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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by the Association for Progressive Communications, a non-governmental organisation in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 May 2021]

Dramatic increase in digital rights violations of Palestinians in May 2021

*Issued as received, in the language(s) of submission only.

The Association for Progressive Communications (APC) and 7amleh - The Arab Center for Social Media Advancement submit this statement ahead of the Human Rights Council 47th session to express our grave concern about the dramatic increase in digital rights violations against Palestinians during the 2021 Israeli attacks on the Gaza Strip, Palestinians in mixed cities in Israel and forcible displacement of Palestinians in East Jerusalem.

In May 2021, we documented over 500 cases of censorship of Palestinian political speech online, in the form of content takedown, account suspension and limiting features of the services, coupled with over 40 examples of hate speech and incitement against Palestinians. This pattern of censoring Palestinian and Arabic political speech is exacerbating the human rights violations already occurring on the ground.

Censorship

Since the beginning of May 2021, Palestinians and human rights advocates have been demonstrating against the Israeli Supreme Court's decision to forcibly displace Palestinians in the East Jerusalem neighbourhood of Sheikh Jarrah, a part of the occupied Palestinian territory.¹ Through social media, families of Sheikh Jarrah and human rights advocates gained attention from Palestinians in Israel, the occupied Palestinian territory and international supporters who mobilised to protest against this decision. When peaceful protests were met with Israeli police brutality,² Palestinians took to Facebook, Instagram, Twitter and TikTok to document and denounce these human rights violations, through publishing statements, petitions, letters, videos, and infographics.³

Starting on 6 May, social media companies started removing Palestinian content from platforms, with no notice to the Palestinian government, civil society partners or the users themselves of changes in the implementation of their policies.

Between 6 and 18 May, 7amleh documented 500 cases of violations of Palestinians rights through an e-form disseminated through its social media channels and with the support of partners, allies and the public. The reported cases include various social media platforms, with 250 cases on Instagram (50%), 179 on Facebook (35%), 55 on Twitter (11%), and four cases on TikTok (1%).⁴

¹ Shakir, O. (2021, 11 May). Jerusalem to Gaza, Israeli Authorities Reassert Domination. *Human Rights Watch*. <https://www.hrw.org/news/2021/05/11/jerusalem-gaza-israeli-authorities-reassert-domination>

² Hasson, N. (2021, 8 May). Jerusalem Clashes: How Palestinians Rallied Behind Sheikh Jarrah. *Haaretz*. <https://www.haaretz.com/israel-news/how-palestinians-put-aside-their-fear-and-rallied-behind-sheikh-jarrah-1.9777730>

³ El-Naggar, M., & Yee, V. (2021, 18 May). 'Social Media Is the Mass Protest': Solidarity With Palestinians Grows Online. *The New York Times*. <https://www.nytimes.com/2021/05/18/world/middleeast/palestinians-social-media.html>

⁴ 7amleh - The Arab Center for the Advancement of Social Media. (2021). *The Attacks on Palestinian Digital Rights*. <https://7amleh.org/storage/The%20Attacks%20on%20Palestinian%20Digital%20Rights.pdf>

On Instagram, 45% of the reported cases were of removed stories, 14% of restricted accounts, 12% of account closure, 11% of content takedown, and 4% of reduced views. Over 46% of these removals occurred without prior warning or notice to the user about the deletion. On 7 May, Instagram tweeted claiming that a technical issue caused the majority of these violations. However, we continued to receive large numbers of reports daily. In fact, 68% of the reports came in after the date of Instagram's tweet.⁵

On Facebook, users reported the following violations: 37% restricted accounts, 31% removal and deleting of content, 23% suspension of accounts, 9% various reasons including deleting authentication, warnings to accounts, warnings about specific posts, restricting groups and pages, hacking attempts, reduced access, hiding hashtags, and hiding share buttons on posts. Facebook failed to provide any reason for the deletion in 47% of the cases.⁶

On Twitter, 7amleh documented 55 violations, 91% of which were suspension of accounts and 9% including restricted accounts, failed tweets and limited features. In 96% of these cases, users did not receive a reason for the action taken by Twitter. However, Twitter was very responsive to 7amleh's appeals against these actions, as they responded positively to 89% of the cases submitted by 7amleh and restored access to most of the accounts and content deleted.

