



## Online Smear Campaigns and Deplatforming: The Silencing and Delegitimization of Palestinian Human Rights Defenders, Activists and Organizations

*Prepared by Tamleh - The Arab Center for the Advancement of Social Media*

### Overview

For decades Palestinian human rights defenders, activists and organizations have been under attack from the Israeli government 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. 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 government, 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 government are built on disinformation and actively seek to draw false associations of legitimate political and/or human rights speech with what the government 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 concern in this paper is how Israel is working to dismantle Palestinian civil society and advocacy for Palestinian rights, with a focus on the impact of smear and delegitimization campaigns on the work of human rights organizations. These efforts have led to restraint exercised by governments and businesses over the funds for Palestinian organizations. Of particular interest for this paper is Israel’s work to ‘deplatform’ organizations by campaigning online financial payment 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.

In October 2019, the United Nations (UN) Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 noted with particular concern: <sup>1</sup>

"[...] the harmful practices employed by the political leadership and state authorities in Israel to silence human rights defenders’ criticism of certain government policies. This

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<sup>1</sup> Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. (2019, October 21). Situation of human rights in the Palestinian territories occupied since 1967. Retrieved from <https://undocs.org/A/HRC/40/73>



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includes verbal attacks, disinformation campaigns and de-legitimization efforts, as well as targeting of civil society funding sources [...] Those accused included respected European and Palestinian organizations such as Al-Haq, the Palestinian Centre for Human Rights and Al-Mezan."

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.

This position paper seeks to outline how Israel's institutionalized system works to create a system of discrimination globally, where Palestinian human rights organizations, defenders and activists are locked out or restricted on social, political and economic platforms, making them second class citizens of the digital world. The paper begins with an overview of the system Israel has developed which includes the mobilization of governmental, GONGOs and trolls to spread disinformation to decision makers worldwide with intents to delegitimize Palestinian human rights advocacy. This is carried out by publishing and disseminating disinformation, developing online blacklists and working directly to defund and deplatform organizations. The paper also seeks to illustrate some examples of how this has led to real world harm for Palestinian activists and organizations, and urges governments and businesses to more deeply engage with policies and practices that may result in discrimination against Palestinians and support for illegal Israeli efforts to globally subjugate Palestinians based on a network of biased government-coordinated institutions, online trolls and a slew of disinformation, harassment and intimidation.

### **International Law Obligations**

States and business enterprises play an increasingly important role in the global promotion and local implementation of human rights standards. States have obligations to respect, protect, and fulfill the human rights of all without discrimination. This includes ensuring that businesses operating in their territories comply with the UN Guiding Principles on Business and Human Rights.<sup>2</sup> This is particularly challenging as local laws vary in their compliance with international norms. For Palestinians, the fact that many of the social networks and economic platforms that dominate access to the networked web are based in the United States (US), means that these businesses are legally bound to at least comply with US law. Yet, US law includes restrictions on working with organizations or individuals on the State Department's list of Foreign Terrorist Organizations, which include many Palestinian political organizations and parties, in violation of the right of Palestinians

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<sup>2</sup> Office of the High Commissioner on Human Rights (2011). Guiding Principles on Business and Human Rights. Retrieved from [https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)



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to freedom of expression, including political affiliation, especially the US State Department's designations are controversial as there is no internationally recognized legal definition of terrorism.<sup>3</sup>

In the case of Palestinians the implications are even more severe, given the strategic fragmentation of the Palestinian people legally, politically and geographically, with Palestinians with Israeli citizenship within the Green Line, Israeli permanent residency imposed on Palestinians in Jerusalem, Israeli military law imposed on Palestinians in the West Bank and Gaza Strip, and Palestinian refugees and exiles denied their right of return as entrenched in Israeli laws, policies, and practices. Beyond the Green Line, Palestinians are further subjected to different authorities, primarily Israel, the occupying power, in addition to the Palestinian Authority in the West Bank and the Hamas authorities in the Gaza Strip. Israel's prolonged military occupation of the Palestinian territory, comprising the West Bank, including East Jerusalem, and the Gaza Strip, is governed by the Hague Regulations (1907) and the Fourth Geneva Convention (1949) as *lex specialis* and international human rights law as *lex generalis*. Article 43 of the Hague Regulations (1907) imposes obligations on Israel, as the occupying power, to temporarily govern the territory and ensure as far as possible, public order and civil life, while "respecting unless absolutely prevented, the laws in force in the country." As such, Article 43 of the Hague Regulations requires Israel to 'respect' the laws in force in the occupied Palestinian territory and 'restore' Palestinian civil society broadly conceived, including Palestinian non-governmental organizations (NGOs) which form an integral and material part of that civil society. By attempting to de-fund, silence and destroy organizations operating in the occupied Palestinian territory Israel is in violation of its Article 43 obligations to preserve a viable Palestinian civil society.

Palestinian rights should not only be considered through international human rights law, the parameters of international humanitarian law and the law of occupation, but also through an understanding of the unlawful political aims of Israel, which are being expanded both online and offline. 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<sup>4</sup>, and the more recent state of emergency in response to the coronavirus enacted by Israel and the

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<sup>3</sup> Schmid, Alex P. (2011). The Definition of Terrorism. In: Schmid, Alex P. (ed.). The Routledge Handbook of Terrorism Research, p. 39. Archived from the original on 20 February 2017. Retrieved from: <https://web.archive.org/web/20170220052128/https://books.google.com/books?id=PXpFxKRrHgC&pg=PA39>

<sup>4</sup> Amara, A. (2016, March). Srael's Perpetual "State of Emergency" Criminalizing Palestinian Civil Society and Political Dissent. Retrieved from <http://www.meezaan.org/Public/file/draft%203%20-%20final.pdf>



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Palestinian Authority.<sup>5</sup> This has created an enabling environment for further rights violations both online and offline.

