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7amleh –The Arab Center for Social Media Advancement

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Executive Summary

#Hashtag Palestine 2020 is 7amleh's 6th annual review of key digital rights issues facing Palestinians living in the occupied Palestinian territory, and Israel, drawing on events that took place from January through December 2020. Using a multi-layered approach, the analysis is divided into three sections.

- The first section focuses on the policies and actions of the various authorities that influence the lives of Palestinians, namely Israel, the Palestinian Authority, and the de-facto authority in the Gaza Strip (Hamas). Here comparisons are made regarding the policies and practices of these authorities, versus their obligations to protect human rights, based on not only their own established national legal frameworks and agreements but also in relation to their obligations under International Human Rights and Humanitarian Law.
- The second section focuses on technology companies, including an analysis of a variety of social media, video, and information platforms, as well as surveillance, geo-spatial, tourism, telecommunication, and e-commerce companies. The examination of these private, yet highly influential entities, is based on the obligations they have to protect human rights under the UN Guiding Principles of Business and Human Rights, which was endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011.¹
- Finally, the third area of focus is on Palestinian society as a whole, with specific attention to the social norms and trends of use and violations of digital rights. Particular attention is given to the censorship, discrimination, limiting social norms and inequities of access for vulnerable groups that shape Palestinian's online experience, and has resulted in the continued shrinking of space for Palestinians online in 2020.

Methodology

The research methodology used includes an extensive literature review of relevant reports, articles, and academic analysis created by leading human rights experts, organizations, journalists and activists working within the Palestinian context, as well as those that focus on the protection of digital rights on both the regional and global level. Furthermore, research, policy papers, and advocacy campaigns analyzed by 7amleh in 2020 were incorporated in order to provide further insight into the most relevant digital rights issues facing Palestinians. Lastly, key human rights experts, activists and organizational representatives were interviewed and surveyed as a means of verifying the collected information and helping to contextualize findings.

Limitations

There were limitations in terms of the amount of quantitative information available regarding digital rights violations that resulted in arrests due to the fact that arrests that are in response to online activities are often classified as incitement, or other acts seen to disrupt peace. Therefore, it is difficult to identify the exact nature of these arrests and it is challenging to access verified data that classifies an arrest as related to digital rights. That said, possible arrest information was collected through secondary sources, such as other human rights.

Human Rights Organizations Survey

As an added component to this year's #Hashtag Palestine analysis, 7amleh implemented a Human Rights Organizations survey, developed with the purpose of gathering the perspective of leading human rights organizations, journalists, and activists within our networks. Due to the limitations on movement, it was conducted virtually through the sharing of an online survey that was shared with 20 representatives, asked to provide their insight into the trends in digital rights within the Palestinian context in 2020.

In the survey itself, respondents were asked to determine the category that best describes their organization. The vast majority (43.5%) of respondents work in Human Rights Organizations, while the second most prevalent type of organization work in Media/Journalism (26.1%), with the third most respondents, being from Student Organizations (13%), and the remaining respondents being equally dispersed among Legal Aid/Human Rights, Law Firms, Cinema/Cultural and Women's Org (4.3%). The majority of organizations are based in the occupied Palestinian territory, (61.9%), with equal representation both inside 1948 Borders and Gaza (19.0%).

The respondents were also asked about the extent to which their organization's work was impacted by the various governmental actors', Israel, the Palestinian Authority and the de-facto authority of Gaza Strip (Hamas), response to the coronavirus crisis. Unsurprisingly, due to the extended lockdowns and limitations on movement experienced, all participants overwhelmingly saw their work impacted by the governing authority under which they live.

Context Analysis

It is unlikely that anyone that has lived through 2020 is ever going to forget this year of unprecedented change and pressure placed on all of the world's economic, political and social systems. The global pandemic has tested both national and international institutions, regarding their ability to manage the impact of the virus. As a result, many questions have arisen, leaving many to question the legitimacy of the decisions made in the name of public protection from the coronavirus. At the time of this report, the world is moving into yet another year characterized

by continued lockdown policies and closures, a health crisis, and competition for access to the vaccine, political instability and demonstrations to express frustration over failures to protect the public, as well as a heightened level of social isolation. Considering these global challenges, it is clear that within the already fragile context of the occupied Palestinian territory and Israel, the impact of the pandemic further emphasizes the systemic inequity and human rights violations experienced by the population both on and off line. Therefore, it has become increasingly critical to reflect on how this global experience has impacted individual freedoms online and analyze the impact such a crisis has had on the freedoms of expression, privacy, and assembly. Particularly, as more and more people are forced to shift their life, work and school to online platforms, the actions taken by state actors, technology and social media companies become increasingly important to understand. This will be achieved through an examination of the relationship between societies and their governments, as well as users and the online platforms that now dominate their lives during this highly challenging year.

In any analysis of the digital environment that exists for Palestinians, it is essential that Palestinian rights are not only considered through International Human Rights Law, the parameters of International Humanitarian Law and the Law of Occupation, but also through an understanding of how the policies and practices of governing authorities, technology companies and society as a whole can limit Palestinians' human rights and digital rights. It also must be considered that Palestinians' rights are rendered extremely vulnerable because of the perpetual state of emergency that has been declared by Israel since 1948,² and the more recent state of emergency declared in response to the coronavirus enacted by Israel and the Palestinian Authority. This has created an enabling environment for further rights violations both online and offline.³

Within this fragile online space, it is clear that the rights of individual Palestinians are at risk, in fact in the 2020 Index of Racism and Incitement, there was a marked increase of 16% from 2019 in violent discourse against Palestinians and Arabs in Israeli online social networks.⁴ The results indicated the spread of about 574,000 conversations that included violent speech towards Palestinians and Arabs, and that one out of every ten posts about Palestinians and Arabs contained violent speech.⁵ Moreover, due to the Coronavirus pandemic, there was a 21% increase of racist discourse towards Palestinians with hate speech constituting 29%, and incitement 7% of these posts.⁶

Findings, Recommendations and the Way Forward

Authorities

In 2020, Israel hurried in new measures such as “biosurveillance” and online tracking, and the Palestinian Authority and de-facto authority in the Gaza Strip (Hamas) increased censorship, as a means of slowing the spread of COVID-19, which many human rights defenders fear will be as world-changing as the virus itself. Implemented under the guise of protecting the public, there remains a question as to how such information gathering can be removed once in place. That’s why activists, civil society and the courts must carefully scrutinise questionable new measures, and make sure that – even amid a global panic – states are complying with International Human Rights Law.

Technology companies

In 2020, Palestinians continued to have their rights violated as a result of policies of technology companies. This includes social media platforms, where Palestinians were subject to increased racism and hate speech, and were challenged by censorship, and content takedowns. It also includes geo-location companies like Google and Apple where international law is not reflected in their maps. Additionally, tourism companies and e-commerce companies continued to operate in the occupied Palestinian territory, providing services to settlers while denying Palestinians equal access to their platforms. Financial platforms also continued to discriminate against Palestinians and Palestinians still face challenges in accessing financial payment platforms that can be used for e-commerce, such as PayPal. Palestinian saw violations to their right to privacy as a result of the growth of the Israeli surveillance technology industry, whose technologies have been developed in many contracts with the Israeli military and designed to further the Israeli authority’s unlawful occupation and annexation efforts.

Palestinian Society

This year for Palestinian society was a continuation of the unusual restrictions on their rights to expression and privacy, made all the more restrictive due to the coronavirus. Due to lockdowns and the movement of education to online learning, the disparities that exist in terms of access to the internet and technology impacted the most vulnerable households, leaving some youth without needed resources and opportunities to learn. Additionally, with the children and youth at home, the burden of the unpaid Care Work for the most part fell on women and girls, who are seen as traditionally responsible for the management of the domestic sphere, regardless if the men and boys in the family were also at home. Members of the LGBTQ community were faced with increased vulnerability within their communities as the safe spaces they had previously created were locked down, leaving many at risk of increased domestic violence. Additionally, overall Palestinian activists and human rights defenders, while less connected through face to face calls to action, were mobilized online, resulting in increased barriers to their online content.

Authorities

Israel, the Palestinian Authority and the de-facto authority of Gaza strip (Hamas) continued to put in to place policies and practices that harmed the digital rights of Palestinians living in the occupied Palestinian territory and Israel. This included violations to the right to freedom of expression and association, as well as violations to the right to privacy and non-discrimination. Additionally, the coronavirus pandemic created an environment of emergency response and increased security, which often led to repression of rights.

Israel

As a state party to the UN charter, Israel has a responsibility to uphold International Human Rights and abide by International Humanitarian law, and on the surface there are several legislative structures in place that indicate Israel's willingness to establish legal parameters that are aligned with International Customary Law.⁷ Such examples include various legislation covering privacy laws including Section 7 of the Basic Law on Human Dignity and Freedom, which recognizes that every person has a right to privacy and to intimacy in their life.⁸ Additionally, Israel has other laws such as the Protection of Privacy Law; Registrar of Databases; Credit Data Service Law; Secret Monitoring Law (1979); the Computer Law (1995); Genetic Information Law; and Freedom of Information Law, all of which are designed to uphold the right to privacy.⁹

Violations of Right To Access Internet Control of Palestinian Telecommunications Networks

Israel continued to deny Palestinians access to the Internet in unrecognized villages and locations throughout the occupied Palestinian territory. Israel also continued to control the Information and Communications Technology System in the occupied Palestinian territory. Israel has used this to essentially expand the reach of telecommunications for illegal settlements in the occupied Palestinian territory. Following Israeli Communications Minister Yoaz Hendel's decision on October 18 to grant Israeli telecommunications company Bezeq a license to operate in Area C of the occupied Palestinian territory,¹⁰ the Palestinian Authority Communications and Information Technology Ministry condemned the decision, describing it as "a continuation of the occupation of the Palestinian economy, a hostage to its policy and whims."¹¹

Violations of Palestinian Freedom of Expression

In the name of security, since 2015 Israel has maintained the Cyber Unit to halt 'incitement'.¹² For several years now, the Israeli Cyber Unit has been operating 'without any domestic legal authority'¹³ to censor social media content. The Cyber Unit uses its authority and relationship with technology companies to remove content, or block users from accessing these platforms. In 2020, The Israeli Office of the State Attorney's Office reported that tens of thousands of reports had been made to social media companies.^{14 15} Despite claims by Israel that this unit is not politically driven, it is clear by the fact that the vast majority of the cases from the Cyber Unit have been about Palestinians,¹⁶ that their focus is primarily on censoring Palestinians and their online content.¹⁷

"In December 2020, evidence surfaced of the existence of a secret police system for monitoring the online activity of any website and citizen or resident in Israel"

