to accelerate the pace of climate change. Space and time are becoming increasingly more relevant with the process of climate change: time to take measures to limit global warming to 1.5 °C is running out, and different spaces, such as the Arctic, are affected in the ways not seen before. This has been highlighted by the IPCC report published on 8 October 2018, which emphasized the need for urgent global action. Such action will also require the legal classification of ongoing autonomous changes to the climate that are by now independent of human action and a greater ecological reflexivity of the international legal regime.

New proposals for the protection of the Arctic environment indicate that in addition to the new extraterritorial ‘resource grabs’ and climate change, there is also an opportunity for the establishment of regulatory measures *ab initio* which would be more ecologically reflexive.

This paper explores the theoretical and practical challenges of ecologically reflexive institutional design, through the lens of three different yet related processes

caused by global warming: a.) The emissions from the autonomously active CH₄ craters; b.) Commercialization of the Central Arctic Ocean, especially deep-sea mining and the emerging dispute settlement framework; and c.) Ecologically reflexive and treaty-based regulation in the Arctic, which would be responsive to both, threats from global warming, as well as the new commercial interests in the global commons. The triad of these interconnected issues reveals the need to not only discuss the ‘protection’ of the environment, but to also recognize the Earth as a system in its entirety, as an actor, and therefore capable of autonomous reactions to climate change. This implies legal classification of the Earth System and the ongoing autonomous changes to the climate that are by now independent of human actions.

d. Prof. Antoni Abat i Ninet: Rule of law under pressure

(Prof. Abat gave a talk in a seminar meeting on 27.2.2019 – see under “Visiting Scholars”)

This research focuses on how the conceptualization and enforcement of the notion “Rule of Law” is adapted in times of emergency.

Constitutions and international treaties, domestic and international courts, have progressively applied and given meaning to the locution “rule of law”. Currently, the concept is a fundamental cornerstone of our political and legal systems. Its process of idealization has extended beyond the strictly legal sphere in that the rule of law is among the array of values that leads liberal political morality. The universal “triumph” of the principle of the rule of law means that it is becoming a liberal “God” and its entry into the liberal Valhalla, has enormous consequences. This paper focus on this process of “idealization” of the concept of rule of law and its messianic application to achieve undisputed legitimacy and the “expiation” of non-democratic regimes.

The research is divided into three sections: The first analyses the two dimensions of the concept of rule of law; related to the notion of sovereignty and as a concept to control arbitrariness on the part of the ruler. The segment proceeds to give an historical account of the notion and the different stages of its epistemological configuration, from the ancient Greek notion of Eunomia and its incompatibility with popular rule, to the

current notion where the rule of law has become fused with democracy and human rights. This first segment focuses also on the relation between the concept of the rule of law and other principles, such as proportionality, neutrality and effectiveness.

The second segment investigates the juridification of the rule of law in international treaties and domestic constitutions. It pays special attention to the role that constitutional accommodation plays in the process of rationalization of the rule of law as a prerequisite to its idealization and mystification. The segment goes on to analyse why and how the principle of the “rule of law”, and its different varieties (they vary in non-trivial respects) is explicitly (Portugal, Spain, South Africa) or implicitly (Germany, Canada, United States) incorporated in constitutions around the world. It analyses why this principle is: “clearly a basic and essential feature of the constitution”, despite the inner plurality of legal systems, which comprise local consuetudinary law and legal systems as well as other normative sources (Sharia, tribal normative systems). The research at the Minerva Centre will take special attention in the case of Israel and the cohabitation between the basic laws and Hebrew concepts of the rule of law, specially when both “empires” collide.

The next aspect, analysed in the third segment of this paper, is the messianic use of the concept of the rule of law. The paper performs a critical definition of messianic thought covering a theological perspective and the different theories and concepts that go hand in hand with the idea of the Messiah, such as the “coming”, prophetic and apocalyptical messianism, the phenomena of eschatology, expiation and redemption pictured in the texts and traditions of the three larger Abrahamic religions. The analysis of these spiritual concepts is linked with the conceptualization of the rule of law. A good example of this trend is Zolo’s statement: “the doctrine of the rule of law is, quite probably, the most important heritage that, at the beginning of the millennium, the European political tradition offers the world’s political culture”. The research will be then devoted to Hebrew theories of Messianism.

