Internet Freedoms in Palestine:

Mapping of Digital Rights Violations and Threats

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INTRODUCTION

As internet freedoms are facing a global decline[1], Palestinians are no exception. This report aims to present an assessment of the current status of internet freedoms in the Palestinian Territories, through mapping recent developments in restrictions or violations of Palestinian rights on the internet by governments and private tech companies.

In order to achieve this aim, the report reviews cases reported and documented by media outlets and civil society organisations. The report has no defined timeframe. However, the majority of the cases reviewed date between 2015 and 2017, a period that witnessed an escalation of attacks on Palestinians' freedom of expression, media freedoms and privacy online. The category of 'Palestinians' used in this report refers to Palestinian citizens of Israel and Palestinians living in the Occupied Palestinian Territories, i.e. the West Bank, the Gaza Strip and illegally annexed East Jerusalem.

The first part of the report provides a general introduction to the definition of digital rights and what they entail, and surveys key UN resolutions that recognise the impact of the internet on human rights. The second part of the report examines the accessibility of the internet by Palestinians as a basic human right, taking into consideration their geographical, judicial and administrative fragmentation and how this affects their access to the internet and information and communications technologies (ICTs).

The third part maps the recent restrictions and violations of Palestinians' digital rights by three governments: the Israeli government, the Fatah-led Palestinian Authority in the West Bank, and the de-facto Hamas administration in the Gaza Strip. It also looks into practices and policies of private tech companies and their impact on Palestinian digital rights. The fourth part pays special attention to the issue of gender and the internet, examining in particular Palestinian women's use of the internet and the threats of cybercrime and gender-based violence online.

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1   Freedom House, "Freedom on the Net 2017: Manipulating Social Media to Undermine DemocracyManipulating Social Media to Undermine Democracy", available at: https://freedomhouse.org/report/freedom-net/freedom-net-2017

PART I: WHAT ARE DIGITAL RIGHTS?

Digital rights, or internet rights, are an extension of human rights in the offline world as recognised, protected and promoted by international laws and conventions. The UN Human Rights Council has affirmed in a number of resolutions that "the same rights that people have offline must also be protected online."[2] This includes the right to freedom of expression, the right to privacy, and the right to freedom from censorship and online surveillance, to name a few. These rights are in line with the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

As the internet and digital technologies have impacted almost every aspect of people's lives around the world, governments, businesses and civil society organisations declared in the first World Summit on the Information Society (WSIS) in 2003 their "common desire and commitment to build a people-centred, inclusive and development-oriented Information Society, where everyone can create, access, utilize and share information and knowledge, enabling individuals, communities and peoples to achieve their full potential in promoting their sustainable development and improving their quality of life, premised on the purposes and principles of the Charter of the United Nations and respecting fully and upholding the Universal Declaration of Human Rights."[3] This is crucial in emphasising the important link between the internet and human rights. Particularly, the WSIS Declaration of Principles stresses the right to freedom of expression using information technologies.[4]

A number of UN resolutions and reports concerned with human rights on the internet have later ensued, most notably:

- The first UN Human Rights Council resolution on the impact of the internet on human rights was adopted in October 2009. It recognizes "the importance of all forms of the media, including the printed media, radio, television and the Internet, in the exercise, promotion and protection of the right to freedom of opinion and expression," and called states to "facilitate equal participation in, access to and use of information and communications technology, such as the Internet, applying a gender perspective."[5]

- UNHRC held its first discussion on freedom of expression on the internet in 2012 following the report of the UN Special Rapporteur, Frank La Rue, on freedom of opinion and expression in 2011.[6]

- In 2012, UNHRC adopted a landmark resolution which affirms "that the same rights

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2   Article 19, "UNHRC: Significant resolution reaffirming human rights online adopted", 01 July 2012, available at: https://www.article19.org/resources.php/resource/38429/en/unhrc:-significant-resolution-reaffirming-human-rights-online-adopted
3   World Summit on Information Society, Declaration of Principles, Document WSIS-03/GENEVA/DOC/4-E, 12 December 2003, available at: http://www.itu.int/net/wsis/docs/geneva/official/dop.html
4   Same source.
5   Association for Progressive Communications, "United Nations Resolutions Recognising Human Rights Online", 06 May 2014, available at: https://www.apc.org/en/blog/united-nations-resolutions-recognising-human-rights-online
6   The full report is available here: http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdf

- that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice." This has been reiterated by further resolutions in 2014 and 2016.[7]

- UNHRC resolutions (21/16) and (24/5) adopted on the rights to freedom of peaceful assembly and association, remind "states of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline."

- UNHRC resolution (22/6) recognizes that the internet, in addition to offline information and communications tools are important for human rights defenders.

- UNHRC resolution (23/2) on the role of freedom of opinion and expression in women's empowerment calls upon states to "promote, respect and ensure women's exercise of freedom of opinion and expression, both online and offline, including as members of non-governmental organisations and other associations."

The revelations made by Edward Snowden in 2013 in exposing how the US National Security Agency (NSA) was spying on billions of people online was another milestone in the fight for digital rights. In response to these leaks, the UN General Assembly passed a key resolution in November 2013 on the right to privacy in the digital age. The resolution emphasizes that "unlawful or arbitrary surveillance and/or interception of communications, as well as unlawful or arbitrary collection of personal data, as highly intrusive acts, violate the rights to privacy and freedom of expression and may contradict the tenets of a democratic society."[8]

Other important UNGA resolutions include:[9]

- UNGA resolution (68/181) on protecting Women Human Rights Defenders from "technology-related abuses and violence against women, including women human rights defenders, such as online harassment, cyberstalking, violation of privacy, censorship and hacking of e-mail accounts, mobile phones and other electronic devices, with a view to discrediting them and/or inciting other violations and abuses against them, are a growing concern and a manifestation of systemic gender-based discrimination, requiring effective responses compliant with human rights."

- UNGA resolution (68/163) on the safety of journalists acknowledges "that journalism is continuously evolving to include inputs from media institutions, private individuals and a range of organizations that seek, receive and impart information and ideas of all kinds, online as well as offline."

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7   See Article 19, "UNHRC: Significant resolution reaffirming human rights online adopted", 01 July 2012, available at: https://www.article19.org/resources.php/resource/38429/en/unhrc:-significant-resolution-reaffirming-human-rights-online-adopted
8   See UN General Assembly resolution (A/RES/68/167), The right to privacy in the digital age Available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/167
9   Access Now, "Digital rights and the UN": recent and upcoming UN resolutions", 11 June 2014, available at: https://www.accessnow.org/digital-rights-and-the-un-recent-and-upcoming-un-resolutions/

- Another UNHRC resolution passed in June 2016 was hailed as another landmark resolution on the promotion, protection and enjoyment of human rights on the Internet. It "condemns unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law and calls on all States to refrain from and cease such measures."[10]

It is important to note that while these UN resolutions urge member states to protect and promote human rights on the internet, these resolutions are not legally-binding and are continuously challenged by governments, private companies in many countries around the world.

In summary, digital rights are not recent rights. As the UNHRC affirms: "the same rights that people have offline must also be protected online." The fundamental human rights that are relevant online include -but not restricted to- internet access to all; the right to freedom of expression, association and online protest; the right to freedom from censorship and surveillance; the right to privacy and data protection; and the right to use encryption.

PART II: INTERNET ACCESS AND INFRASTRUCTURE

This section provides statistics on Palestinians' access to the internet and their use of social media. It also examines the current ecosystem of internet service providers and ICT infrastructure in the context of Israeli military occupation and the geographical fragmentation of the Palestinian territories and its impact on Palestinians' access to the internet.

It must be noted that finding accurate data on the entirety of Palestinians' access to the internet is difficult due to their demographic, geographical, and jurisdictional fragmentation over three territories: the PA controlled areas in the West Bank, the Gaza Strip under the administration of Hamas, and Israel. Whilst Palestinians living in Gaza are serviced by Palestinian telecommunication companies and internet service providers, Palestinians living in the West Bank use the services of both Palestinian and Israeli telecom companies. Palestinian citizens of Israel rely exclusively on Israeli companies. Hence, the following statistics on Palestinians' internet usage will be presented according to these geographical and administrative divisions.

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10   See the resolution text here: https://www.article19.org/data/files/Internet_Statement_Adopted.pdf

The Occupied Palestinian Territories

Internet penetration in the West Bank and Gaza reached 63.2% by mid 2016 with a total number of 3 million Palestinian internet users[11]. According to the Palestinian Central Bureau of Statistics (PCBS) in 2014, almost half of Palestinian households (48.3%) have internet connection, an increase of of 18% from the year 2011[12]. The latest statistics from PCBS published in 2017 show that the total number of ADSL subscribers reached 320,500 in total (226,855 in the West Bank and 93,645 in the Gaza Strip).[13]

1 in 3 Palestinians is present on social media.[14] Facebook is the most widely used social media platform with a total of 1.6 million Palestinian users (constituting 33% of total internet users in the West Bank and Gaza). Twitter, on the other hand, has a share of only 11% of Palestinian internet users. 55% of Palestinians access Facebook through their smartphones in comparison to only 10% who access the platform from a computer or a laptop.

Furthermore, 3.7 million Palestinians had mobile phone subscriptions by the end of 2016. Jawwal and Watanyia are the two main Palestinian mobile companies operating in the West Bank and Gaza. 74% of Palestinians use Jawwal, 15% use Wataniya and 11% use Israeli companies.[16] In fact, 70% of the Palestinian cellular and ADSL market is dominated by both Jawwal and Paltel. Established by the PA in 1995, Paltel is the main telecommunications company in the Palestinian territories, and provides internet services, line connections, web hosting and domain name services.

As of 2015, there were 56 local internet companies registered with the Palestinian Ministry of Telecommunications and Information Technologies (MTIT).[17] Hadara, a Paltel subsidiary, is the main internet service provider in the Palestinian Territories and provides other local ISPs access to internet facilities who act as resellers of these services.

