



Crackdown on Freedom of Speech of Palestinian Citizens of Israel

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Since Saturday, 7 October 2023, when Israel launched a full-scale retaliatory assault on the Palestinian people in Gaza, following an unprecedented and brutal attack by Hamas militants on Israeli civilians, Palestinian citizens of Israel (PCI), as well as some of Jewish Israelis, have faced political persecution and a severe crackdown on their freedoms of expression and assembly. This suppression results from a widespread, coordinated effort among government offices, Israeli institutions, and extreme right-wing groups, all of which are targeting Palestinians and others who voice their support for, or solidarity with, the people of Gaza. The crackdown on freedom of speech has created a situation in which Palestinian citizens of Israel can neither protest nor freely voice their opinions online, in which speech and dissent against the war is silenced, amid pervasive self-censorship.

This paper outlines the various ways in which Palestinian citizens of Israel (PCI) are currently facing severe repression and political persecution. Such measures include punitive measures against PCI students within Israeli academic institutions, the firing and suspension of Palestinian workers, mass arrests and detentions related to social media posts, a police ban on solidarity protests with the Palestinian people in Gaza, the suppression of speech by Palestinian lawyers, and incitement against representatives of Palestinian political parties, and even suspensions of Members of Knesset from the Israeli parliament for their speech. These measures together constitute a draconian crackdown on the free speech rights of PCI and political persecution against them as a group.

I. Expulsion / Suspension of PCI Students by Israeli Academic Institutions

Since 7 October 2023, Adalah has received over 100 reports from Palestinian students in Israeli academic institutions that they have faced repression based on their expressions on social media platforms. There have been dozens of cases in which Israeli universities and colleges have initiated disciplinary proceedings against PCI students, suspending and in some cases expelling them, solely for posts made on their personal social media accounts. The academic institutions allege that the posts in question violate their disciplinary regulations by either “supporting terrorism” or “sympathizing with terror organizations”. [As of 14 November, Adalah is monitoring 110 cases and directly representing 91 Palestinian students enrolled in 32 Israeli universities and colleges in disciplinary procedures against them.](#) In these cases, 52 Palestinian students faced suspension prior to a hearing, while eight were expelled without a hearing, and an additional three were expelled from their dormitories without prior notice or the opportunity for a hearing. Adalah has represented students in 47 disciplinary hearings, and in 32 cases

decisions have been delivered. Of these cases, eleven resulted in acquittals, cancellation, or exoneration on the basis of reasonable doubt. Three cases resulted in up to one-semester suspensions, two in suspensions for longer periods, and seven in expulsions. In seven cases, academic institutions also imposed what they refer to as “educational punishments”, including reprimands, mandatory apologies, participation in educational courses, and volunteer work.

In many of these cases, students expressed solidarity with the Palestinian people in Gaza, posted posts that are completely arbitrary and irrelevant to the war or Hamas, provided context to the attack of Palestinian militants on 7 October and the events that led up to it, quoted verses from the Quran, or actions that lie well within the realm of freedom of expression and religion. These draconian actions were prompted by complaints received from political, far-right student groups that targeted Palestinian students at their academic institutions and monitored their social media accounts.

The Minister of Education, Yoav Kish, publicly backed these disciplinary actions. He [issued a letter](#) [unofficial English translation of the letter is available [here](#)] in which he stated that the schools must “immediately suspend any student or employee who supports the barbaric terrorist acts currently experienced in the State of Israel,” and that, “In cases where there is indeed incitement, [you must] order a permanent expulsion.”

The Chairperson of the National Union of Israeli Students also [issued a letter](#), in response to a letter by the Academia for Equality, stating that, “Since the beginning of the war, we have been and continue to be exposed to dozens of posts and comments expressing strong support for terrorism and incitement to terrorism. We will not stop until those students are immediately removed from the academy... At this juncture, I would like to commend Western countries such as Germany and France that have banned the waving of Palestinian flags, and I will act to ensure that this policy is also adopted in Israel.”