The last segment focuses on how the concept of rule of law is adapted in cases of emergency such as terrorism and extreme conditions. How the challenges to the rule of

law are responded to in constitutional democracies

e. Haim Abraham: Tort Liability for Belligerent Wrongs

(Support for publication)

Most legal systems deny civilians a right to compensation for losses they sustain during belligerent activities. Arguments for recognising such a right are usually divorced, to various degrees, from the moral and legal underpinnings of the notion of inflicting a wrongful loss under either international humanitarian law or domestic tort law. My aim in this article is to advance a novel account of states' tortious liability for belligerent wrongdoing, drawing on both international humanitarian law and corrective justice approaches to domestic tort law. Structuring my account on both frameworks, I argue that *some* of the losses that states inflict during war are private law wrongs that establish a claim of compensation in tort. Only in cases where the *in bello* principles are observed can losses to person and property be justified and non-wrongful. Otherwise, they constitute wrongs, which those who inflict them have duties of corrective justice to repair.

Paper was published:

Haim Abraham, Tort Liability for Belligerent Wrongs, *Oxford Journal of Legal Studies*, Volume 39, Issue 4, Winter 2019, Pages 808–833, <https://doi.org/10.1093/ojls/gqz025>

f. Dr. Antal Berkes: Justice in “grey zones” – a database of domestic judgments from areas out of the effective control of the State

(Support for database)

See above under “Databases”. In 2019, the form of the database *ArmJust – Justice by Armed Opposition Groups* (<https://sites.manchester.ac.uk/armjust/>) was finalized, and the first translated decisions were uploaded. Dozens of judgments from de facto regimes have been or are being translated which will be gradually uploaded to the database, together with various new decisions of international courts. The editor of the database, Antal Berkes presented a paper entitled ‘The Legal Value of Judgments by Armed Opposition Groups’ about the first findings of the database at the 14th Annual Minerva/ICRC Conference on IHL (‘Military Justice and Armed Conflict: Old Problems, New

Challenges'). The paper, together with a blog series, was submitted for publication in spring 2020.

3. Conferences and Additional Activities

I. Conferences and Workshops

In 2019 the following events were held at the Center:

16.1.2019: Book event and Seminar talk:

[The Changing Practices of International Law](#). With Prof. Thomas Gammeltoft-Hansen, Dr. Daniel Benoliel, Dr. Hilly Moodrick-Even Khen, Dr. Anna Evangelidy. Facilitator: Dr. Itamar Mann.

Feb. 4-14, 2019: Young researchers workshop:

[The 3rd Young Researchers Workshop on Terrorism and Belligerency](#)

Feb. 28, 2019: Guest lecture (with Haifa Center for German and European Studies (HCGES): Dr. Susanne Wasum-Rainer, German Ambassador to Israel: [International Law and Diplomacy](#)

See [here](#) for a video of the event

March 24-26: Haifa and Jerusalem:

Conference with Haifa Center for German and European Studies ([HCGES](#)) and [DAAD Center for German Studies](#), Dept. of Communication & Journalism, The Hebrew University of Jerusalem: Perspectives on Terrorism and Migration in Germany, Europe and Israel: From Discourse to Policy

[See here for program](#), and [here for recorded talks on YouTube](#)

May 26-27, 2019:

Workshop: [Legal Aspects of Relief Operations](#)

June 26 (Jerusalem), June 30 (Haifa), 2019:

[Normal abnormal state- The 8th Decade of Emergency Laws in Israel](#) (in Hebrew) - Conference and round table with the Israel Democracy Institute (IDI) in Jerusalem

II. Seminars and Lectures

2019 seminars were given by Center researchers, visitors and grant recipients, as well as by outside lecturers whose research topics are relevant to the Center. Some of the

lectures were streamed live and available to watch on the Center [YouTube channel](#).