Palestinian Citizens of Israel

According to the Social Media Report in Palestine for 2016, there are 1.5 million (73%) Palestinians living in Israel who have access to the internet. 64% of these users use Facebook

11   See Internet World Stats report,"Palestine Internet Usage and Telecommunications Report", June 2016, available at: http://www.internetworldstats.com/me/ps.htm
12   See full report of the Palestinian Central Bureau of Statistics (PCBS) released on International Day for Information Society on 17 May 2015 here: http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_IntDyInfoSoc2015E.pdf
13   Palestinian Central Bureau of Statistics (PCBS), The Annual Report on Transportation and Communication Statistics in Palestine, 2017, available here (in Arabic): http://www.pcbs.gov.ps/Downloads/book2278.pdf
14   See Social Studio, "Social Media Report in Palestine 2016", available at: https://socialstudio.me/wp-content/uploads/2017/04/SMRP2016-Eng.pdf
15   Same source.
16   Same source.
17   See PCBS report
18   Social Studio, "2016 Social Media Report in Palestine", 2016, available at: https://socialstudio.me/wp-content/uploads/2017/04/SMRP2016-Eng.pdf
19   Rikaz Center, "Social Economic Survey of the Palestinian in the 1948 Lands", 2014.

while 20% use Twitter.[18] The fourth "Social Economic Survey of the Palestinian in the 1948 Lands" published by Rikaz Centre in 2014 indicates that 56.3% of Palestinian households own a computer and 76.9% of internet users use it to browse social media.[19]

Despite high internet penetration in Israel, there is a digital divide in access to, and use of, the internet between its Jewish and Palestinian populations.[20] Digital divide refers to the gap in access to information and communication technologies between different groups due to educational, social, and economic inequality. The lowest internet access was found among those who were less educated, older, had low incomes, Muslim populations, and residents of the south.[21] For example, more than half of 160,000 Bedouins in the Negev live in villages unrecognised by Israel and therefore have no access to telecommunications infrastructure and other basic services such as water and electricity.[22]

Palestinian ICT Infrastructure

Under the Oslo Agreements, Palestinians are granted "the right to build and operate separate and independent communication systems and infrastructures including telecommunication networks, a television network and a radio network."[23] However, no independent Palestinian ICT infrastructure has been allowed to develop since the agreement was signed in 1995 between Israel and the Palestinians due to a number of Israeli restrictions.

In an assessment note of the Palestinian ICT sector published in 2016, the World Bank identified a number of obstacles that hinder Palestinians from developing this sector and consequently impact internet use and access in the Occupied Territories.[24] Firstly, Israel continues to control the electromagnetic sphere and restricts Palestinian operators' use of frequencies. Secondly, it maintains total control over importing essential equipment and technologies across borders and in between Palestinian Territories. Thirdly, the unauthorized activity and spread of Israeli mobile operators in the West Bank continuously undermines Palestinian companies and puts them at a disadvantage. The Palestinian Ministry of Telecommunications and Information Technology (MTIT) have repeatedly voiced similar concerns, harming both Palestinian economy and citizens.[25]

Palestinian operators do not own an international gateway and must connect through an Israeli company to the rest of the world.[26] Some Palestinian operators own independent international gateways outside of Palestine. However, Israel gets a percentage on every call from these external gateways to the West Bank and Gaza users.[27]

20   See Ganayem, A. N. "Internet Use and Education Level within Arab- Palestinian Society in Israel, March 2012, available at:
21   https://www.researchgate.net/publication/283571751_INTERNET_USE_AND_EDUCATION_LEVEL_WITHIN_ARAB-_PALESTINIAN_
22   SOCIETY_IN_ISRAEL;
       and Sabina Lissitsa (2015) Patterns of digital uses among Israeli Arabs – between citizenship in modern society and traditional
23   cultural roots, Asian Journal of Communication, 25:5, 447-464, DOI: 10.1080/01292986.2014.981555
       Same source, Ganayem 2012.
24   See the work of the Association for Civil Rights in Israel on Negev Bedouins and Unrecognized Villages here: https://www.acri.
       org.il/en/category/arab-citizens-of-israel/negev-bedouins-and-unrecognized-villages/
       The Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip, Annex III – Article 36, Telecommunications,
25   Article D, September 1995, available at http://www.miftah.org/Doc/Documents/IPInterim.pdf.
       The World Bank, "The Telecommunication Sector in the Palestinian Territories: A Missed Opportunity for Economic
26   Development", 01 February 2016, available at: http://documents.worldbank.org/curated/en/993031473856114803/
27   pdf/104263-REVISED-title-a-little-different-WP-P150798-NOW-OUO-9.pdf
       Ministry of Telecommunications and Information Technology, "Imposed Israeli Restrictions on the Palestinian ICT
       Sector", 23 September 2012, available at: http://www.mtit.pna.ps/arv/index.php?p=restrictions

Israeli constraints placed on telecommunication infrastructure also includes the lack of a direct connection between Palestinian Territories. Paltel, the main Palestinian telecom company, cannot connect through sufficient microwave links between their infrastructure in the West Bank and Gaza,[28] as Israel has restricted links between the two territories to only three fiber optic cables and two microwave links.[29]

Furthermore, there are strong Israeli restrictions on obtaining permits for Palestinian operators to deploy, install and maintain infrastructure and equipment in Area C, an area which constitutes more than 60% of the West Bank. Palestinian companies cannot, for instance, install microwave links or towers within Area C.[30] As a result, Palestinian cellular networks do not cover all areas in the West Bank, especially in between cities, which forces these networks to roam on Israeli carrier networks. This means that Palestinian operators cannot serve the 100,000 Palestinians who live in Area C nor the 2.5 million Palestinians who travel through Area C.[31] In East Jerusalem, Palestinian networks are allowed no coverage in the city nor selling points, excluding the city from the rest of the OPTs.[32]

The former Palestinian Minister of Communications and Information Technology, Mashhour Abudaka, explains that Israel often refers to security concerns or conditions set out in Article 36 of the Oslo Agreement to maintain such control. For example, one condition in the agreement stipulates that "Palestinians can only adopt their standards and import equipment when the Palestinian telecommunication network is fully independent from Israel." According to Abudaka, the Israeli government cites its abidance to the agreement (along with the conditions) to justify these restrictions.[33] This leaves Palestinians in a situation of catch-22 where telecom operators remain dependent on Israeli networks.

Another important issue is the restrictions on the use of spectrum. As the world moved into fourth-generation networks (4G), the two Palestinian mobile operators remain stuck with 2G networks due to restrictions on frequency allocations. Israel first granted the PA frequencies to launch the first Palestinian mobile operator, Jawwal, in 1999 and then granted a license to the second operator Wataynia in 2006. However, Watanyia was only able to operate two years later in the West Bank after Israel freed needed frequencies. It was only in October 2017 that Israel allowed Watanyia to bring its equipment into Gaza and use frequencies so it can offer its services to Palestinians living there.[34] Despite repeated promises and two agreements (one signed in late November 2015 and the other in early April 2017) for Israel to release limited frequencies to Palestinian operators to launch 3G services,[35] the agreement has not yet been enforced.

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28   See the World Bank report, 2016.
29   See Al Shabaka Policy brief sited above, 2015.
30   See the World Bank report, 2016.
31   See the World Bank report, 2016.
32   Al Shabaka, 2015.
33   This Week in Palestine, "The Telecommunication and IT Sector in Palestine", November 2017, available at: http://thisweekinpalestine.com/telecommunication-sector-palestine/
34   WAFA, "Watanyia Mobile launches operations in the Gaza Strip", 24 October 2017, available at: http://english.wafa.ps/page.aspx?id=2Deyvua92228672712a2Deyvu
35   Ma'an News Agency, "PA, Israel sign agreement to allow 3G mobile service in Palestine", 19 November 2015, available at: https://www.maannews.com/Content.aspx?id=768900

While Israel cites security reasons for the delay, former Palestinian minister Abudaka gives a different perspective: "the real reasons for the ban were economic and not security. They wanted to help Israeli mobile phone companies that had the 3G technology to benefit by having Palestinians buy their services."[36] Indeed, the inability of the two Palestinian operators to provide their consumers with 3G or 4G services has put them at an enormous disadvantage with Israeli operators that have such capabilities. According to the Palestinian policy network, Al Shabaka, Palestinian operators lose about $80 to $100 million annually as they are still prohibited from rolling out 3G services.[37] The World Bank estimates the total loss incurred by Palestinian mobile operators due to Israeli restrictions is between $436 million and $1.2 billion throughout 2013 -2015.

Israeli operators, on the other hand, have an unauthorized yet widespread presence in the West Bank. Under the Oslo Agreement, Israeli companies have the right to own infrastructure facilities only in illegal Israeli settlements in the West Bank and across the roads connecting these settlements to Israel. However, as a result of the expansion of these settlements and the spread of Israeli networks towers across the West Bank, Israeli operators cover most of Palestinian areas.[38] It is no surprise that Israeli operator Cellcom has a 41.5% market share of the fixed broadband market in the Jordan Valley (Area C), compared to only 16.1% for Palestinian ISP Hadara.[39] Other reports from the Palestinian MTIT and the World Bank estimate that Israeli companies capture 20-30% of the Palestinian telecom market in terms of the number of subscribers.[40] The Executive Manager of Paltel Group, Ammar Al Aker, reported that there are currently 460,000 Palestinians in the West Bank who use Israeli SIM cards, causing the telecom group an annual loss of $100 million.[41] To claim back the market share, the PA forbids the sale of Israeli SIM cards and cellular services in the Palestinian market and often carries out confiscation raids on Palestinian shops.[42]

The Gaza Strip

In addition to the aforementioned restrictions, the Gaza Strip faces further challenges. The political division between the Palestinian Authority and the de-facto Hamas government ensued a lack of coordination on administrative and legal processes between the territories. As a result, Palestinian operators in Gaza are burdened with the issue of double taxation by both the PA and Hamas.[43]

Another issue is the recurrent destruction of telecom infrastructure and internet shutdowns during Israeli military offences on the Strip. During the last Gaza war in summer 2014, around 50% of those who had fixed broadband internet subscription had their access

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36   Al Bawaba, "Opportunities and Challenges of Telecommunications in Palestine", 09 May 2017, available at:
      https://www.albawaba.com/editorchoice/opportunities-and-challenges-telecommunications-palestine-972332
37   Al Shabaka Policy Brief, 2015.
38   See World Bank report, and Al Shabaka policy brief.
39   World Bank report 2016.
40   Same source.
41   Ramallah News, "Head of Paltel Group: 460,000 citizens use Israeli SIM cards in West Bank", 03 December 2017, available at:
      http://ramallah.news/post/95652/مدير-شركة-الاتصالات-الفلسطينية-٤٦٠-الف-مواطن-بالضفة-يستخدمون-شرائح-اسرائيلية
42   Al-Monitor, "West Bank telecom authorities flounder in flood of Israeli phone tech", 18 October 2017, available at:
      https://www.al-monitor.com/pulse/originals/2017/10/palestinians-use-israeli-sim-cards-to-get-4g-service.html
43   World Bank report, 2016.
44   World Bank report, 2016.