[Many Israeli academic institutions](#) also published official statements declaring that there will be “zero tolerance” for “supporting terrorism” and have proceeded to suspend or expel students in a manner that targets Palestinian students whose posts express their Palestinian identity or solidarity with the Palestinian people in Gaza.

II. Job Terminations, Suspensions, and Demotions of PCI Workers

Adalah and many civil society organizations received reports of Palestinian employees, citizens of Israel, who have been suspended or terminated from their workplaces due to their social media posts or other expressions. Adalah received reports from more than 90 PCI who have been fired or suspended from their jobs in various sectors, including retail, hospitals, high-tech, private companies and others. For instance, [Hasharon Hospital announced on 18 October](#) that it had decided to remove Dr. Abd Samara from his position as the Head of the Department of Cardiac Intensive Care, solely on the basis of a Facebook post in which, the hospital alleges, he “praises the Hamas invasion of Israel.” This decision was [reported to be based](#) on his profile

picture (from 2022), which features the Islamic flag - a green flag with the Muslim *Shahada or declaration of faith* - and a post containing a quotation from the Quran. According to reports, the hospital erroneously alleged that the flag was a Hamas flag, and the Minister of Health [quickly posted](#) that the doctor had Hamas flags on his profile, reiterating its policy of “zero tolerance for supporters of terrorism in the health system”.

On 11 October 2023, Israel's Civil Service Commission [issued a letter](#) addressed to all governmental bodies, directors of public hospitals, and statutory organizations. In the letter, the commission noted that it had observed statements supporting terrorism and expressing views hostile to the State of Israel. The commission advised that if any of the aforementioned bodies should encounter such statements made by their workers, they should contact the commission for instructions on the appropriate steps to be taken against the employees, including immediate suspension. The commission further noted that, “employees of the state are subject to various restrictions regarding their freedom of expression”, which extend “to private capacities and social media”. This letter essentially encourages state bodies to monitor their employees' private social media accounts, and take discriminatory measures against them.

III. Unlawful Arrests and Detentions

As of 7 November 2023, Adalah is monitoring 251 cases of arrests and detentions statewide (excluding cases in the Jerusalem District). These cases include arrests, interrogations, and “warning talks” by the police or Shin Bet security agency.¹ Of these 251 cases, 121 are linked to social media posts, and 31 involve arrests made during demonstrations. The remaining cases are associated with recent events, including allegations of obstructing police work during arrests, and engagement in political or religious activities. In at least 132 cases, the police filed at least one request with the court to extend detentions.

The arrests are primarily based on suspicions of “incitement to terrorism” and/or “identifying with terror organizations,” as defined in Article 24 of Israel’s Counter-Terror Law, as well as some cases with suspicions of “inappropriate conduct that might disturb public peace,” as defined in the Israeli Penal Law. According to [official data published by the State Attorney’s Office](#), as of 13 November, 76 indictments have been filed since 7 October involving charges of “incitement to terrorism” and/or “identifying with terror organizations”. According to [official data from until 30 October 2023](#), the State Attorney’s office approved criminal investigations against 103 individuals under Article 24 of Israel’s Counter-Terrorism Law. The police noted that it has not been able to gather precise data regarding the ethnic-national background of suspects, but indicated that at least 95% of them were Arab. For context, during the entire period between 2018-2022 (five years), the State Attorney’s office approved only 78 investigations of this kind.

As of 13 November, Adalah documented 70 indictments filed, including 34 against Palestinian citizens of Israel and 35 against Palestinians in the Jerusalem district. In each of these cases the State Attorney’s Office has sought an extension of detention until the conclusion of

¹ The data includes cases where Adalah, directly or indirectly, provided legal consultation or representation.

proceedings. Of these indictments, 43 have been thoroughly examined by Adalah, all of which involved charges of incitement to terrorism, identification with a terrorist organization, or other charges under Israel's Counter-Terrorism Law. Contrasting with the 16 indictments filed in 2021, including the events of May 2021, in the past month alone nearly five times as many indictments were filed with charges under Article 24 of Israel's Counter-Terrorism Law.

