

Appendix I: Letter from Human Rights Watch to Israeli Police

Human Rights Watch sent a similar letter to the Israel Security Agency (Shin Bet). All letters were sent in Hebrew.

August 1, 2019

Dear [REDACTED]
Public Complaints Section Officer and Freedom of Information
Israel Police
Via Email: [REDACTED]

Greetings,

I write to request your assistance in obtaining information pertaining to the monitoring of social media accounts and posts by the Israeli state and the impact on the rights of social media users. We would greatly appreciate the opportunity to understand your perspective on these issues, so it can be reflected in our forthcoming report on these issues. For this to happen, we would need to receive your responses by Wednesday, August 21.

Human Rights Watch (HRW) is an international human rights organization, whose head office is located in New York City. The organization publishes reports on the state of human rights in nearly 100 countries worldwide, with the objective of defending human rights and promoting respect for international humanitarian law. Human Rights Watch has covered human rights issues in Israel and Palestine for nearly three decades and, in that time, has regularly met and corresponded with Israeli officials.

We would greatly appreciate answers to the following questions:

1. Do police forces monitor social media accounts and posts in Israel? Do they also monitor social media accounts and posts in the West Bank and the Gaza Strip?
 - a. What laws and policies authorize this monitoring, and are they publicly available?

- b. Do the laws and policies contain provisions limiting the monitoring and collection of these posts to what is necessary to achieving a legitimate aim?
- c. What is considered a security risk justifying monitoring and review of social networks?
- d. Do the laws and policies specify in detail the circumstances in which monitoring may be conducted?
- e. What are the different grounds, including key words, for flagging particular content or people for additional scrutiny? Could you please provide the full list of key words?
- f. How does the police evaluate whether a social media post or account violates relevant laws, including those related to incitement or terrorism? Are there specific criteria or guidance that the police rely on beyond those identified in relevant laws and policies?
- g. Do the laws and policies place limits on the duration of the monitoring, as well as access to, use of, and storage of resulting information?
- h. What techniques are used to monitor these posts? Does the police have accounts on social media websites or apps that participate in or facilitate this monitoring?
- i. Does the police monitor the personal correspondence of social media users or have access to their private information?
- j. What approvals are needed to authorize online surveillance? Are the approvals different for the monitoring of social media posts, and if so, in what ways are they different?
- k. Does the police keep or maintain a database of social media accounts and posts?
- l. What is the annual budget for monitoring social media accounts of individuals seen as a security risk?
- m. Does the police maintain contracts with private companies to assist with monitoring social networks? If so, please provide the names of the companies; their practices for collecting, monitoring, accessing, storing, searching, or sharing data obtained from the monitoring of social media; and the safeguards they impose to prevent undue or discriminatory interference with free expression, privacy, or other rights,

2. Has the police submitted requests to social media companies to remove posts or accounts hosted on their platform based on violations of law? If so, how many between July 1, 2014 and June 30, 2019?
3. Does the police report social media posts to social media companies for removal, or accounts for suspension or deletion, based on the company's community standards or terms of service, even if these posts or accounts do not violate the law? How does it flag these posts or accounts for reporting?
4. At what point is an individual flagged as a threat based on social media posts brought in for questioning? What is the process for determining whether to question or arrest someone on this basis?
5. How many of the arrests carried by Israeli police between July 1, 2014 and June 30, 2019 were triggered by social media posts?
 - a. How many arrests took place in Israel? How many in the West Bank?
 - b. How many of those arrested were Israeli citizens? How many were Palestinian East Jerusalem or West Bank ID holders?
 - c. What techniques and criteria were used to identify and evaluate these posts?
 - d. How many individuals were charged based on these posts? What charges did they face?
 - e. How many charges resulted in convictions?
6. In July 2018, Public Security Minister Gilad Erdan told the Associated Press that Israeli authorities had foiled over 200 Palestinian attacks through social media monitoring. How do Israeli authorities determine that they successfully foiled an attack based on a social media post?
 - a. What is threshold by which an individual is classified as a would-be attacker?
 - b. In how many cases did the determination turn on a confession?

We will reflect any pertinent information you provide us by Wednesday, August 21 in our report on these issues and take that information into account in finalizing our conclusions and recommendations.

