

**PRIVILEGED AND CONFIDENTIAL
REPORT**

To: Emmanuel Nahshon, Netta Barak-Corren

Date: 24 January 2025

Interim Report - January 2025

Status Update: Incident Response

Since our last monthly update on 1 December 2024, 5 new incidents have emerged. For a granular review of all incidents handled, including open and closed cases, as well as steps taken, please refer to the attached table.

Based on our experience in the last review period, and as reported during our meeting in Israel on 8 January 2025, we highlight the following:

- The necessity and limitations of our incident response strategy: incident response remains a critical part of our legal strategy and must be continued, but cannot stand alone.
- Incident response is more effective when supported by:
 - **Coalition building** (partnering with similarly minded local academics or communities)
 - **Toolkit diversity** (integrating legal, political and media strategy)
 - **Legal precedents** (e.g. trying to obtain a useful precedent in Spain to strengthen our position).

The most **pressing concerns** with respect to incident response are:

- ***Coordinated Attacks*** from different universities, collaborating in groups (such as Cref in Belgium, or Ghent teaming up with other Flemish universities)
- ***Shifting Arguments***: universities increasingly try to preempt the discrimination argument by relying on international law obligations or targeted “ethical” decisions
- ***Delays***: most addressees of our correspondence delay their answers weakening our ability to intervene effectively (e.g. cancellation of participation to an event, etc)
- ***NGO Pressure***: We are also facing renewed efforts by international NGOs to exclude Israeli members (e.g. FIMS, IOI).

Environment Shaping

Because of the limitations associated with an exclusive incident response strategy, and the challenges highlighted above, we are redoubling efforts to shape the environment in which boycott measures are adopted.

Legally and morally, we need to continue:

(i) Imposing Costs: we need to continue targeting funding to impose a disproportionate cost on boycotting bodies - that includes supporting US-led legislative efforts (with extraterritorial effects in Europe).

(ii) Developing counterarguments: we need to develop a more robust counter-narrative to address the claim that boycotts are “necessary” to comply with international obligations, or “morally imperative”. In collaboration with Netta, we are working on a comprehensive memo that thoroughly debunks the erroneous assertions made by universities based on ICC/ICJ statements.

(iii) Developing precedents: we are expanding our engagement with local counsel in Spain and in the Netherlands, to establish definitive case law in support of our objective.

Politically, we need renewed support from EU officials and other politicians. We are thus following up on (and prioritizing) contacts with key **Commissioners** in the areas of Innovation and Anti-Fraud.

We have also continued discussing the need for expanding partnerships with other cultural actors such as Heterodox Academy and the FIRE foundation to strengthen *advocacy* efforts and broaden our base of support.