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# Introduction

In this second issue of volume 59 for 2026, we feature three articles and a book review essay, traversing a variety of human rights issues.

Amir Cahane's 'Future-Proofing Israeli Surveillance Law: Past, Present and Future' addresses the need for a legislative future-proof framework, to accommodate innovation and to hedge against the uncertainties that render detailed legislation obsolete. Cahane maps and assesses the principal strategies available to legislators in this field. The article then examines Israeli surveillance law as a test case. It analyses the Israel Security Agency (ISA) Law, which, inter alia, governs the online surveillance activities of Israel's domestic security agency, the ISA. The article explores a past expansion of the Law's purposive domain through the deployment of ISA surveillance for COVID-19 contact-tracing, and the subsequent judicial narrowing of the statutory provision enabling this deployment. The future of ISA surveillance powers and their future-proofing mechanisms pursuant to the recently published ISA Amendment Memorandum is then discussed in detail.

In 'The EU'S Involvement in the Resolution of the Israeli–Palestinian Conflict: A Record of Chronic Ineffectiveness?', Guy Harpaz highlights a dissonance between the EU's strong interest in, and firm commitment to, the resolution of the conflict, on the one hand; and, on the other hand, its actual, but ineffective contribution to achieving that goal. His article offers the first attempt to analyse together the two principal instruments adopted by the EU towards Israel, namely the linkage between the upgrading of EU–Israel relations and advancement towards the resolution of the conflict (the linkage instrument), and the policy of granting trade and trade-related benefits to entities and products situated within the recognised borders of the State of Israel, while withholding the benefits of EU–Israeli cooperation from entities and products in the Occupied Territories (the differentiation instrument). The article concludes that the ineffectiveness of these instruments renders the EU's overall involvement ineffective, thereby preventing the EU from contributing meaningfully to the resolution of the conflict. The article's conclusion on EU efforts over the last 30 years are examined against developments in the Middle East since the Hamas attack on Israel in October 2023.

Natia Kalandarishvili-Mueller's 'Classifying Cross-Border Non-international Armed Conflicts in International Humanitarian Law' analyses the framework for classifying cross-border non-international armed conflicts (NIACs) through the lens of international humanitarian law (IHL). It defines cross-border NIACs as armed conflicts involving a state or multinational force engaging non-state armed groups on the territory of another state, with or without that state's consent, as well as hostilities between non-state armed groups across state borders. Where a state acts

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without the consent of the territorial state, overlapping legal classifications may arise, necessitating use of the 'double classification' method. Common Article 3 of the Geneva Conventions and customary IHL are identified as the core legal sources that apply to this variation of NIAC, while the potential extraterritorial application of Additional Protocol II 1977 (AP II) is considered in the light of the analogy with international human rights law. The article contends that when a state exercises effective control over persons in cross-border NIACs, obligations under AP II may extend extraterritorially to its armed forces.

We conclude this issue with 'Endowed by Their Creator with Certain Inalienable Rights?', Yuval Shany's review of John-Stewart Gordon's *The Robot Rights Manifesto* (Palgrave Macmillan 2026).

We wish you an interesting and rewarding read.

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