For any query, please contact my colleague Khulood Badawi at [REDACTED]
[REDACTED]

Thank you in advance for your attention to this request.

Regards,

Eric Goldstein

Deputy Director

Middle East and North Africa

Human Rights Watch

Appendix II: Letter from Human Rights Watch to the Israeli Army Spokesperson

Human Rights Watch sent a similar letter to the Coordination of Government Activities in the Territories (COGAT) Office of Public Inquiries on August 1. All letters were sent in Hebrew.

August 29, 2019

Dear:

IDF Spokesman Brig.-Gen. Ronen Manlis

Via email: [REDACTED]

Greetings,

Subject: Request to Receive Information in Relation to the Use of Military Orders

I write to request your assistance in obtaining information pertaining to the use of military orders to restrict the rights of Palestinians in the West Bank to free assembly, association and expression. We would greatly appreciate the opportunity to understand your perspective on these issues, so it can be reflected in our forthcoming report on these issues. For this to happen, we would need to receive your responses by Thursday, September 12.

Human Rights Watch (HRW) is an international human rights organization, whose head office is located in New York City. The organization publishes reports on the state of human rights in nearly 100 countries worldwide, with the objective of defending human rights and promoting respect for international humanitarian law. Human Rights Watch has covered human rights issues in Israel and Palestine for nearly three decades and, in that time, has regularly met and corresponded with Israeli officials.

Human Rights Watch research seeks to understand how the Israeli army's use of Military Orders 101 and 1651 and the Defense (Emergency) Regulations of 1945 affect the ordinary life of Palestinians in the West Bank and in particular their right to free expression, assembly and association.

Our preliminary findings show that the Israeli army has expansively used these orders to outlaw political parties, civil society organizations and media outlets, suppress peaceful assembly, and detain Palestinians over their peaceful expression, violating its duty as an occupying power to facilitate normal life for the occupied Palestinian population. While the law of occupation grants the occupying power broad authority to restrict the rights of the occupied population, they prohibit disproportionate restrictions on civil life.

We are writing to you to better understand the perspective of the Israeli army on these issues. We would greatly appreciate answers to the following questions:

1. What is the process by which West Bank Palestinians can apply for a permit from the Israeli army for a protest or any other peaceful gathering for a political purpose in the West Bank?
 - a. Has this process been made public? If so, where?
2. How many requests for permits for protests or gathering were by filed by West Bank Palestinians since July 1, 2014?
 - a. How many requests were granted?
 - b. Can you provide an example of a protest or gathering authorized by the Israeli army during this five-year period?
3. What are the different criteria the Israeli army uses to declare an area to be a “closed military zone”?
4. Do you maintain a record of every detention, from the moment of arrest, including the legal basis for detention, to the date of release?
5. How many arrests did the Israeli army carry out in the West Bank between July 1, 2014 and June 30, 2019?
 - a. How many of these arrests were triggered by social media posts?
 - i. What techniques and criteria were used to identify and evaluate these posts?
 - ii. How many individuals were charged based on these posts?
 - iii. How many charges resulted in convictions?
 - iv. How many individuals were placed in administrative detention?
 - b. How many arrests took place during protests or other gatherings?
6. Between July 1, 2014 and June 30, 2019, how many West Bank Palestinians were charged with:
 - a. “Demonstrating without a permit” under Military Order 101?

- b. “Membership in an unlawful association” under the Defense (Emergency) Regulations of 1945?
 - c. Entering “a closed military zone” under Military Order 1651?
 - d. “Incitement and support for a hostile organization” or attempting to “influence public opinion in the Area” under Military Order 1651?
7. Between July 1, 2014 and June 30, 2019, how many West Bank Palestinians were convicted for:
- a. Holding a “procession, assembly or vigil” without a permit under Military Order 101?
 - b. “Membership in an unlawful association” under the Defense (Emergency) Regulations of 1945?
 - c. Entering “a closed military zone” under Military Order 1651?
 - d. “Incitement and support for a hostile organization” or attempting to “influence public opinion in the Area” under Military Order 1651?
8. Does the Israeli army itself monitor social media posts of West Bank Palestinians?
- a. What laws and policies authorize this monitoring, and are they publicly available?
 - b. Do the laws and policies contain provisions limiting the monitoring and collection of these posts to what is necessary to achieving a legitimate aim?
 - c. What is considered a security risk justifying monitoring and review of social networks?
 - d. Do the laws and policies specify in detail the circumstances in which monitoring may be conducted?
 - e. What are the different grounds, including key words, for flagging particular content or people for additional scrutiny? Could you please provide the full list of key words?
 - f. How does the army evaluate whether a social media post or account violates Military Order 1651 or other relevant military orders? Are there specific criteria or guidance that the army relies on beyond those set out in military law?
 - g. Do the laws and policies place limits on the duration of the monitoring, as well as access to, use of, and storage of resulting information?
 - h. What techniques are used to monitor these posts? Does the army have accounts on social media websites or apps that participate in or facilitate this monitoring?