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. 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.<sup>6</sup> Notably, Principle 7 of the UN Guiding Principles stipulates: “Because the risk of gross human rights abuses is heightened in conflict-affected areas, States should help ensure that business enterprises operating in those contexts are not involved with such abuses.” For their part, corporations must carry out human rights due diligence to prevent and mitigate the human rights-related risks of their activities and business relationships, in particular in conflict-affected settings and situations of occupation. Accordingly, companies must be committed to ensuring that their policies and practices do not further Israel’s systematic efforts to silence Palestinians in their human rights advocacy and free speech and put in place safeguards to ensure Palestinians’ rights are upheld on their platforms and their platforms are not exploited to further restrict space for Palestine advocacy.

### **Development of a Dangerous Narrative**

In the past few years, human rights defenders and organizations working to end Israeli human rights violations and advocate for the realization of Palestinian rights have found their organizations and members increasingly under attack from the Israeli, GONGOs, non-state actors and networks of trolls, who use social media networks and the internet to spread disinformation and smear the

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<sup>5</sup> Haaretz. (2020, March 23). Palestinian PM Orders West Bank Lockdown; More Than 1,000 Coronavirus Cases in Israel. Retrieved from <https://www.haaretz.com/israel-news/dozens-of-new-york-hasidic-jews-in-coronavirus-quarantine-after-arriving-in-israel-1.8689682>

<sup>6</sup> Amnesty International. (2019, January). “Israel and Occupied Palestinian Territories: Destination: Occupation Digital Tourism and Israel’s Illegal Settlements in the Occupied Palestinian Territories.” Retrieved from: <https://www.amnesty.org/en/documents/mde15/9490/2019/en/>



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reputations of Palestinian human rights defenders, activists and organizations. These campaigns are focused on intimidating, harassing, delegitimizing, defunding and ultimately silencing or shutting down human rights activists and organizations. In particular, Israel's institutionalized system has been attempting to draw a connection between Palestinian human rights defenders, activists and organizations and allegations of "terrorism," smearing them as "terrorist-supporting organizations," or smearing individual members as "terrorists." The Israeli system also works to delegitimize these organizations by publishing defamatory content, spreading it through networks of government-operated networks of online trolls, promoting biased versions of reality through government-operated organizations, and launching defunding and deplatforming campaigns whose sole purpose it is to silence Palestinians and those advocating for Palestinian rights.

### ***Governmental Publishing of Defamatory Content and Disinformation***

Over the years, many researchers, journalists and activists have attributed online smear campaigns to the work of the Israeli Ministry of Strategic Affairs (MSA).<sup>7</sup> The MSA was established in 2015 to "to act against the delegitimization and boycott campaigns against the state of Israel." Since Gilad Erdan assumed his ministerial position in May 2015, the MSA has escalated its targeting of human rights defenders, organizations and their donors, who are civil society groups critical of Israel. This includes the publication of three defamatory reports directly targeting human rights organizations and their supporters, "The Money Trail 1" (2018), "The Money Trail 2" (2019) and "TerroristsInSuits" (2019).<sup>8</sup> These reports blatantly smear human rights defenders, organizations and their supporter's credibility as well as Palestinian civil society as a whole.

In July 2018, in response to the MSA's publication of "The Money Trail 1," the European Union's foreign minister, Federica Mogherini, sent a personal, sharply worded letter to the Israeli Minister of Strategic Affairs Gilad Erdan, asking him to provide proof of his ministry's "vague and unsubstantiated" allegations that the European Union (EU) is financing terror and boycott activities against Israel through nonprofit organizations. The letter stated: "Allegations of the EU supporting incitement or terror are unfounded and unacceptable. The title of the report itself is also inopportune and misleading; it mixes terrorism with the boycott issue and it creates unacceptable confusion in the public eye regarding these two distinct phenomena."<sup>9</sup>

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<sup>7</sup> Ministry Of Strategic Affairs and Public Diplomacy (2019, August). About. Retrieved from [https://www.gov.il/en/departments/units/ministry\\_of\\_strategic\\_affairs\\_and\\_public\\_diplomacy](https://www.gov.il/en/departments/units/ministry_of_strategic_affairs_and_public_diplomacy)

<sup>8</sup> See specific post illustrating the images related to the #terroristsinsuits initiative <https://twitter.com/hashtag/TerroristsInSuits?src=hash>

<sup>9</sup> Landau, N. (2018, July) EU Blasts Israeli Minister: You Feed Disinformation and Mix BDS, Terror. Retrieved from: <https://www.haaretz.com/israel-news/.premium-eu-s-mogherini-to-israeli-minister-you-feed-disinformation-1.6280308>



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Similarly, the #TerroristsInSuits campaign was published by the Ministry of Strategic Affairs and premised on racist caricatures, attempting to depict Palestinian civil society organizations as essentially suspicious and terrorists, in order to discredit and defund them. The campaign used the hashtag #TerroristsInSuits<sup>10</sup> to smear human rights defenders credibility and Palestinian civil society as a whole. Among the human rights defenders targeted were Salah Hamouri, a French-Palestinian researcher with Addameer Prisoner Support and Human Rights Association,<sup>11</sup> and Shawan Jabarin, the General Director of Al-Haq.<sup>12</sup>

In one image, Palestinian human rights defender and director of the Palestinian Centre for Human Rights (PCHR), Raji Sourani, is shown smiling in a suit, juxtaposed with an image of a man armed with a machine gun and clad in a *keffiyeh* (traditional Palestinian headdress) in an image meant to portray his “terrorist” alter ego. The report notably has no date and no named author, does not cite credible sources, and does not withstand academic scrutiny.