List of lectures:

2.1.2019: Professor Gad Barzilai, Faculty of Law, Vice Provost University of Haifa: **Why Do Courts Incline to Prefer National Security Arguments Over (other) Human Rights?**
[Link to recording on YouTube](#)

27.2 2019: Prof. Antoni Abat i Ninet: **The Messianic Thought of the Rule of Law**
[Link to recording on YouTube](#)

13.3.2019: Dr. Elena Cirkovic: **Space, Ice and the Final Frontiers of International Law**
[Link to recording on YouTube](#)

27.3.2019: Dr. Nadav Dagan: **Five Points for Legality: On Law, Exigencies and Emergency Powers** (Hebrew)
[Link to recording on YouTube](#) (Heb)

April 10, 2019: Dr. Denard Veshi, PhD fellow at the European Doctorate in Law & Economics and the Minerva Center for the Rule of Law under Extreme Conditions: **Refugee Flow: a Law and Economics Approach**
[Link to recording on YouTube](#)

April 10, 2019: Dr. Reuven (Ruvi) Ziegler, School of Law, University of Reading: **Uncertain futures: EU citizenship rights in the shadow of Brexit**
[Link to recording on YouTube](#)

May 1, 2019: Dr. Itamar Mann: **Hangman's Perspective - Three Genres of Critique following Eichmann**
[Link to recording on YouTube](#)

May 15, 2019: Dr. Yahli Shershevsky: **The Internal Logic of Jus ad Bellum Arguments**
[Link to recording on YouTube](#)

May 29, 2019: Dr. Ronnen Ben Arie: **City at war: the state of emergency as a constituent moment**
[Link to recording on YouTube](#)

June 12, 2019: Prof. Robert Howse with Adv. Amin Yacoub (NYU): **Should States be Liable under Investment Agreements for Failure to Prevent Non-state Actor Violence in Conflict Zones? A Skeptical View: The Case of *Ampal v. Egypt***
[Link to recording on YouTube](#)

November 20, 2019: Prof. Eli Salzberger: **The Rule of Law under Extreme Conditions - Some Conceptual Insights**
[Link to recording on YouTube](#)

November 27, 2019: Dr. Tamar Megiddo: **Online Activism, Digital Domination, and the Rule of Trolls: Mapping and Theorizing Technological Oppression by Governments.**

[See here for more details](#) and [here for recording on YouTube](#)

December 11, 2019: Jonathan Kolieb: **Don't Forget the Geneva Conventions: Achieving Responsible business Conduct in conflict zones Through Adherence to International Humanitarian Law.**

[See here for more details](#) and [here for recording on YouTube](#)

December 11, 2019: Shelly Aviv-Yeini: **Frontier Incidents as Armed Attacks.**

[See here for more details](#) and [here for recording on YouTube](#)

III. Visiting Scholars

In 2019 the Center hosted five visiting scholars:

Mr. Haim Abraham

Haim Abraham is SJD Candidate at the University of Toronto and visited at the Center in the beginning of February, 2019. More on his research see under "External Research".

Prof. Antoni Abat i Ninet

(See also under "External Research")

Prof. Abat is a Professor of Constitutional Law, Faculty of Law, University of Copenhagen. On February 27, in his visit to the Center, he gave a talk on his paper: "The Messianic Thought of the Rule of Law".

Dr. Elena Cirkovic

(See also under "External Research")

Elena Cirkovic is currently appointed as a Visiting Researcher at the University of Helsinki Faculty of Law, and faculty at National Research University, Higher School of Economics (HSE) in St. Petersburg. Her research focuses on climate change in the Arctic, commercialization of areas beyond national jurisdiction, and outer space law.

In March, 13, 2019 in her visit to the Center she gave a talk on "Space, Ice and the Final Frontiers of International Law: Extreme conditions of climate change".