- i. Does the army monitor the personal correspondence of social media users or have access to their private information?
 - j. What approvals are needed to authorize online surveillance? Are the approvals different for the monitoring of social media posts, and if so, in what ways are they different?
 - k. Does the army keep or maintain a database of social media accounts and posts?
 - l. What is the annual budget for monitoring social media accounts of individuals seen as a security risk?
 - m. Does the army maintain contracts with private companies to assist with monitoring social networks? If so, please provide the names of the companies; their practices for collecting, monitoring, accessing, storing, searching, or sharing data obtained from the monitoring of social media; and the safeguards they impose to prevent undue or discriminatory interference with free expression, privacy, or other rights,
9. Does the Israeli army receive names from the Palestinian Authority of individuals who they suspect may carry out attacks against Israelis or engage in other unlawful acts?
 10. Does the Israeli army provide the Palestinian Authority with names of Palestinians who they suspect may carry out attacks against Israelis or engage in other unlawful acts?

We will reflect any pertinent information you provide us by Thursday, September 12 in our report on these issues and take that information into account in finalizing our conclusions and recommendations.

For any query, please contact my colleague Khulood Badawi at [REDACTED]

Thank you in advance for your attention to this request.

Regards,

Eric Goldstein
Deputy Director
Middle East and North Africa
Human Rights Watch

Appendix III: Unofficial Translation of Letter from Israeli Army Spokesperson to Human Rights Watch

November 18, 2019

To:

Eric Goldstein, Deputy Director
Middle East and North Africa Division
Human Rights Watch

Re: Your Freedom of Information Application regarding use of military orders

1. Your letter in reference has been received and forwarded to the professional staff for a response. Below is the response of the IDF to your application:
2. We begin by noting that the provisions of the Freedom of Information Act - 1998 (hereinafter: the Act) do not apply to authorities in the Judea and Samaria Area (see HCJ 6870/14 **Regavim v. Head of the Civil Administration**). However, and as stated by the State in the proceedings, the aforesaid does not detract from the application of Israeli law to the work of the authorities in the Area, including the principles of freedom of information in their general sense. This response serves as no indication of the application of the Act.
3. **Sections 1 and 2:** The information requested in these sections relates to the conduct of the IDF vis-a-vis residents of the Judea and Samaria Area in matters relating to their civil rights. This issue is the purview of the Civil Administration. Therefore, we refer you to the Civil Administration for this information, in the spirit of Section 8(5) of the law.
4. **Section 3:** According to security legislation in the Judea and Samaria Area, the military commander has the power to declare a certain area a 'closed military zone', where a **concrete security need**, or a **concrete need to maintain public order** necessitate closing the area. When making such a decision, the military commander must balance the need for security or for maintaining public order against the harm caused to Area residents by the restrictions on freedom of movement, including the effect on the residents' daily lives

and occupations. The military commander must consider the size of the area that needs to be closed and the duration for which it will be closed.

5. **Section 4:** Every arrest made by IDF forces in the Judea and Samaria Area is recorded along with the reason for the arrest and the name of the party to which the detainee had been transferred.

6. **Section 5:** To avoid delaying the response to the application, the response to this section will be provided separately.

6.1. **Section 5 (a):** To avoid delaying the response to the application, the response to this section will be provided separately.

6.1.1. **Section 5 (a)(1):** The requested information cannot be provided, in the spirit of Section 9(b)(8) of the Freedom of Information Act - 1998 (hereinafter: the Act).

