The Expansion of Digital Surveillance in Jerusalem and Impact on Palestinians Rights

Summer and Fall 2021

Author: Sophia Goodfriend
Research Assistants: Bashar Bakri and Rawan Sheikh Ahmad
Introduction

This report examines the impact of biometric monitoring and digital surveillance in Jerusalem. Researchers conducted 30 interviews with Palestinian Jerusalemites between July and October 2021. Those interviewed reported that CCTV and digital surveillance increased following the violence in April and May of 2021. The findings demonstrate how intensified and increasingly high-tech surveillance in East Jerusalem has led to the erosion of civil and political rights for Palestinian Jerusalemites of the city. The increase of video and biometric surveillance and digital monitoring “has constrained Palestinian Jerusalemites’ freedom of movement, impeded their right to privacy, and eroded their freedom of expression on and offline.”

Israel maintains comprehensive legislation to protect the right to privacy. As detailed below, this includes Section 7 of the Basic Law on Human Dignity and Freedom; 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. This legislation is in accordance with the United Nations’ recognition of privacy as a fundamental human right in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR); yet, Palestinian Jerusalemites of East Jerusalem continue to be systematically denied such rights. Instead, Israeli authorities implement and carry out security measures without consultation or communication with those communities subject to intensive surveillance. Researchers have demonstrated how Israeli surveillance firms profit off of the use of their technologies in the occupied Palestinians territories, with places like East Jerusalem serving as a critical testing ground of innovations in biometric surveillance in particular. As this report highlights, such practices have a detrimental impact on Palestinian Jerusalemites’ civil rights.

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Jerusalem as Focal Point of Surveillance

Jerusalem is a multireligious city divided in 1948 and annexed by the state of Israel since 1967. A Jewish-Israeli majority resides in West Jerusalem while East Jerusalem is home to Palestinian communities defined under Israeli law as permanent residents of the Israeli state, rather than Palestinian citizens of Jerusalem. Residency status is conditionally granted and subjects Palestinians to what civil society organizations describe as onerous requirements. Although a path for citizenship exists for many Palestinian Jerusalemites, the vast majority choose not to pursue it as it involves pledging allegiance to what many view as an occupying power. It is important to underscore that Israel’s occupation of Jerusalem was declared and remains illegal under international law.

The strategic importance Israel places on Jerusalem, and the steady expansion of Jewish settlements throughout the city, have resulted in intensive policing and surveillance of Palestinian neighborhoods. Historically, surveillance has entailed population registries and censuses, identification and citizenship requirements, entry permits, and policing. Eruptions of violence in the past two decades, following the Second Intifada, have made the city a focal point of Israeli security measures. Today, these older surveillance tactics are bolstered by high-tech forms of monitoring and tracking.

Innovations in digital and biometric surveillance since the early 2000s have expanded the reach of Israel’s surveillance state throughout the city. CCTV cameras equipped with predictive policing and biometric monitoring capabilities, managed by both the municipality and private settler organizations, have spread across East Jerusalem. Since 2014, the police and intelligence services have intensified their surveillance of social media and digital communications as well. Today, the combination of low and high-tech surveillance subjects Palestinians to, what media scholar Helga Tawil-Souri describes, as a constant, “breach of privacy – of one’s space, time, body, behavior, and actions.” As this report details, pervasive surveillance and censorship have grave implications for Palestinian Jerusalemites’ well-being, and security.

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Escalation in Spring 2021

On April 13, 2021, Israeli police raided the al-Aqsa Mosque in Jerusalem’s Old City, setting off a wave of violent confrontations between Israeli border police and protestors. Simultaneously, Israeli courts were set to rule on an eviction order for Palestinian residents of the Jerusalem neighborhood, Sheikh Jarrah. Israeli settlers have expanded into Palestinian homes in Sheikh Jarrah since 2009, beginning a legal battle that has slowly made its way to Israel’s supreme court. As Palestinian protestors in Jerusalem became more vocal on and offline, linking the struggle in Sheikh Jarrah to the police brutality in the Old City, tensions escalated. Police raided al-Aqsa mosque again on May 11, 2021, using rubber bullets, stun grenades, and tear gas against worshippers. Rocket fire from Gaza began shortly after the incident, resulting in a 10 day war as Israel dropped bombs on the Gaza strip and clashes erupted across the occupied Palestinian territories and inside Israel.