Dr. Anna Evangelidi

Anna Evangelidi was a postdoctoral fellow at the Minerva Center for the Rule of Law under Extreme Conditions and at the Center for Cyber Law and Policy, University of Haifa in 2018-2019 (see above under “Post-Doctoral researchers”). Her postdoctoral research extended her doctoral thesis’ insights into UAV (Unmanned Aerial Vehicle) warfare and the Law of Armed Conflict (LOAC) by focusing on the rise of cyberspace as an increasingly prominent means and method of warfare. Anna holds a Law Degree (LLB Hons) from the Aristotle University of Thessaloniki, Greece, an LLM degree in International Law from the University of Bristol, UK, and has recently completed her PhD studies at the City Law School, London, UK. During her doctoral studies, she taught International Humanitarian Law (IHL), European Union law and constitutional law. After obtaining her LLM, she worked as a legal consultant with the Chambers at the International Criminal Court, The Hague. Anna is a qualified lawyer in Greece and member of the Thessaloniki Bar (Greece). Her research areas and interests include the legal and ethical dilemmas generated by new weapon technologies; LOAC/IHL; international law and the use of force; international criminal law; international law and human rights; and international dispute settlement.

Dr. Sofia Galani

Dr. Sofia Galani (LLB, LLM, PhD, FHEA) is a Lecturer in Law at the University of Bristol. She was awarded a PhD in Public International Law from the University of Bristol Law School in 2016 for her thesis entitled ‘Hostages and Human Rights: Towards a Victim-Centred Approach?’. Her research interests are on modern piracy, maritime security, terrorism, and human rights, and she has published in these areas. She is currently working on two book projects – a co-edited collection with Professor Sir Malcolm Evans on maritime security and the law of the sea (Maritime Security and the Law of the Sea: Help or Hindrance? EE, 2020) and her monograph on hostages and human rights (Hostages and Human Rights: Towards a Victim-Centred Approach? CUP, 2020). Sofia has providing legal advice to the UNODC on the development of the Global Maritime Crime

Programme. She is the Editor of the Case and Commentary section of the European Human Rights Law Review and sits on Human Rights at Sea Non-Executive Board of Advisors. Sofia visited the Center in February and participated as a guest lecturer at the Young Researchers Workshop. More on her research see under “External Research”

IV. Website, Facebook, Twitter and YouTube

As was mentioned in previous reports, the Center has a website (<http://minervaextremelaw.haifa.ac.il>) and a Facebook page on which relevant items are posted, such as upcoming events at the Center, other academic events and media coverage of extreme conditions from which legal issues arise. In 2019 we recruited a research assistant (Yulya Zaslavskaya) and added a [Twitter page](#) as well. Facebook and Twitter items also appear on the website, alongside information on the Center’s publications, research activities, the research team, ongoing research and funding opportunities, events and calls for proposals. The website is maintained by Dr. Michal Ben-Gal, with some technical help for databases maintenance.

Most of the lectures at the Center are streamlined or recorded, edited and uploaded to [the Center’s YouTube channel](#). The recording and editing is done by Ido Rosenzweig and Michal Ben Gal. In 2019 we had around 5,271 views in the channel, 279.5 hours, from which only 18% of viewers were from Israel. Other viewer countries included: England, Greece, Germany, Albania, Switzerland, Armenia, USA, India, North Macedonia, Egypt and Turkey. This is an increase from the 2018 statistics (around 3,100 views, 216 hours, 17% from Israel). Over the past few years, Young Researchers Workshops playlist are most favorable.

4. Publications and Submissions

I. Publications 2019

(Including 2018 publications not mentioned in 2018 report)

Abraham, Haim. "Tort Liability for Belligerent Wrongs." Oxford Journal of Legal

Studies 39, no. 4 (2019): 808-833.

Bar-Siman-Tov, Ittai and Gaya Harari. "Temporary Legislation's Finest Hour?: Towards a Proper Model of Temporary Legislation in Israel" (Hebrew), 41(B) Tel Aviv University Law Review ("Iuney Mishpat") (2019), available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3064829

Housh, Mashor, and Ziv Ohar. "Model-based approach for cyber-physical attack detection in water distribution systems." *Water research* 139 (2018): 132-143.

Koka, Enkelejda, and Veshi, Denard. "Irregular Migration by Sea: Interception and Rescue Intervention in Light of International Law and the EU Sea Borders Regulation" in *European Journal of Migration and Law* 21.1 (2019) 26-52.