6.1.2. **Section 5 (a)(2):** According to the records kept by the military courts in the Judea and Samaria Area, in the timeframe cited in your application, 358 indictments in which the main offense was classified as incitement were filed. We do not have information regarding the number of indictments filed based on social media posts.

6.1.3. **Section 5 (a)(3):** Seven of the 358 defendants in whose indictments the main offense was classified as incitement, as stated above, were not convicted.

6.1.4. **Section 5 (a)(4):** The administrative evidence that forms the basis for an individual's administrative arrest is classified. As such, we are unable to provide these figures, in the spirit of Section 9(a)(4) of the Act.

Section 5 (b): To avoid delaying the response to the application, the response to this section will be provided separately.

7. Section 6:

7.1. **Section 6 (a):** The information requested in this section is not available according to the requested breakdown on the computer database. As such, we are unable to grant your application on this matter, in the spirit of Section 8(3) of the Act.

- 7.2. **Section 6 (b):** According to the records available on the computer database, in the timeframe cited in your application, 1704 defendants were prosecuted for the main offense of membership and activity in an unlawful association.
- 7.3. **Section 6 (c):** According to the records available on the computer database, in the timeframe cited in your application, 4,590 defendants were prosecuted for the main offense of failure to obey an order regarding a closed zone.
- 7.4. **Section 6 (d):** See response in section 6.1.3 above.

8. Section 7:

- 8.1. **Section 7 (a):** The information requested in this section is not available according to the requested breakdown on the computer database. As such, we are unable to grant your application on this matter, in the spirit of Section 8(3) of the Act.
 - 8.2. **Section 7 (b):** According to the records available on the computer database, in the timeframe cited in your application, 1823 defendants were convicted of a main offense of membership and activity in an unlawful association. Note that this figure includes defendants indicted prior to the timeframe cited in your application.
 - 8.3. **Section 7 (c):** According to the records available on the computer database, in the timeframe cited in your application, 4,519 defendants were convicted of a main offense of failure to obey an order regarding a closed zone. Note that this figure includes defendants indicted prior to the timeframe cited in your application.
 - 8.4. **Section 7 (d):** According to the records available on the computer database, in the timeframe cited in your application, 329 defendants were convicted of a main offense of incitement. Note that this figure includes defendants indicted prior to the timeframe cited in your application.
9. **Sections 8-10:** The requested information cannot be provided in the spirit of Section 14(a) of the Act.

Sincerely,

Lieut. Col. [REDACTED]

[REDACTED]

on behalf of IDF Spokesperson and Freedom of
Information Officer

Appendix IV: Unofficial Translation of Letter from Israel Police to Human Rights Watch

August 27, 2019

To: Mr. Eric Goldstein

Via email: [REDACTED]

Dear Sir,

Re: Freedom of Information Application [REDACTED] for information regarding the monitoring of social media accounts and posts

In reference to your letter date August 1, 2019

Fee payment on August 15, 2019

1. In your letter in reference you requested to receive information regarding the monitoring of social media accounts and posts by the State of Israel and the effect of such monitoring on the rights of social media users – as detailed in your application dated August 1, 2019.
2. Having reviewed your application and weighed the relevant considerations, we have decided to accept your application in part.
3. Most of your application is not drafted as an application for information in accordance with Section 2 of the Freedom of Information Act 1998 (hereinafter: the Act), but as a request to obtain knowledge by way of responding to a questionnaire.

The provisions of the Act do not impose a duty on authorities to provide knowledge by way of responding to a questionnaire. On this issue, see AAA 6930/12 Zvi Tiram v. Ministry of Defense, where the Supreme Court sitting as the Administrative Court of Appeals held:

In Section 2, the Freedom of Information Act clarifies what constitutes information kept by the authorities which private individuals are entitled to receive: “Any information in the possession of a public authority in written, recorded, filmed, photographed or digitized form”. The Section refers to information the authority is able to provide in any

format in which it is kept. The additional information requested by the Appellant, as detailed in his appeal and in his arguments before the Court, does not come under the terms of the Freedom of Information Act. We have been convinced that the Respondents have provided the Appellant with all the information in their possession. Indeed, there was no room for the Respondents to answer a “questionnaire” of sorts for the Appellant, nor provide him with responses that amount to legal advice that does not come under the term “information” as defined in the law. Additionally, there is no room to demand public authority officials to produce documents that do not exist. (Emphasis added).