disrupted.[44] Due to the Israeli military blockade on Gaza where only material for civil use are allowed in, some necessary equipment has been denied entry under the allegation of 'dual use' issues, i.e., they can be used beyond their intended purposes.[45]

Gaza's telecommunications is entirely dependent on Israel. The four main ISPs in Gaza procure internet from Israeli companies such as Bezeq and provide it to smaller companies that sell it to citizens. These companies are: the Palestinian Telecommunications Company, Digital Communication, Mada and Fusion. Gaza's only fiber optic cable that connects it to the world is placed in Israel, making it infrastructurally dependent on Israel.[46] Thus, all calls must be routed through Israel, creating a space easily exploited by the Israeli government for surveillance and intrusion. Calls and text messages that the Israeli army sent to Gazans during the 2014 war make a case in point.[47]

Furthermore, Gaza suffers from internet shutdowns due to continuous power cuts, which leaves it without any electricity for an average of 20 hours per day. The electricity crisis in Gaza has been exacerbated as Israel, at the request of President Mahmoud Abbas, reduced the electricity supply to Gaza. Gazans resorted to rechargeable batteries as a source of energy to keep internet service provider distribution centers and home internet routers operating. The director of the Palestinian Telecommunications Company in Gaza City noted internet distribution centers cannot withstand the 20 hour long power cuts as the batteries used in these centers operate for 4-6 hours a day only.[48]

PART III: MAPPING DIGITAL RIGHTS VIOLATIONS AND THREATS IN PALESTINE

More and more Palestinians use social media as a political tool: they share and follow latest information and news, express political dissent against the ongoing Israeli military occupation, discuss recent internal developments, criticize policies of PA and Hamas, and mobilise for non-violent digital campaigns. However, the relatively free space that social media platforms offer Palestinians has been shrinking at a worryingly rapid pace.

With the spike of violence in late 2015, the Israeli government resolved to policing the internet, and particularly social media, with the mission to halt "incitement" to violence. Palestinian civil society and human rights groups have heavily denounced such repressive measures, as "incitement to violence", a vaguely defined term, is used as a pretext to arrest and intimidate Palestinians, especially social media activists. In addition, the political

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45   Same source.
46   Al Shabaka, 2015.
47   Same source.
48   Al-Monitor, "How Gazans are dealing with internet crisis", 9 July 2017, available at: https://www.al-monitor.com/pulse/originals/2017/07/gaza-power-cuts-electricity-crisis-internet-israel.html#ixzz4z6HtwnL2%20https://paltoday.ps/ar/post/301613/ الاتصالات-وخدمات-الانترنت-قد-تنقطع-نهائيا-عن-قطاع-غزة-لهذا-السبب
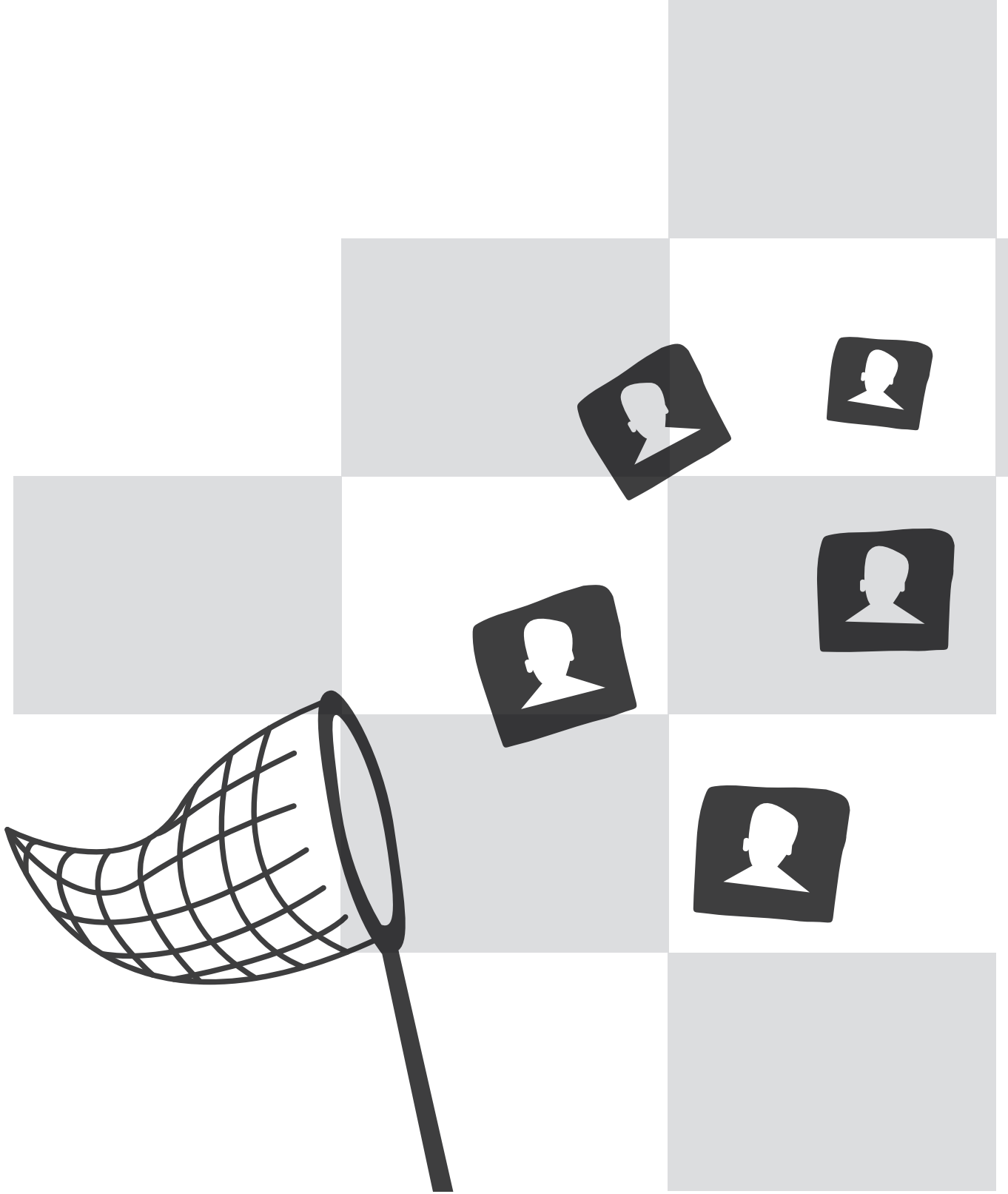
division between Gaza and the West Bank and the rising authoritarian trends exhibited by the PA on the one hand and by Hamas on the other have led to further crackdown on journalists, activists and political dissent at large.

As such, online freedoms of Palestinians have been uniquely positioned as the target of three separate yet contextually interconnected governments: the Israeli government, the Palestinian Authority in the West Bank and the de-facto Hamas government in Gaza.

Furthermore, the Palestinian-Israeli conflict has put the neutrality of private tech companies, which enjoy unchecked global influence yet remain largely non-transparent, under question. In the Israeli-Palestinian context, there has been consistent reports on selective application of content moderation policies. As Palestinian content has been frequently removed and deleted on platforms such as Facebook and YouTube, Palestinians are concerned by on-going targeted censorship and discrimination at the hands of these companies.

A. Digital Rights Violations by Governments

A.1. Digital rights violations by Israel

Having hold of the telecommunications infrastructure, Israel has long subjected Palestinians to mass surveillance and intrusion of their online privacy. In recent years social media platforms have become a new terrain for the Israeli-Palestinian conflict. The outbreak of violence in the West Bank and Israel in October 2015 was the kick-off for new grounds of contestation. The Israeli government alleges that posts, photos and music shared on social media are the reason behind the rise in violence and therefore social media must be monitored, policed and censored. Palestinians, on the other hand, find in social media a much needed space to express their opinions and frustrations in regards to the ongoing Israeli occupation. As a result, hundreds of Palestinians were arrested and interrogated for their posts on social media, particularly Facebook, deemed "incitement" by the Israeli authorities, without sufficient evidence.

Social media and "incitement to violence"

Seeing social media as a harbour for "incitement to violence", the Israeli government started to pressure social media companies to cooperate on content removal.[49] For example, on 12 September 2016, the Associated Press reported that the Israeli government and Facebook

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49   Haaretz, "Israeli Minister Slams Facebook: 'Terror Victims' Blood Is on Zuckerberg's Hands'", 03 July 2016, available at: https://www.haaretz.com/israel-news/1.728554

agreed to work jointly to tackle incitement to violence on the social media platform. The Israeli government announced that they have agreed with Facebook to create teams to discuss how inciteful posts can be monitored and removed.[50] Facebook in its turn said in a statement that "online extremism can only be tackled with a strong partnership between policymakers, civil society, academia and companies, and this is true in Israel and around the world."[51] Israeli Justice Minister Ayelet Shaked announced later that Facebook had cooperated on 95% of the government's requests to remove content it finds "inciteful".

Similarly, media reported in late 2015 the holding of a meeting between Israeli Deputy Foreign Minister Tzipi Hotovely with YouTube's CEO and Google's Director of Public Policy to discuss ways to cooperate in fighting against the publication of "inflammatory material."[52]

Digital rights organizations recognized that "such agreements are establishing a trend by which states and intergovernmental bodies seek to circumvent existing international and national legal frameworks that safeguard free expression, particularly in the name of countering violent extremism online."[53] Removal of content for "incitement to violence" must adhere to international human rights conventions and thresholds, which have been largely ignored by the Israeli authorities.