In early August 2020, following a petition filed by Adalah and the Association for Civil Rights in Israel (ACRI), the Israeli Supreme Court ordered state authorities to explain the legal authority under which the state's "Cyber Unit" conducts online censorship of user-created content in collaboration with social media giants.¹⁸ The petition argued that Israel's Cyber Unit uses an "alternative enforcement" mechanism to essentially censor social media platforms and muzzle users: it flags and submits social media posts – without legal proceedings and often without even the knowledge of the individual user – to social media giants and requests their removal.¹⁹ The response of the state attorney rested in the argument that the State itself is not removing content and blocking users, but rather simply 'informing,' the social media platforms, who then take action. This resulted in an interim decision by the Israeli Supreme Court, which required that the State to not only further explain the legal authority under which the Cyber Unit operates, but also present similar censorship mechanisms employed by other countries and to clarify their respective legal authorities.²⁰ Then in December 2020, evidence surfaced of the existence of a secret police system for monitoring the online activity of any website and citizen or resident in Israel.²¹ It was reported that the Israeli police demanded that providers integrate another system into their networks to divert the data of specific users to a police controlled system, creating a monitoring system through which police could monitor and track individuals' online activities, without their knowledge or consent.²²

Violations to Right to Privacy

In response to the coronavirus pandemic, Israel like many states increasingly relies on dangerous technologies at the cost of protecting fundamental human rights.²³ In March 2020, the Israeli authority approved two emergency regulations that not only enforced new social isolation rules, but also tracked the locations of patients infected with the virus. While passed as a protective public health measure, this move to monitor citizens' movements set a dangerous precedent in terms of human rights, concern over which only grew when the mission was allocated to Israel's domestic security agency, the Shin Bet (also known as the General Security Service or the Shabak).²⁴ Privacy and human rights activists responded with outrage as this is an expansion of the Israeli authority's use of mass surveillance technologies, especially by the Shin Bet, and is a further violation of digital rights and human rights.²⁵ As history has shown, the Israeli Shin Bet has intervened in civilian matters, particularly regarding Palestinians whose individual, cultural and political lives have been a target of surveillance and repression.²⁶ Palestinians, and human rights activists remain wary of the further use of monitoring technologies, particularly one that has the potential to track their movements more systematically and store personal information about them in real-time.²⁷ Despite this growing concern, numerous Israeli authorities became involved in tracking people's movements as part of the State's response to the pandemic, including a range of actors from the Health Ministry to the robust domestic intelligence services, the Shin Bet.

"... numerous Israeli authorities became involved in tracking people's movements as part of the State's response to the pandemic"

The main tracking methods used included extensive surveillance networks, analysis and cross-referencing of massive databases, monitoring the location of citizens through their mobile phones, and using face recognition based on artificial intelligence.²⁸ Specifically, the Shin Bet launched mobile phone location tracking technology to spy on and track Israelis diagnosed with the coronavirus.²⁹ The Ministry of Health hands over the details of patients who tested positive to the coronavirus to Shin Bet and Shin Bet gives them back a list of every person they have been in contact with over the past two weeks.³⁰ Being 'in contact' is defined as spending a minimum of 15 minutes within two meters of the infected person. The people on that list then receive a text message requesting them to go into isolation, meaning they have to stay home and are not allowed to go out under any circumstance.³¹ The Israeli Supreme Court originally ruled that the program is allowed to continue as long a parliamentary committee oversees it.³² Additionally, six days after the initiation of mandatory coronavirus surveillance by the Shin Bet, the Ministry of Health in Israel launched a very similar voluntary service; an open-

code application that allows citizens to opt into the logging of their mobile-phone locations.³³ This app cross-checks the GPS history of mobile phones with historical geographic data of patients from the Israeli Ministry of Health. It notifies mobile users shortly after they come close to a person who has tested positive for COVID-19 and advises them to self-isolate. Then in December 2020, it was announced that the Shin Bet program would be halted by January 20, 2021, pointing out that in the end the Shin Bet system only accounted for 7% of all of the coronavirus detection, while the rest was established through Ministry of Health questioning.³⁴ In the first two methods, because of the difficulty of determining closeness among phones and, more importantly, the physical barriers such as walls and doors between users that might prevent transmission, this can result in a high false-positive rate and can lead to further surveillance and criminalization.³⁵

Finally, as a result of the coronavirus pandemic, the Coordination of Government Activities in the Territories (COGAT) offices were closed, which led to an issue for Palestinians living in the occupied Palestinian territory and who needed to verify whether their permits to enter and remain in Israel are still valid. Those in this situation were advised by Israel to download an app that enables the military to access their mobile phones. The first version of the app, known as 'Al Munasiq,' in Arabic, or 'The Coordinator', allows the army to track the user's phone location as well as access any notifications they received, files they downloaded or saved, and the device's camera. In order to install the app, users needed to approve the following terms: "We may make use of the information we collect for any purpose, including for security purposes."³⁶ In response to the invasive terms of agreement, in June 2020, the Centre for the Defense of the Individual (HaMoked), petitioned the the High Court of Justice arguing that the terms of use "constitute a severe infringement of users' right to privacy and dignity, were contrary to Israeli and international law, and required Palestinians to disclose information that could put them at risk."³⁷ Due to their efforts combined with pressure placed by other digital rights and human rights activists, and a technological investigation into the application that revealed the security risks and rights violations, the application was updated and no longer provides access to Palestinians private data.³⁸

Zamleh further published a report about the discrepancies between the Israeli Ministry of Health's (IMOH) coronavirus awareness raising campaigns in Hebrew and Arabic. The report showed that there were three times more posts in Hebrew than in Arabic on social media networks, that there were significant errors in content written in the Arabic language, and that the designs for info-graphics had an oriental approach of imagery designed for Palesitnian Citizens of Israel. As a result misleading and false information about the coronavirus in Arabic was spreading, making the lack of reliable and trustworthy information from the Israeli Ministry of Health a threat to the health of Palestinian Citizens of Israel and their ability to stay safe and prevent the spread of the virus.

Arrests by the Israeli Authorities

Activists and journalists, as well as regular citizens, have been arrested without any formal charge, with vague references to “incitement on social media.” They are often held in arbitrary detention, which refers to the “inappropriate, unjust, unforeseeable or disproportionate nature of the detention.”³⁹ This includes activist leader, Raja Agbaria from Umm Al Fahm who was arrested on grounds of alleged “incitement” by the Israeli authorities, after a post he wrote was misinterpreted through translation and, “used to arrest him and paralyze his political activity for nearly two years.”⁴⁰ After the enactment of the incitement law in 2018, the Israeli authority has been pursuing activists in the occupied Palestinian territory with accusations of incitement to the state. Agbaria’s trial has been postponed multiple times, keeping him from continuing his work. In April 2021, Jumaa Rishq, a resident of Shuafat camp in Jerusalem, was indicted on charges of supporting a “terrorist” organisations and inciting “violence” through social networks, citing that he had allegedly run a Facebook account in which he praised Hamas and Popular Front (Al-Shabiya) activities and expressed sympathy for them.⁴¹

Intimidation of PCI Activists

The Israeli intelligence agency, Shin Bet, is surveilling the relationships of PCI activists and intimidating them when they have social media connections and friendships with activists in the Arab World. They then use this information to intimidate activists-accusing them of incitement against the state regardless of lack of evidence. In 2021, this practice still continues. Director of 7amleh, Nadim Nashif, was summoned by the Shin Bet recently for questioning, during which they asked about his relationships with people from the Arab world. He stated that “the focus of the investigation was a warning...that these relationships are considered dangerous and could lead me into trouble.”⁴² Recently, on January 25th, Muhannad Abu Ghossh, a well known political activist, was arrested from his home in Haifa pending investigation on charge of “communicating with a foreign agent.”⁴³ Many times, these accusations are unfounded, as the “individuals” in question could be a friend, family member or as distant as an acquaintance on social media. Majd Kayyal, was also arrested by the Shin Bet in his home in Haifa, on these same grounds, and was interrogated by the authorities on his connections with “foreign agents” in Lebanon, regardless of his claims against these accusations.⁴⁴

Smear Campaigns

For decades Palestinian human rights defenders, activists and organizations have been under attack from the Israeli authority who has worked to systematically silence and delegitimize them in an effort to dominate the discourse about human rights and Palestine as a way to achieve their illegal political aims.⁴⁵ This has included coordinated attacks as part of a concerted campaign targeting human rights defenders, activists

and organizations advocating for Palestinian human rights and carried out as part of an institutionalized system by the Israeli authority, government-operated non-governmental organizations (GONGOs), and online trolls. One of the key narratives that Israel uses to distort the reality on the ground is to smear Palestinian human rights defenders, activists and organizations as “terrorists” or terrorist-supporting organizations in order to delegitimize their core human rights work. Besides using an overbroad and vague definition of “terrorism,” many of the allegations put forward by the Israeli authority are built on disinformation and actively seek to draw false associations of legitimate political and/or human rights speech with what the authority considers to be “terrorism.”

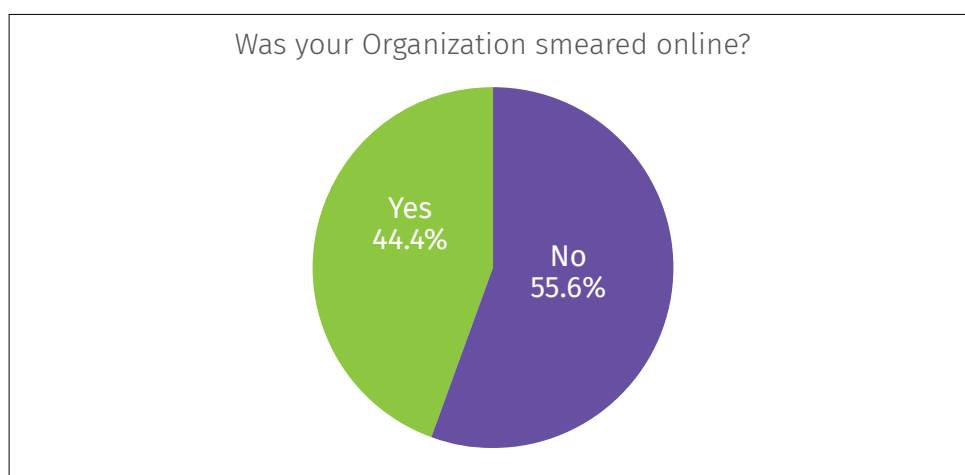
Israel’s government-led efforts to smear Palestinian human rights defenders, activists and organizations have caused real harm on both individual and collective levels to the economic, social, and political lives of Palestinian activists and organizations. Of particular interest for human right defenders is Israel’s work to ‘deplatform’ organizations by campaigning against them through the use of online platforms. The outcome of defunding and deplatforming these organizations is an increasingly vulnerable Palestinian people -- who are unable to defend their own rights -- as well as the continuation of dangerous global trends to shrink the space for freedom of expression of human rights defenders, activists and organizations. While this is particularly concerning for Palestinians, it can also be understood as dangerous for the potential it has to contribute more broadly to global shrinking space for civil society organizations and the continued silencing of human rights defenders, activists and organizations worldwide.