Salzberger, Eli, [Counter-Terrorism Law and the Rule of Law Under Extreme Conditions: Theoretical Insights and Israeli Law and Jurisprudence](#), in OJK/Muller, *Krise der Liberalien Demokratie, Kritik und Forschrift im Rechtsstaat*, Band 49, Wien: Linde Verlag 2019, pp. 163-190

Shmueli, D., Segal, E., Ben Gal, M., Feitelson, E., Reichman, A., 2019. "Earthquake Readiness in Volatile Regions: the case of Israel", *Natural Hazards*, Vol. 98, No. 2, 405-423, DOI 10.1007/s11069-019-03698-x.

Taormina, Riccardo, Stefano Galelli, Nils Ole Tippenhauer, Elad Salomons, Avi Ostfeld, Demetrios G. Eliades, Mohsen Aghashahi et al. "Battle of the attack detection algorithms: Disclosing cyber attacks on water distribution networks." *Journal of Water Resources Planning and Management* 144, no. 8 (2018): 04018048.

van Aaken, Anne, 2019 (ed.) Special Issue on 'Trade Wars', *Journal of International Economic Law*, Volume 22, Issue 4, December 2019.

van Aaken, Anne, Bown, Chad P, Lang, Andrew, 2019. Introduction to the Special Issue on 'Trade Wars', *Journal of International Economic Law*, Volume 22, Issue 4, December 2019, <https://doi.org/10.1093/jiel/jgz046>

van Aaken, Anne and Kurtz, Jürgen, 2019. Beyond Rational Choice: International Trade Law and The Behavioral Political Economy of Protectionism. *J Int Economic Law*, Volume 22, Issue 4, December 2019, Pages 601–628, <https://doi.org/10.1093/jiel/jgz034>

Veshi, Denard, Enkelejda Koka, and Carlo Venditti, 'A New Law of Advance Directives in Italy: a critical legal analysis' in *Journal of Law and Medicine* 26.1 (2019):702-710.

Veshi, Denard, Enkelejda Koka, and Carlo Venditti, 'The Importance of Legal Proxy in End-Of-Life Decisions in Some Western European Countries' in *Rivista Italiana di*

Medicina Legale e del Diritto in campo sanitario 3/2018, pp. 901- 915.

Yemini, Moran. (2018). The New Irony of Free Speech. *Colum. Sci. & Tech. L. Rev.*, 20, 119.. Available at SSRN: <https://ssrn.com/abstract=3247735>

II. Publications Forthcoming

Albert, Richard and Yaniv Roznai (eds.), *Constitutionalism under Extreme Conditions: Law, Emergency, and Exception* (under contract with Springer, Ius Gentium: Comparative Perspectives on Law and Justice Series).

Bjørnskov, C., & Voigt, S. (2019). When Does Terror Induce a State of Emergency? And What Are the Effects? *Journal of Conflict Resolution* (in press), 0022002719865994.

Housen-Couriel, Deborah, "New Property Rights in Cyberspace: Testamentary Transferability of Digital Property Rights". Accepted for publication in *International Journal of Law and Information Technology*

Jeßberger Florian. & Werle, G., "Principles of International Criminal Law", Oxford University Press, Oxford, 4th edition 2020 (forthcoming)

Jeßberger Florian. & Geneuss J. (eds.). "Why punish perpetrators of mass atrocities? Purposes of punishment in international criminal law", *ASIL Studies in International Legal Theory*, Cambridge University Press, Cambridge 2020 (forthcoming).

Shmueli, Deborah, Ozawa, Connie, and Sanda Kaufman, forthcoming. "Mining Collaborative Planning for Disaster Preparedness and Response", *International Journal of Constitutional Law*, Special Issue.

III. Publications Submitted for Review

Berti, Benedetta. "Forced Displacement, Humanitarian Challenges and the evolution of conflict in the Middle East" (submitted to *Mediterranean Politics Journal*).

Bjørnskov, C., & Voigt, S. (2019). Terrorism and Emergency Constitutions in the Muslim World (No. 27). ILE Working Paper Series.

Bjørnskov, C., & Voigt, S. (2019). Is Constitutionalized Media Freedom only Window Dressing?—It sure suffers after Terrorist Attacks. Available at: christianbjornskov.com

Reichman, Amnon and Salzberger, Eli (eds). "The Rule of Law and Extreme Conditions: A

Comparative Analysis of Emergency Powers” (submitted to *Oxford University Press*).