Earlier in January 2017, the Israeli Knesset passed a first reading of a law dubbed the "Facebook bill" which could allow Israeli courts to order social media companies to remove content considered "incitement to violence" published on its platforms. The law, however, was not adopted. Instead, the Knesset passed another bill on the 18th of July 2017 which allows Israeli courts to order ISPs to block access to internet sites.[54] According to the bill supporters, the law aims at stopping criminal and terror activities by blocking access to illegal gambling websites, prostitution and child pornography, websites selling drugs, and inciteful websites. The law was criticized for draconian and opaque scope which allows security agencies to block and remove any content they dislike. For example, judges issuing ban orders are not required to explain their decisions and the evidence submitted can remain secret.[55] This is the not the first step to filter internet in Israel. In 2016 the Israeli Ministerial Committee for Legislation previously passed a law that blocks porn websites in the country, allowing citizens who want to view adult content to ask their ISP directly for access.[56]

What is of particular concern is the selective censorship of "incitement" content. A research conducted by 7amleh- The Arab Center for the Advancement of Social Media asserts that the Israeli government's campaign against "incitement" has been directed at Palestinians only. The poll shows, for example, that there are 675,000 racist or provocative posts against Arabs and Palestinians on social media, uploaded at the rate of one post every 46 seconds

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50 The Guardian, "Facebook and Israel to work to monitor posts that incite violence", 12 September 2016, available at: https://www.theguardian.com/technology/2016/sep/12/facebook-israel-monitor-posts-incite-violence-social-media?CMP=twt_gu
51 Same source.
52 Middle East Monitor, "Israel meets with Google and YouTube to discuss censoring Palestinian videos", 25 November 2015, available at: https://www.middleeastmonitor.com/20151125-israel-meets-with-google-and-youtube-to-discuss-censoring-palestinian-videos/
53 Social Media Exchange (SMEX), "Civil Society Statement: Voluntary Agreements between Israel and Social Media Companies Threaten Free Expression", 03 October 2016, available at: https://smex.org/civil-society-statement-voluntary-agreements-between-israel-and-social-media-companies-threaten-free-expression/
54 Haaretz, "Knesset Passes Law Allowing Courts to Censor Internet", 18 July 2017, available at: https://www.haaretz.com/israel-news/.premium-1.801996
55 Haaretz, "Knesset Panel Clears Bill Allowing Court to Censor Internet" 03 July 2017, available at: https://www.haaretz.com/israel-news/1.799335
56 The Times of Israel, "Ministers approve bill to block internet porn", 30 October 2017, available at: https://www.timesofisrael.com/ministers-approve-bill-to-block-internet-porn/

in 2016. There has been no effort from the Israeli government, however, to combat increasing incitement on the Israeli side.[57] Instead, in a documented case, the Israeli military used Facebook to threaten a Palestinian family in Gaza. The commander of the Israeli military's Coordinator of Government Activities in the Territories (COGAT), posted on COGAT's Arabic Facebook page an aerial image of a neighborhood in Beit Lahiya and warned a family living in a six-story building that they might be the target of a military strike by the Israeli army after they discovered two tunnels had been dug by Hamas under a mosque and the apartment building.[58] According to 7amleh, the Israeli army is increasingly using Facebook to communicate in Arabic to Palestinians, leading to a "militarization of digital space."[59]

Monitoring social media and arrests

Since October 2015, Palestinian human rights organisations started documenting accelerating cases of hundreds of Israeli arrests of Palestinians over content they posted on Facebook, with accusations of "incitement" to violence.[60] The number of documented cases vary; Palestinian human rights organization Adalah states that around 400 Palestinians have been arrested because of Facebook posts in the last two years,[61] while Israeli newspaper Haaretz gives a higher number with a total of 800 Palestinians arrested by Israel and the PA.[62]

Haaretz revealed in April 2017 that the Israeli government uses an algorithm-based early warning system, also known as predictive policing, to identify and target the next potential "attacker" to carry out arbitrary arrests. According to the report, this artificial intelligence program monitors Palestinians' Facebook accounts to look for certain hints such as shaheed (martyr), Zionist state, Al Quds (Jerusalem), or Al Aqsa. Based on algorithmic computation, the system flags "suspects" that could potentially carry out an attack. The arrests carried out due to the algorithmic computation lack solid evidence of a crime having been committed. For example, a Palestinian man was recently detained, and then released, on suspicion of incitement by the Israeli police after Facebook wrongly mistranslated his post on Facebook. What read as "good morning" in Arabic was translated to "attack them" in Hebrew.[63]

It must be noted that the definition of "incitement to violence" used by the Israeli authorities is vague and could include any expression of dissent against Israeli policies and practices. Palestinian poet Dareen Tatour was charged with inciting violence and sentenced for two years under house arrest and denied access to the internet because of a poem she posted on social media.[64]

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57 7amleh, "7amleh center publishes "The index of racism and incitement in the Israeli social media" 2016", 07 February 2017, available at:
    http://7amleh.org/2017/02/07/7amleh-center-publishes-the-index-of-racism-and-incitement-in-the-israeli-social-media-2016/
58 Adalah, "Israeli army threatens Gaza family in Facebook post", 30 October 2017, available at: https://www.adalah.org/en/content/view/9275
59 7amleh, "Hashtag Palestine 2016", 2016, available here: http://7amleh.org/2017/06/05/7amleh-presents-hashtag-palestine-2016/
60 Addameer, "Daring to Post: Arrests of Palestinians for Alleged Incitement", 24 August 2016. Available at:
    http://www.addameer.org/publications/daring-post-arrests-palestinians-alleged-incitement
61 Adalah, "Women Human Rights Defenders Speak Out", 08 March 2017, available at: https://www.adalah.org/en/content/view/9060
62 Haaretz, "Arrest of Palestinians for Potential Terror Attacks Brings New Meaning to 'Minority Report'", 24 April 2017, available at: https://www.haaretz.com/opinion/.premium-1.785470
63 Haaretz, "Israel Arrests Palestinian Because Facebook Translated 'Good Morning' to 'Attack Them'" 22 October 2017, available at: https://www.haaretz.com/israel-news/1.818437
64 PEN America, "Detention of Poet Dareen Tatour Signals Worrying Escalation in Israeli Repression", 17 July 2016, available at: https://pen.org/press-release/detention-of-poet-dareen-tatour-signals-worrying-escalation-in-israeli-repression/

Other cases include the arrest of a 22 year old beautician, Majd who was sentenced to 45 days in prison and a fine of 3,000 shekels ($800) for praising a bus bombing in Jerusalem.[65] Such arrests not only violate Palestinians' right to freedom of expression and intrude on their online privacy, they are also chilling attempts at silencing and censoring Palestinian voices.

A.2. Digital Rights violations in the West Bank by the Palestinian Authority

The last two years have witnessed a sharp rise in attacks on the right to free speech, online privacy and media freedoms in the West Bank at the hands of the PA. A recent report by Amnesty International shows that arrests and intimidation of Palestinian journalists, activists and citizens who hold views unfavourable to the government have become part of an increasing authoritarian trend of the PA.[66] The latest evidence of this trend is the controversial Electronic Crimes Law decreed by the Palestinian President in June 2017, the banning of websites and the detention and intimidation of journalists and citizens for what they write on Facebook.

Electronic Crimes Law

On the 24th of June 2017 President Mahmoud Abbas discreetly signed the Electronic Crimes Law (16 of 2017), which was immediately enforced after it was published in the Official Gazette on the 9th of July 2017. The controversial law, which was signed in the name of fighting cybercrime, was adopted by a presidential decree in the absence of a functioning Palestinian Legislative Council (PLC) and without any prior consultation with Palestinian civil society and relevant stakeholders.

Palestinian civil society, journalists, and activists strongly denounced the law and called for its immediate suspension.[67] A coalition of Palestinian civil society organisations said in a statement that "many of its articles blatantly violate public freedoms, freedom of expression and the right to privacy, stressing the urgent need to freeze the law, until it is subjected to public debate and amendment."[68] The Independent Commission for Human Rights (ICHR) and the Palestinian Journalists' Syndicate issued a letter in September to the Palestinian President urging him to immediately suspend the law and amend it in close consultations with civil society, the Journalists' Syndicate and ISPs.

The new law violates Article 19 of the Palestinian Basic Law, which grants the right to freedom of expression to Palestinian citizens, and Article 27 which prohibits censorship of the media and enshrines its freedom to print, publish, distribute, and transmit information.[69] The law also breaches the obligations of the PA as a signatory of the International Covenant on Civil and Political Rights (ICCPR).[70]

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65   Al Jazeera, "Israel jails Palestinian beautician over Facebook post", 11 May 2016, available at:
      http://www.aljazeera.com/news/2016/05/israel-jails-palestinian-beautician-facebook-post-160509132438229.html
66   Amnesty report
67   See MADA Center, "Electronic crimes law and Media freedoms were discussed", available at www.madacenter.org/
      news.php?lang=1&id=316&_sm_au_=iVVDR3qwfD23NFfr (accessed 22 August 2017).
68   Same source.
69   See Amnesty International, "Palestine: Dangerous escalation in attacks on freedom of expression", 23 August 2017,
      available at: https://www.amnesty.org/en/latest/news/2017/08/palestine-dangerous-escalation-in-attacks-on-
      freedom-of-expression/
70   Wattan TV, "Al Haq: Cybercrime Law Violates International Conventions", 15 July 2017, available at:
      http://www.wattan.tv/tv/209277.html

Palestinian human rights organization, Al Haq, also noted that the law's definition of cybercrime deviates from what constitutes a cybercrime according to the Budapest Convention on Cybercrime.[71] Additionally, the presidential decree completely disregarded the Palestinian legislative process. Article 61 of the law, stipulating that the law immediately comes into effect on the date of its publication in the official gazette, abandons the review period required for citizens to review the law before it is enacted.

The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, criticised the law in an official letter addressed to the PA. He highlights his concerns in regards to a number of provisions of the law, namely the criminalization of access to websites deemed illegal by the authorities, the criminalization of the use of encryption, and the criminalization of online free speech under the pretext of very broad and vague terms such as "disturbing public order", "national unity", "social peace" or "contempt of religion."[72]

Similarly, Amnesty International raised concerns in regards to a number of problematic articles that infringe on the right to freedom of expression, right to privacy online, and the protection of data. It also criticized the criminalization of online dissent and the imposition of heavy fines and exaggerated punishment on critical voices.

Some of the problematic provisions of the law as noted by Palestinian and International organizations include:

- Article 20.1 criminalizes anyone who "publishes material that is critical of or endangers the integrity of the state and public order" with at least one year imprisonment and/or a fine of between 1,400USD and 7000USD. This leaves large space for interpretation in order for the government to silence opinions and voices it does not like.

- Article 20.2 penalizes "any person who propagates news mentioned in article (20.1) by any means, including broadcasting or publishing it" with a maximum of one year in prison and/or a fine of a maximum of 1,400USD.

- Article 31 punishes the use of circumvention technology including VPN's and proxies to access banned websites.

- Articles 32 and 33 oblige Palestinian service providers to "retain information about subscribers for at least three years following "legal proceedings".

- Article 35 allows the magistrate court and the Attorney General to retain material and conduct surveillance on individuals for a period of 15 days, which can be renewed once based on new evidence.

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71   see Al Haq notes on the Palestinian Electronic Crimes Law 2017, available at: http://www.alhaq.org/arabic/index.php?option=com_content&view=article&id=868:-2017-&catid=81:2012-05-09-07-27-26&Itemid=196
72   See Human Rights Committee, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, A/HRC/29/32, para. 52, available at: www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A.HRC.29.32_AEV.doc

- Article 40 allows the Attorney General to obtain a court permission to issue an order to block websites within 24 hours.