"55.6% of participants stated that their organizations were not smeared online, while 44.4% answered that they had been"

By launching smear campaigns against Palestinian human rights activists, defenders and organizations, Israel is breaching its legal duty to uphold public order and the laws in force. Recognizing this threat, the State of Palestine sent letters to the Secretary General of European External Action Service, H. E. Helga Maria Schmid, in May 2020, condemning the Israeli authority’s attempt to smear Palestinian and International Human Rights defenders, and silence their voices in violation of international law.⁴⁶ In the associated press release, the Ministry of Foreign Affairs emphasized the importance of maintaining support for Palestinian and international organizations working to promote human rights, whose work they recognized as essential in the advancement of the universality of human rights, international law, and the principle of international accountability within Palestine.⁴⁷ While social media companies like Facebook, Google and others, may not be responsible for producing content related to smear campaigns, their platforms enable Israel,

GONGOs, non-state actors and trolls to spread disinformation that impacts public opinion and can result in human rights violations. Companies with designated lists for “terrorists,” “dangerous organizations” and “problematic users” should be committed to upholding the UN Guiding Principles on Business and Human Rights, while upholding the prohibition on non-discrimination. Enabling Israel to subjugate and dominate Palestinians results in increased violations of Palestinian human rights on the ground, including through arbitrary detention and the harassment and intimidation of human rights defenders, activists and organizations, and it may also render corporations complicit in widespread and systematic human rights violations targeting the Palestinians people, including suspected war crimes and crimes against humanity.

Considering the extensive literature on and evidence of online smear campaigns within the Palestinian context, the Human Rights Organizations Survey questioned respondents on the whether their organizations had experienced online smear campaigns. As can be seen in the chart below, the 55.6% of participants stated that their organizations were not smeared online, while 44.4% answered that they had been.



Human Rights Organizations Survey Results: Perspectives of Smear Campaigns in 2020

When asking those that had experienced being smeared online this year, it was clear that while not the majority, those targeted were smeared both on an organizational and personal level. Through open ended questions in the survey, organization; and personal smear campaigns appear to be led by such entities as NGO Monitor, who respondents claim have not only attacked Palestinian NGOs by publishing reports about their organizational work, but also share personal information and contacts of the employees within the organization. This information is then used by pro-zionist groups to target individuals and organizations in order to discredit their work

and individual reputations. The main tools used in smear campaigns experienced by the respondents include posts on Twitter, Facebook, as well as through reports and articles.

Perhaps one of the most significant of these attempts to smear the reputation of the several of survey respondents this year can be seen in the May report, “Legal Assault: How the ICC Has Been Weaponized Against the U.S. and Israel,” published by the Jerusalem Center for Public Affairs. “Authored by a former Director General of Israel’s Ministry of Strategic Affairs, and a former Secretary General of the World Jewish Congress, the report is the latest effort in a protracted smear campaign directed towards Palestinian civil society by the Ministry of Strategic Affairs and other Israeli-aligned non-State bodies, and takes specific aim at Al-Haq, its staff, and its partners in their pursuit of justice, accountability, and an end to impunity for international crimes committed in the occupied Palestinian territory against the protected Palestinian population.”⁴⁸ The critique of this smear attempt is that it largely relies on rehashing early smears and offers little in terms of content, making it clear that its sole purpose is to respond to recent collective advocacy efforts taken by Al-Haq, the Palestinian Center for Human Rights, Al Mizann and Addameer directed towards the International Criminal Court (ICC) and a future criminal investigation into the Situation in the State of Palestine.⁴⁹

“... the Emergency Law by Decree does not only criminalize sharing fake news but also accurate ones if not obtained from an official source.”

Palestinian Authority

In order to better understand the digital landscape that exists for Palestinians living under the Palestinian Authority in 2020, it is helpful to first explore the development and implementation of the Cybercrime law. First passed in July 2017 in secret, the law is considered by legal experts to be some of the most dangerous Palestinian legislations approved in regards to freedom of expression of opinion, digital rights, and the right to privacy in the history of the Palestinian Authority.⁵⁰ It would be later revised in 2018, due to negative feedback and pressure placed on the authority by human rights defenders. Despite several rounds of discussions between civil society and the authority related to the revision, the current Cybercrime Law by Decree of 2018 still violates the Basic Law (the Constitution) and international agreements and standards, especially freedom of opinion and privacy.⁵¹ Over the past few years since its passage, many journalists and social media activists have been arrested, and many websites have been blocked.⁵² When considering this already restrictive environment, it is unsurprising that in 2020, when faced with the threat of a global pandemic, that the Palestinian Authority would continue and to some extent increase its restrictions on its population.

In early March 2020, a state of emergency was declared in all of the occupied Palestinian territory for one month as a means to confront the coronavirus pandemic and prevent an outbreak.⁵³ By the middle of the month, the State of Emergency Law by Decree was established, which stipulated, among other issues, penalties for any person who violates the decisions, instructions, and measures applied by the official authorities to achieve the goals of the State of Emergency.⁵⁴ These penalties included one year of imprisonment and fines, without prejudice to any other penalties stipulated in other Palestinian laws.⁵⁵ While officials argue that this law was designed to protect the public health, many human rights activists remain concerned about its broad and undefined language and the implications it has on the protection of digital rights and privacy. In particular, Art.3(3) of the law, prohibits anyone other than those legally authorized to do so, to issue any statements of declarations, or spread news related to the state of emergency that are not based on an official source, in any form.⁵⁶ Furthermore, Art.3(7) of the State of Emergency Law by Decree stipulates: "Whoever commits any crime against public order, civil peace, and stability during the state of emergency, shall be punished with the maximum penalty prescribed by the law." This makes it possible to criminalize and punish people widely.⁵⁷ This criminalization increased the chilling effect among Palestinians and the culture of fear towards expressing their opinions and criticizing the performance and work of the authority. This restricted people's digital freedom and prevented them from posting anything about the state of emergency, and as a result, multiple security forces were able to arrest or violate people's digital rights for online posts related to the virus.⁵⁸

Therefore, despite not being defined or mentioned in the applicable penal laws or Palestinian legislative system, and the strong legal concerns over its constitutionality, the implementation of this law creates the opportunity for the authority to extensively restrict and criminalize digital content.⁵⁹ In fact, the emergency legislation is seen as the authorities' failure to apply ordinary laws, which should not be a justification for issuing the unconstitutional emergency legislation. Furthermore, the Emergency Law by Decree does not only criminalize sharing fake news but also accurate ones if not obtained from an official source. Thus, the official news about handling the coronavirus pandemic at the various levels and its health, economic, social and psychological implications, remain the only dominant and exclusive narrative subject to liability and punishment. Therefore, people are being deprived of their constitutional and natural right to provide oversight and criticize the performance of official authorities in dealing with the pandemic.

Leaking of Medical Data and Information

On 30 September 2020, the Palestinian Minister of Health, Mai al-Kaila stated on the ministry's Facebook page, that the privacy of all Palestinian patients, and specifically COVID-19 patients, is a red line.⁶⁰ However, ever since the beginning of the pandemic, we witnessed continuous violations of the patients privacy, particularly by the Ministry of Health and the Palestinian Authority. Specifically, local municipalities in cities, towns and villages, continued to release "lists" with the full names and the ID numbers of citizens who have tested positive for the virus. In one case, the Municipality of Huwarah, a town south of Nablus, posted a public statement on its Facebook page, almost threatening people with releasing their medical information to the public on social media, if those who test positive do not commit to quarantine.⁶¹

Interestingly, almost all Coronavirus tests taken by Palestinians are provided and monitored by the Palestinian Ministry of Health. These tests would then be published on the COVID-19 Portal, which is a website launched by the authority where citizens can see their results simply by entering their ID Number.⁶² This platform has raised many privacy concerns among Palestinian citizens, since anyone who possesses the ID Number of any patient can view their result. In other words, ID Number alone is not enough authentication to protect people's medical data. In one interesting case, the ID number of the authority's spokesperson Ibrahim Melhem was leaked on Facebook in March 2021, and many users could view the number of tests he had taken since early 2020 and their results.⁶³

In an online webinar during the Palestine Digital Activism Forum activities, organized by 7amleh on 29 March 2021, Dr. Wissam Sbeihat, the head of the Coronavirus Response Team in the North of the occupied Palestinian territory, stated that the Ministry of Health is "committed to protecting the privacy and secrecy of the information of all

patients,” and that “multiple measures were taken by the ministry to combat attempts to leak this information.” Sbeihat framed these leaks as a “challenge” the ministry faces rather than contributes to, and stated that “these leaks are led by groups and individuals who seek to stir collective fear and panic,” and that part of the ministry’s work has been to “combat these practices in cooperation with mayors and security forces.”⁶⁴

When asked to outline the ways in which the Ministry of Health stores medical data relating to the Coronavirus, and specify the specific entities who can access it, Sbeihat explained that all information relating to the pandemic (up to 10 fields of data including patients names, contact information, test results, names of doctors who conduct the test, etc.) is stored on a database called al-Marsad, co-developed by the Ministry of Health, the World Health Organization and the Norwegian Health Institute, that is only accessible by specific staff members at the Ministry assigned with entering and monitoring this data. Sbeihat then explained that workers at hospitals and public clinics also have some level of access to “lists” of patients names and their test results, but are strictly prohibited from sharing this information. Nonetheless, and in spite of the position Sbeihat describes, leaks continue to take place across the occupied Palestinian territory. For instance, just one week before Sbeihat’s interview, on 14 March 2021, the Municipality of Silwad, a town to the north of Ramallah, released a public statement announcing that “after discussions with Fatah and local organizations in the town,” the municipality will start publishing the names of patients who test positive to the Coronavirus, “in order to minimise contraction with carriers of the virus, and prevent it from spreading.”⁶⁵

More interestingly, in a statement released by the municipality of Deir Dibwan, a town near Ramallah as well, where names of patients were listed, the municipality stated that the information was communicated to them by the Ministry of Health. Specifically, the statement reads: “Based on the town residents’ request, and to ensure the health of our citizens, and to limit contractions with the virus, we hereby release the names of positive cases today and yesterday, as was communicated to us by the Palestinian Ministry of Health.”⁶⁶ Similarly, on 16 March, the municipality of Sabastia, posted on its Facebook page a scan of an official statement, where it announces that it would start releasing the names of patients, in coordination with “official authorities.”⁶⁷

Arrests by the Palestinian Authority

In 2020, President Mahmoud Abbas announced several presidential decrees that affected the Palestinians’ digital freedom, limiting freedom of speech and expression especially through online platforms. There have been multiple arrests ranging from opposition members, to activists, to artists, who have been charged with apparent violations under the guise of “threatening civil peace,” while exercising their right

to express differing views to those of officials. According to Al Haq, there were 24 detention cases related to the social media posts by the PA Security Forces’.

A number of arrests related to criticism of officials have taken place since the beginning of 2020. On March 5th, the Palestinian Authority security forces stormed the house of Fatah leader, Hossam Khadr, in Balata camp, accused of criticising President Mahmoud Abbas in regards to a political campaign and a doctors strike. Al Haq reported that more than 20 security officers broke into his house, hit him with a Kalashnikov and other forms of physical violence. The security forces made another arrest, regarding the same issue, of a doctor from Huwara, Dr. Amid Masoud, who made comments on his Facebook page concerning the doctor’s strike while also criticising Mahmoud Abbas and his sons.