In response to these attacks, in August 2019, Al-Haq submitted an urgent appeal to the UN Special Procedures regarding the impact of the smear and delegitimization campaign on their work, including death threats they received on Facebook.<sup>13</sup> Al-Haq called on the UN Special Procedures to take immediate and collective action to halt the ongoing online incitement by Israel and to intervene directly with Facebook to remove content that violates international human rights law and Facebook’s own community standards.

### **Coordinating Online Trolls**

In addition to directly publishing disinformation intended to smear the reputations of human rights organizations and their supporters, the Israeli government has been contracting GONGOs and other non-state actors and trolls to carry out its disinformation campaigns. Several of these organizations are working to conflate legitimate criticism of Israeli policies and practices and anti-Zionism with anti-Semitism and hate speech<sup>14</sup> and have designed strategies to manipulate social media

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<sup>10</sup> See specific post illustrating the images related to the #terroristsinsuits initiative. Retrieved from: <https://twitter.com/hashtag/TerroristsInSuits?src=hash>

<sup>11</sup> Stead, R. (2018, December 15). Detention is an instrument of Israel's oppression. Retrieved from: <https://www.middleeastmonitor.com/20181215-detention-is-an-instrument-of-israels-oppression/>

<sup>12</sup> Al Haq. (2018, December) Israel furious as the prestigious French human rights award goes to B'Tselem. Retrieved from: <https://www.middleeastmonitor.com/20181207-israel-furious-as-prestigious-french-human-rights-award-goes-to-btselem-al-haq/>

<sup>13</sup> Al Haq. (2019, August 24). Al Haq submits a joint urgent appeal to United Nations Special Procedures on the ongoing Israeli smear campaign against Al-Haq. Retrieved from: <http://www.alhaq.org/advocacy/14857.html>

<sup>14</sup> Gurvitz, Y. (2014, April 29). What Is NGO Monitor's Connection to the Israeli Government? Retrieved from: <https://972mag.com/what-is-ngo-monitors-connection-to-the-israeli-government/90239/>



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algorithms with the support of online trolls.<sup>15</sup> Their work includes both efforts to take down content critical of Israel and advocating for Palestinian human rights, as well as working to promote content intended to smear Palestinians that includes disinformation, racist hate speech and incitement to racial hatred and violence directed towards Palestinians.

In 2013, the Israeli Prime Minister's Office started a program called "*hasbara*," a Hebrew term that officials mask as "public diplomacy" but in reality constitutes propaganda, which was intended to combat criticism of Israeli policies by construing legitimate criticism and freedom of expression as hate speech.<sup>16</sup> This initiative provided students on Israeli university campuses with full or partial scholarships to combat "anti-Israel content online" to encourage further disinformation campaigns.<sup>17</sup> Similarly, Israeli Prime Minister Benjamin Netanyahu has thrown his support behind the people involved with Israel Under Fire, launching what he called a "diplomacy war room" of a similar nature to *hasbara*.<sup>18</sup> The government press office has not disclosed how much government funding was going to the trolling efforts, but it was partially funded by the Jewish Agency for Israel, a Zionist parastatal institution, which funds Jewish educational programming in illegal Israeli settlements in the West Bank and has defunded organizations attempting to educate Jews about how to support opposition to the Israeli occupation.<sup>19</sup>

In 2014, 400 Israeli students were engaged to push back against the outpouring of sympathy for Palestinians killed or wounded by the Israeli military attacks in the occupied Gaza Strip during "operation protective edge". The campaign was conducted by using the hashtag Israel Under Fire in what was known as the "Hasbara Room," which is run with university funding and donations.<sup>20</sup> The New York Times, however, also claims that tweeting images from the "Hasbara Room" have either

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<sup>15</sup> Ullah, A. (2018, November 14). Pro-Israel Activists Seek to Manipulate Online Response to Gaza Violence. Retrieved from:

<https://www.middleeasteye.net/news/pro-israel-activists-seek-manipulate-online-response-gaza-violence>

<sup>16</sup> CBS Local. (2013, August 14). Israeli Government Hiring Students To Post Anonymous Pro-Israel Messages On Social Media. Retrieved from:

<https://washington.cbslocal.com/2013/08/14/israeli-government-hiring-students-to-post-anonymous-pro-israel-messages-on-social-media/>

<sup>17</sup> Ibid

<sup>18</sup> Deutsche Welle. (2014, July 18). Israelis and Palestinians Battle on Social Media. Retrieved from:

<https://www.dw.com/en/israelis-and-palestinians-battle-on-social-media/a-17794060>

<sup>19</sup> Maltz, J. (2017, September 19) Jewish Agency Pulls Funding From Israel Experience Program Over West Bank Activism. Retrieved from:

<https://www.haaretz.com/israel-news/jewish-agency-pulls-from-israel-experience-program-over-west-bank-activism-1.5451824>

<sup>20</sup> Deutsche Welle. (2014, July 18). Israelis and Palestinians Battle on Social Media. Retrieved from:

<https://www.dw.com/en/israelis-and-palestinians-battle-on-social-media/a-17794060>





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been “misidentified, or even fabricated.”<sup>21</sup> Similarly, the Interdisciplinary Center (IDC) and the Israeli American Council (IAC), an American NGO that is backed by the settler-supporting mega-donor Sheldon Adelson, developed ACT.IL, an online platform that today organizes 15,000 active members and has offices in three countries.<sup>22</sup> Tested during Israel’s 2012 and 2014 attacks on Gaza, which resulted in thousands of civilian deaths, hundreds of Israeli university students joined a digital “war room”<sup>23</sup> to post pro-Israel content on social media in order to combat a wave of international outrage over the lopsided death toll. The organization coordinated groups of online trolls to like, comment, and share content that includes disinformation and hate speech directed towards Palestinians, and to report content that criticize Israel aiming at limiting pro Palestinian rights speech.<sup>24</sup> As described on the company website, the mission of the organization is to “influence on the international public opinion towards the state of Israel via social media platforms...and create an efficient and effective battle against the growing trend of the boycott movement (BDS) and the delegitimization of the State of Israel.”<sup>25</sup> The website encourages people to choose a daily “mission” which includes posting, sharing and working to remove content that is said to be “hateful against Israel or Israelis.” On the website, they state: “If the post goes against the platform’s policy, report it! Share it with us and we will help remove it!” Katie Joseff, research manager of the Digital Intelligence Laboratory at the Institute for the Future, a think tank that studies the social impact of technology, called ACT.IL’s campaign “This is a unique case of advanced digital political astroturfing...The basic idea is that governments develop infiltration strategies and content, and then use patriotic citizens and the bandwagon effect to disseminate information.”

In June 2016, *Haaretz* reported that Gilad Erdan, who was at the time the Israeli Minister of Strategic Affairs, was going to establish a “dirty tricks” unit to “establish, hire or tempt nonprofit organizations or groups not associated with Israel, in order to disseminate” negative information about human rights supporters.<sup>26</sup> While the details of these tactics are not known, in June 2017 the

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<sup>21</sup> Mackey, R. (2014, July 15). Young Israelis Fight Hashtag Battle to Defend #IsraelUnderFire. Retrieved from <https://www.nytimes.com/2014/07/16/world/middleeast/young-israelis-fight-hashtag-battle-to-defend-israelunderfire.html>

<sup>22</sup> Winstanley, A. (2019, June 12). Inside Israel's million-dollar troll army. Retrieved from <https://electronicintifada.net/content/inside-israels-million-dollar-troll-army/27566>

<sup>23</sup> Mackey, R. (2014, July). New York Times. “Young Israelis Fight Hashtag Battle to Defend Israel Under Fire. Retrieved from:

<https://www.nytimes.com/2014/07/16/world/middleeast/young-israelis-fight-hashtag-battle-to-defend-israelunderfire.html>

<sup>24</sup> Daro, Ishmael. (2018, September). BuzzFeed News. How An App Funded By Sheldon Adelson is Influencing the Online Conversation About Israel. Retrieved from:

<https://www.buzzfeednews.com/article/ishmaeldaro/act-il-social-media-astroturfing-israel-palestine>

<sup>25</sup> ACT.IL. (2017). About us. Retrieved from: <https://act-il.com/about-us/>

<sup>26</sup> Oren, A. (2016, June 20). Israel Setting Up 'Dirty Tricks' Unit to Find, Spread Dirt on BDS Groups. Retrieved from <https://www.haaretz.com/israel-news/.premium-israel-setting-up-dirty-tricks-unit-to-spread-dirt-on-bds-groups-1.5397740>





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Ministry of Strategic Affairs launched the website 4IL.org.il<sup>27</sup> which recruits people to disseminate content from the Ministry of Strategic Affairs as well as pro-Israel content which is often spreading disinformation, including about the legal status of Jerusalem under international law. A recently featured article on 4IL.org.il celebrates “50 years since the reunification of Jerusalem,” promoting disinformation about the city’s illegal annexation by Israel.<sup>28 29</sup>

Israel’s work is also coordinated through biased monitoring institutions who present themselves as defenders of universal facts and truth, but actively promote biased versions of reality through their online reports, videos and activities. A prime example of this can be found in the work and activities of the Middle East Media Research Institute (MEMRI). While the organization, whose work is subsidized by US taxpayers as it is registered as an “independent, non-partisan, non-profit” organization and has tax-deductible status under US law,<sup>30</sup> presents itself as an informative institution,<sup>31</sup> over the years, journalists, academics and fact-checking institutions have questioned the legitimacy of MEMRI. As Vincent Cannistraro, a former CIA counterintelligence official pointed out, MEMRI “are selective and act as propagandists for their political point of view, which is the extreme-right of Israel’s Likud party. They simply don’t present the whole picture.”<sup>32</sup> Furthermore, US academic and Middle East scholar Juan Cole has referred to MEMRI as a “neoconservative organ” due to its founders’ political affiliations and links with prominent neoconservative institutions and individuals.<sup>33</sup> Additionally, in a report by the Center for American Progress, titled “Fear, Inc.: The Roots of the Islamophobia Network in America,” MEMRI is listed as promoting Islamophobic propaganda in the USA through supplying selective translations upon which several organizations rely “to make the case that Islam is inherently violent and promotes extremism.”<sup>34</sup>

