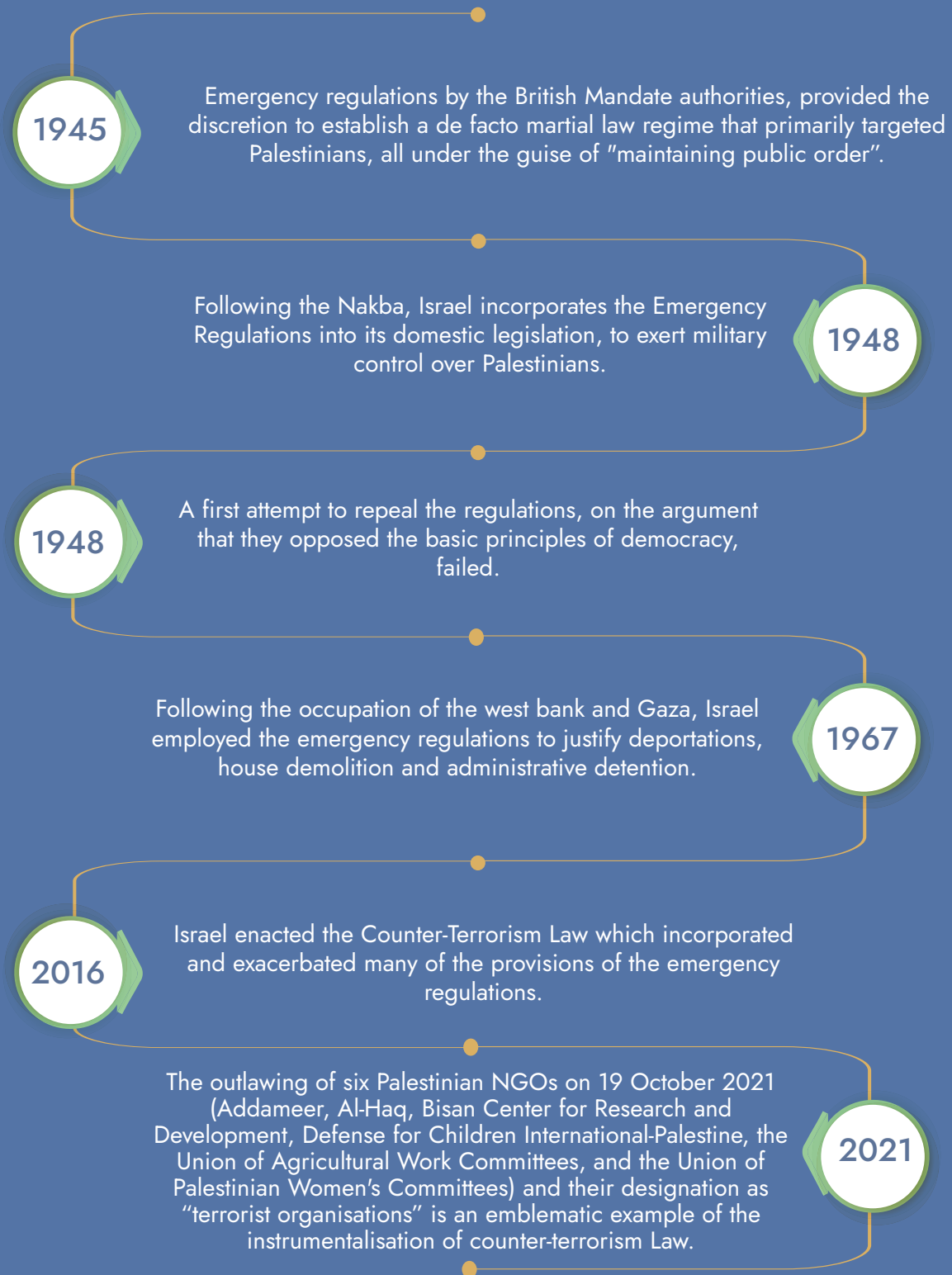


THE USE OF COUNTER-TERRORISM LEGISLATIVE FRAMEWORK TO RESTRICT CIVIC SPACE

ISRAEL / PALESTINE

In Israel/Palestine, Israel has been refining for decades its systematic strategy to label any attempt to counter the official, mainstream Israeli narrative as terrorism.

HISTORY



ISRAEL'S COUNTER-TERRORISM LEGISLATIVE FRAMEWORK

Counter-Terrorism
Law (5776-2016)

1945 Defense (Emergency)
Regulations

Gives authority to the Israeli Defence Minister to designate "terrorist organisations", based on a vague definition of terrorism. Applied with broad discretion to target almost exclusively Palestinian organisations operating in full accordance with the law, and to stop their operations, seize their assets, and levy penalties against their directors, staff, and supporters, with no fair trial guarantees.

Gives authority to declare organisations as "unlawful associations" and contains provisions for establishing military tribunals to civilians without right of appeal, allowing seizures and demolitions of houses, detaining individuals administratively for an indefinite period, sealing off particular territories, and imposing curfew.

COMMON PRACTICES



Intimidation and collective punishment

Common intimidatory praxes include death threats, military orders by occupying authorities, outlawing of student groups and cultural associations, raids and confiscation of equipment, visa refusal. Collective punishment include home demolitions, movement restriction in Palestinian communities, curfew and, in its very essence, the ongoing illegal blockade of Gaza.



Online surveillance

Israel relies on the counter-terrorism argument to exert control over the online space, including the removal of digital content, limitations in the use of PayPal, crowdfunding platforms and e-commerce, but also through spywares and military infrastructures. Israel also uses the Counter-Terrorism Law to criminalize online Palestinian expression and association.



Lawfare and disinformation

The Israeli government supports disinformation groups aiming at discrediting local voices of dissent, aiming at defunding civil society organisations. Common accusations are antisemitism, ties with BDS movement, ties with organisations or entities designated as "terrorist organisations".



Lack of due process

The Minister of Defense and military commander have wide discretion in the designation of organisations as "Terrorist Organisation" and unlawful associations, with immediate application of the far-reaching consequences, including suspension of all activities. Challenging such designation is almost impossible as it can be based on "secret evidence".



Defunding

Disinformation campaigns have also targeted banks, donors and partner NGOs, contributing to create a risk perception, that has led banks, financial service providers and digital platforms to interrupt relationships with the designated NGOs, their transactions being delayed or refused by European banks despite no breach of EU counter-terrorism law.