While a ceasefire between Hamas and Israel was reached on May 21, the tension in Jerusalem has not abated. Jewish settlements continue to expand in Sheikh Jarrah, Silwan, and the Old City. Protests in these neighborhoods continue to result in violent clashes between Palestinian residents and the police. Palestinian Jerusalemites interviewed reported that Israeli authorities have expanded surveillance infrastructure throughout much of East Jerusalem. According to Interviewees, the municipality has installed new surveillance cameras on street corners and in squares throughout Silwan, Wadi Joz, and Sheikh Jarrah. During this time, digital monitoring has also intensified. Social media allowed many younger Palestinian Jerusalemites to garner unprecedented international support for their struggle against settler expansion and police brutality. In response, scores of Palestinian Jerusalemites, particularly those active on social media platforms, have been detained on incitement charges in recent months.

Scope and Methods

This study focuses on the impact the increase of surveillance, particularly biometric monitoring and surveillance of social media, has had on Palestinian Jerusalemites in recent months. Researchers conducted in-depth interviews with 30 Palestinian residents of East Jerusalem’s Silwan, Sheikh Jarrah, Issawiya, and Shufat neighborhoods. The participants, 18 men, and 12 women, were between the ages of 19 to 55. All of the participants between the ages of 19 and 35 had been active on social media over the past six months, especially during the attacks between April
and May 2021. Some had taken part in peaceful demonstrations in person as well. Interviews focused on the intensification of surveillance, on and offline, during this time, especially among those who considered themselves politically active.

Interviews were conducted face to face and ranged from 45 minutes to 3 hours. They took place in participants’ homes in Sheikh Jarrah and Silwan and cafes throughout East Jerusalem. Researchers asked participants about their activism in the past few months, changes they had noticed in CCTV surveillance, their use of social media, and any censorship they had faced from tech companies and/or authorities on these platforms. For the safety and security of all interviewees, names and biographical information have been redacted.

**CCTV and Biometric Surveillance**

Since 2000, the Jerusalem municipality has relied on comprehensive CCTV surveillance across Jerusalem’s Old City. In 2014, the Israeli government passed Resolution 1775, which increased security in East Jerusalem and Palestinian communities within the Green Line. In 2015, the Jerusalem Police were provided 48.9 million NIS to strengthen existing and significantly expand new networks of CCTV surveillance.\(^{11}\)

According to the research group Who Profits, cameras throughout the Old City are equipped with predictive policing capabilities that are able to create profiles of individuals based on facial recognition capabilities, analysis of social media, and other open-source databases.\(^{12}\) Additionally, Israeli police possess a biometric database of anyone who has been arrested. If cameras are linked to this database, they can identify and flag those who have previously been arrested without their knowledge.\(^{13}\)

Palestinians living in Sheikh Jarrah, Wadi Joz, and Silwan report that the municipality installed additional cameras in public squares and high-volume street corners in 2017 and 2018. These cameras join the matrix of private CCTV cameras installed outside of settler homes in these neighborhoods. The Jerusalem municipality has not released information regarding the technical capabilities of these systems; however AnyVision, a biometric start-up responsible for the facial recognition cameras installed at major checkpoints throughout the West Bank, has claimed

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to operate their facial recognition cameras in East Jerusalem. In their marketing material, AnyVision claims its cameras could identify any pedestrian, day or night, with or without a face mask, and track their movement across any urban space.

Israeli police have denied the use of AnyVision’s facial recognition technology in East Jerusalem. However, as of December 2020, the municipality acknowledged “some” of the “1,000 cameras installed in Jerusalem” had “analytical capabilities to identify objects,” and another 100 were “connected to servers able to analyze data.” As of July 2021, Israeli police had petitioned to expand the use of facial recognition technology across the region and implement a single, centrally managed database, debates surrounding the legality of such a move are still ongoing.

Freedom of Movement and Insecurity

Palestinian Jerusalemites interviewed asserted the municipality installed additional cameras across East Jerusalem, especially Silwan, Sheikh Jarrah, and Wadi Joz. following the attacks in April and May. According to interviewees, some of these cameras look directly into private homes, while others are installed in public squares where frequent clashes between police and young Palestinian Jerusalemites take place. Some interviewees researchers spoke with believe the cameras can identify them automatically, citing a wave of targeted arrests following their installation. While the technological capabilities of these cameras cannot be confirmed, fear of being misidentified and the sensation of being tracked have impacted where and how Palestinian Jerusalemites move through the city.

“In East Jerusalem, we are constantly surveilled,” said one 26 year old from Shufat, “from the moment you leave your house, you’re being tracked.” The feeling of being monitored compels many Palestinian Jerusalemites to think twice about gathering in public spaces. According to a 27-year-old student from Issawiya, “it makes you feel like you can be detained at any time, for doing something like standing on the street.” Israeli police assert CCTV cameras are installed to protect the security

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of all city residents. Yet few interviewees felt as if the network of cameras were there to protect them. Instead, the lack of transparency regarding what technological capabilities these new cameras possess and how the footage is used seeded distrust of such monitoring. “Even though they put them up for security,” said a 24-year-old resident of the city, “most younger people think they will use the footage to arrest them.”