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<sup>27</sup> Israel Today. (2017, 5). Times of Israel. Israel Launches Iron Dome of Truth Website at Celebrate Israel Parade. Retrieved from:

<https://www.timesofisrael.com/israel-launches-iron-dome-of-truth-app-at-celebrate-israel-parade/>

<sup>28</sup> International Crisis Group (2019, June 12). Reversing Israel’s Deepening Annexation of Occupied East Jerusalem. Retrieved from:

<https://www.crisisgroup.org/middle-east-north-africa/eastern-mediterranean/israelpalestine/202-reversing-israel-s-deepening-annexation-occupied-east-jerusalem>

<sup>29</sup> Human Rights Watch (2020, January). Annual Report: Israel and Palestine: events of 2019. Retrieved from:

<https://www.hrw.org/world-report/2020/country-chapters/israel/palestine>

<sup>30</sup> Whitaker, B. (2002, August 12). Selective Memri. Retrieved from:

<https://www.theguardian.com/world/2002/aug/12/worlddispatch.brianwhitaker>

<sup>31</sup> MEMRI. (n.y.). About. Retrieved from <https://www.memri.org/about>

<sup>32</sup> Perelman, M. (2001, December 7). No Longer Obscure, Memri Translates the Arab World But Detractors Say a Right-Wing Agenda Distorts Think-Tank’s Service to Journalists. Retrieved from:

<https://web.archive.org/web/20011206222409/http://www.forward.com/issues/2001/01.12.07/news7.html>

<sup>33</sup> Cole, J. (November 2, 2004), Bin Laden’s Audio: Threat to States?. Retrieved from:

<https://web.archive.org/web/20061208111006/http://www.juancole.com/2004/11/bin-ladens-audio-threat-to-states.html>

<sup>34</sup> Fear, Inc. (2011, August). The Roots of the Islamophobia Network in America. Retrieved from:

<http://www.americanprogress.org/issues/2011/08/pdf/islamophobia.pdf>



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Lastly, the president and co-founder of MEMRI, Yigal Carmon has a long relationship with the Israeli military intelligence service and later counter-terrorism advisor to Israeli prime ministers.<sup>35</sup>

This same model of using a seemingly independent monitoring organization to spread disinformation and to delegitimize Palestinian human rights defenders, activists and organizations is also replicated when examining the activities carried out by UN Watch. This Geneva-based non-governmental organization, founded by the American Jewish Committee in 2001,<sup>36</sup> has a stated mission “to monitor the performance of the United Nations by the yardstick of its own Charter.”<sup>37</sup> As several Palestinian organizations are active in the UN fora, in particular the Human Rights Council, UN Watch has worked to develop narratives that delegitimize these organizations and their human rights advocacy work. To this aim, the organization is working to create distrust of the UN itself, while particularly focusing on developing a narrative about “unfair” treatment of Israel. The organization publishes many propaganda videos on Youtube designed to delegitimize the UN as a whole, and civil society engaging with the UN in particular.<sup>38</sup> The organization also works to delegitimize/ label support for Palestinian rights as anti-Semitic.<sup>39</sup> Ian Williams, a journalist covering the UN for many years and former president of the UN Correspondents Association, summarizes UN Watch’s role as follows: “UN Watch is an organization whose main purpose is to attack the United Nations in general, and its human rights council in particular, for alleged bias against Israel.”<sup>40</sup>

### **Blacklists**

Israel works to smear human rights activists, defenders and organizations through the use of blacklists compiled by Israeli-operated NGOs, or GONGOs. The publication of an organization or an activist on one of these blacklists can increase the risk of having the organization or activists denied entry to Israel, as well as the occupied Palestinian territory, defunded, de-platformed (both offline and online), or experiencing violence against members of the organization or individuals. Many organizations are increasingly targeted by Israeli government ministries, GONGOs and organized campaigns of trolls after appearing on these blacklists. This often prompts responses in organizations internally, while externally organizations may stay quiet in fear of being further targeted or due to the fact that they can’t spend/ shift resources that are allocated for their human rights work and work with the communities they serve on/to combating these attacks. These often

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<sup>35</sup> MEMRI. (n.y.). About. Retrieved from <https://www.memri.org/about>

<sup>36</sup> Satil, L. (2006). Inaccuracies Email. Retrieved from: [https://www.sourcewatch.org/index.php?title=UN\\_Watch\\_email\\_to\\_Spinwatch\\_on\\_%27Inaccuracies%27](https://www.sourcewatch.org/index.php?title=UN_Watch_email_to_Spinwatch_on_%27Inaccuracies%27)

<sup>37</sup> UN Watch. (n.y.). About: Retrieved from: <https://unwatch.org/en/>

<sup>38</sup> See examples of such videos here: <https://www.youtube.com/channel/UC0BEdfpLEGzPtPD3O8-XgQ>

<sup>39</sup> UN Watch. (n.y.). About: Retrieved from <https://unwatch.org/en/>

<sup>40</sup> Williams, I. (2007, April 4). Casting the first stone. The Guardian. Retrieved from: <https://www.theguardian.com/commentisfree/2007/apr/04/itwasamakemydayevent>



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require organizations to consult legal experts in how to prepare for the potential swarm of legal attacks or in recent years digital security attacks that can increase as a result of appearing on a blacklist.