Takedowns of Palestinian and human rights advocates content on social media platforms are also a result of Israel's efforts to voluntarily and proactively report content to social media companies, either through Israel's Cyber Unit, or through brigading techniques used by the Israeli government and government-supporting NGOs.⁷ Many of these cases are likely related to the Israeli Ministry of Justice's Cyber Unit, which has made thousands of reports to social media companies to have content and accounts removed or restricted without legal proceedings and without the knowledge of citizens or those living under Israeli occupation since 2015.⁸ On 13 May, the Israeli Minister of Justice and Minister of Defence, Benny Gantz, met with social media companies and called on them to remove Palestinian content which "incites to violence or spreads disinformation" and to respond quickly to appeals from the governmental cyber bureau, further intensifying the censorship.⁹

⁵ Ibid.

⁶ <https://t.co/3J9YGyRYdS>

⁷ Adalah - The Legal Center for Arab Minority Rights in Israel. (2017, 14 September). Israel's 'Cyber Unit' operating illegally to censor social media content. <https://www.adalah.org/en/content/view/9228>

⁸ 7amleh - The Arab Center for the Advancement of Social Media. (2018, 12 July). The new Israeli Cyber Law paving the way for unlawful hacking and digital rights violations. <https://7amleh.org/2018/07/12/the-new-israeli-cyber-law-paving-the-way-for-unlawful-hacking-and-digital-rights-violations>

⁹ The Times of Israel. (2021, 14 May). Gantz urges Facebook, TikTok executives to crack down on social media incitement. https://www.timesofisrael.com/liveblog_entry/gantz-urges-facebook-tiktok-executives-to-crack-down-on-social-media-incitement

For over a decade, Facebook has had close relationships with the Israeli government¹⁰ and provided unequal resources to their Israel office, which has been staffed with country representatives for a population of 9 million, while people in the Middle East and North Africa only have a handful of representatives for over 220 million people and 25 countries.¹¹ According to Facebook's transparency report, in 2020 Facebook responded to 81% of the removal requests made to them by the Israeli Ministry of Justice's Cyber Unit.¹²

Further, in observing the tools Facebook used to limit content in the period of our survey, we suspect that Facebook may have deployed a set of emergency measures they have previously used in similar situations of crisis, including in Myanmar, Sri Lanka and during the US elections, that have a known negative impact on freedom of expression.¹³ These measures entail a significantly higher threshold for detecting and removing content that may violate Facebook's community guidelines, and when applied unequally, can constitute a serious threat to people's access to information and ability to exercise human rights and denounce and document rights violations.

Incitement to violence

From 6 to 17 May, 7amleh also observed organised groups mobilising for violence and inciting against Arabs and Palestinians on both WhatsApp and Telegram. We documented more than 40 cases where content called for inciting violence against Arabs and Palestinians, with the aim of killing, burning or directly assaulting them.¹⁴

Our monitoring showed that these groups are not solely used to call for incitement to violence, but are used to mobilise for and organise attacks on Palestinians in some cities such as Haifa, Acre, Jaffa and Lydd. We documented cases of the organisation of attacks on Palestinians through these groups, with group members sharing pictures of the victims of their attacks to encourage others to carry out similar attacks.¹⁵

We were successful in reporting part of the users and groups inciting to violence against Palestinians and Arabs to civil society and social media companies and succeeded in having some of the groups and users removed by WhatsApp and Telegram. Nevertheless, similar content still exists on networks, especially as social media companies do not proactively monitor hate speech and incitement directed

¹⁰ Associated Press. (2016, 12 September). Facebook and Israel to work to monitor posts that incite violence. *The Guardian*. <https://www.theguardian.com/technology/2016/sep/12/facebook-israel-monitor-posts-incite-violence-social-media>

¹¹ Mac, R. (2021, 27 May). Facebook Employees Are Accusing Their Company of Bias Against Muslims and Arabs. *Buzzfeed News*. <https://www.buzzfeednews.com/article/ryanmac/facebook-employees-bias-arabs-muslims-palestine>

¹² <https://transparency.fb.com/data/government-data-requests/data-types>

¹³ Dwoskin, E., & De Vynck, G. (2021, 29 May). Facebook's AI treats Palestinian activists like it treats American Black activists. It blocks them. *The Washington Post*.