"According to Al Haq, there were 24 detention cases related to the social media posts by the PA Security Forces"

The Geneva based Euro-Mediterranean Human Rights Monitor called for the release of activist, Ahmed Al Khawaja, who was arrested, on April 29th, for commenting on the Facebook page of Dr. Laila Ghannam, Governor of Ramallah, and expressing surprise at the closing of mosques while Christians were able to hold Easter celebrations during the coronavirus crisis. He was charged with “stirring sectarianism” but without a clear formal charge. Furthermore, on April 12th, Al Haq documented the arrest of three youth activists, including, Raed Marabeh, in by the governor of Qalqiya, due to posts on their Facebook pages regarding Palestinian workers in Israel and the coronavirus pandemic. They also documented the arrest of Palestinian actor Abdelrahman Taher, by the Palestinian security Forces. He was charged with “threatening civil peace” after publishing a Facebook post criticizing the Palestinian authority’s response to the Arab noramlization agreements.

There have also been a number of arrests of citizens in some cities as a result of sharing misleading news on social media platforms during the pandemic, which the official authorities have published via the press. What is clear in all these cases, is that these arrests came after expressing less-favourable views towards Palestinian officials, and demonstrates the ever pressing issue of limiting freedom of expression and political opinion in Palestine.

The De-Facto Authority of Gaza Strip (Hamas)

In the Gaza Strip, the Israeli blockade and closures, which entered its thirteenth year, continued to severely restrict the movement of people and goods in and out of the Gaza Strip, as well as access within the Gaza Strip to basic services, electricity, fuel and medical supplies.⁶⁸ Amid a faltering reconciliation process between Fatah and Hamas, the Palestinian Authority continued to apply punitive measures on the population of the Gaza Strip by cutting civil service salaries and forcing early retirement, which sparked social and political engagement from Gazans⁶⁹ Additionally, the authorities in the Gaza Strip continued to arbitrarily arrest and detain Fatah affiliates and others; numerous reports were made of ill-treatment of detainees.⁷⁰

"Hamas uses the charge of "indecenty" to silence any public criticism of its officials, governance and/or policies"

Considering this restrictive environment, it is not surprising that the political and civil rights of Gazans are also severely limited.⁷¹ In particular, the continued reliance on Article 262 of the 1963 Penal Code on the "misuse of technology," despite the fact that it has been found to be in violation of the text and spirit of Article (17) of the International Covenant on Civil and Political Rights (ICCPR), has created undue restriction on the freedom of expression.⁷² Furthermore, the adoption of this amendment by Hamas' government is in contradiction with its duty under International Human Rights Law, as it criminalizes online speech that is found to promote or disseminate "indecent" or "inciteful" content. As a result of such vague wording, the de-facto authority (Hamas) uses the charge of "indecenty" to silence any public criticism of its officials, governance and/or policies.⁷³

Arrests

In 2020 a number of arrests were made in the Gaza Strip and in neighbouring cities, with a variety of charges against journalists, activists, and others who criticised the de-facto authority of Gaza Strip (Hamas) and its political actions and policies. The security forces arrested writer and critic, Abdullah Abu Sharkh, for criticising Hamas on social media. He was charged with misusing technology and spreading rumours. A week later, Ismail Al Buzm, a cartoonist and youth activist was arrested in Jabalia for Facebook posts posting cartoon caricatures about the issue. Digital activist, Shawkat Abu Afiya, was investigated by Hamas security forces for incitement that "aims to an upheaval" and was tortured during the 5 hours of his investigation. He was beaten

and blindfolded, and even reported that he had been infected with the coronavirus through the blindfold and ties that Hamas uses for many detainees.

During the pandemic, any criticism of the conditions in which people live or the handling of the situation resulted in arrests of multiple people. W.F. (name redacted), from Khan Yunis was charged with “misusing technology” for criticising conditions of quarantine in Gaza as similar to “Guantanamo prison” and, in the same city, Muhammad Saqr was given the same charge for criticising Hamas through his Facebook page. Also from Khan Yunis, journalist Sali Abu Hatab and his colleague Muhammad Nassar, were held for reporting about the coronavirus pandemic impact on the local markets.

Rami Amana and other Palestinian activists, members of the Alliance for Middle East Peace, arrested for participating in a zoom video chat speaker to Israelis about life in the Gaza Strip. They were charged with conducting “normalization” activities (activities held with Israelis that are not rooted in challenging the Israeli authority’s repression). Furthermore, journalists Muthana Najjar and Tareq Eshaq were accused of writing a “false” report by the Ministry of Education, and it was reported that Osama Kahlot from Dir al-Balah was arrested for similar reasons.

Tech Companies

In this year more than ever, the world's population has witnessed much of their daily lives shift away from face to face interaction, toward socially distanced and digital engagements. As school, work, and business commerce were forced to become virtual as a result of the pandemic, it becomes increasingly important for there to be a clear understanding of how technology companies are working to respect and protect their users' human rights. Despite the widespread use of digital platforms, however, across the world there remains a great deal of confusion about how to ensure their rights to privacy and expression are protected. Although the situation has improved, and many companies are disclosing more about their policies and practices relating to privacy and freedom of expression, they still have further to go to meet their responsibility to protect users' rights.⁷⁴

Similar to States, technology companies must also be held accountable for the protection of human rights, especially as it has become increasingly clear that the freedoms enshrined in the human rights framework could also be violated—and promoted—by the private sector.⁷⁵ Therefore, in 2011, the UN Human Rights Council unanimously endorsed the UN Guiding Principles on Business and Human Rights (Guiding Principles), the first international instrument to assign companies the responsibility to respect human rights.⁷⁶ The Guiding Principles state that governments must put in place good policies, laws, and enforcement measures to prevent companies from violating rights, that companies must refrain from negatively impacting rights, and that victims of corporate abuses must have access to effective remedy.⁷⁷ As part of this responsibility, the Guiding Principles require companies to undertake due diligence to identify and manage their negative human rights impacts!

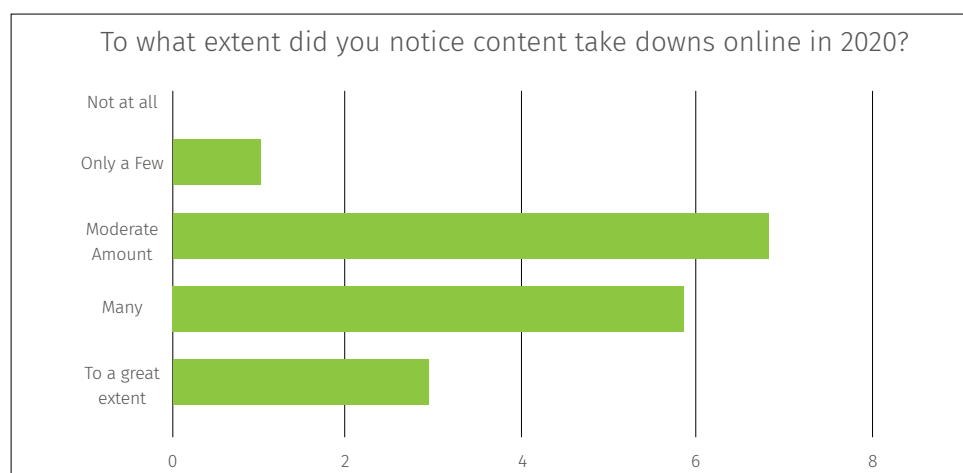
Social Media

Social media companies are now the largest communications channels in the world and where the majority of Palestinians spend their time on the Internet.⁷⁸ In recent years, as fake news, hate speech and terrorism continued to spread on social media platforms, companies have come under increasing pressure from governments, inter-governmental organizations, civil society and the public to reduce the harmful effects of social media usage. This included #StopTheHate, a global campaign, which reached one billion people and resulted in 1,200 well known businesses and nonprofits removing their advertising on social media platforms.⁷⁹ This is further complicated within the Palestinian context as the collaboration between Israeli security units and social media platforms such as Facebook, WhatsApp, and Twitter, is becoming increasingly well documented. Indeed, the office of the Attorney General of Israel has been illegally running a "Cyber Unit" to censor Palestinian content and to monitor Palestinians' social media accounts. Furthermore, Israeli and Palestinian

Authority security forces have arrested 800 Palestinians using AI programming because of their posts on social media, particularly on Facebook.⁸⁰ Recognizing the myriad of ways that the policies and practices of major social media companies are increasingly impacting human rights, in particular the right to freedom of expression and political association, under pressure from governments including the Israeli authority and powerful lobbies, has led to increased pressure being placed on these companies to change their policies. In particular, Palestinian activists and digital rights researchers have long known that companies are over-censoring and often removing journalist and human rights content, and as a result have been campaigning for tech companies to stop censoring Palestinians.⁸¹

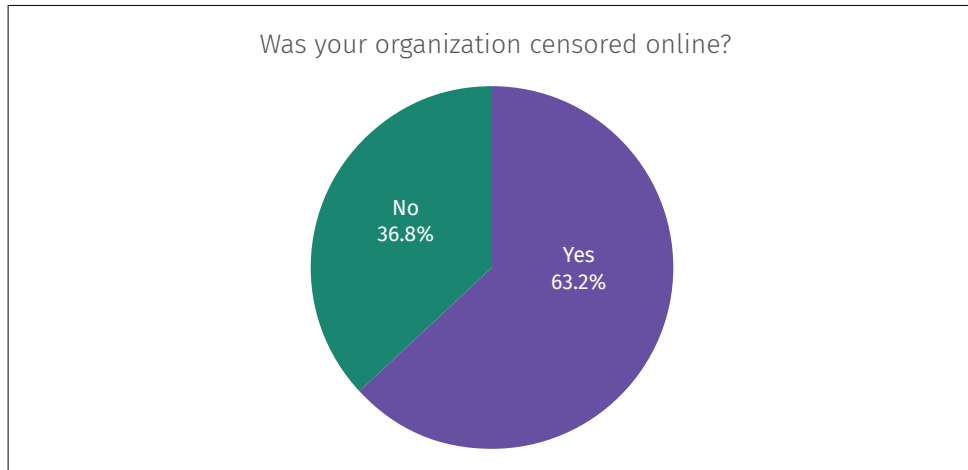
Human Rights Organizations Survey Results: Perceptions of Online Censorship and Takedowns in 2020

In order to provide further insight and increase understanding of the extent of online censorship experienced within the Palestinian digital environment, respondents were asked about the extent of content takedown in 2020. As can be seen in the chart below the majority (41.2%) claim to have seen a moderate amount of content takedowns, while (35.3%) saw many. Acknowledging that these responses are more reflective of the personal and organizational experiences of these expert respondents, these results are designed to provide insight into how these actors perceive the current risks of content takedowns this year.