4. We first note that the Israel Police Investigation Department is charged with the area of freedom of speech offenses, including offenses of incitement to violence, incitement to racism, libel, insulting a senior public servant (or elected official). Such offenses are committed, inter alia, using social media posts.
5. You have further requested figures related to requests to have posts removed and arrests made following such posts. We note at this early stage that it is impossible to break down offenses related to posts on social media specifically given the complexity of data extrication. We, therefore, reject this part of your application in accordance with the provisions of Section 8 (3) of the Freedom of Information Act 1998 (hereinafter: the Act).
6. In response to paragraph 2 of your application – whether the police has contacted social media companies with requests to remove posts or accounts based on offenses under the Act – First, it is noted, that the police **does not instruct social media companies on the removal of posts or accounts.** As a rule, the issue of removing content in speech offenses is under the purview and authority of the State Attorney’s Office Cyber Department. In other words, the police reports posts the content of which raises suspicion that a criminal offense has been committed to the State Attorney’s Office. The aforesaid notwithstanding, in exceptional cases and where serious crimes are concerned, the police does notify enforcement officials within social media companies of the existence of such content for the purpose of an internal review of the possible removal of said content. With respect to the second part of the paragraph, wherein you sought a numeric response to the question how many requests have been made to social media companies during specific time periods, as stated, the police does not have


numeric records of such applications and we, therefore, reject this part of your application in accordance to the provisions of Section 8(3) of the Act.

7. In response to paragraph 3 of your application, we repeat the statements made in section 6 above. The police reports to social media only in exceptional circumstances and with respect to serious criminal offenses, but not in cases in which posts do not amount to offenses. As clarified, the police does not instruct companies to remove posts, but brings such posts to their attention and consideration, inasmuch as they see fit to do so.

With respect to the second part of the paragraph, wherein we were asked how the police uncovers the posts to be reported, the police uncovers the posts according to information received, or during investigations.

8. In response to paragraph 4 of your application regarding the process and decision to summon a civilian for interrogation over social media posts – State Attorney Directive 14.12, “Launching investigations into matters of high public sensitivity” stipulates that approval to launch an investigation into freedom of speech offenses will be given by the State Attorney’s Office (Special Functions). Therefore, in cases in which freedom of speech offenses are suspected, a review of social media posts is carried out, the recommendation of the police is forwarded to the State Attorney’s Office for a decision, and, based on this decision, an investigation is launched.
9. In response to paragraph 5 of your request – information relating to arrests due to social media posts, with a breakdown by group and figures on indictments and convictions over such posts – it is not possible to assess or extricate the requested figures. We, therefore, reject this part of your application in accordance with the provisions of Section 8 (3) of the Freedom Act.
10. For your information, you may appeal this decision before the Jerusalem District Court sitting as the Court of Administrative Affairs within 45 days of receipt of this notice.

Sincerely,

Superintendent 
National Public Complaint Officer
Freedom of Information Officer Assistant

Appendix V: Unofficial Translation of Letter from Israel Prime Minister's Office to Human Rights Watch

August 8, 2019

To

Mr. Eric Goldstein

Deputy Director, Middle East and North Africa Division

Human Rights Watch

By e-mail: [REDACTED]

Dear Sir,

Re: Provision of information regarding monitoring of social media accounts and posts by the State of Israel and the effect such monitoring has on the rights of social media users

Your letter dated August 1, 2019

Following your letter in reference, we hereby respond that the Israel Security Agency operates pursuant to its powers and duties as established by law and is unable to provide information the disclosure of which might reveal work methods.

Sincerely,

[REDACTED]
Public Affairs Department

Appendix VI: Letter from Human Rights Watch to Facebook

October 29, 2019

[REDACTED]
[REDACTED]

Product Policy & Engagement
Facebook

Dear [REDACTED],

Thank you for taking the time to speak with us on Thursday, October 24.

As a follow-up to our conversation, we're writing at your invitation to request information regarding efforts by Israeli authorities to regulate content on your platform as part of a report we will be publishing next month concerning Israeli restrictions on the rights of Palestinians in the West Bank to free expression, association and assembly. In order to ensure thorough and objective reporting, we hope to receive information from you by Tuesday, November 5 so that we can incorporate Facebook's response and perspectives.

