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Palestine: Reform Restrictive Cybercrime Law *Amended Draft Better, but Still Short of International Standards*

(Jerusalem, December 20, 2017) – [Palestinian](#) authorities should amend the cybercrime law to bring it in line with their international legal obligations, Amnesty International, Avaaz, Human Rights Watch, and 7amleh: The Arab Center for the Advancement of Social Media said in a [joint letter](#) to Secretary General of the Council of Ministers Salah Alayan.

The Justice Ministry has proposed striking some repressive provisions in the 2017 law in response to concerns from civil society groups, but left in place others that would allow disproportionate and arbitrary restrictions on the rights to freedom of expression, privacy, and protection of data.

“The proposed amendments to remove provisions that allow prison sentences and heavy fines for anyone critical of the Palestinian authorities online are a welcome step,” said Magdalena Mughrabi, deputy director for the Middle East and North Africa at Amnesty International. “But further changes are required to fully safeguard Palestinian rights to freedom of expression, privacy and protection of data.”

Palestinian President Mahmoud Abbas issued the [Law on Electronic Crimes](#) by executive decree in July. The authorities subsequently charged [several journalists](#) as well as a human rights defender, [Issa Amro](#), under the law. After [calls from Palestinian civil society](#) to repeal the law, the Justice Ministry proposed revisions.

Amnesty International, Avaaz, Human Rights Watch, and 7amleh welcome in their joint letter proposed amendments that seek to remove provisions that permit the imposition of prison sentences and heavy fines solely for peaceful online criticism of authorities, and urge Palestinian authorities to amend or repeal provisions that allow the authorities to conduct surveillance, force service providers to retain consumer data, and block websites without sufficient safeguards for the rights to free expression and privacy.

“The cybercrime law grants thin-skinned authorities virtually unrestrained power to block websites, conduct surveillance, and assemble reams of data on ordinary people,” said [Sarah Leah Whitson](#), Middle East director at Human Rights Watch.

Under international law, authorities may only restrict free expression if demonstrably necessary and proportionate to protect certain public interests (e.g. national security or public safety, public order, protection of public health or morals) or the rights and freedoms of others – but

never solely to restrict peaceful criticism of a political authority. Palestine assumed these legal obligations when it ratified the International Covenant on Civil and Political Rights, among other treaties, in 2014.

“The Palestinian authorities should amend the recent cybercrime law to ensure protection rather than violation of Palestinian digital rights and freedom of expression,” said Nadim Nashif, director of 7amleh. “Palestinians have long been struggling for freedom and justice and it is critical that freedoms within the virtual sphere are upheld and respected.”

“The law, as it stands now, still violates international treaties the Palestinian government pledged to uphold and breaks a promise authorities made to respect the basic rights of its people,” said Fadi Quran, senior campaigner for Palestine at Avaaz. “At this point the Palestinian government should either include all civil society amendments or axe the law.”

For the full letter, please visit:

<https://www.hrw.org/news/2017/12/20/joint-letter-secretary-general-council-ministers-salah-alayan-about-law-electronic>

For Amnesty International’s full research on the Electronic Crimes law, please visit:

<https://www.amnesty.org/en/latest/news/2017/08/palestine-dangerous-escalation-in-attacks-on-freedom-of-expression/>

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