Israel's **Population and Immigration Authority's** procedures have made arbitrary and discriminatory decisions about entry into Israel and the occupied Palestinian territory and keep a "blacklist" of activists denied entry<sup>41</sup>, relying, among others, on data from the internet and social media. While the authority claims that their decision to prevent entry is based on the active, continuous, ongoing and public boycott of Israel, activists have found that private information has been used in the creation of black lists used by the Population and Immigration Authority and passed to foreign countries,<sup>42</sup> which means that Israel is likely collecting non-public personal information about international activists and organizations, using, for example, intrusive surveillance and spyware, and sharing this information with other states.<sup>43</sup> As the Israeli government stated in its refusal to provide the names of activists on the Population and Immigration Authority's blacklist following a Freedom for Information request, the use of non-public data constitutes a violation of the right to privacy.<sup>44</sup> In addition, efforts have been made to make the Ministry of Strategic Affairs' work classified.<sup>45</sup> The development of such lists of activists shows the oppressive nature of Israel's institutionalized system over the Palestinian people and its efforts to delegitimize supporters of Palestinians rights and deny them entry to Palestine. Utilizing this information, and the Anti-BDS Law enacted in 2017<sup>46</sup>, several people have now been denied entry into Israel and the occupied Palestinian territory, including two US congressional representatives, seven French politicians and EU parliamentarians. The same law, and the information collected online, was also used in 2019 to make a case for the deportation of human rights defender and Director of Human Rights Watch in Jerusalem, Omar Shakir.<sup>47</sup> However, there are countless more bans that have been imposed, including 10-year bans or bans of different lengths without explanation or justification for their denial of access, on an entirely discriminatory and often arbitrary basis. This is primarily motivated by the unwillingness to allow international

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<sup>41</sup> Adalah. Israel releases 'BDS blacklist' banning 20 NGOs from entering country. Retrieved from: <https://www.adalah.org/en/content/view/9347>

<sup>42</sup> Wistanly, A. (2017, July). Electronic Intifada. Israel Spied On Interfaith Delegation's Emails Activist Says. Retrieved from: <https://electronicintifada.net/blogs/asa-winstanley/israel-spied-interfaith-delegations-emails-rabbi-says>

<sup>43</sup> Maltz, Judy. (2017, July). Haaretz. "These Four Things Will Get You Barred from Entering Israel". Retrieved from: <https://www.haaretz.com/israel-news/israel-s-bds-travel-ban-these-4-things-will-get-you-barred-1.5434933>

<sup>44</sup> Ibid

<sup>45</sup> Ibid.

<sup>46</sup> The Entry to Israel Law (Amendment No. 27) (Denying a Visa and Residency Permit for Advocates of Boycotting Israel), 2017. See more: <https://www.adalah.org/en/content/view/9057>

<sup>47</sup> Human Rights Watch (2019, November 25). Israel Expels Human Rights Watch Director Today. Retrieved from: <https://www.hrw.org/news/2019/11/25/israel-expels-human-rights-watch-director-today>



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access to the territory to observe the human rights situation for themselves as well preventing individuals and organizations from showing solidarity towards the Palestinian people, but also - of course - the denial of the right of return of Palestinians, which means that there is heightened scrutiny on who can come in and out, including extensive background checks that sometimes require individuals coming into the country to open their emails to be examined by Israeli airport and border security.<sup>48</sup> This creates a coercive environment and largely contributes to silencing any opposition to Israeli policies and practices for fear of being denied entry.

In addition to governmental bodies, there are several organizations that create blacklists of activists and organizations online in order to intimidate and limit their space for freedom of expression and opinion. One of the most well-known examples is **NGO Monitor**, whose declared goal is to promote “transparency and accountability of NGOs claiming human rights agendas, primarily in the context of the Arab-Israeli conflict.”<sup>49</sup> This is a disingenuous description. In fact, years of experience show that NGO Monitor’s overarching objective is to defend and sustain government policies that help uphold Israel’s oppression of and subjugation and control over the Palestinian people, in order to prevent them from exercising their inalienable rights.<sup>50</sup> NGO Monitor has also publicly boasted of its close ties to the Israeli Ministry of Strategic Affairs to facilitate lobby meetings in European capitals, sometimes attending them along with Israeli diplomats.<sup>51</sup> The organization’s close ties to the government enable it to provide Israeli ministries and diplomatic missions with misleading information in order to use them to delegitimize human rights organizations and to pressure US and European counterparts to stop funding them. In Israel, it also acts as a catalyst for repressive legislation that selectively targets NGOs and their funding sources.<sup>52</sup> Its website blacklists some 250 Israeli, Palestinian, European and international organizations of this kind.