Israel's Justice Minister Ayelet Shaked [said](#) in March 2018 that the State Attorney's Office submitted 12,351 requests to various social media companies, in 2017 to "remove content, restrict access and filter search results in respect of forbidden contents." She said 99% of contents related to "terrorist activity and support of terrorism" or "incitement to terrorism, racism and violence and also the threat to commit terrorism." She noted that social media companies "fully complied" with 85% of its requests and partially complied with 3.5%. The State Attorney's office separately noted that 11,754 of these requests were directed to Facebook.

Our research indicates that Israeli authorities often deem expression that calls for opposing Israel's occupation as constituting "incitement" or "support for terrorism," even when such speech does not constitute incitement to imminent violence. We have documented many instances where the Israeli army has detained Palestinian journalists, activists and other people for such speech and charged them with "incitement" and

similar criminal offenses. International human rights law safeguards the right to free expression, including speech of this sort.

We would appreciate answers to the following questions:

- How many requests has the Israeli government submitted to Facebook requesting the removal or restriction of content since July 1, 2014? If you are unable to provide an exact number, can you provide annual figures, including 2019 to date?
- Of these requests, can you determine how many of these requests concern content that originates from accounts established in Israel and the Occupied Palestinian Territory? If you are unable to provide an exact number, can you provide a percentage or number range by year, including 2019 to date?
- How many of these requests cite content that, in Facebook's determination, violated its Community Standards? Please include a breakdown by year, including 2019 to date. Please also provide information about the most common Community Standard(s) that were cited as the basis for removing or restricting the content at issue.
- We understand that government requests to remove content that Facebook deems consistent with its Community Standards are subsequently routed to your legal department for review for consistency with local law. Of the total number of Israeli government requests you received, how many were routed to legal review for conformity with local law? If you are unable to provide an exact number, can you provide a percentage or number range by year, including 2019 to date?
- Of the total number of requests described in paragraph 4, how many of them did you comply with?
- Does Facebook ever challenge the requests described in paragraph 4 in court? If so, can you provide examples of those instances?
- Has the Israeli government ever challenged Facebook's refusal to comply or non-compliance with the requests described in paragraph 4 in court? If so, can you provide examples of those instances?
- From which government agencies have you received requests for the removal or restriction of content in Israel and the Occupied Palestinian Territory?
- What local laws have the Israeli government cited as the bases for their requests? If you are unable to provide an exhaustive list of the local laws, can you provide the list of those most commonly cited?

- During your evaluation of government requests described in paragraph 3 for consistency with Israeli law, do you rely on the standards for “incitement” under Israeli military law, which govern Palestinians in the West Bank?
- Under your Community Standards policy, how do you determine whether a group is a “terrorist organization” for whom praise, endorsement or mere representation may constitute grounds for content removal?
- Does Facebook maintain a list of keywords or phrases specific to the Israeli-Palestinian context for the purposes of flagging or filtering content for review under its Community Standards? If so, please provide a list of all keywords used.
- Does Facebook maintain a list of keywords or phrases for the purposes of flagging or filtering content for review under its policies on terrorist propaganda or violence and graphic content? If so, please provide a list of all keywords used.
- How does Facebook rely on the keywords described above to guide its automated systems in the filtering or flagging of content on its platforms?
- What human rights due diligence procedures are in place to ensure respect of free expression during your Community Standards review?
- What human rights due diligence procedures are in place to ensure respect of free expression during the legal review described in paragraph 4?

Thanks in advance for your attention to our questions and feel free to provide any other information you wish.

For any comments or questions, please feel free to contact me or my colleague, Omar Shakir, our current Israel and Palestine director [REDACTED] or Eric Goldstein, our Deputy Middle East and North Africa director [REDACTED]

Sincerely,

Arvind Ganesan
Director, Business & Human Rights
Human Rights Watch

Appendix VII: Letter from Facebook to Human Rights Watch

6 November 2019

Dear Arvind,

Thank you for your letter on Facebook's approach to legal requests from Israel. We applaud Human Rights Watch's efforts to protect and promote human rights worldwide, and appreciated the opportunity to discuss this issue with you and your team last month.