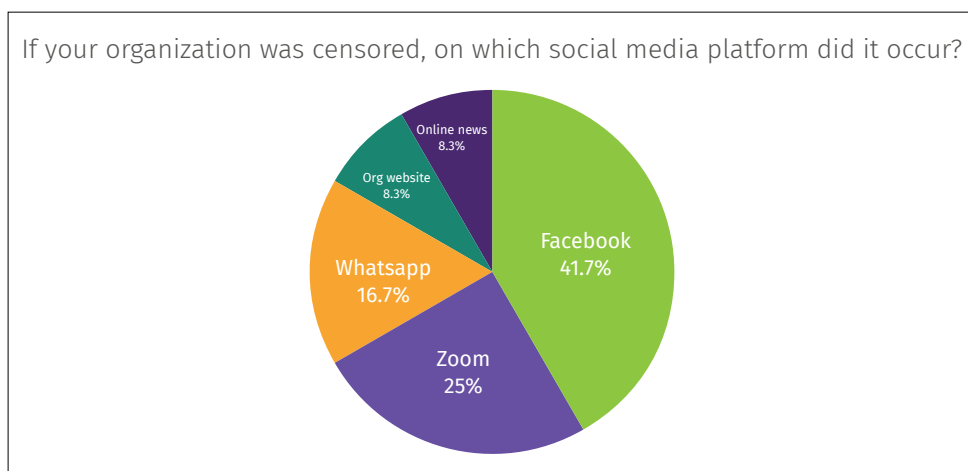
When asked to reflect on the types of content takedowns most commonly seen among representatives of leading civil society organizations surveyed as part of this research, it was pointed out across all participants that the take-downs were overwhelmingly related to political posts. These experts also shared that in their tracking of such cases, those arrested were charged for incitement in cases brought by the Israeli authority, and variations on disrupting the peace or working against unity when the cases were brought by either the Palestinian Authority in the West Bank Palestinian territory, or the de facto Authority in Gaza Strip (Hamas).

When asked about their own organizations' experience regarding having their online content censored, as can be seen in the chart below, an overwhelming majority (63.2%) said they have experienced censorship this year.



"41.7% were censored on Facebook, 25% on Zoom, 16.7% on Whatsapp, 8.3% had their organizational website censored or flagged and 8.3% had their opinion pieces censored"

When asked about which online platforms censored their content, it was unsurprising that Facebook, Zoom and Whatsapp were among the leading platforms. As can be seen in the table below, 41.7% were censored on Facebook. 25% on Zoom, 16.7% on Whatsapp, as well as 8.3% had their organizational website censored or flagged and 8.3% had their opinion pieces censored on various online news sites.



Based on the previously discussed cases and trends throughout this year's Hashtag Palestine, it is well established that censorship of Palestinian voices and narrative is pervasive and of primary concern for human rights defenders, activists and journalists. This shrinking space for freedom of expression was further explored in the open-ended response section of the survey, where it was shared that as journalists, many do not expect to have their opinions protected against calls for censorship or take downs when there is any mention of the Occupation, Zionism, as well as any political posts that criticize any of the Israeli or Palestinian authorities. Additionally, organizations expressed feeling particularly limited as not only are their organizational websites and social media platforms constantly censored or taken down, but as the representative of one prominent human rights center states, "My organization is subject to censorship by the Israeli occupation forces in everything it publishes."⁸²

Facebook

In 2020, Palestinians continued to experience issues related to censorship and discrimination on Facebook's platform. Many of these violations were related to Facebook's policies and practices, particularly hate speech and Facebook's list of designated dangerous individuals and organizations. According to Facebook's transparency report, the social media company received 7 request from Palestinian Athorrities to provide data about users in 2020, of which 0% were accepted and carried out by Facebook. According to Facebook, Facebook recieved 913 requests from Israel, supported by the Israeli authority's Cyber Unit, which requests delete or block sites/ pages from January to June 2020, which of these requests, 81% were accepted and carried out by Facebook.⁸³ In 2019, Facebook reported that 1,384 requests were made by the Israeli authority for user data. This number does not provide transparency about if there are distinctions made between users that are citizens of Israel, or also includes Palestinians living under Israeli occupation and others. According to the Israeli General Attorney's Office, in 2019 Israel made 19,606 requests from the Cyber Unit to social media companies regarding content takedowns.

**Facebook received 913 requests from Israel
... to delete or block sites/pages, of which 81%
were accepted**

In 2020, there were many cases where Palestinian's freedom of expression was violated even when they did not clearly go against Facebook's Community Standards. However, there are some cases where Facebook restored the content, however the responses continued to be slow and lacking sufficient justification. This included Facebook

removing Palestinian-American Noura Erekat's post about the killing of her cousin Ahmad Erekat for violating Facebook's community standards of "harassment and bullying" after pressure from supporters and reviewal of the issue, Facebook restored the post. Additionally, Bella Hadid the Palestinian American supermodel, had her content taken down on Instagram because she posted a photo of her father's American passport indicating that his birthplace is Palestine.⁸⁴ The post was removed by Instagram as it "violated its community standards". In response, Facebook said that in order to protect the privacy of their community, their policy doesn't allow people to post personal information, such as passport numbers, on Instagram. Hadid's passport number was blurred out, so this content should not have been removed. As a result, Facebook restored the content and reached out to the responsible user accordingly.

There have also been reports of censorship impacting Palestinian media organizations. This includes a case during the period of 2019-2020, when the Palestinian news page Ultra Palestine received a notification from Facebook which said that their posts including news photos and videos have been deleted, as they violated Facebook's community standards without giving any explanation. In 2020, they also received a notification saying that a video they posted in 2017 was also removed. As a result they started censoring themselves in regards to the content they share and moved their videos and images to Twitter. In 2020, they received a notification stating that Ultra Palestine's page has been removed without giving any further details. The page is now up, but it took about three months to be recovered. Furthermore, the Instagram account of Radio Ashams, a leading Radio station based in Nazareth was deleted without clear reasoning, and was never reinstated.

Campaign #FacebookCensorsPalestine.



As of October 2020, Facebook announced that it would remove all posts that "deny or distort" the Holocaust. In American law, such content would be protected under the first amendment.⁸⁵ This comes after Facebook published a study that showed that 25% of Americans deny the holocaust. Facebook also recently banned "anti-semitic tropes" regarding the "governance of jews" and categorized them under "conspiracy theories". In this most recent policy, in addition to post removal, users would be redirected to an information page about the event.⁸⁶

Concerns over Facebook's censoring of Palestinian content is not new and has been an issue of great concern for several years. This concern reached a peak in September of 2020, as human rights defenders and activists launched the hashtag #FacebookCensorsPalestine, which quickly turned into a large campaign with supporters from across the world, demanding that Facebook lifts censorship against Palestinian speech.⁸⁷ Beyond the campaigns, there has also been resistance this year in the form of the development of creative solutions being implemented by Palestinian users, as a means to counter Facebook's algorithm.⁸⁸ An example of their efforts can be seen in the the suspension of the Palestinian journalist, Hani al-Sha'ar. In July 2020, he was notified that posts he had shared about the coronavirus pandemic in Palestine violated FB's Community Standards, which highlights the arbitrary nature of the censorship, particularly when considering the reality that hate speech against Palestinians on Facebook is not met with equal scrutiny.⁸⁹ To combat this, Palestinian users started to rewrite words that often get flagged by the algorithm using symbols, numbers, spaces or English letters.⁹⁰

Facebook Oversight Board

In 2020, Facebook established the Facebook Oversight Board, in an effort "to promote free expression by making principled, independent decisions regarding content," and as a means to improve companies' navigation of their human rights obligations and implementation of appropriate policies.⁹¹ While human rights defenders were at first pleased to see this positive step being taken, the selection of the first 20 board members raised concerns regarding the capacity of the board to truly remain independent and impartial. Specifically, the selection of Emi Palmor, the former general manager of the Israeli Ministry of Justice, responsible for the establishment of the Israeli 'Cyber Unit,' seemed to indicate a continued strong relationship between the Israeli authority and Facebook. As a result of her previous work, Emi Palmor can not be considered an independent and neutral arbiter. Therefore, the announcement of Emi Palmor's selection resulted in 7amleh and several global digital and human rights activists to launch the campaign #FacebookCensorsPalestine.⁹² The campaign included a global day of action with a social media campaign, and a petition which collected more than 25,000 signatures asking for the removal of Emi Palmor from the oversight board⁹³ Emi Palmor's inclusion on the Oversight Board not only decreased the legitimacy of the board, but resulted in activists seeing it as a power game, through which Facebook is trying to escape true international regulation and accountability.

Twitter

In October of 2020, Twitter suspended dozens of Palestinian and pro-Palestine accounts, according to a volunteer group that monitors breaches of Palestinian digital rights, a day after an Israeli ministry report into "phony" online profiles that criticised Israel.⁹⁴ The rationale provided by Twitter for the suspension was that these accounts were "amplifying the dissemination of information" that violated its terms of service. The suspensions followed a 37-page report issued by Israel's Ministry of Strategic Affairs entitled: "Manipulating Social Media: The effort to delegitimize Israel through coordinated inauthentic behaviour online." The report shares the results of a Ministry of Strategic Affairs study examining 250 suspicious Twitter accounts, finding 170—or nearly 70 percent of them—to be inauthentic profiles trying to stir anti-Israel sentiment and manipulate discourse against Israel in violation of Twitter policy.⁹⁵ The report notes that while criticism of Israel is a legitimate form of freedom of expression, "the use of inauthentic technological tools to generate a semblance of widespread support for such criticism, is prohibited by social media platforms."⁹⁶ The Ministry, which examined 250 Twitter accounts, said it had found nearly 70 percent of them to be inauthentic profiles trying to stir anti-Israel sentiment online and manipulate discourse against Israel, in violation of Twitter policy.⁹⁷ It identified hashtags such #ICC4Israel, #ICCPalestine, referring to the International Criminal Court, and #StopAnnexation, referring to Israel's proposed move to annex occupied Palestinian territory which was scheduled in early July, but then postponed. Twitter's decision to suspend accounts highlighted in the Israeli authority report was considered a dangerous indicator of the high-speed response of the Twitter's administration to the official Israeli requests against an occupied people and represents a clear violation of International Law and the human rights principles that the Twitter platform is supposed to uphold.


Tik-Tok

In recent years many social media platforms have been under increasing pressure to do more to address online hate speech and disinformation. As a result, Tik-Tok in June 2020 joined the European Union's voluntary code of conduct to combat illegal hate speech online.⁹⁸ Shortly after joining, in September 2020 Israeli officials held talks with representatives of TikTok, which is a very popular platform used by younger generations in Palestine in particular, to monitor the content uploaded on the platform.⁹⁹ The meeting was focused on encouraging the platform to address and take action against anti-Semitic content and incitement to violence. Especially considering the fact that within the context of Palestine, such moves have resulted in the blanket discrimination and inequitable removal and silencing of Palestinian and Arabic content. Despite the fact that policies to protect against misinformation and hate speech are needed, only the implementation and monitoring of these policies will protect human rights.