According to the [Police Spokesperson](#), as of 19 October, a task force led by National Security Minister Itamar Ben-Gvir, which was [established in February 2023](#) with the aim of combating incitement to terrorism on social media, had looked into 180 cases involving what they allege to be incitement, leading to 63 arrests. The Police Spokesperson cited these statistics in a radio interview during which he made statements inciting against PCI. For example, he said that, "Anyone who dares, in their extreme audacity, to seek approval for holding a demonstration in support of Gaza ... we will arrive and will not allow it. Those who dare to protest without permission – we will reach and deal with the demonstration by all means... Anyone who dares to step out and utter a single word in praise of Gaza will be behind bars."

Other statements by officials calling for the arrest and prosecution of PCI include a [statement](#) by MK Revital Gotliv that, "Arab-Israelis who publicly express support for a monstrous, murderous terrorist organization like them, aiding the enemy in times of war, their punishment is lifelong imprisonment – that's the law. I will not forget after the war."

In most cases, the arrests are based solely on social media posts, some of which merely contained expressions of solidarity with the Palestinian people in Gaza, or even verses shared from the Quran, and yet the detainees are facing grave criminal charges. Some of these arrests were carried out with brutal force in the middle of the night and without proper legal justification. During detention, PCI are facing severe conditions, including verbal abuse, physical aggression, and threats of sexual violence.

An example of the oppressive and arbitrary nature of these arrests is a [police raid on the home and subsequent arrest of Yoav Bar](#), a 68-year-old resident of Haifa and a longstanding activist advocating for Palestinians' rights, which occurred on 29 October. The police spokesperson issued a [public press release](#) stating that they had arrested a "key activist in protests supporting and expressing solidarity with Hamas". Despite the police's accusations, the judge decided to release Mr. Bar without condition, ruling that the accusations did not amount to a criminal offense, and implying that the arrest had been carried out illegally. In response, National Security Minister Itamar Ben-Gvir took to his [Twitter account](#) to berate the judge who released Mr. Bar, labeling both the judge and Mr. Bar as "enemies within".

These arrests, along with the inflammatory statements voiced by Members of Knesset and the Police Spokesperson, indicate that there is a concerted effort to politically persecute PCI. These acts show the clear intention of implementing the oppressive policies of Minister of National Security Itamar Ben-Gvir, who is outspoken in his racist views towards Palestinians.

At the same time as Palestinian citizens are facing a severe crackdown on free speech, various online, radical right-wing groups are explicitly calling for violence against PCI, with numerous social media posts supporting their calls. These groups include the far-right Israeli Telegram channel "Nazi Hunters," which names dozens of Palestinians and calls for their murder.

IV. *Police's Ban on Solidarity Protests*

On 17 October 2023, the official Arabic TikTok account of the Israeli Police [shared a video](#) featuring Yaakov Shabtai, the Commissioner of the Israel Police, in which he made a number of racist and inflammatory statements, and issued an unlawful directive to reject all permits for demonstrations in support of the Palestinian people in Gaza. Notably, the Commissioner stated that, "Anyone who wants to identify with Gaza is welcome, I will put them on buses now that are headed there and I will help them get there [to Gaza]". The Commissioner's ban on protest is illegal since it severely violates the constitutional rights to freedom of expression and assembly for PCI, and since the Police Commissioner lacks the legal authority to issue such a sweeping and arbitrary directive to prohibit demonstrations.

These statements seek to delegitimize any protest in solidarity with the Palestinian people in Gaza, and can be used to justify the use of illegal and dangerous means to disperse protests. They raise the risk of police brutality against protesters, which could result in serious injuries and even loss of life. Adalah is currently pursuing legal action against this order.