Palestinian media recently reported that the Palestinian Ministry of Justice has started official consultations with relevant official institutions and civil society organizations to amend the law so it can fit its purpose of fighting cybercrime whilst also protecting public rights and freedoms.[73] However, no amendments have been made yet as of the date of this report.

Blocking websites

Two weeks before adopting the Electronic Crimes Law, the Palestinian Attorney General Ahmad Barak ordered internet service providers in the West Bank to block 29 websites.[74] The blocking included websites affiliated with Hamas, the PA's political rival Fatah leader Mahmoud Dahlan as well as independent media websites critical of the Palestinian authorities. According to the Palestinian Center for Development and Media Freedoms (MADA), the orders to the ISPs were issued in "utter secrecy" and none of these blocked websites were notified beforehand. The Attorney General did not disclose these orders at public demand and refused to comment publicly on why he has taken this measure.[75]

Iyad El Refai, editor of the Al Quds Online Network - an independent and prominent community-based news outlet included in the recent ban- commented that they were not notified by the authorities about their website ban. "The internet providers refused to show us the blocking order they received. We contacted the Attorney General for clarification, but he refused to respond. We will explore the possibility of going to court within the next two days." The case of Al Quds Online Network is currently with the Supreme Court in Ramallah pending a decision.[76]

While the Attorney General did not comment nor explain the legal justification of his decision, government spokesman Tariq Rishmawi said in a radio interview that this measure was taken against websites that "incite sedition and do not convey news and information on Palestinian affairs in a professional and credible manner."[77] This justification was reiterated by another senior official, who denied that the blocked websites were targeted for their political affiliations. Rather, they were blocked due to a number of pending cases against them for reporting false information and being "unethical" and charged with publishing "false news" and "slander."[78] None of these charges or the legal pretext was made public.

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73   Ma'an News Agency, Ministry of Justice holds consultations to amend the Electronic Crimes Law", 22 October 2017, available at: https://maannews.net/Content.aspx?id=926632
74   See MADA Center, "Noting the blocking of 29 media sites", 4 July 2017, available at: www.madacenter.org/report.php?lang=2&id=1715&category_id=13&year=2017
75   Same source.
76   Quds News Network, "Al Quds fights for its rights. Supreme Court requests a copy of the ban" 07 November 2017,
77   available at https://www.qudsn.co/article/131408
78   MADA Center, 2017. See also: http://www.arn.ps/archives/199807
      See Maan News, "Press freedom watchdog denounces PA ruling to block 11 Palestinian news sites", 19 June 2017, available at: http://www.maannews.com/Content.aspx?id=777697

List of blocked websites by the PA		
Al Quds Online Network	qudsn.ps	blocked on 16 June 2017
Al Quds Press	qudspress.com	blocked on 16 June 2017
Safa Press Agency	safa.ps	blocked on 16 June 2016
Al-Ray Press Agency	alray.ps	blocked on 16 June 2016
Palestine Now	paltimes.net	blocked on 16 June 2016
Palestine Press Agency	palpress.co.uk	blocked on 16 June 2016
Ahwal El Belad	ahwalelbelad.com	blocked on 16 June 2016
Ara News	aranews.org	blocked on 16 June 2016
Al-Karama Press	karamapress.com	blocked on 16 June 2016
Al Aqsa TV	aqsatv.ps	blocked on 16 June 2016
Firas Press	fpnp.net	blocked on 16 June 2016
Amad Media	amad.ps	blocked on 16 June 2017
Fateh Media	fatehmedia.net	blocked on 16 June 2016
Felesteen Online	felesteen.ps	blocked on 16 June 2016
Shehab News Agency	shehab.ps	blocked on 16 June 2016
Omamah	omamh.com	blocked on 16 June 2016
Al Qassam Brigades	alqassam.ps	blocked on 16 June 2016
Fateh Voice	fateh-voice.ps	blocked on 16 June 2016
The Palestinian Information Center	palinfo.com	blocked on 16 June 2016
Ikhwan Online	ikhwanonline.com	blocked on 16 June 2016
Hamas Official Wesbite	hamas.ps	blocked on 16 June 2016
Hamas mass action Dept.	jamahiri.ps	blocked on 16 June 2016
Palestine News Network SHFA	shfanews.net	blocked on 16 June 2016
Fateh Media	fatehmedia.net	blocked on 16 June 2016
Palestine.Net	paldf.net	blocked on 16 June 2016
Al Resalah Newspaper	alresalah.ps	blocked on 16 June 2016
Inlight Press	inlightpress.com	blocked on 16 June 2016
Ajnad News	ajnad-news.com	blocked on 16 June 2016

Palestinian human rights organisations slammed the measure and deemed it unconstitutional.[79] The blocking is a violation of Article 19 of the Palestinian Basic Law which protects freedom of opinion and expression; of Article 27 which stipulates that "censorship of the media shall be prohibited. No warning, suspension, confiscation, cancellation or restriction shall be imposed upon the media except by law, and pursuant to a judicial ruling," and of Article 32 which considers violation of public freedoms, free speech included, a crime. The measure also breaches the 1995 Press Law (Law on Printed Materials and Publications) and the 2009 Law by Decree on the Palestinian Telecommunications Regulatory Authority.[80]

The PA's blocking of these websites caused an uproar among Palestinians who called the PA to immediately lift the ban and cease any form of censorship. A social media campaign using the Arabic hashtag (#لا للحجب) [no to blocking] demanded the PA's Attorney General to issue a public statement on the reasons behind his decision.[81] As of 4 July 2017, these websites remain blocked with the exception of three websites: the official Hamas website, their collective action website, and Al-Ray Press Agency.[82]

This is not the first time the Palestinian authorities ban websites that are not aligned with their political line. In 2012, there were reports that the PA instructed ISPs in the West Bank to block eight websites, five of which are included in the recent ban.[83] The censorship also occurred earlier in 2008 when the PA blocked a Gaza-based news site, Donia al-Watan, following its publication of a report on the PA's corruption.[84]

Crackdown on Activists and Journalists

Arrest and intimidation of Palestinian journalists, activists and critical voices in the West Bank because of what they write and share on the internet have been on the rise in 2017. Noting the sharp escalation in cracking down on online dissent, Amnesty International accused the Palestinian authorities of "using police state tactics to silence critical media and arbitrarily block people's access to information."[85]

According to MADA Center, social media in the last two years has increasingly become a new space to censor and target Palestinian journalists and activists. Between 2014 and May 2016, the Palestinian authorities committed 61 violations targeting journalists in relation to their online activity.[86] Palestinian intelligence and security forces have arbitrarily detained and interrogated journalists over what they wrote or shared on Facebook.

79   Maan News, "Al Haq: The Decision to Block Websites Violates the Constitution", 20 June 2017, available at: https://www. maannews.net/Content.aspx?id=912070
80   See Al Haq, "Blocking of Websites Critical of Palestinian Authority Violates International and Domestic Laws", 27 June 2017, available at:
      http://www.alhaq.org/advocacy/topics/palestinian-violations/1126-blocking-of-websites-critical-of-palestinian-authority-violates-international-and-domestic-laws
81   Global Voices Advox, "Angered by Online Censorship, Palestinians Say #NoToBlocking", 21 June 2017, available at:
      https://advox.globalvoices.org/2017/06/21/angered-by-online-censorship-palestinians-say-notoblocking/
82   See MADA Center, "Noting the blocking of 29 media sites", 4 July 2017, available at: www.madacenter.org/report.php?lang=2&id=1715&category_id=13&year=2017
83   Maan News, "Palestinian media clampdown spreads to the Web", 23 April 2012, available at: http://www.maannews.com/Content.aspx?id=478726
84   The Electronic Intifada, "Ramallah Palestinian Authority blocks website reporting on corruption", 18 November 2008, available at: https://electronicintifada.net/content/ramallah-palestinian-authority-blocks-website-reporting-corruption/7814
85   See Amnesty International, "Palestine: Dangerous escalation in attacks on freedom of expression", 23 August 2017, available at: https://www.amnesty.org/en/latest/news/2017/08/palestine-dangerous-escalation-in-attacks-on-freedom-of-expression/
86   See MADA Center, "Social Media...A New venue to Censor and Prosecute Journalists", 2016, available at: http://www.madacenter.org/images/text_editor/FBviolationsE.pdf

The same report indicates that the Palestinian Security Services force those under interrogation to hand in passwords for their social media accounts and electronic devices to gain direct access to their private information and go through their personal pages and communications.[87]

For example, on the 6th of July 2017 the Palestinian Preventive Security Services arrested Palestinian journalist Jihad Barakat (27) for taking photos of the convoy of the Palestinian Prime Minister while being searched by Israeli forces at a military checkpoint. Jihad was asked to give the passwords for his electronic devices and private accounts during interrogations. Jihad said: "I refused to provide them and told him that this should be done by judicial order, I was transferred to the Preventive Security headquarters in Ramallah. There I underwent two interrogation sessions, in which the interrogator asked me to hand over the passwords; I refused to give it unless they show me a judicial decision."[88]

Since the Electronic Crimes Law came into force, the Palestinian authorities arrested human rights defender from Hebron, Issa Amro, and six other journalists who work for Hamas-affiliated news outlets. In the two cases, individuals in question were charged under Article 20 with "publishing news that would endanger the integrity of the Palestinian state, the public order or the internal or external security."

Another example includes Palestinian journalist Thaher al-Shamali who was arrested by the Preventative Security forces from his home in Ramallah on the 6th of June 2017. He was charged with "insulting higher authorities and causing strife" in reference to a critical article he published online. In his testimony to Amnesty International, he said that following his release he was threatened over the phone and warned not "to post opinions critical of the government or officials on Facebook."

A.3. Digital Rights Violations in Gaza by Hamas

Internet freedoms under the de facto rule of Hamas in the Gaza Strip have also been under attack. Since Hamas took hold of Gaza in 2007, there has been an increasing number of attacks on Palestinian journalists, activists and citizens who are either affiliated with the rival party Fatah, or have voiced opinions unfavourable to or critical of Hamas.