<https://www.washingtonpost.com/technology/2021/05/28/facebook-palestinian-censorship>

¹⁴ 7amleh - The Arab Center for the Advancement of Social Media. (2021). Op. cit.

¹⁵ Frenkel, S. (2021, 19 May). Mob Violence Against Palestinians in Israel Is Fueled by Groups on WhatsApp. *The New York Times*. <https://www.nytimes.com/2021/05/19/technology/israeli-clashes-pro-violence-groups-whatsapp.html?smid=url-share>

towards Palestinians in a way that takes into account the local context or includes contributions for Palestinian civil society. This problem is further exacerbated by the fact that social media companies continue to over-moderate Palestinian political speech and content, resulting in violations of the rights to freedom of expression and of assembly, among others.

We highlight that there is a huge disparity in the intensity of social media companies' monitoring and censorship of Palestinian content, which often documents human rights violations they are subjected to at the hands of Israeli forces, settlers or civilians; and the insufficient monitoring of racism, incitement and hate speech against Arabs and Palestinians posted in Hebrew on the same platforms. Our research shows that 1 in every 10 publications about Arabs and Palestinians in Hebrew contained violence and violent discourse against Arabs and Palestinians. This was an increase of 16% since 2019.¹⁶

Conclusion

The human and digital rights of Palestinians face serious threats as a result of social media companies' discriminatory policies and algorithms, which flag Palestinian content and political speech arbitrarily and indiscriminately, ultimately significantly and dangerously limiting the Palestinians' ability to enjoy as well as document violations of human rights. Furthermore, the direct and unmonitored relationship between some social media companies and the Israeli government is enabling the government to violate essential human rights of Palestinians and human rights advocates. This is further exacerbated by a pattern that most social media platforms perpetuate, in which Palestinian and Arabic content is over-moderated, while anti-Palestinian incitement and hate speech in Hebrew is treated with less scrutiny.

Recommendations

UN HRC:

- Promote accountability for human rights violations against Palestinians, in particular restrictions imposed on the exercise of basic rights including freedom of expression and the right to privacy.
- Pressure the Israeli government to provide transparency about the work of the Israeli Cyber Unit and use of "troll armies" and ensure that this Unit's operations do not violate the human rights of those in the occupied Palestinian territory, which is a violation of international laws and norms.
- Recommend the formalisation of a commitment by Israel to ensure transparency and independent oversight on agreements made with social media companies.

¹⁶ 7amleh - The Arab Center for the Advancement of Social Media. (2021). *Racism and Incitement Index 2020*. <https://7amleh.org/2021/03/08/racism-and-incitement-index-2020-the-increase-in-racism-and-incitement-against-palestinians-and-arabs-during-the-pandemic>

- Encourage and engage with companies to ensure that policies for restricting or taking down content are enforced in an equitable and transparent manner, in accordance with their international human rights obligations outlined in the UN Guiding Principles on Business and Human Rights. We also call on the Council to ensure that member states promote and respect those same Guiding Principles within their territories. In particular:

- Companies should protect users' rights to access information and engage in free expression by notifying them of restrictions or takedowns as expeditiously and transparently as possible. These notifications should specify the action the company has taken, and indicate whether government and/or business partners requested or ordered the restrictions.
- Companies should publish their own responses to government requests, describing the nature and scope of their internal review process to the extent that is legally permitted. They should provide the affected user with appropriate channels for expressing concerns and grievances, and respond promptly to all requests for appeal. Removal of illegal content should take place only when the content has been specifically adjudicated as being illegal and a court order has been issued.

APC is a global organisation and network of members working at the intersections of information and communication technologies, human rights, gender equality and sustainable development.

7amleh - The Arab Center for Social Media Advancement is a Palestinian NGO aimed at enabling Palestinian civil society to effectively utilise tools of digital advocacy.

7amleh - The Arab Center for Social Media Advancement, an NGO without consultative status, also shares the views expressed in this statement.