Similarly, the **Canary Mission** has tasked itself with “documenting people and groups that promote hatred of the USA, Israel and Jews, as well as aims to investigate hatred across the North American political spectrum, including the far right, far left and anti-Israel activists.”<sup>53</sup> Its website now hosts more than 1,000 profiles including those of professors, intellectuals, and a wide range of people who are supporters of Palestinian human rights,<sup>54</sup> and it has worked on silencing supporters of

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<sup>48</sup> The times of Israel. (2013, April 24). Israel approves email checks at the border. Retrieved from <https://www.timesofisrael.com/israel-approves-email-checks-at-the-border/>

<sup>49</sup> NGO Monitor. (n.y.). FAQ. Retrieved from: <http://www.ngo-monitor.org/about/faqs>

<sup>50</sup> NGO Monitor (2018, September). Shrinking Space: Defaming human rights organizations that criticize the Israeli occupation. Retrieved from [http://policyworkinggroup.org.il/report\\_en.pdf](http://policyworkinggroup.org.il/report_en.pdf)

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Canary Mission. (n.y.). About. Retrieved from: <https://canarymission.org/>

<sup>54</sup> Against Canary Mission Project. (n.y.). About. Retrieved from: <http://againstcanarymission.org>



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human rights and Palestinian rights on college campuses through intimidation.<sup>55</sup> As a result of the Canary Mission's capacity to impact the lives of those targeted on their site, a counter-response developed in the form of a website called "Against Canary Mission," which includes verified profiles of the activists profiled on the Canary Mission website to show how the website attempts to smear these activists. Various critics have compared Canary Mission's practice of extorting apologies from targeted individuals in exchange for amnesty to that of authoritarian regimes and McCarthyism in the US.<sup>56</sup>

### Deplatforming & Defunding

Israel's efforts to smear Palestinian human rights defenders, activists and organizations using disinformation is intended to result in real world harm. This includes Israeli efforts to deny Palestinian activists and human rights organizations opportunities to advocate for human rights directly and on social media platforms or denial of funding and access to online financial platforms. These efforts are intended to deny human rights activists and organizations the resources to carry out their human rights work, thereby undermining the role of civil society organizations, in violation of the right to freedom of association.

For years, civil society has been working to stop the Israeli Ministry of Justice's Cyber Unit from unlawfully submitting "voluntary" requests for content to be censored by social media companies including Facebook and Google. These requests are based on alleged violation of domestic laws as well as the intermediaries' own Terms of Service (ToS) but are being submitted without any legal procedure, without granting targeted users the right to be heard in the decision, and without the users' knowledge.<sup>57</sup> Adalah and Association for Civil Rights in Israel argue that "the prosecution's cyber unit cannot submit "voluntary" requests to bypass constitutional and administrative norms, including transparency and due process."<sup>58</sup>

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<sup>55</sup> Committee on American Freedom. (2018, April 18). Exposing Canary Mission. Retrieved from:

<https://mesana.org/advocacy/committee-on-academic-freedom/2018/04/18/exposing-canary-mission>

<sup>56</sup> Kazis, J. N., & Casey, N. (2018, August 3). Canary Missions threat grows from US campuses to the Israeli Border. Retrieved from:

<https://forward.com/news/national/407279/canary-missions-threat-grows-from-us-campuses-to-the-israeli-border>

<sup>57</sup> Adalah. (2019, November). Israel State Attorney claims censorship of social media content, following Cyber Unit requests, isn't an 'exercise of gov't authority'. Retrieved from:<https://www.adalah.org/en/content/view/9859>

<sup>58</sup> Ibid



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While Israeli efforts to defund organizations have a long history, including donor vetting procedures<sup>59</sup> conditioning funding to Palestinian organizations based on political opinion affiliation, a less discussed aspect of these efforts is how Israel has also been working to block Palestinians access to financial payment platforms. Israel has been working to get companies that currently provide financial payment services to Palestinian organizations to deplatform, or remove those organizations from their platforms, using erroneous information that attempts to draw relationships between Palestinian human rights activists and organizations and allegations of “terrorism” and so-called “terrorist” organizations. In 2020, Global Giving, a crowdfunding platform, deplatformed Defense for Children International - Palestine (DCIP) after receiving a series of letters from the Israeli GONGO, UK Lawyers for Israel, alleging “links” to so-called “terrorist” organizations. In the case of DCIP, the efforts of UK Lawyers for Israel were initially very successful, with companies like Citibank, Arab Bank and Global Giving announcing that they would discontinue their services to DCIP.<sup>6061</sup>

This not only hurts DCIP and their core human rights work but further contributes to creating a new reality, where Palestinian human rights organizations are deplatformed and blocked from internet financial platforms, in violation of international human rights law, in particular the right to freedom of expression enshrined in Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and the right to freedom of association under Article 22 of the ICCPR. In another case, Shurat HaDin, an Israeli lawfare GONGO, managed to pressure a San Francisco- based start-up for crowdfunding to close the account of a Palestinian human rights organization.<sup>62</sup> Overall, deplatforming and defunding measures further show Israel’s systematic efforts to subjugate Palestinians offline and online, which may not only cause real world consequences and harm for the organizations in Palestine, but which may entrench the current discriminatory trends in the digital economy around the world as Israel and other States work to instrumentalize the web for illegal political aims, resulting in delegitimization of human rights defenders, censorship and silencing.