As you know, Facebook is a member of the [Global Network Initiative](#) (GNI), a multi-stakeholder human rights organization for the information and communications technology (ICT) sector. We are committed to upholding the robust human rights standards set out in the [GNI Principles](#) and [Implementation Guidelines](#)—a sector-specific set of guidelines for freedom of expression and privacy that are grounded in the [UN Guiding Principles for Business and Human Rights](#) (UNGPR), the [Universal Declaration of Human Rights](#) (UDHR), and the [International Covenant on Civil and Political Rights](#) (ICCPR). We are independently assessed on our implementation of these commitments on a biennial basis, and were found by the GNI Board to be making good faith efforts to implement the GNI Principles with improvement over time in our most recent assessment earlier this year.

In line with our GNI commitments, we publish a [Transparency Report](#) twice a year containing details on the actions we take based on legal requests from governments, including Israel. Our Transparency Report includes data on content we have restricted based on Israeli law and covers the period from H2 2013 through H2 2018. Since May 2018, we have also published data on global enforcement of our [Community Standards](#). We look forward to sharing an updated Transparency Report later this month.

In addition to our formal commitments, and our regular transparency reporting, Facebook believes in giving as much voice to as many people as possible. That is why we have recently updated the [values that inform our Community Standards](#)—and included explicit references to internationally accepted human rights

principles. And it is why we also push back on government requests wherever we can, invoking human rights principles; challenge requests that are overly broad; and are transparent about the content we restrict by publishing data and qualitative details in our Transparency Report.

I hope that our answers to your detailed questions, which accompany this letter, will shed some light on our policies, our commitments, and our very hard work in maintaining the broadest possible environment for freedom of expression.

Yours sincerely,



Detailed Answers

1. How many requests has the Israeli government submitted to Facebook requesting the removal or restriction of content since July 1, 2014? If you are unable to provide an exact number, can you provide annual figures, including 2019 to date?

Information on content restricted based on Israeli law is provided in our [Content Restrictions Transparency Report for Israel](#). Data is available for each half between H2 2013 and H2 2018. Data covering H1 2019 will be published later in November.

2. Of these requests, can you determine how many of these requests concern content that originates from accounts established in Israel and the Occupied Palestinian Territory? If you are unable to provide an exact number, can you provide a percentage or number range by year, including 2019 to date?

Information on content restricted based on Israeli law is provided in our [Content Restrictions Transparency Report for Israel](#). Data is available for each half between H2 2013 and H2 2018. Information on

content restricted based on legal requests from Palestine is [similarly available](#). Data covering H1 2019 will be published later in November.

3. How many of these requests cite content that, in Facebook's determination, violated its Community Standards? Please include a breakdown by year, including 2019 to date. Please also provide information about the most common Community Standard(s) that were cited as the basis for removing or restricting the content at issue.

Information on actions taken under our Community Standards is available in our global [Community Standards Enforcement Report](#).

4. We understand that government requests to remove content that Facebook deems consistent with its Community Standards are subsequently routed to your legal department for review for consistency with local law. Of the total number of Israeli government requests you received, how many were routed to legal review for conformity with local law? If you are unable to provide an exact number, can you provide a percentage or number range by year, including 2019 to date?

Information on content restricted based on Israeli law is provided in our [Content Restrictions Transparency Report for Israel](#). Data is available for each half between H2 2013 and H2 2018. Data covering H1 2019 will be published later in November.

5. Of the total number of requests described in paragraph 4, how many of them did you comply with?

Information on content restricted based on Israeli law is provided in our [Content Restrictions Transparency Report for Israel](#). Data is available for each half between H2 2013 and H2 2018. Data covering H1 2019 will be published later in November.

6. Does Facebook ever challenge the requests described in paragraph 4 in court? If so, can you provide examples of those instances?

*If content reported by Israeli authorities does not violate our Community Standards, we conduct a careful legal review to confirm whether the report is valid and carry out human rights due diligence on the request. In cases where reports are not legally valid, are overly broad, or are inconsistent with international norms, **we will request clarification or take no action.***

7. Has the Israeli government ever challenged Facebook's refusal to comply or non-compliance with the requests described in paragraph 4 in court? If so, can you provide examples of those instances?

We regret that we have not had sufficient time, within the tight deadline you set for a response, to confirm this information for you.