Information Platforms

Google Knowledge Panel

7amleh - The Arab Center for the Advancement of Social Media called on Google to investigate the accuracy of the information in their “Knowledge Panels,” which are information boxes that appear when users search entities (people, places, organizations, etc.) especially when it comes to Palestinian history. 7amleh also stressed the importance of ensuring the objectivity and impartiality of the information listed to avoid bias towards the Israeli narrative and its promotion at the expense of Palestinian documented historical facts.



Ibrahim Abu-Lughod Academic

Ibrahim Abu-Lughod was a Palestinian academic, characterised by Edward Said as "Palestine's foremost academic and intellectual" and by Rashid Khalidi as one of the first Arab-American scholars to have a really serious effect on the way the Middle East is portrayed in political science and in America". [Wikipedia](#)

Born: February 15, 1929, Jaffa, Tel Aviv-Yafo, Israel
Died: May 23, 2001, Ramallah
Spouse: Janet Abu-Lughod (m. 1951)
Children: Lila Abu-Lughod
Books: Arab rediscovery of Europe, MORE
Education: University of Illinois at Urbana-Champaign, Princeton University

7amleh stressed the importance of ensuring the objectivity and impartiality of the information listed to avoid bias towards the Israeli narrative

Quora

In January of 2020, Rima Najjar Merriman, who is a retired professor and prolific contributor to Quora on the topic of Palestinian history, was banned from the question-answer section of the platform.¹⁰⁰ The retired professor, who is of Palestinian origin and lives in Indiana, USA, says Quora warned her over the years that some of her posts were too argumentative and included controversial assumptions or violated the site's "Be Nice. Be Respectful" policy.¹⁰¹ Najjar said she worked with content moderators at the company to address their concerns and was allowed to keep contributing to the site until May, when she was permanently removed. She and another retired professor launched a community space on Quora for discussion of issues important to Palestinians. At this point Najjar took issue with the fact that

her use of the term Zionism in her posts was considered pejorative and amounted to “hate speech,” on the platform.¹⁰² This censorship has been seen as part of the growing divide within US academic circles that essentially results in posts on the Nakba, Palestine, Zionism and the occupation to be flagged as inherently anti-semitic and hate speech. This doesn’t only result in a silencing of Palestinian voices, but at the same time provides legitimacy to posts perpetuating the Israeli narrative, which are not exposed to the same scrutiny.

Video Platforms

Youtube

YouTube, the American video-sharing platform, was established in February 2005 and was bought by Google in November 2006 for \$1.65 billion. In 2019, the company’s revenue amounted to \$136.819 billion,¹⁰³ making it one of the companies with the largest revenues in the world. Indeed, around 500 hours of videos are uploaded to YouTube every minute. In 2019, the number of YouTube channels grew by 27% to well over 37 million channels.¹⁰⁴ As the popularity and influence of video content grows, the Google-owned company has become one of the most important channels for digital content distribution worldwide. In the Middle East, the YouTube user rate has increased by 160% from 2017-2019, with more than 200 YouTube channels in the region that include over one million subscribers.¹⁰⁵

In a range of videos, researchers found that many YouTube videos about the Israeli army and military remain on YouTube, regardless of the explicit celebration of militarization and violence.¹⁰⁶ This unfettered development of Israeli content which unequivocally promotes and celebrates the lethal use of force has become so normal that it is now marketable on YouTube. This, on a platform whose community standards restrict images of violence, and which even has a “Firearms Content Policy.” Under this policy, YouTube states that: “Content that sells firearms, instructs viewers on how to make firearms, ammunition and certain accessories, or how to install those accessories is not allowed on YouTube.”¹⁰⁷

Another incident of hate speech and harassment which reveals YouTube’s double standards is the video promoted by Israeli clothing brand, Hoodies. In the video, Israeli model Bar Refaeli removes a niqab before sporting a range of different clothes. The Islamophobic video ends with the slogan “Freedom is basic.” Refaeli shared the 30-second video on her Facebook page, an account with nearly three million followers, and despite activists’ critiques, the video remains on YouTube. YouTube has been a particularly important platform for Palestinian human rights defenders and activists documenting Israeli violations and sharing them on YouTube

in the hopes of raising public awareness and holding the Israeli regime accountable. However, several human rights defenders had their content taken down, harming efforts to archive and document Israeli violations against children, people with disabilities, and Palestinians as a whole.¹⁰⁸

Vimeo

Vimeo, along with Twitter and Tumblr have pushed back against pressure this year by the European Union to increasingly censor content under the new EU Digital Service Act.¹⁰⁹ Instead they continue to reject the blunt content removal obligations under this Act as they could have a negative impact on freedom of expression. The companies said a better tactic would be to limit the number of people who encounter harmful content. "This can be achieved by placing a technological emphasis on visibility over prevalence, supporting measures towards algorithmic transparency and control, setting limits to the discoverability of harmful content, further exploring community moderation, and providing meaningful user choice," they said.¹¹⁰

Zoom

Perhaps more than any other technology company in 2020, Zoom has become the great benefactor of the global pandemic, with a reported 355% growth in the second quarter of 2020.¹¹¹ In recent months, Zoom's influence has grown to host 300 million people per day, including 90,000 schools in 20 countries.¹¹² On 23 September 2020, when Zoom refused to host an event organized by Palestinian students and professors at San Francisco State University hosting Leila Khaled, the platform appeared to be discriminating against Palestinians.¹¹³ In response to this discrimination, human rights defenders and activists, released a joint statement condemning Zoom's measures and calling for the protection of the freedom of speech and expression of Palestinians.¹¹⁴

On 23 September 2020, when Zoom refused to host an event organized by Palestinian students and professors at San Francisco State University hosting Leila Khaled, the platform appeared to be discriminating against Palestinians

Geo-Spatial

Geospatial technologies include a range of modern tools that allow for mapping and analysis of multiple layers of georeferenced data, which can provide critical information on the impact of remote, isolated conflicts on civilians, environmental and social justice issues, indigenous rights, and more.¹¹⁵ The power of maps can provide needed compelling, visual proof to corroborate on-the-ground reporting of conflicts affecting human rights. While this can provide a valuable tool to human rights defenders, it is important to recognize the fact that private corporations are now the largest providers of satellite technology, making their obligations under international law loosely defined under the United Nations Guiding Principles (UNGPs), which at times is seen as less significant as the legal regulations and political stance taken by the non-state actor's home government.¹¹⁶ When considering the role of online maps within the Palestinian context, it is quickly apparent that the reality on the ground is largely being distorted in favor of the Israeli narrative. In fact, through the use of biased maps, geospatial technology companies are essentially normalizing the occupation of the occupied Palestinian territory, while at the same time present Jerusalem as Israel's unified and undisputed capital, just as Israel claims, making the occupation of the Palestinian section of the city invisible.¹¹⁷

Google & Apple Maps

Despite their said commitment to human rights, Google and Apple Maps continue to violate international law and agreements regarding its recognition of the geography of the occupied Palestinian territory, and are disregarding the restrictions to movement imposed on Palestinians as a result of the Israeli occupation, putting their lives in danger.¹¹⁸ Instead, both companies have adopted the Israeli narrative of space, which is illegal according to international law, as it recognizes several illegal Israeli settlements in the occupied Palestinian territory as well as annexed East Jerusalem as Israel's capital.¹¹⁹ Furthermore, the lack of detail provided in the mapping of several communities marginalized by the occupation and under constant threat of demolition and forced displacement, is contributing and assisting the planned erasure of these areas, not only from maps, but also from the land itself.¹²⁰ Additionally, their route planning services are designed for settlers, whose presence is illegal in the occupied Palestinian territory.¹²¹ This not only contributes to a distortion of the reality on the ground, but also puts Palestinian users of their route-planning services at risk by providing directions through areas that are typically dangerous for Palestinians, including Israeli military zones, checkpoints and settlements.¹²²



Graphic 6: A Checkpoint in the occupied Palestinian territory
 «Beit Iba checkpoint #5» by [Michael Loadenthal](#) is licensed under [CC BY-NC-SA 2.0](#)

This misrepresentation of Palestine by these digital mapping giants, has been connected to the fact that both Apple and Google are based in the United States, which has yet to recognise Palestine, as an independent state.¹²³ These corporations' decision to ignore the reality as it is on the ground, was further strengthened over the last four years by the Trump administration, which has controversially chosen to break more recent US policy by showing significant support for Israel.¹²⁴ Buttressed by recent US political policy, it is unsurprising that both Google and Apple Maps have continued to resist appeals to more accurately depict the Palestinian landscape and adhere to international law. The development of these maps therefore, is far from politically neutral, and in fact aligns with the Israeli authority's long pursued Greater Israel ideology, which requires driving Palestinians off their lands.¹²⁵ This year that dispossession program was formalized with plans, backed by the Trump administration, to annex swaths of the occupied Palestinian territory. Which means that Google and Apple are in effect colluding in this policy by helping to erase the Palestinians' visible presence in their homeland and to normalize Israeli "politicide"—the claim that the Palestinians do not amount to a people.¹²⁶ As two Palestinian scholars, George Zeidan and Haya Haddad, recently noted: "When Google and Apple erase Palestinian villages from their navigation, but proudly mark settlements, the effect is complicity in the Israeli nationalist narrative that settlers came to 'redeem' and 'civilize' a 'land without a people.'"¹²⁷

Calls to Action



PUT PALESTINE BACK ON THE MAP.
 PUT PALESTINE BACK ON THE MAP.
 PUT PALESTINE BACK ON THE MAP.
 PUT PALESTINE BACK ON THE MAP.
 PUT PALESTINE BACK ON THE MAP.
 PUT PALESTINE BACK ON THE MAP.
 PUT PALESTINE BACK ON THE MAP.

#StandWithPalestine 🇵🇸

In response to the lack of representation of Palestine, over one million people have signed a petition on change.org calling on the internet search engine giant, Google, to put Palestine on its maps.¹²⁸ In this call to action, the petition states, "Palestine does not appear on Google maps. Why not? Israel, established on Palestinian land, is clearly designated. But there is no mention of Palestine. According to Google, Palestine does not exist."¹²⁹ Furthermore, it is pointed out that this omission of Palestine is a grievous insult to the people of Palestine and undermines the efforts of the millions of people who are involved in the campaign to secure Palestinian independence and freedom from Israeli occupation and oppression.¹³⁰ It is also pointed out that due to the fact that Google is known to students and journalists world-wide, they have a responsibility to accurately reflect the reality as it is on the ground, as not doing so will have a rippling effect on the understanding and analysis of the occupation.