While many technology companies continue to provide vital financial services to Palestinians and human rights organizations, it is important to note how Israel misleads technology companies, resulting in violations of Palestinian human rights. Lastly, Israel is working to deplatform Palestinian

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<sup>59</sup> Maan Development Center. (2011, January). Matrix of Control the Impact of Conditional funding on Palestinian NGOs. Retrieved from: <https://www.maan-ctr.org/old/pdfs/FSReport/PositionPaper.pdf>

<sup>60</sup> UKLFI (2018, June 26). Banks withdraw services from terror linked NGO. Retrieved from: <http://www.uklfi.com/banks-withdraw-services-from-terror-linked-ngo>

<sup>61</sup> UKLFI (2019, June 6). GlobalGiving UK is pulled from DCI-P’s donations page. Retrieved from: <http://www.uklfi.com/globalgiving-uk>

<sup>62</sup> Center for Constitutional Rights (2018, December 21). Donor Box Suspends BDS National Committee’s Account after Threats from Israeli Legal Group. Retrieved from: <https://www.commondreams.org/newswire/2018/12/21/donorbox-suspends-bds-national-committees-account-after-threats-israeli-legal>





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organizations and activists from social networks by advocating for expansive, discriminatory definitions of policies related to allegations of “terrorism” and extremist content, hate speech and incitement to racial hatred. This strategy is well known, with many organizations outwardly calling for policies of social media companies to be changed and for expansive definitions of terrorism, hate speech and incitement to violence to be instated that will ultimately silence legitimate human rights discourse and Palestinian human rights defenders, activists and organizations.<sup>63</sup>

### **Conclusion & Recommendations**

Respecting and committing to protecting Palestinian digital rights must be an integral part of the policies and practices of States and businesses. As this paper shows, Palestinian digital rights and human rights are increasingly being violated online and offline by a systematic Israeli government-led effort to silence Palestinian voices and Palestinian human rights advocacy. Through government ministries, GONGOs and online trolls, Israel carries out illegal smear and delegitimation campaigns and oppresses Palestinian space online and offline in an effort to further the subjugation of Palestinians and to prevent human rights defenders, activists and organizations from effectively challenging Israel’s institutionalized system of oppression and domination over the Palestinian people. These efforts result in real world harm as governments, companies, and banks bow to pressure from Israel. While these groups claim that their efforts are non-discriminatory, they actually create and use disinformation to delegitimize and undermine legitimate human rights work and advocacy on Palestine. Third states, companies and civil society must work to protect civil society space and the vital work of human rights defenders and organizations, and in doing so oppose smear and delegitimization campaigns that seek to silence them from challenging Israel’s illegal policies and practices. In particular, States and companies must ensure a safe environment for Palestinian human rights defenders, activists and organizations to enable them to carry out their work. The recommendations in this paper draw on the obligations of States and companies under international human rights law and international humanitarian law.

### Third States

1. Third States must uphold the right of Palestinians to freedom of expression and association and ensure that they do not contribute to or otherwise support Israeli smear and delegitimization campaigns targeting human rights defenders, activists and organizations,

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<sup>63</sup> Nashif, N. (2019, May 21). The Rise in Hate Speech Targeting Palestinians in Israeli Social Media. Retrieved from <https://al-shabaka.org/memos/the-rise-of-hate-speech-targeting-palestinians-in-israeli-social-media/>



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including by refraining from defunding Palestinian organizations on the basis of online disinformation campaigns and unsubstantiated allegations;

2. Third States must condemn and call on Israel to immediately end all smear and delegitimization campaigns targeting human rights defenders, activists and organizations, including efforts to delegitimize, criminalize or restrict political dissent or criticism of Israel as freedom of expression is protected by international human rights law whether online or offline;
3. Third States must oppose shrinking civil society space and support the work of human rights defenders and organizations advocating for Palestinian rights and seeking justice and accountability under international law;
4. Third States must ensure that corporations domiciled in their territory are not involved in gross human rights abuses in conflict-affected areas, including in the occupied Palestinian territory, and work to bring an end to corporate complicity in Israel's occupation and illegal settlement enterprise.

### Business enterprises

1. Business enterprises must carry out human rights due diligence to prevent and mitigate the human rights-related risks of their activities and business relationships, in particular in conflict-affected settings and situations of occupation, including in the occupied Palestinian territory, in line with the UN Guiding Principles on Business and Human Rights;
2. Business enterprises must ensure that their policies and practices do not further Israel's systematic efforts to silence Palestinian human rights advocacy and free speech and put in place safeguards to ensure Palestinians' rights, in particular to freedom of expression and freedom of association, are upheld on their platforms;
3. Technology companies must be aware of the way their products are exploited to further the shrinking space for civil society, human rights defenders and activists, particularly when it comes to the involvement of States, non-State actors and trolls in online smear campaigns that seek to delegitimize and silence legitimate human rights work, including through unsubstantiated allegations of "terrorism" or allegations of affiliation to "terrorism" or "terrorist" organizations;
4. Company policies related to counter-terrorism must ensure that their definitions are not overbroad and vague and do not violate or enable violations of international human rights law by undermining the right to free speech online;



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5. Companies must remove content that intends to smear Palestinian human rights defenders, activists, or organizations as “terrorists” and dangerous organizations, they must develop clear definitions of disinformation and accounts of sources known to spread disinformation online should be removed;
6. Business enterprises must create a fair and open right to appeal any material impairment, suspension, or termination of service. This should include the statement of a reason for the denial of service at the time of denial, with a clear explanation of the specific activities that led to the denial;
7. Business enterprises must provide a neutral decision-maker with sufficient expertise in the matters pertaining to the denial to adjudicate the appeal;
8. Business enterprises must periodically test the company’s policies and procedures to ensure that they do not result in discrimination against any persons or groups.