IV. Proposals Submitted and in Review

I. To Minerva

Media, Law & Human Rights in Extreme Conditions- proposal submitted with Hadassah Academic College Jerusalem to the Minerva-Gentner Symposium call.

Small project: Legal Aspects of Humanitarian Aid Missions international conference and a round table discussion- proposal submitted for Equipment/project funds for Minerva Centers in the Social Sciences and the Humanities at the Israeli universities

II. To Outside Funding Agencies:

DIP Pre-Proposal (accepted – full submission pending):

Workgroup on Rightlessness in Comparative and International Law

Principal Investigators: Prof. Gad Barzilai, Prof. Başak Çalı, Dr. Itamar Mann, Prof. Mehrdad Payandeh

5. Research Plan for 2020

The Covid-19 pandemic crises erupted when we were starting to work on the 2020 Minerva plans. In fact, our last physical Minerva event before the full break of the crises was a very successful workshop on counterterrorism punitive measures conducted in Hamburg (see below) and followed by a PI’s meeting. Upon returning from the workshop the Israeli participants had already to stay 14 days in home isolation, a period in which the university campuses were closed down.

In any case, the Minerva center continued full operation through Zoom seminars, meetings and research. Moreover, it turned its full human resources to the pandemic and to short term research and professional advice to assist decision-makers in day-to day management of the crises, in close cooperation with the National Emergency Knowledge and Research Center. We will report in details about our operation under Corona in next year’s report. But as affected by the extreme conditions our current research and activities schedule is devoted to the various aspects of the crises, and constantly evolving.

Bellow is our original research plans, as concluded in the last PI's meeting before the full-blow eruption of the Covid-19 crises:

I. Ongoing PI Initiated Research

We plan to continue our work in line with the original Center concept, undertaking important low, mid and high resolutions research, but at the same time developing additional methodological tools and conceptual frameworks to tackle the new challenges and developments. More specifically, within the existing framework we plan to focus on:

1. Extending the mid-resolution study to additional countries, combining also non-democracies, and making the results available to decision-makers, the scientific community, and the public in large, in a more interactive and accessible modes.
2. Extending the low-resolution study which focused on constitutions, also to statutory analysis (which encompass significant challenges as unlike constitutions, databases of legislation worldwide are still not complete).
3. Selecting new themes for high resolution studies, focusing mainly on Israel. Among the themes we plan to examine are: the responses to the 'Israeli' refugee crises; institutional structure of decision-making under declared and undeclared extreme conditions, and the legal aspects of preparedness (in cooperation with the new NATIONAL KNOWLEDGE AND RESEARCH CENTER FOR EMERGENCY READINESS) reflected by public as well as private law norms.
4. Further development of our Database: stage II of the database is designed to include events of extreme conditions that will be marked on a world map. In the future we hope to enlarge the database to include other extreme conditions (natural disasters such as floods, fires, storms and pandemics; socio-economic meltdowns; and national security challenges), as well as additional countries. The system will enable collaboration with authorized affiliates - other researchers and centers – who will be able to use and add data (with explicit permission).
5. To study the notion of the rule of law under extreme conditions in international law, from both a theoretical prism and in practice.
6. To encompass the behavioral approach to law (for example, the differences between behavior under natural extreme conditions and man-made extreme conditions).

II. Planned conferences and workshops

- Symposium on: [Perpetuating the State of Emergency: Punitive Responses to Terrorism](#),

[20 Years after 9/11](#) - February 27-28, at the Varburg House, Hamburg is convened by Florian Jeßberger & Stefan Oeter

The programme:

27.2.2020

10.00: Welcome & introduction: **Florian Jeßberger & Stefan Oeter**

10.30: UNSC-Resolutions 1373 (2001), 2178 (2014), 2462 (2019) and beyond |

Christina Binder

Directive (EU) 2017/541 on Combating Terrorism | **Hendrik Hegemann** Discussants:
Anne Dienelt & Mehrdad Payandeh