The popularity of the petition has resonated with many famous music and film stars, including Madonna, who shared with her 15 million followers on Instagram, an image of the map in question with Palestine missing, with a comment: "Google and Apple have officially removed Palestine from their maps."¹³¹ In additional posts, the singer expressed her strongest ever solidarity with the Palestinian cause. The 61 year old demanded "Put Palestine back on the map" before adding, "#IStandWithPalestine".¹³²



Furthermore, in 2020, Google and Apple Maps were the focus of a large campaign that called for their geo-spatial technology to reflect international law. The campaign was called #Palestine, and it included support from Egyptian actress Yasmine Raeis, who took to Twitter with her 150,000-strong following to share a flowered map of Palestine created by Turkish artist Adige Batur.¹³³

Further action was taken against Google in October 2020, when a Jordanian citizen and a team of 6 lawyers filed a case against the branch of Google in Jordan. The lawsuit is designed to address the fact that Google removed the name of Palestine from its map applications, and the replacement of Palestinian city names with Hebrew names.¹³⁴ According to what was published by the local newspaper “Al-Dustour”, lawyer Muhammad Adel Al-Tarawneh, and a team of lawyers with him, submitted the lawsuit list with the authority of the complaining citizen, Ayman Al-Husseini. It quoted Tarawneh as saying that the lawsuit was due to what he said was “bias towards Israel,” and he stressed that deleting the name of Palestine and changing the names of Palestinian cities violates international treaties and United Nations resolutions, and ignores the facts.¹³⁵

In addition, The Palestinian Digital Rights coalition, the Palestinian NGO Network and the Palestinian Human Rights Organisations Council (PHROC), created a “twitter storm” campaign to pressure Google regarding its mapping practices against Palestine and Palestinians which distinctly erase Palestine from their maps. A report regarding this was issued by 7amleh, and on July 22, 2020, the campaign urged Google to amend this issue, and encouraged supporters to sign and send a direct email to Google’s CEO and Global Policy Head of Human Rights as a call to action.¹³⁶

Digital Economy

E-Commerce

This year alone, retail e-commerce sales worldwide amounted for \$3.53 trillion.¹³⁷ Projections show that e-commerce sales should reach \$4.9 trillion in 2021.¹³⁸ The e-commerce market is expanding at an annual growth rate of 24%, four times faster than the global retail sector as a whole.¹³⁹ E-commerce is becoming the key growth engine for retail; studies show that by 2021, e-commerce sales will contribute 17.5% of total global retail sales.¹⁴⁰ In the Middle East and North Africa (MENA), online sales revenues have increased consistently with forecasts projecting \$48.8 billion in revenue by 2021 and a growth rate of 16.9% during 2016 - 2021.¹⁴¹ E-commerce accounted for 1.9% of total retail sales in the region in 2017, with the Gulf Cooperation Council (GCC) leading at 3%.¹⁴² As a study conducted by Bain and Google highlights, integral elements of the e-commerce ecosystem must be fostered in the region for the growth of the market.¹⁴³ Preference for cash-on-delivery (COD) remains a key challenge in the region, with its higher return rates and failed deliveries, while many global courier services do not offer COD solutions to the occupied Palestinian territory. Around 62% of shoppers in the region prefer COD as the payment method. In countries such as the United Arab Emirates (UAE), where credit penetration is

recorded at 56%, over 40% of customers still prefer COD. While in the context of the occupied Palestinian territory, the prevalence of COD is linked to limitations on the use of e-payment systems, figures from other countries in the MENA region show that a general lack of trust in online payment methods and concerns regarding internet fraud may also contribute to the prevalence of COD.¹⁴⁴ The under-development of postal services and address systems further increases the likelihood of failed deliveries, while high trade tariffs between neighbouring countries and logistical blockages in processing shipments creates further barriers.

The digital economy represents one of the fastest growing sectors globally. However, as this report shows, Palestinians continue to be discriminated against by states and businesses when it comes to accessing the digital economy. Even though the United Nations Human Rights Council has affirmed that "the same rights people have offline must also be protected online,"¹⁴⁵ the Israeli authorities continue their decades long unlawful exploitation of Palestinian resources for the benefit of the Israeli economy and to de-develop the Palestinian economy. Businesses have also benefited from the lack of accountability for their involvement in human rights abuses, including providing access to e-commerce platforms to Israeli settlements and settlement enterprises while denying Palestinians access. This digital discrimination has impacted the development of the Palestinian economy and denied opportunities to work for millions living in some of the hardest conditions on earth.

PayPal

PayPal, the most globally recognized digital platform for transferring money in the world, does not offer its services to Palestinians in the occupied Palestinian territory.¹⁴⁶ Since 2016, civil society organizations have campaigned for PayPal to operate in the occupied Palestinian territory. Their work raised awareness about how the lack of access to PayPal, hinders the development of the occupied Palestinian territory.¹⁴⁷ Although these efforts have attracted media attention, hundreds of thousands of signatures and worldwide recognition, PayPal has not made a public statement to clarify nor taken action to change its policy.¹⁴⁸ However, in August 2010, as an alternative to PayPal, the Bank of Palestine Group company launched Palpay which is working to shift Palestinian society away from its heavy reliance on cash, through the launch of the Mahfazti, its "My Wallet" service, providing a wide range of electronic payment, money transfer, purchase and online shopping options.¹⁴⁹ My Wallet is an integrated payment system in the form of an application for smartphones. It aims to open an abundance of opportunities for hitherto underserved segments of society without the need to open a bank account.¹⁵⁰

Amazon

Shortly after Amazon's launch in Israel, it was revealed that Amazon was offering free shipping to Israeli settlers and Palestinians only if they listed the occupied Palestinian territory as Israel.¹⁵¹ It was also found that Palestinian customers who select their address as the Palestinian Territories were subject to shipping and handling fees upwards of \$24.¹⁵² The Ministry of Communication and Information Technology, the Ministry of Finance and National Economy and the Palestinian Postal Service Workers Union, joined by fellow unions across the globe, launched a campaign to hold companies accountable for contributing to the discrimination of Palestinians and the denial and erasure of Palestinian identity with their policies.¹⁵³ This is following the joint statement released by the Palestinian Ministry of National Economy and Ministry of Finance, warning Amazon against their discriminatory shipping policy in the Palestinian territory. Palestine's Economy Ministry threatened to sue the company for conducting business in Israeli settlements in the occupied Palestinian territory, and called on it to immediately stop this blatant discriminatory delivery policy for Israelis and Palestinians, or face legal accountability before international courts.¹⁵⁴

To date, Amazon does not accept seller registrations from the occupied Palestinian territory and Gaza, although Israeli settlers and another 103 countries have access to seller accounts

Following this pressure, March 4, 2020, Ma'an news reported that as of Amazon will now offer free shipping to the occupied Palestinian territory, like it has long done in Israel. Minister of Finance and Economy, Khaled Assali, said that he hopes that Amazon soon withdraws entirely from working in illegal settlements, and that continuing to do so can make the company subject to sanctions from the international community.¹⁵⁵

However, civil society organizations have continued to be critical towards Amazon's policies towards Palestinians in the occupied Palestinian territory. To date, Amazon does not accept seller registrations from the occupied Palestinian territory, although Israeli settlers and another 103 countries have access to seller accounts. 7amleh and other civil society organizations have been working to raise awareness about the discrimination against Palestinians in the digital economy and call for equal access to the digital economy and Amazon.¹⁵⁶

Tourism

Due to Palestine's diverse geography, composed of both coastal and mountainous landscapes, and its rich historical and religious significance to many around the world, tourism constitutes around 2.8% of the overall economy, amounting to nearly 308 million dollars.¹⁵⁷ With the start of the coronavirus pandemic, however, the number of tourism activities suddenly dropped to zero, leaving many that built their livelihood in this sector unemployed.¹⁵⁸ The impact of the pandemic was not unique to Palestine, but rather something witnessed world-wide. However, the issues regarding illegally recognizing Israeli settlements as vacation homes, and the unequal representation and access provided to Palestinians remain of major concern. For years digital rights and human rights activists have been working to stop the operations of international companies in Israeli settlements in the occupied Palestinian territory. In 2020, the UN human rights office has issued a long-awaited report on companies linked to Israeli settlements in the occupied Palestinian territory. The report names 112 business entities¹⁵⁹ that the office says it has reasonable grounds to conclude have been involved in activities related to Israeli settlements, including Airbnb, Booking.com, Expedia Group and Motorola Solutions, among many others.¹⁶⁰

Airbnb

Airbnb, was one of the first tourism companies to be targeted by activists for having listed vacation properties that were located inside illegal settlements in the occupied Palestinian territory. In 2019, the company initially responded to activists and decided to remove settlement listings from their platform. However, following a lawsuit brought by Shurat HaDin,¹⁶¹ an Israeli lawfare organization, Airbnb reversed its decision and instead, claimed to donate the profit it generates through these listings, allowing them to remain in place, which means that a wider tourist industry is being supported and allowed to flourish at the expense of Palestinian rights and livelihoods.¹⁶² Early in 2020, Airbnb was one of more than 100 companies around the world listed in a UN database¹⁶³ of firms whose business operations linked them to Israeli settlements in the occupied Palestinian territory.¹⁶⁴ These settlements are illegal under international law. However, Airbnb's Registration Statement¹⁶⁵ with the US Securities and Exchange Commission (SEC) ahead of the IPO makes no mention of business operations in the Israeli settlements or the fact that the company appears on the UN database. This information is missing from the "Risk Factor" section of the documents, which informs shareholders of a company's legal, reputational and other risks.¹⁶⁶

Booking.com

The multinational conglomerate continues to operate illegally in Israeli settlements and provide Israeli settlers the opportunity to generate income from their home-businesses. This includes the listing of several apartments, camping sites and bed and breakfasts which are listed as located in “Palestinian Territory, Israeli settlement” or “Palestinian Territory, Israel.”

TripAdvisor

Similar to booking.com, TripAdvisor lists apartments and small businesses in illegal Israeli settlements on its platform. However, TripAdvisor does not distinguish such locations as Israeli settlements and has listed them under Palestinian territory. This includes locations in extremist settlements like Yitzhar which in May 2014, the Shin Bet stated that price-tag hate crimes and killings were mainly attributable to about 100 extremist youth, mostly from Yitzhar, acting on ideas associated with rabbi Yitzchak Ginsburg at the community's Od Yosef Chai yeshiva.¹⁶⁷

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Surveillance Companies

Mass surveillance is the practice of spying on an entire, or significant part of a population. It can involve anything from CCTV monitoring and email interceptions, to wiretapping and computer hacking. Often, mass surveillance¹⁶⁸ is carried out by the state but it can also be carried out by companies, either on behalf of the government or on their own initiative. Any information a person does not want to reveal or does not want anyone to know about is considered private and is protected. For instance, if a person does not want to reveal his whereabouts, location or any other information related to his face, he's entitled to do so under Article 17 of the ICCPR. Any interference with this right to privacy should be legal, necessary,¹⁶⁹ proportionate and judicially authorized.¹⁷⁰



Unfortunately, the legal framework authorizing and regulating the use of surveillance technology is insufficient, and there are questions about whether surveillance technologies are inherently disproportionate and inaccurate. Today, Israel's Ministry of Defense regulates one of the world's largest surveillance technology industries, with exports of more than \$1 billion annually. These technologies are developed both in Israel's

military and in the private sector by many former members of Israel's 8200 Unit, which is focused on surveillance technologies in the military.