Crackdown on free speech

There are numerous reports of arrests, interrogations, abductions and even torture of Palestinian journalists and activists by the Hamas authorities because of their work or

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87   See MADA Center, "Social Media...A New venue to Censor and Prosecute Journalists", 2016, available at: http://www.madacenter.org/images/text_editor/FBviolationsE.pdf
88   MADA Center, "106 violations against media freedoms in Palestine during July", 10 August 2017, available at: http://www.madacenter.org/report.php?lang=1&id=1740&category_id=13&year=

because of what they wrote on social media. The government crackdown on freedom of expression has especially intensified in the recent period in response to the youth's mobilisation and protests against the ongoing electricity crisis in Gaza. As one of the detained activists describes it: "Hamas have taken away all of our rights. We can't protest, or speak and now we are not allowed to write, soon they will ban us from breathing."

According to Amnesty International, in July 2017 at least 12 Palestinians activists and journalists were detained by Hamas security forces because of critical comments and cartoons posted on Facebook. The interior security apparatus summoned these activists through phone calls or written notices, they were then interrogated about their political affiliations, their posts on social media, their connections to the youth movement in Gaza and then later released after a few hours of detention. One of the detainees reported that during questioning about his social media posts and opinions he was forced to give his Facebook password.[89]

One particular case is the case of young activist Mohammad Nafez al-Talowli (25) from Jabalia refugee camp who organised protests against Hamas policies in the Gaza strip especially in their handling of the recent electricity crisis. He was arrested three times by Hamas Internal Security forces this year. In the last arrest on the 11th of June 2017, he was charged with and convicted of 'misuse of technology' and distributing misleading information to the public because of criticising a Hamas leader on Facebook. He spent five days in detention and then was released on bail of USD165 and on the condition that he does not write any posts critical of Hamas or its leaders on Facebook, and that he refrains from calling for or organizing any protests. In the case of violating these conditions, he will have to pay a heavy fine of USD 27,595.[90] Furthermore, he has been repeatedly threatened over the phone that the next time he posts something he will be shot.

Journalist Nasr Fouad Abu Al Foul (30) was also detained by Hamas on 16 July 2017 and was forced to sign a pledge to respect the law and not to write any posts on social media that are critical of the government.[91] Two other activists, which remain anonymous in fear of reprisal, were kidnaped, beaten, and had their homes raided multiple times throughout the year as a result of their activism in planning protests and criticising Hamas leadership on Facebook. Such crackdown imposes a self-censorship among young activists. One of those activists told Amnesty International: "I will no longer write political posts on Facebook. I am exhausted from all the arrests and humiliation, Hamas is controlling our lives and minds".

Earlier in April 2017 Hamas Ministry of Interior warned that it will prosecute and arrest social media activists whom it described as "abusers and promoters of rumours and false news." The Ministry's spokesperson, Iyad Al Bazm, said in a statement that Hamas will take

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89   See Mezan Press Release, 17 July 2017, available at:
      www.mezan.org/post/23996
90   Amnesty International, "State of Palestine: Alarming Attack on Freedom of Expression, 23 August 2017, available at:
      https://www.amnesty.org/en/documents/mde15/6983/2017/en/
91   See Mezan Press Release, 17 July 2017, available at: www.mezan.org/post/23996

more measures to protect Palestinian society from what he called "abusers" and further warned activists and social media users that legal action will be taken against anyone who promotes news that is false or without resources.[92] The Gaza-based Mezan Centre for Human Rights documented around 95 cases of Palestinian citizens summoned for interrogation over their social media posts.

And while it is unclear how the Electronic Crimes Law will be implemented in the Gaza Strip, the Palestinian Legislative Council in Gaza passed earlier in 2009 an amendment to the penalty code Law 3 of 2009 which criminalises 'misuse of technology'- a charge often used to curb free speech on the internet.

B. Digital Rights Violations by Private Companies

In the past two years there has been a number of online campaigns by Palestinians accusing social media companies of bias and discrimination against Palestinians and content relating to Palestine. As private tech companies have greater impact on today's politics, this section examines the role of these companies in the wider context of Israel and Palestinian. Are they neutral as they claim they are? And do their policies infringe on Palestinian digital rights?

Facebook

Days after the meeting between Facebook and the government of Israel in September 2016, Palestinians reported that the accounts of editors and executives from two Palestinian daily news pages, the Shehab News Agency and Quds News Network were suspended without any prior warning or explanation.[93] Palestinians accused Facebook of discrimination and censorship for shutting down accounts and removing content considered as legitimate political speech. A social media campaign #FBCensorsPalestine was launched calling for the boycott the platform. Facebook apologised for the move and stated it was a 'mistake'.

Despite the apology, Palestinians believe that this action is the outcome of collaboration between Facebook and Israel. According to Adalah, the Legal Center for Arab Minority Rights, the office of the Israeli Attorney General runs a 'cyber unit' which allegedly cooperates with social media companies, such as Facebook and Twitter, to censor online content that it deemed 'inciteful'. Adalah said in a press release that the Unit managed to remove in 2016 1,554 cases of online content.[94]

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92   Al-Ayyam, "Hamas arrests of social media activists draws high criticism", 27 April 2017, available at: http://www.al-ayyam.ps/ar_page.php?id=12042e82y302263938Y12042e82
93   Al Jazeera, "Facebook 'blocks accounts' of Palestinian journalists", 25 September 2016, available at: http://www.aljazeera.com/news/2016/09/facebook-blocks-accounts-palestinian-journalists-160925095126952.html
94   See Adalah's press release, "Israel's 'Cyber Unit' operating illegally to censor social media content", 14 September 2017, available at|: https://www.adalah.org/en/content/view/9228

According to #FBCensorsPalestine page, which encourages Palestinian users to report any suspension of accounts or content removal, Facebook again targeted Palestinian content in 2017 with the removal of more Palestinian pages. In January, tens of Palestinian accounts were suspended for commemorating a Hamas military leader, Yahya Ayyash, who is considered a terrorist by Israelis and a hero by some Palestinians. The page 'Shuafat Refugee Camp' which covers news from Shuafat refugee camp in Jerusalem was also deleted by Facebook in July. The Israeli military coordinator in the West Bank commented that the removal was a result of inciteful content on the page.[95] Other suspended pages include the satire page 'Mesh Hek' which posts comics on Palestinian affairs (the page was suspended for the 4th time); a blog page 'OmarTalk' which belongs to a Palestinian citizen of Israel;[96] and the official page of the political faction Fatah. Facebook also deleted the page of a Palestinian village 'Biddu Online' and suspended the accounts of some of its administrators; a page called 'Qatanna the Martyers' Fort'; and two more local news pages.[97]

A new Palestinian initiative launched in September 2017 to document such cases called Sada Social reported 13 more cases of Palestinian pages removal or suspended personal accounts.[98] The spokesperson of #FBCensorsPalestine campaign Iyad El Refai commented: "We are more surprised that the management of Facebook, particularly as its regional office in Dubai no longer responds to us as they used to in the past, and we note a deliberate marginalization of issues related to the Palestinian affair."[99]

Facebook's Community Standards do not tolerate any organizations or individuals that are engaged in terrorist activity, organized violence, or organized hate groups. Accordingly, Facebook removes any "content that expresses support for groups that are involved in the violent or criminal behaviour mentioned above. Supporting or praising leaders of those same organizations, or condoning their violent activities, is not allowed."[100] These moderation policies are applied selectively, however. Leaks of Facebook's internal moderation manuals for credible threats of violence lists 'Zionists' as a globally protected group. It is not clear why and how Facebook designated such status for its content moderation.[101]

Google

In August 2016, an online outrage took place over Google being accused of deleting Palestine from its map services, Google Maps.[102] Social media activists tweeted #PalestineIsHere in response after the Forum of Palestinian Journalists issued a statement condemning "the crime carried out by Google in deleting the name of Palestine… The move is designed to falsify history, geography as well as the Palestinian people's right to their homeland, and [is] a failed attempt to tamper with the memory of Palestinians and Arabs as well as

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95 Quds News Network, "Parterning with Facebook, the Occupation Targets again Palestinian Content", 30 July 2017, available at: https://www.qudsn.ps/article/124064
96 Al Quds News Network, "Closing Many, Facebook renews its campaign against Palestinian Pages", 31 July 2017, available at: https://www.qudsn.ps/article/124132
97 See Facebook page of FB Censors Palestine, available at: https://www.facebook.com/FaceBCensorsPalestine/
98 See Sada Social's Facebook page, available at: https://www.facebook.com/SadaSocialPs/
99 Al Jazeera, "Facebook 'blocks accounts' of Palestinian journalists", 25 September 2016, available at: http://www.aljazeera.com/news/2016/09/facebook-blocks-accounts-palestinian-journalists-160925095126952.html
100 Facebook Community Standards, available at: https://www.facebook.com/communitystandards#dangerous-organizations
101 The Guardian, "Facebook's manual on credible threats of violence", 21 May 2017, available at: https://www.theguardian.com/news/gallery/2017/may/21/facebooks-manual-on-credible-threats-of-violence
102 The Guardian, "Google Maps accused of deleting Palestine – but the truth is more complicated", 10 August 2016, available at: https://www.theguardian.com/technology/2016/aug/10/google-maps-accused-remove-palestine

the world." The statement called for Google "to rescind its decision and apologize to the Palestinian people."[103]

Earlier in March 2016, another petition on Change.org was launched calling Google to "recognize Palestine in Google Maps, and to clearly designate and identify the Palestinian territories illegally occupied by Israel." Collecting 355.375 online signatures, the petition stated that "this is an important issue, as Google Maps are now regarded as definitive by people around the world, including journalists, students and others carrying out research into the Israel-Palestine situation. Whether intentionally or otherwise, Google is making itself complicit in the Israeli government's ethnic cleansing of Palestine."[104]

Google, in its turn, responded that "there has never been a 'Palestine' label on Google Maps, however we discovered a bug that removed the labels for 'West Bank' and 'Gaza Strip'. We're working quickly to bring these labels back to the area."[105]

While Google Maps lists Palestinian cities and towns in the West Bank and Gaza, a large number of Palestinian villages and communities in Area C of the West Bank remain off the grid.[106] The PA urged Google Maps and similarly Apple Maps to include all Palestinian communities in the West Bank. "It is baffling that, while Palestinians in Area C can't even find their own community on either maps, Israeli settlers can get driving directions to cross the West Bank in its entirety to get from one illegal settlement to another," Palestinian Prime Minister Rami Al Hamdallah said.[107] The same case applies to the unrecognized Bedouin villages in Israel, which by the virtue of their legal status in Israel, are not on the map.