The Police Commissioner's directive was implemented during a [demonstration in Haifa](#) against Israel's war crimes in Gaza on the following day (18 October 2023). Hours before the planned protest, the police issued a [statement to the media](#) that the demonstration did not have a permit, and that the police "will not allow any demonstration of support or identification with the Hamas terrorist organization, or on matters of foreign and security policy, and will take a firm hand, subject to the law, to disperse the demonstration, including using mass dispersal measures as required." However, before the protest was due to begin, dozens of officers arrived at the scene, declared the protest unlawful and used brutal force to arrest five demonstrators who refused to leave the site. At the police station, Adalah attorneys were told that the detainees would be held overnight in accordance with direct orders from the Commissioner. Adalah provided legal representation to three of these protesters, and the Haifa Magistrates' Court ordered their release a day later.

On 19 October 2023, residents of Umm al-Fahem, an Arab town in the Wadi Ara area in Israel, were attacked by police during a protest against Israel's ruthless attacks on Gaza. The police brutally dispersed the protest, [reportedly using](#) rubber bullets and stun grenades, and arrested 12 protesters. The police sought the extension of the detention of 11 demonstrators, including four minors, requests that were approved by the Haifa Magistrates' Court without even holding a hearing. Adalah filed an appeal to the Haifa District Court, which was rejected; a request to appeal to the Supreme Court was similarly rejected. The state sought to place the minors under house arrest and extend the detention for all others. The next day, the Haifa Magistrates' Court

held a hearing, and nine protesters were released under conditions, while two continued to be held in detention. National Security Minister Itamar Ben-Gvir, [to whom the police is subordinate](#), praised the police for these arrests, [stating](#), “A number of demonstrators in Umm al-Fahem who tried to demonstrate tonight were met with arrests and zero tolerance on the part of the police officers”.

On 8 November 2023, [Israel’s Supreme Court rejected Adalah’s petition](#), which challenged the police’s decision to deny permits for scheduled protests in the Palestinian towns of Umm Al-Fahem and Sakhnin in the north of Israel, as well as the cancellation of a Police Commissioner’s directive.² Despite there being no sweeping ban on demonstrations and notwithstanding the fact that the commissioner does not have the authority to impose such a ban, the court rejected the request for the specific demonstrations to be allowed to go ahead. The court here accepted police claims that it lacked the manpower to ensure that the demonstrations did not disturb public order. In addition, the court did not reject the police’s racially-based assessments concerning the two Palestinian towns, which resulted in the determination that a substantial police presence would be required to manage the dispersal of the demonstrations due to concerns about incitement.

On the following day, [police detained a number of Palestinian political leaders in Israel](#) in connection to a planned anti-war protest in Nazareth.³ The police claimed that the detained leaders had defied instructions and sought to organize an unlawful protest, despite the fact that such protests do not require a permit under Israeli law. These developments make clear that, despite the Supreme Court decision, the police are continuing to implement a total ban on Palestinian demonstrations amid the war.

V. Suppression of Speech by Palestinian Lawyers

Palestinian lawyers, citizens of Israel, are facing severe incitement and serious threats, from Jewish-Israeli lawyers in particular, due to posts on social media and other forms of expression, even though such speech lies well within the legal realm of freedom of expression. There have been numerous cases in which Jewish-Israeli lawyers are falsely accusing Palestinian lawyers of “supporting terrorism”, even labeling them “terrorists”, and threatening to lodge complaints against them to the Israeli Bar Association’s Ethics Committee. Even if they are ultimately found to be baseless, such accusations in and of themselves can damage lawyers’ reputations and credibility with their clients. Furthermore, the Israeli Bar Association sent [an email](#) on 12 October, to all lawyers registered in the Israeli bar, in which it explicitly stated that the National Ethics Committee would display “zero tolerance” and pursue legal action against any lawyer

² The petition was submitted on 6 November 2023 on behalf of the Hadash political party (“Jabha - The Front”) and the secretaries of the Maki (The Israeli Communist Party) branch offices in the Palestinian town of Umm al-Fahem and in the Al-Batuf area.