In Silwan, where an expanding settler movement has provoked violent confrontation between young Palestinian men and the police, younger Palestinian Jerusalemites have taken to destroying municipal surveillance cameras. As one 25-year-old resident of Shufat put it, “we just do not know how they (the authorities) are using this footage, what they can do with it, and we keep seeing people getting arrested, so why would we trust it.” Another 45-year-old business owner in Sheikh Jarrah described how the cameras appear overnight, without warning or explanation. “They have not done anything to stop the attacks (from settlers)” he told researchers when describing what impact the increase of surveillance has had.

Right to Privacy

The proliferation of CCTV cameras across East Jerusalem has significantly impacted Palestinian Jerusalemites’ sense of privacy. Cameras affixed to the front of settler compounds in Silwan often look directly into the windows of Palestinian homes. One resident, in his forties, described feeling like a “fish in a tank” constantly watched by cameras visible from his kitchen and living room window. Another resident of Sheikh Jarrah in her fifties described how a new municipal CCTV camera looks into her patio and kitchen windows from across the street. She now keeps the curtain closed when cooking, despite the lack of airflow in the hot summers.

The gendered effects of surveillance cannot be understated. The increase of CCTV monitoring erodes all citizens’ sense of comfort and dignity even in the confines of their home, where one expects to feel most secure. Researchers found this was even more pronounced for women, for whom home is no longer a sanctuary. The resident of Sheikh Jarrah, mentioned above, recounted how she is on guard even inside the privacy of her own home. “I often sleep in my hijab; I have no privacy,” she explained, “The house is supposed to be the only place you feel at home, but I do not feel at home.” Another female resident of Sheikh Jarrah told researchers, “I am just scared someone can see me or will break into my home at any minute.”

As previous reports by 7amleh have underscored, and as mentioned above, Israel maintains comprehensive legislation to protect the right to privacy.21 Yet Palestinian Jerusalemites continue to be systematically denied such rights. Instead, Israeli authorities implement and carry out security measures opaquely, without consultation or communication with those communities subject to intensive surveillance.

**Surveillance of Social Media**

Israel has invested millions into tightly moderating Palestinians’ use of social media. Since its establishment in 2015, Israel’s Cyber Unit has worked with social media corporations to remove, censor, or block Palestinian content. The majority of the Israeli government’s requests for removals to platforms like Facebook—90% as of 2019—are accepted.22 Israel’s cyber unit has also outsourced much surveillance of social media to civil organizations. Non-Governmental Organizations and academic units, many of which receive government funding, operate with the mandate to police “anti-Israel” content online, bolstering state censorship efforts.23 The cooperation between the Israeli government and platforms like Facebook is stark yet unsurprising; officials in Israel’s government have even gone on to work for these firms. Among these are figures like Emi Palmor, the Israeli lawyer who oversaw the creation of Israel’s cyber unit in 2016 and headed Israel’s Ministry of Justice for six years. Today Palmor works for Facebook and Instagram’s oversight board, determining corporate definitions of hate speech.24

Israeli authorities also rely on expansive incitement laws to intimidate many Palestinian users into silence. Alongside corporate censorship, Palestinian users face detainment and incarceration for social media activity. Incitement has become an increasingly common charge since 2016 when Israel passed an updated counterterrorism law.25 The law broadened the legal definition of the term to encompass not only speech that “directly calls for violence,” but also speech that, in the judgment of prosecutors, “expresses support for terrorist acts,” with or without a resolution to carry them out.26

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Censorship and Intimidation

The broad definition of incitement has historically intimidated many Palestinian users into silence. Each of the 15 interviewees between the ages of 20 and 30 described how the sweeping application of this law against Palestinians made them think twice about using social media. “We just did not post political stuff before this summer,” a 23-year-old resident of Sheikh Jarrah said, “I know so many people who’ve been arrested for posts with only like 3 or 4 likes. It’s just not worth it.” Many interviewees recounted how family and friends would pressure them to stay offline and avoid posting anything altogether.

Five interviewees were self-described influencers who had long been active on social media, with Instagram pages ranging from 10,000 to 400,000 followers. Each recounted how they had faced censorship by authorities and social media platforms for their activity since 2014. One 28-year-old interviewee from Silwan recounted how police would detain him for resharing posts hundreds of others had also shared and interrogate him about specific comments his followers would leave on Facebook posts. Another 26-year-old interviewee from Shufat described how police told him to stop using certain terms, like “occupation,” when posting on Facebook or Instagram.