In 2013 Google changed the domain name of its Palestinian edition of the Search homepage from "Palestinian Territories"to "Palestine." The update caused an uproar on the Israeli side. The Israeli Deputy Foreign Minister Ze'ev Elkin condemned Google's decision saying that it endangers the peace process and that such a tech company should not meddle in political affairs; "We do not think that a large and respected company like Google, which deals in technology, should enter the arena of policy making."[108]

Google determined that the domain change is a technical nonpolitical matter which the company has carried out after international organisations such as the International Standardization Organization (ISO) and the International Corporation for Assigned Names and Numbers (ICANN) preceded with the change. "While Google does not follow a single source for these decisions, we look closely at the action of a few international organizations to guide us when we update our country and region names," Google stated. "We are not taking a political position, but merely aim at reflecting the majority of sources we look at."[109]

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103 See statement of the Forum of Palestinian Journalists, available (in Arabic) at: http://www.fpjs.ps/Show.aspx?id=1971# See 'Google: Put Palestine On Your Maps!' petition here:
104 https://www.change.org/p/google-inc-google-put-palestine-on-your-maps/nftexp4/control/103909480?recruiter=103909480&utm_source=share_petition&utm_medium=facebook&utm_campaign=autopublish.guest_form_reduction&utm_content=nafta_share_post_title_en_7%3Acontrol
105 The Telegraph, "Google says Palestine was never on Google Maps after claims it had been 'airbrushed' away", 10 August 2016, available at: http://www.telegraph.co.uk/technology/2016/08/10/google-says-palestine-was-never-on-google-maps-after-claims-it-h/
106 A US-based initiative named 'Rebuilding Alliance" has been campaigning on this issue, successfully pushing Google in 2016 to add 236 Palestinian villages to Google Maps. Read more about their work here: http://www.rebuildingalliance.org/maps/
107 IMEMC News, "Hamdallah Calls on Apple and Google to Include Palestinian Communities in Online Maps", 28 January 2017, http://imemc.org/article/hamdallah-calls-on-apple-and-google-to-include-palestinian-communities-in-online-maps/
108 Times of Israel, "Deputy foreign minister urges revocation of 'Google Palestine'", 18 June 2013,
109 Same source.

Similar to that is the issue of Google's Knowledge Boxes that appear while using its search function. Following the 2013 update, the Wikipedia-sourced Knowledge Box describes Palestine as a "de jure sovereign state." However, the city of Jerusalem, whose Eastern part is considered under international law illegally annexed by Israel, is described in Google's Knowledge Box as Israel's capital.[110]

While Google defends its position as nonpolitical, these issues highlight the question on the neutrality of tech companies as they influence and define public information shared and used by millions of people around the world. Such responsibility over public knowledge is expressed in the petition to Google which states that "recognition of Palestine by Google may even turn out to be as important as recognition by organisations like the UN."[111]

YouTube

Similar to Facebook, YouTube, a Google subsidiary, has also been embroiled in removing Palestinian content from its platform.

YouTube's Community Guidelines, while endorsing freedom of expression, do not "support content that promotes or condones violence against individuals or groups based on race or ethnic origin, religion, disability, gender, age, nationality, veteran status, or sexual orientation/gender identity, or whose primary purpose is inciting hatred on the basis of these core characteristics." It furthermore specifies that violent and graphic content is not permitted unless posted in "a news or documentary context" in which case enough information must be provided.[112]

Applying these policies have proven tricky as Palestinian groups report removal of their content while stressing that their content does not violate the platform's guidelines. Al Quds News Network reported that its YouTube account was deleted for the second time in what they believe is a result of Israeli pressure on the platform.[113] It also deleted a Palestinian TV channel, Palestine Today, which had its account running on the platform since 2011.[114]

PayPal

PayPal, an American company that runs a worldwide online payments system, is another private tech company accused of discriminating against Palestinians. The company, which runs its operations in Israel including illegal Israeli settlements in the West Bank, refused

110 The Washington Post, "Google Maps did not 'delete' Palestine — but it does impact how you see it", 09 August 2016, available at: https://www.washingtonpost.com/news/the-intersect/wp/2016/08/09/google-maps-did-not-delete-palestine-but-it-does-impact-how-you-see-it/?utm_term=.7a0ea8e4f55a

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112 See YouTube's Community Guidelines, available here: https://www.youtube.com/yt/about/policies/#community-guidelines

113 Al Quds News Network, "Israel Responds to the Occupation and Deletes Al Quds YouTube Channel", 12 October 2017, available at: https://www.qudsn.ps/article/129263

114 Arab48, "YouTube deletes 'Palestine Today' Channel", 25 August 2016, available at: https://www.arab48.com/ميديا/ميديا/٢٠١٧/٠٨/٢٥/يوتيوب-يحذف-قناة-فلسطين-اليوم-ضمن-حملة-التحريض-الإسرائيلي

to heed calls of Palestinian entrepreneurs and businessmen to roll-out its services in the West Bank and Gaza.[115]

43 Palestinian companies and organisations sent an open letter to PayPal urging the company to extend its services to Palestinians whose business operations and growth are hindered by the lack of this service. The letter also stresses that "extending PayPal services would resolve the current discriminatory situation whereby PayPal's payment portal can be accessed freely by Israeli settlers living illegally (per international humanitarian law) in the West Bank while it remains unavailable to the occupied Palestinian population."[116]

The campaign #PayPal4Palestine caught wide attention in 2016, urging the company to end its alleged discrimination, and has renewed its calls in May 2017 after all previous calls had fallen on deaf ears.[117] International NGO, ActionAid, has also launched a petition in an attempt to pressure the company to respond to Palestinians' request.

Considered as the standard online payment system, PayPal's refusal to operate in the Palestinian Territories presents a serious challenge for Palestinian start-ups and businesses in the tech sector, which has been identified as a sector with promising potential for the Palestinian economy.[118]

The UN recognises that access to the internet is fundamental to sustainable development and economic growth. The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue, emphasised this point in his report to the UN Hu1man Rights Council: "without Internet access, which facilitates economic development and the enjoyment of a range of human rights, marginalized groups and developing States remain trapped in a disadvantaged situation, thereby perpetuating inequality both within and between States."[119]

AIRBNB

The global accommodation website, AirBnb, has also been the target of a global campaign for listing of accommodations in illegal Israeli settlements in the West Bank. The Fourth Geneva Convention prohibits the occupying power from deporting or transferring parts of its own civilian population into the territory it occupies. It also prohibits from benefiting economically from the occupation. According to Israeli NGO Who Profits, all listings in Israeli settlements on the platform mislead the consumer about the fact that they are located in illegal settlements.[120]

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115 Techcrunch, "PayPal brushes-off request from Palestinian tech firms to access the platform", 9 September 2016, available at: https://techcrunch.com/2016/09/09/paypal-brushes-off-request-from-palestinian-tech-firms-to-access-the-platform/

116 Americans for a Vibrant Palestinian Economy, Letter to PayPal President and CEO Daniel H. Schulman, 23 August 2016, available at: http://a4vpe.org/pages/a-letter-to-paypal.php

117 See the campaign's Facebook page here https://www.facebook.com/PayPal4Palestine/

118 OpenDemocracy, "#PayPal4Palestine", 30 August 2016, available at: https://www.opendemocracy.net/north-africa-west-asia/sam-bahour/paypal4palestine

119 Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue, Human Rights Council, Seventeenth session Agenda item 3, United Nations General Assembly, 16 May 2011, available at: http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdf

120 Who Profits, "Touring Israeli Settlements: Business and Pleasure for the Economy of Occupation", September 2017, available at: https://whoprofits.org/sites/default/files/touring_israeli_settlements_wp_flash_report_oct_2017-3.pdf
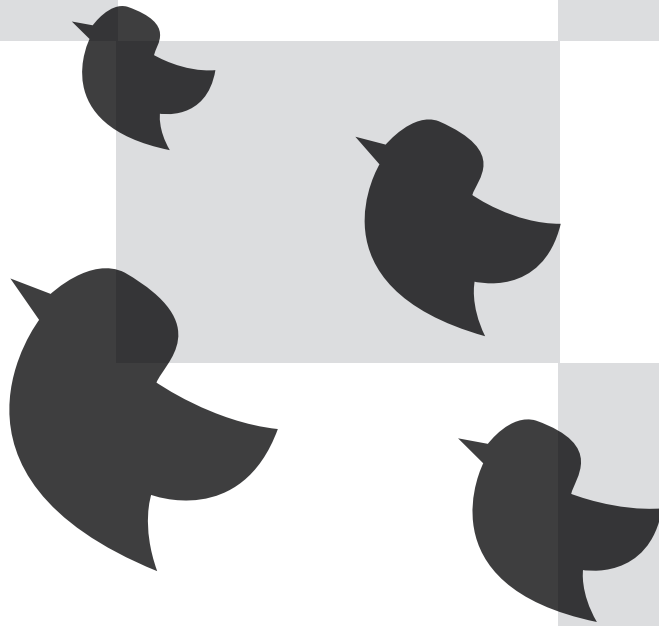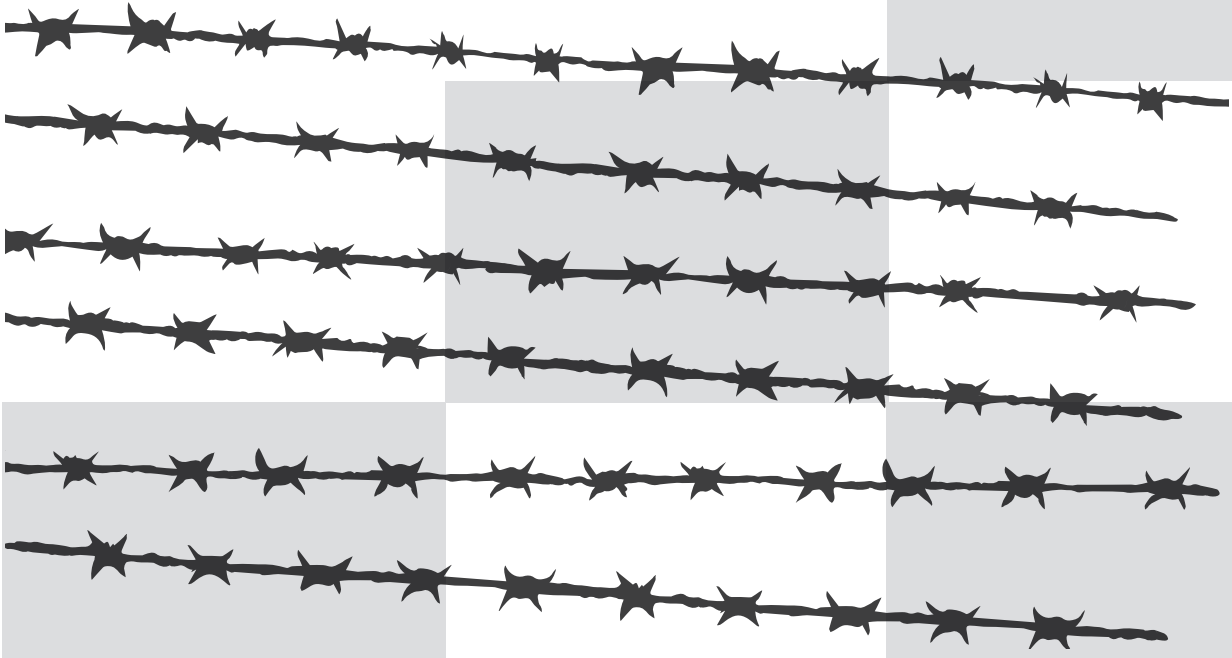
The campaign, "Stolen Homes", urged AirBnb to end its complicity in the violation of International laws. A petition to the co-founder and CEO of the company was signed by 152,821 people. The petition states that "Airbnb's anti-discrimination policy states that they prohibit listings that promote racism, discrimination, or harm to individuals or groups, and require all users to comply with local laws. Yet, listing vacation rentals in illegal settlements promotes structural discrimination, theft of Palestinians' land, and direct violations of international law."[121]

PART IV: GENDER AND THE INTERNET

An inclusive, safe, and gender-friendly internet for women is a fundamental building-block of a free and open internet. However, more often than not- women and LGBT communities face a whole range of gender-related hostility, discrimination and attacks online: From unequal access to the internet, online harassment, violent threats, to hacking and blackmailing, and hate speech.