³ The political leaders arrested include former MK Mohammad Barakeh, the Chairperson of the High Follow-Up Committee for Arab Citizens of Israel, along with four members of the Balad (Tajammu) party: the party’s leader, former MK Dr. Sami Abu Shehadeh; former party leader Dr. Mtanes Shehadeh; former MK Haneen Zoabi, and the Deputy Secretary-General of the party, Yousef Tatour. Mahmoud Mawasi, a journalist and member of the High Follow-up Committee, was also detained.

who publishes content on social media that is perceived as "incitement to violence". This threatening email is clearly designed to instill fear and deter Palestinian lawyers and others from expressing their opposition to Israel's attacks on Gaza. On 18 October, the Deputy Head of the Bar Association made a public [statement](#) on his official Facebook account that the Ethics Committee had submitted new emergency regulations to the Minister of Justice. These regulations grant the Ethics Committee the authority to immediately suspend lawyers suspected of "supporting terrorism". Adalah has [sent a letter](#) to the Chair of the Bar Association to demand immediate action and continues to monitor the situation closely.

VI. Incitement against Members of Knesset, representatives of Palestinian Political Parties

Since 7 October, there has been a surge in incitement against Members of Knesset (MKs) who represent Palestinian political parties, including statements by government officials. National Security Minister Itamar Ben-Gvir has [publicly announced](#) plans to submit a proposal, pursuant to the [2016 amendment to the Basic Law: The Knesset](#), aimed at expelling MKs "who support terrorism and identify with the Hamas terrorists who massacred our brothers and sisters", calling on all members of the Israeli Knesset to "join us and support the expulsion of these terrorist supporters from the Israeli parliament." Additionally, mainstream media figures have contributed to this inflammatory rhetoric, including prominent Israeli journalist Ben Caspit, who [remarked](#), "After we finish dealing with Hamas, we must ensure that individuals like this [referring to Palestinian MK Aida Touma-Sliman] and her counterparts (for example, the detestable Ofer Cassif) do not return to the Knesset of Israel."

On 18 October, the [Knesset's Ethics Committee voted to suspend](#) MK Ofer Cassif, a member of the Hadash/al-Jabha political party, for a period of 45 days and fined him half a month's salary. The committee's decision was prompted by approximately 400 complaints filed by both citizens and MK Almog Cohen, who represents the extremist right-wing Jewish Power Party, and Likud MK Nissim Vaturi, who has [called for](#) "erasing Gaza" and "leaving not a single child there."

According to the decision, the suspension is a result of several statements MK Cassif made. Specifically, the decision cited an interview from 15 October 2023, in which "Cassif connects the government policies guiding the war and a plan that Minister Smotrich published in 2017, and referred to it as the 'final solution' of the Palestinian problem." The committee noted that the use of the phrase 'final solution,' "which corresponds to the Holocaust, against the State of Israel, in a public interview with foreign media, is not befitting the status of a Member of the Knesset."

On 15 November 2023, the [Knesset's Ethics Committee voted to suspend](#) and sanction Ra'am MK Iman Khatib-Yassin and Hadash MK Aida Touma-Sliman. The committee suspended MK Khatib-Yassin based on an interview in which she stated that, according to the conversation she had with some of her colleagues who watched the footage presented in the Israeli military spokesperson's documentary, the footage did not show babies being slaughtered or women being raped during the October 7th attack. MK Khatib-Yassin was suspended for a month and without pay for two weeks. While the Ethics Committee noted that she did apologize, it nonetheless stated that her statements are "considered by all committee members as a denial

of the massacre and the atrocities that occurred on October 7. The denial of these heinous acts and the downplaying of the magnitude of the pain by a member of the Knesset constitute, in their view, a severe breach of public trust in the Knesset and state institutions.”