Those with an established following online were used to, and undeterred by, such tactics. Nevertheless, interviewees also emphasized how social media companies’ cooperation with authorities impeded their use of platforms. “I’ve been banned from Facebook, I’ve been prevented from going live many times,” a 28-year-old influencer from Silwan recounted. “Here, you think about security forces around you; you think about the terms and tools of social media that might land you in prison in the end.”

When escalations erupted in May, even those with a private account and only a few hundred followers faced censorship for their activity; “Everyone I knew had posts taken down,” a 25-year-old resident of Beit Hanina recounted, “I was locked out of my account just for posting stories with images of protests in Sheikh Jarrah.” This kind of censorship worked on a collective scale; “you would search for your friends, and all that would come up is ‘user unavailable’ said another 24-year-old, “or you would go to share a post and all of a sudden get a ‘restricted content message.”

Most Palestinian Jerusalemites researchers spoke with recounted how the violence throughout April and May confined many to their homes. Police used harsh crowd control tactics to shut down protests and engaged in frequent raids within Palestinian neighborhoods to carry out targeted arrests. Armed settlers entered several neighborhoods to attack Palestinian Jerusalemites, in some cases opening fire on public streets. Shut out of public spaces offline, social media was the only
way many could communicate with their communities and share their experiences. However, systematic censorship on digital platforms made communicating and gathering online difficult. “I was scared to leave my house” one 24-year-old resident of Wadi Joz recounted, “and scared to post online since my posts kept getting taken down, I felt trapped.” As one young influencer from Silwan put it, “we are under electronic siege here too,” emphasizing how Palestinian users are systemically shut out of public space, on and offline.

**A Turning Point**

Despite these constraints, all 16 interviewees between the ages of 20 and 30 described the violence that erupted in May as a turning point in their use of social media. Those who had refrained from posting political messages began amplifying the protests happening in Sheikh Jarrah. “We who had been aware of the negative implications of posting began doing so anyway,” a 24-year-old resident of Wadi Joz recounted, “We realized that it was key for raising awareness, and when you could not open your phone and not see Sheikh Jarrah, it made you want to continue posting.” Those who already had a significant amount of followers saw those numbers doubled or tripled, motivating them to post more about the situation.

Every user that researchers spoke to adapted different techniques to get around automatic censorship—spelling words like Palestine, Shahid, and even al-Aqsa differently, for example, or posting innocuous content--like a selfie or a song--in between political messages. However, as events in Palestine went viral on social media platforms, participants felt more of their speech was being censored. “These tools are getting more developed and better at flagging more and more words.” a 29-year-old influencer from Silwan described. “Sometimes I post something, and it gets deleted before I can even look at it.”

When asked if they felt secure using any form of social media or digital communication, everyone interviewed reported feeling constantly monitored no matter what platform they use. As one influencer from the Old City framed it; “I don’t feel secure on any platform, but I also don’t feel secure living in this city, even in my home, so it’s the best tool I have at the moment.” Indeed, each emphasized the importance of using these channels to not only spread awareness of the violent attacks unfolding in East Jerusalem. Many emphasized how social media had become an educational tool as well. “We really don’t have proper news outlets, proper communication channels here.” A 24-year-old resident of Beit Hanina recounted, “so social media became crucial for us to know what was happening in our neighborhoods and also communicate with people across historical Palestine facing similar violence.”
Implications

Israel is characterized as one of the world’s more advanced surveillance states. The military has poured millions into developing and refining cybersecurity, biometric tracking, and Artificial Intelligence powered surveillance tools. These technologies are often first used and refined in the occupied Palestinian territories. East Jerusalem has, historically and today, served as a crucial testing ground for these surveillance tactics. Recent scholarship has underscored how Israeli security and surveillance firms profit off of Israel’s occupation of Jerusalem; AnyVision is one of a number of such firms.

Historically, moments of political and civil unrest in Jerusalem have led to the intensification of new forms of monitoring and tracking. The events this past Spring and Summer were no exception. These technologies are rolled out without consultation with Palestinian Jerusalemites. Cameras appear on street corners that significantly impede how Palestinian Jerusalemites can comport themselves inside the sanctuary of their own homes. Palestinian social media users feel intimidated by social media platforms’ widespread censorship of political speech. They are further constrained as many users are questioned and detained by Israeli authorities for their social media activity, despite attempts to abide by broad incitement laws.

The intensification of surveillance over the past few decades, and especially since May of 2021, has led to widespread fear and insecurity among Palestinian Jerusalemites. The Israeli state presents itself as a democracy that adheres to privacy protections in the digital age. Yet Palestinian Jerusalemites are experiencing the steady erosion of their right to privacy, assembly, and freedom of expression.