Palestinian women are no exception. According to the Palestinian police spokesperson, Louay Erzikat, cybercrime targeting women has been on the rise "especially in light of technological developments, the Internet and social networking sites. Around 1,020 cybercrimes were registered in 2015 in Hebron, the most populous area in the West Bank, compared to 922 in 2014."[122] In the first quarter of 2017 alone, the police received 850 cases.[123] The cases that make it to the public about such crimes involve a perpetrator hacking into the Facebook account of women -mostly young- and then subjecting his victim to excruciating blackmail and threats.

One of these cases is the story of a 25 year old woman from the West Bank city of Hebron whose Facebook was hacked by a Palestinian man. He stole her private photos and threatened her to publish them unless she pays him. He extorted 10,000 Israeli shekels and 250 grams of gold from her until she ran out of money and she had to report him to the police.

Many Palestinian women and girls who were subjected to sextortion and blackmail online are afraid to speak up or report these crimes given the cultural and social restrictions they face and the feelings of intimidation and embarrassment, or fear of public scandals, reputation ruin and social stigmas. The lack of reporting, aside from the official figures of the Palestinian police, makes it very difficult to know how prevalent the problem is.

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121 See "Airbnb: Say No to Stolen Homes" petition here: http://stolenhomes.org
     Al-Monitor, "Palestinian women increasingly targeted online", 29 January 2016, available at: ttp://www.al-monitor.com/pulse/originals/2016/01/palestine-cybercrimes-highrates-taboo-law.html#ixzz4zmQWZK52
122 Al-Monitor, "Palestinian women increasingly targeted online", 29 January 2016, available at: ttp://www.al-monitor.com/pulse/originals/2016/01/palestine-cybercrimes-highrates-taboo-law.html#ixzz4zmQWZK52
123 Ramallah Mix, "Palestinian woman pays 90,000 shekels and 64,000 USD not have her photos published online", 08 August 2017, available at: http://www.rmix.ps/archives/106916

This is why it is not surprising for these women to develop a sense of self-censorship and refrain from sharing private photos on social media. According to a poll done by 7amleh – the Arab Center for Social Media Advancement, only 39.8% of Palestinian females (compared to 56.2% of males) feel safe to share personal information and photos on social media, and around 42.9% of them practice self-censorship online.[124] A 2010 study done by the Geneva Centre for the Democratic Control of Armed Forces (DCAF) on how secure Palestinians feel found that Palestinian women perceive technology negatively. Particularly mothers feel that smartphones and the internet, being a form of public space, expose their daughters to danger.[125] In the words of a 26 year old Palestinian from Nablus, "Facebook in particular is a public place. Technology in general is not a safe place and Facebook and e-mail accounts can be easily hacked," adding that she would never share private photos of her on the platform.[126]

Similarly in Gaza, the police cyber unit has been receiving cases of sextortion on a monthly basis, mainly reported by the relatives of female victims. The most common case is when women sell their mobile phones assuming that they have deleted their private information and photos only to find out later that they are being blackmailed with their photos and extorted to pay in return.

In order to curb this phenomena, Palestinian police in the West Bank have founded a Cybercrime Unit in 2010 that investigates crimes of extortion and internet blackmail targeting women. There have also been a number of governmental and civil society initiatives that aim to educate women, especially young girls, on the risks of using the internet and how to report on these crimes in a confidential and safe manner when they happen. For example, the Palestinian Working Women Society for Development launched a campaign in Ramallah in 2014 against sexual violence on social media and raised awareness about online harassment of children and young women on social media.

An all-female police unit in Gaza has furthermore launched a campaign called Sahwa (or awakening in English) together with the Culture and Free Thought Association to raise awareness about the cybercrime of sextortion.[127] In September 2017, the unit announced on its Facebook page that it arrested a 30 year old man from Gaza who had allured women on Facebook for romantic relationship, only to extort them later into collaboration with Israel.[128] According to the campaign organisers, there is very strong interest by women to learn about how to protect themselves from cybercrime. Almost 9,000 women in Gaza had attended their workshops and outreach activities.[129]

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124 7amleh – the Arab Center for Social Media Advancement, Digital Security Poll, 28 January 2016, available at: http://7amleh.org/2017/01/29/7amleh-publishes-the-results-of-the-digital-security-poll-it-conducted-in-palestine-for-the-first-time/
125 The Geneva Centre for the Democratic Control of Armed Forces (DCAF), "Palestinian Women and Security: Why Palestinian Women and Girls Do Not Feel Secure", 2010, available at: http://wiisglobal.org/wp-content/uploads/2016/05/Palestinian-Women-and-Security_2010.pdf
126 Arab News, "Palestinian women facing growing cyber crime threat", 9 April 2013, available at: http://www.arabnews.com/news/447502
127 Ministry of Interior, "Women Police Launch Sahwa Campaign to Raise Awareness on Electronic Sexual Blackmail," 15 June 2017, available at: https://moi.gov.ps/Home/Post/119082
128 See the campaign's Facebook public group here: https://www.facebook.com/groups/784619191707566/permalink/844521789050639/
129 Al-Monitor, "Police show Gaza women how to stay safe online," 26 November 2016 http://www.al-monitor.com/pulse/originals/2017/09/gaza-women-cybercrimes-israel-collaboration-awareness.html#ixzz4zwnQu8sH

Despite of the rise in cybercrime and the fear from sexual blackmail, internet access for women in the Palestinian Territories remains relatively high. According to PCBS, the internet access gap between Palestinian women and men is receding when comparing the results of 2014 to 2000. The percentage of Palestinian female internet users increased from 2.8 % to 47.5%, compared to 7.9% to 59.6% among their male counterparts.[130]

CONCLUSION AND RECOMMENDATIONS

In line with global trends, internet freedoms for Palestinians living in Israel and the Occupied Palestinian Territories have been deteriorating in the past two years at a concerning speed. The political and geographical fragmentation of Palestinians across Israel, the West Bank, Gaza and East Jerusalem has resulted in many divisions and differences in their access to the internet as well as in challenges and threats they face. Nevertheless, they all share the same challenges of government crackdown on freedom of expression and political dissent, and an erosion of their privacy. The status of Palestinian internet freedoms is threatened by increasing restrictive measures of three different governments, each using different legislative frameworks and repressive tactics to silence Palestinian voices and crackdown on activists and journalists. This requires building and analyzing different threat models corresponding to the patterns of violations and threats.

Promotion and protection of digital rights

Palestinian civil society, and particularly human rights organizations, have a key responsibility in protecting and promoting digital rights. To create an environment that respects human rights, both online and offline, it is crucial to raise the public's awareness about their rights on the internet through campaigns, media outreach, public workshops, conferences and trainings. Education on using the internet in an ethical, non-violent, and secure way is also very important. As often online behaviour is only a mirror to what happens offline, changing attitudes and behaviour in how to use the internet is key, especially when it comes to combating online harassment and sexual violence against women and LGBT communities. An additional key point is to train key target groups (such as NGOs, journalists, human rights defenders) on internet rights and digital security.
To protect internet rights, Palestinian CSOs should continue to monitor and investigate cases of digital rights violations as well as developments on government legislations and regulations that could impact digital rights. It is equally necessary, when possible, to engage with governments to advise on, and advocate for the promotion and protection of digital rights. The role of CSOs, however, does not scrape away the responsibility of governments

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130 PCBS, available at: http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_IntDyInfoSoc2015E.pdf

to uphold their obligations to promote and protect human rights under international law. Allowing Palestinians to develop their own ICT infrastructure requires Israel to abide by its agreements and international law. The Palestinian government must use international arenas to lobby for full and free access to frequencies and build independent international getaways. Furthermore, surveilling, attacking and arresting Palestinians for their free speech under the pretext of fighting "incitement" and safeguarding public order must stop.

Transparency and accountability of tech companies

Private tech companies have so far escaped any accountability for their role in facilitating, whether intentional or not, digital rights violations. Previous cases show evidence that social media can be held accountable or forced to reverse their policies through exerting external pressure through digital campaigns and media storms. Investigating and exposing bias and discriminatory dealings of social media companies is very important. Palestinian authorities and CSOs must engage with these companies in regards to the impact of their policies on the rights and freedoms of Palestinians.

Focus on gender issues

It is evident that Palestinian females experience the internet differently from their male counterparts. Issues of cultural conservatism, privacy, and fear of cybercrime such as sextortion contribute to self-censorship and refraining from using social media platforms among girls and women.

While cybercrime targeting Palestinian girls and women has been on the rise, there is very little understanding on the extent of gender-based violence and its impact on Palestinian women. Therefore, there is a strong need for gender-focused studies on the challenges and threats faced by Palestinian women to devise better policies on how to address them. Furthermore, more educational effort is needed to tackle sexual blackmail online as the majority of initiatives have been mainly carried out by the Palestinian police. Gender-based trainings and workshops for Palestinian girls and women on safety and digital security are equally important to ensure that these women are not excluded from using the web safely and freely.

7amleh
Arab Center
for Social Media
Advancement