8. From which government agencies have you received requests for the removal or restriction of content in Israel and the Occupied Palestinian Territory?

Information on content restricted based on Israeli law is provided in our [Content Restrictions Transparency Report for Israel](#). Data is available for each half between H2 2013 and H2 2018. Information on content restricted based on legal requests from Palestine is [similarly available](#). Data covering H1 2019 will be published later in November.

9. What local laws have the Israeli government cited as the bases for their requests? If you are unable to provide an exhaustive list of the local laws, can you provide the list of those most commonly cited?

Detailed information on content restricted based on Israeli law is provided in our [Content Restrictions Transparency Report for Israel](#). Data is available for each half between H2 2013 and H2 2018. Data covering H1 2019 will be published later in November.

10. During your evaluation of government requests described in paragraph

3 for consistency with Israeli law, do you rely on the standards for “incitement” under Israeli military law, which governs Palestinians in the West Bank?

Let us be clear: our policies are global. That includes our [violence and incitement](#) policy. As described in our [Transparency Report](#), we first review all government requests to restrict content against the Facebook Community Standards or Instagram Community Guidelines. If we determine that the reported content violates our policies, we remove it. If content does not violate our policies, we conduct a careful legal review to confirm whether the report is valid and carry out human rights due diligence on the request. In cases where reports are not legally valid, are overly broad, or are inconsistent with international norms, we will request clarification or take no action.

11. Under your Community Standards policy, how do you determine whether a group is a “terrorist organization” for whom praise, endorsement or mere representation may constitute grounds for content removal?

We define “terrorist organizations” based on the definition in our Community Standards on [Dangerous Organizations and Individuals](#):

“Any non-state actor that:

** Engages in, advocates, or lends substantial support to purposive and planned acts of violence,*

** Which causes or attempts to cause death, injury or serious harm to civilians, or any other person not taking direct part in the hostilities in a situation of armed conflict, and/ or significant damage to property linked to death, serious injury or serious harm to civilians*

** With the intent to coerce, intimidate and/or influence a civilian population, government, or international organization*

** In order to achieve a political, religious, or ideological aim.”*

As a US company, we also abide by applicable US law, including the [Foreign Terrorist Organization list](#). You can learn more about our approach to extremism here: <https://newsroom.fb.com/news/2019/09/combating-hate-and-extremism/>.

12. Does Facebook maintain a list of keywords or phrases specific to the Israeli-Palestinian context for the purposes of flagging or filtering content for review under its Community Standards? If so, please provide a list of all keywords used.

Our policies are global. We believe that context matters in enforcing our policies— accordingly, we do not maintain a list of universally banned keywords or phrases.

Content reported or identified by automation is reviewed by our Community Operations team, who take into account the context and intent of the content in making a decision as to whether it violates our policies.

13. Does Facebook maintain a list of keywords or phrases for the purposes of flagging or filtering content for review under its policies on terrorist propaganda or violence and graphic content? If so, please provide a list of all keywords used.

We believe that context matters in enforcing our policies—accordingly, we do not maintain a list of universally banned keywords or phrases. Content reported or identified by automation is reviewed by our Community Operations team, who take into account the context and intent of the content in making a decision as to whether it violates our policies.

14. How does Facebook rely on the keywords described above to guide its automated systems in the filtering or flagging of content on its platform?

Content identified by automation is reviewed by our Community Operations team, who take into account the context and intent of the content in making a decision as to whether it violates our policies.

15. What human rights due diligence procedures are in place to ensure respect of free expression during your Community Standards review?

As a member of the Global Network Initiative, we have formally committed to conducting human rights due diligence on government requests to restrict the freedom of expression. In line with these commitments, we routinely conduct human rights due diligence on product, policy, enforcement, and business decisions.

Thus, our Community Standards are developed with input from our internal human rights team and from an [extensive stakeholder engagement process](#) which includes consultation with the human rights community. We also routinely audit the actions of our Community Operations team to ensure they are accurately enforcing our policies.

16. What human rights due diligence procedures are in place to ensure respect of free expression during the legal review described in paragraph 4?

As a member of the Global Network Initiative, we have formally committed to conducting human rights due diligence on government requests to restrict the freedom of expression. This process is conducted with input from our legal, public policy, organic content policy, and human rights teams, as appropriate.