MK Touma-Sliman was suspended for two months and without pay for two weeks over a post saying, “Testimonies from al-Shifa hospital: bombed operating rooms, the smell of phosphorus in the air, of 48 surgeons only 7 remained, live shooting of the displaced ‘in the humanitarian corridors.’ And they still insist here: the ‘moral world’ army does not harm innocents and does not attack hospitals!” The [Ethics Committee blatantly noted that](#) it “contends that the accusations of war crimes against the IDF by a member of the Knesset contribute to the efforts of Israel's enemies to undermine the legitimacy of the State of Israel, whether intentional or not,” further stating that it “dismisses outright the baseless accusations of the Knesset member Touma-Sliman, implying that the IDF committed war crimes.”

VII. Law Prohibiting “Consumption of Terrorist Publications”

On 8 November 2023, the Israeli Knesset [passed an amendment to the Counter-Terrorism Law](#) introducing a new criminal offense, namely the “consumption of terrorist publications”, carrying a maximum penalty of one year’s imprisonment. The amendment passed by a 13-4 majority. The “specific publications” referred to in the law encompass expressions of praise, support, or encouragement of terrorist acts, as well as direct calls to commit a terrorist act. Additionally, the law designates Hamas and ISIS (the Islamic State) as the terrorist organizations to which this offense applies. It also grants the Minister of Justice - with the agreement of the Minister of Defense and the approval of the Knesset’s Constitution, Law, and Justice Committee - the authority to declare additional terrorist organizations for the purpose of this offense.

The law criminalizes even passive social media use, where users merely observe content without engaging with it. It thus violates the fundamental principle of criminal law that thoughts alone cannot constitute a criminal offense, and that there can be no criminal liability without a minimal act.

VIII. Bill on Citizenship and Residency Revocation for Speech-Related Offenses

On 2 November 2023, [the Ministry of the Interior published a memorandum of law](#) informing the public about a new piece of legislation prior to its formal introduction as a bill. The memorandum proposes to introduce two similar amendments to both the Entry Into Israel Law and the Citizenship Law, which would authorize the revocation of permanent residency or citizenship of an individual convicted of an offense related to identifying with a terrorist organization or incitement to terrorism (as defined in Israel’s 2016 Counter-Terrorism Law), among other offenses. These amendments would apply when the offense is committed during what is defined as a “special home front situation,” as the Defense Minister declared the current situation on 7 October. If enacted, the new legislation would add to two existing tracks that permit the revocation of citizenship and residency, one of which has already been approved by the Israeli

Supreme Court. The memorandum sends a clear message to Palestinian citizens of Israel and residents of occupied East Jerusalem that their status and rights are conditional upon their refraining from voicing dissenting opinions that are not in line with the dominant Israeli narrative, and that the Israeli Knesset is working to facilitate their expulsion from their ancestral homeland.

IX. Conclusion

The current assault on the freedom of speech of PCI is not a new phenomenon; since the establishment of the State of Israel in 1948, PCI have been subjected to political persecution and campaigns of delegitimization, rooted in the state's view of all Palestinians as enemies. The current crackdown on political speech, in effect since 7 October, is a direct continuation of the [deadly events of May 2021](#), during and in the aftermath of which the police violently dispersed peaceful protests without legal justification, carried out mass arrests, and suppressed free speech on social media platforms. In December 2022, when the current far-right government came into power, it committed, [through its coalition agreements](#), to introduce measures aimed at delegitimizing Palestinian identity and prohibiting legitimate political acts, further restricting Palestinians' freedom of speech.

The drastic crackdown on PCI speech is also the direct result of a rampant campaign of incitement, hatred, and delegitimization throughout Israeli society, involving government institutions and officials, media, right-wing organizations, and private companies. It includes, for instance, National Security Minister [Ben-Gvir](#), who instructed the police to prepare for a second "Guardian of the Walls", the title coined by Israel for the deadly events of May 2021. Ben-Gvir's statement, coupled with his explicitly racist rhetoric against Palestinians, leaves no doubt that the preparations he refers to will include a severe crackdown on free speech and a readiness once again to employ extreme and violent measures to suppress Palestinian citizens. This instruction is already being followed by police officials, including the Police Commissioner, who has banned all solidarity protests, as noted above. The raft of measures and tools described above constitute political repression and persecution against PCI on the basis of their national belonging.