13.00: Light lunch

14.00: Country Reports

France | **Fabien Jobard**

Germany | **Milan Kuhli**

Israel | **Eli Salzberger**

Discussants: **Florian Jeßberger & Amnon Reichman**

19.00: Dinner | Café Leonar, Grindelhof 59, 20146 Hamburg

28.2.2020

9.30: Integrated perspectives

Does counterterrorist legislation work? Empirical findings | **Stefan Voigt & Christian Bjornskov**

Historical perspectives: On the rhetoric of war, homegrown terrorism and the prevalent coding of 9/11 | **Gabriele Metzler**

Political sciences perspectives: Normalizing the exceptional | **Matthias Lemke**
Multiculturalism and punitive counter terrorism measures | **Gad Barzilai** Preventive
criminal justice | **Boris Burghardt**

Discussants: **Julia Geneuss & Stefan Oeter**

13.30: Wrap up & concluding observations

- **International workshop: Novel forms of governance, control and resistance in the occupied territories.** via “Zoom”, July 2020

Abstract:

Twenty years after the collapse of the Oslo process, it seems that the trajectories of conflict and peace between Israel and Palestinians are entering a new phase. The Trump “Peace to Prosperity” plan and Israel’s intention to go forward with the annexation of parts of the occupied territories cast serious doubt on the possibility of resolving the Israeli-Palestinian conflict in accordance with the principles of a two state solution. However, the working hypothesis of this workshop is that the reality on the ground in the last two decades suggests that on the micro-level, state apparatuses, organizations and individuals have been adopting novel forms of governance, control and resistance in the occupied territories long before these current events. In this reality, the occupation is developing towards not only the stabilization and entrenchment of Israel's forced control over the Palestinians, but also towards the normalization of such control as an acceptable reality that “works” on the ground. In this developing reality, novel practices, arrangements and forms of governance and control emerge on different social and spatial scales, all of which merit attention as an actual base-constellation for any future political prospects.

Thus, **the aim of the workshop is to critically investigate concrete forms and arrangements of control, governance and resistance that have emerged or are just now emerging between Israel and the Palestinians in the post-Oslo era.** We seek to illuminate the ongoing ramifications of the failure of the Oslo process and pertinent events, particularly the building of the separation wall, the fragmentation of the West Bank, the Israeli disengagement from the Gaza strip and practices encouraging and contributing to de-facto annexation. **Additionally, the workshop aims to discuss future prospects and political horizons for the Israeli-Palestinian conflict.**

The workshop will bring together researchers from different fields, whose works focus on such contemporary and concrete developments, with the aim of shedding a broader light on the changing relationship between Israel and Palestine. Possible topics

of discussion include, but are not limited to, novel legislation and regulations concerning the West Bank and Gaza; infrastructure development; environmental initiatives; urban politics and resistance in East Jerusalem and the occupied territories; planning and monitoring in Area C of the West Bank and East Jerusalem; policing; border enforcement; new forms of colonization and annexation; the shifting of discourse and diplomacy in the international community.

The participants will be researchers/researcher-practitioners in various disciplines, with varied views, including but not limited to geography, economics, environmental studies, history, human rights, law, planning, political science and sociology, so long as they concern concrete and novel aspects of the Israeli control of the West Bank, Gaza strip or East Jerusalem.

The workshop will be organized around three main themes, which correspond with three different periods in this post-Oslo era:

1. **Realities on the ground: governance, control and resistance** – practices that have been taking place on the ground and shaping the power dynamic between Israel and the Palestinian residents of the occupied territories, since the collapse of the Oslo accord.
2. **Emerging forms of governance, control and resistance** – practices that are just now beginning to develop and effect the relationship between Israel and the occupied territories (e.g., new initiatives introduced by the Trump administration).
3. **Future prospects and political horizons for the Israeli-Palestinian conflict** – we encourage scholars to present original views concerning the direction in which the conflict is headed, as well as diverse visions and courses of action for its possible resolution.

III. On-going Seminars

In 2019-2020 seminar talks will continue. The lectures will be given by our post-docs, supported researchers and others. The lectures will be announced in advance to wide audiences, both academic and practitioners, and on our website under “[Upcoming Events](#)”.

Financial report

In a separate file