

Introduction

In this first issue of the *Israel Law Review* for 2025, we feature four articles. Yuval Shany's 'Big Tech Companies' Obligations under International Human Rights Law' critically evaluates three attempts to overcome the problem of fit between international human rights law (IHRL) and the digital ecosystem through an expansion of the existing IHRL framework to big tech companies. The article examines standard-setting initiatives involving the imposition on states and companies – large technology companies and other business enterprises – of certain duties to apply IHRL in connection with potentially rights-infringing business practices; self-regulation by big tech companies through corporate policies aimed at incorporating certain IHRL norms into their business practices; and efforts by special procedures of the Human Rights Council to exercise its standard-setting and monitoring functions in connection with the practices of large technology companies.


The second article in this issue is 'Between Rules and Implementation: The Difficulty in Relying on International Law in Military Courts in Criminal Law', co-authored by Shai Farber, Nethanel Benichou and Rani Amer. It proceeds from the view that the utilisation of international law in adjudicating criminal matters in military courts in the West Bank is sporadic, and calls for a reconsideration of the optimal configuration of the legal regime. The article contends that despite a recent uptake in integrating international law into military court decisions, this law's effectiveness in addressing criminal issues in these courts is limited, and in most cases it lags behind domestic legal doctrines, including Israeli criminal law. As a result, it does not provide a pragmatic solution to the challenges confronted by military courts. The article proposes an integrated model, advocating reliance on international law for fundamental, constitutional-level issues, while deferring to the Israeli criminal justice system for specific practical criminal matters.

Talia Diskin's 'Setting Boundaries to the Rule of Law in Israeli Children's Weeklies of the 1950s: A Test Case for the Concept of Heroism in Socio-Legal Discourse' examines children's weekly magazines in Israel's first decade as a barometer of values, including the rule of law. The article presents some of the values that the weeklies stressed for coping with the challenges of the time from a legal perspective, and describes how cultural heroes in Israel were presented in the magazines and defined the concept of the rule of law of the period. The article shows that along with the weeklies' general commitment to the rule of law and the appreciation of law-abiding figures who strived for good, the magazines reflected a deeper layer of acceptance and even encouragement of some types of behaviour that were inconsistent with the principle of upholding public law and human rights in a broad sense. This is especially apparent concerning the conduct surrounding border security.

Finally, Igor Klotsman and Arie Reich, in ‘The East Mediterranean Gas Forum as a Platform for a Regional Energy Treaty,’ discuss the East Mediterranean Gas Forum (EMGF), a regional energy organisation formed in 2020. The article highlights the organisation’s significance in promoting cooperation in the East Mediterranean energy sector but notes its structural shortcomings. The article proposes the adoption of a regional energy treaty to transform the EMGF into a potent and legally binding energy organisation, which would stimulate economic growth across the Mediterranean region, ensure energy security within the East Mediterranean and help in mediating and resolving disputes concerning maritime boundaries, transit and political issues that pose threats to the stability and effectiveness of the EMGF.

Punsara Amarasinghe concludes the issue with a review of *Collective Self-Defence in International Law* by James A. Green (Oxford University Press 2016).

We close this introduction with the happy announcement that the 2024 Israel Law Review Prize goes to Dr Elliot Winter for his article in issue 57(1) titled ‘Stop Ecocide International’s Blueprint for Ecocide Is Compromised by Anthropocentrism: A New Architect Must Be Found’. The editors commended the article for being intellectually stimulating, painstakingly weaving careful arguments based on many primary sources, and succeeding in presenting a coherent expository framework. Congratulations, Elliot!

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