The impact of Israeli surveillance technology on digital and human rights worldwide is undeniable. Israel's surveillance technologies have been used to target journalists, activists, opposition figures and critics and lead to increased arbitrary detention, arrests, torture, and extrajudicial killings.¹⁷¹ In Israel, journalists and media have also been subjected to military censorship, orders banning coverage of specific subjects and private-sector lawsuits designed to gag them.¹⁷²

Israel launched the 'Mabat 2000' project which is a system of 320-400, closed-circuit television (CCTV) cameras capable of manoeuvring 360 degrees to follow and track movements

Facial recognition

Perhaps one of the most invasive forms of surveillance, facial recognition is a biometric software application capable of uniquely identifying or verifying a person by comparing and analyzing patterns based on the person's facial contours. Facial recognition is mostly used for security purposes, though there is increasing interest in other areas of use. Facial recognition is often used as a mass surveillance technique by governments.¹⁷³ This surveillance method is heavily used in the occupied Palestinian territory. The Old City of Jerusalem represents a microcosm of this method, where Israel seeks to create a coercive environment aimed at driving Palestinians out of the city. To this end, Israel launched the 'Mabat 2000' project in the Old City, which is a system of 320-400, closed-circuit television (CCTV) cameras capable of manoeuvring 360 degrees to follow and track movements.¹⁷⁴ Palestinian residents claim that many of the hundreds of cameras positioned in their neighborhoods are pointing directly at their residences, and that this causes serious infringement on their right to privacy.¹⁷⁵

In fact, surveillance cameras have been deployed all over Israel and information regarding civilian movement has been collected since 2013.¹⁷⁶ This not only violates individuals right to privacy, and inhibits free movement, but as the police keep a database of movements of civilians who have not committed any offense, and are not even suspected of it, just in case they or their vehicle is involved in the offense in the future, it also violates their right to be forgotten. In other words, the police hold a confidential database on civilian movement that may remain in the hands of the police for years. The Police refuse to provide data regarding the deployment of the cameras, their number, the amount of license plates captured on them or the exact length of time the data was stored. 'Ein H' Nets' database has not been reported as required to the Registrar of Databases in the Israeli Ministry of Justice, and today there is not even a police procedure that regulates its use.¹⁷⁷

These overlapping systems of surveillance create the feeling among residents that an extensive surveillance system controls their lives, both as individuals and as a community. Residents report that the overabundance of cameras makes them feel like fish in an aquarium, that anyone can watch them at any time, tracking their movements and activities, both trivial and intimate.¹⁷⁸ Beyond the clear violation of privacy, it is clear that areas where these cameras are used in Palestinian neighborhoods in East Jerusalem, there is a particularly high rate of arrests, which are likely supported by this mass surveillance system.¹⁷⁹

Microsoft and Anyvision

Microsoft's \$74 million dollar investment in the Israeli company AnyVision, who developed their facial recognition software utilizing Palestinian data as a part of their contracts with the Israeli military, was heavily criticized by the public and civil society in 2020. 7amleh together with other human rights and digital rights advocates launched the campaign #DropAnyVision called for Microsoft to divest from AnyVision. During the campaign, Olivia Solon published her breakthrough article, "Why did Microsoft fund an Israeli firm that surveils occupied Palestinian territory Palestinians?"¹⁸⁰ The article included insights from 7amleh and responses from AnyVision and Microsoft. Shortly after it was published, Microsoft announced that they would launch a human rights assessment of AnyVision and hired former U.S. Attorney General Eric Holder to investigate the claims. In March, Microsoft's investment company stated publicly that they would divest from the Israeli surveillance company and stop all investments in facial recognition technology companies.¹⁸¹

Palestinian Society

Youth

Over the past several years, there have been a number of studies published that have focused on the legal, social, and psychological aspects of digital safety, all of which help to inform the complex set of factors that impact the level of security within a digital environment. The increase in the number of users, hours spent on the Internet, and services provided via the Internet, have led to an increase in risks and problems that threaten users' personal security and safety, especially children and youth.¹⁸² During this year, as a result of the coronavirus pandemic, in Palestine and around the world education and work shifted online, making the issue of access to such resources critically important. Within the Palestinian context, caregivers (mostly women) were given the responsibility of supporting youth education, which added to the burden of caregivers, especially given the lack of resources, support, and guidance available. While e-learning has been implemented, there appears to be little consideration given to household members that are becoming the new learning support providers. This not only affects men and women, but also risks negatively impacting students' education. In light of increased pressures and logistical obstacles due to chronic resource insecurity, women and girls may bear the brunt of prioritization of who receives the tools, time, and internet access.¹⁸³ In addition to the above, as more households and individuals reverred to online platforms for either gaining updates on the crisis or for communication and education, there was increased exposure to cyber-bullying. In 2019, almost 1 out of 10 children experienced cyberbullying,¹⁸⁴ and one third of young Palestinian women experienced cyber-violence and harassment.¹⁸⁵

Gender

Palestinians, also, continue to experience gender based violence online. In early 2020, the Palestinian actress Amira Habash posted a video on her personal Facebook, expressing her frustration about the effect of the coronavirus pandemic on those working in the field of arts and culture. Her video was re-shared on two separate pages which led to dozens of people attacking her by writing extremely violent comments in Arabic. The comments on both pages contain verbal and sexual violence, harassment as well as hate speech and general cyber-bullying. They also contain explicit offensive profane language. After reporting increased, comments were eventually removed along with the video. Additionally, later in the year, a video was published on Facebook showing the stabbing of the Palestinian singer Samah Abu Kaf by her brother. The video has dozens of violent comments calling for her death. Despite complaints made to Facebook, the video and the comments are still visible.¹⁸⁶

As with other vulnerable segments of society, the coronavirus pandemic has placed a heavy burden on Palestinian women, adding to the longlasting grievances of the Israeli occupation. The impact of the coronavirus pandemic was devastating across Palestine and has especially affected the lives of women in a number of ways, including higher rates of violence, increased domestic burdens, and psychosocial suffering, as well as exclusion from decision-making groups to address the crisis.¹⁸⁷ In terms of how this has shaped their online experience there are several new barriers to overcome, as well as new opportunities. As a result of the unique interplay of interrelated vulnerabilities coming to the surface due to the pandemic, previously existing vulnerabilities are exacerbated. Within this compounded vulnerability, this health crisis has deepened the impact of Israel's policies on the Palestinian economy and unfavourable structural challenges in the various economic sectors, leaving women and young people increasingly behind.¹⁸⁸ As mentioned above, women and girls are particularly facing challenges as Care Work and education has shifted to the domestic sphere, multiplying their work and in some cases limiting access to educational resources within the home.

in 2020, there were 2 cases of threatening with publishing data, 5 blackmail cases, 2 cases of online messages, 1 psychological assault and long abuse, and 1 instance of publishing photos reported to their service

Regarding the gendered experience online, through information gathered from Assiwar, the Feminist Arab Movement launched a chat support service to help and support gender based violence victims. Through their tracking of gender based violence, they confirmed with 7amleh that in 2020, there were 2 cases of threatening with publishing data, 5 blackmail cases, 2 cases of online messages, 1 psychological assault and long abuse, and 1 instance of publishing photos reported to their service.¹⁸⁹

An interesting counter to this trend can be found in efforts being made to encourage women entrepreneurship online through the support of the UNDP accelerator lab. Through UNDP's support, women's cooperatives and small producers were provided access to an online marketing platform through establishing a specialized online store for traditional food commodities.¹⁹⁰ Connecting women-led MSMEs to online stores is designed to encourage new forms of partnerships and types of clientele, as a means to strengthen various supply chains of vulnerable groups, as well as reinforce the capacity of the Palestinian digital economy.¹⁹¹

The LGBTQI+ community like all segments to the Palestinian society and global community was greatly impacted by the Coronavirus pandemic. Perhaps the most significant impact being that as a result of increased restrictions and limitations on movement, LGBTQ Palestinians were more vulnerable to isolation and a decline in safety and security. As al-Qaws for Sexual & Gender Diversity in Palestinian Society detailed in their annual report, “these circumstances pushed us further to the margins and forced us to conceive of new forms of communication and solidarity in the wake of the sudden loss of their safe community spaces.”¹⁹² In response to this changed environment, alQaws for Sexual & Gender Diversity in Palestinian Society, provided needed online workshops and programming, as well as a hotline as a means of support in 2020. Faced with the same discrimination and censorship as all Palestinians, those within the LGBTQI+ community are additionally discriminated against and targeted both online and offline, due to their sexual orientations and gender identities. Without formal protections established within the legal framework of the Palestinian Authority, the reality that homosexuality is illegal in the Gaza Strip, and the fact that Israel has an established pattern of pinkwashing issues of political justice, many in the Palestinian LGBTQI+ community remain highly vulnerable to violations of their human rights from state authorities and within their communities and families.

*alQaws for Sexual & Gender Diversity in
Palestinian Society, provided needed online
workshops and programming, as well as a hotline
as a means of support in 2020*

Misinformation and ‘Fake News’

The Palestinian experience in combatting misinformation has been shaped by the authorities efforts to respond to fake news through laws and self-regulation, including supporting the development of monitoring institutions and projects and formulating codes of conduct for professional journalism to reduce its numbers.¹⁹³ The Palestinian Authority’s laws about the flow of information are limited to Article (14) of the Basic Law which refers to the protection of printed and published materials,¹⁹⁴ which as it was developed in 1995 is devoid of any mention of fake news, and the Cybercrimes Law from 2017,¹⁹⁵ which is legislated from the standpoint of combating cybercrimes,

rather than the information flow that produces fake news. However, fake news in Palestine is also influenced by additional factors specific to the Palestinian context, such as the ongoing unlawful Israeli occupation of the Palestinian territory, political division, weak governance structure and the absence of relevant laws.¹⁹⁶ Additionally, the spread of the coronavirus has resulted in a huge amount of fake news added to the Palestinian information community. In response to the increasing phenomena of fake news in Palestine and worldwide, which increased during the coronavirus pandemic, 7amleh and Saleh Mashareqa, a lecturer in the Media Department at Birzeit University's Media Development Center, conducted a research study entitled "Fake News in Palestine: Exploratory Research into Content, Channels and Responses." Through this analysis it was determined that the majority of Palestinians (72%) have been exposed to misleading news.¹⁹⁷



Graphic 8: "Fake News" on computer screen

"Fake News - Computer Screen Reading Fake News" by mikemacmarketing is licensed under CC BY 2.0

During 2020, in response to the pandemic, the Palestinian Ministry of Health (MOH) created a webpage, which was continually updated by the Ministry of Health, to communicate information about the present status of the outbreak of the coronavirus pandemic in Palestine.¹⁹⁸ According to government statements, only the Palestinian Ministry of Health is considered the source of reliable information about coronavirus cases in Palestine.¹⁹⁹ Nevertheless, most individuals depend on social media platforms to know more information about the coronavirus instead of using the official webpage of the Ministry of Health. As discussed above this form of censorship was instituted in a vague manner that made it unclear who were the official voices, as well as lacked the legal basis for these emergency measures.²⁰⁰

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