167-169 Great Portland Street
London, W1W 5PF

Tel: +44 (0) 20 7405 0338
Email: info@pen-international.org
Web: www.pen-international.org

Input: thematic report of the Special Rapporteur on Freedom of Expression in Challenging Times (conflict in Gaza)

Threats to freedom of expression in Israel and the territories under its control (OPT) have increased exponentially since the war broke out in October 2023. This report will reflect on some of the challenges, patterns and threats to freedom of expression in Israel, OPT, and beyond since October.

Killing of writers and artists

The massive loss of life, which became a primary characteristic of the conflict, included a staggering number of artists and writers. The latest report by the Palestinian Ministry of Culture reports the loss of 45 artists, writers, and cultural activists between October 2023 and February 2024.[1] PEN International documented the cases - at least - 14 writers and poets who have been killed between October and December 2023, marking it as the deadliest conflict for writers in recent history.[2] Such significant cultural loss represents a massive blow for the Palestinian community and poses critical challenges in its ability to fully recover at a time when tangible forms of cultural heritage, including most of Gaza's museums, the Gaza Central Archive,[3] and Great Omari Mosque,[4] have been deliberately targeted and destroyed.

The destruction of cultural heritage

The Israeli Defence Forces' (IDF) military operation has had a devastating impact on most of Gaza's civilian infrastructure[5], including homes, roads, hospitals, schools, and cultural institutions. As a result, the future educational, cultural, and arts sectors in Gaza are at grave risk of inability to recover amid unprecedented damage to the education sector. [6] The Palestinian Ministry of Culture reported in February 2024 that at least 32 cultural institutions, nine public libraries, and eight publishing houses and printing presses have sustained serious damage or have been completely destroyed as a result of the Israeli bombardment.[7] Additionally, writers who spoke to PEN International reported the loss of their personal libraries which contained thousands of books, including rare copies of indigenous writings, due to the indiscriminate bombardment of their homes. In June 2024, PEN International

[1] https://drive.google.com/file/d/13Ig3uc1vWFzWZqQeRjzTeutNPt-dGt50/view
[2] Note: the statistic is only an indicator and by no means represent the total number of writers killed since October, but it represent cases in which PEN-I was able to access information about their death.
[3] https://www.middleeasteye.net/news/israel-palestine-war-israeli-forces-destroy-central-archive-gaza-city
[4] https://www.bbc.co.uk/news/world-middle-east-67664853
[5] https://www.theguardian.com/world/ng-interactive/2024/jan/30/how-war-destroyed-gazas-neighbourhoods-visual-investigation
[6] https://reliefweb.int/report/occupied-palestinian-territory/verification-damages-schools-based-proximity-damaged-sites-gaza-occupied-palestinian-territory-update-4-3-june-2024?_gl=1*3hvxfy*_ga*NTQ1NDU2NjY1LjE3MDk3MzYyMzg.*_ga_E60ZNX2F68*MTcxODQ0MDYwNy4xNS4xLjE3MTg0NDI1MzMuMTcuMC4w
[7] https://drive.google.com/file/d/13Ig3uc1vWFzWZqQeRjzTeutNPt-dGt50/view

President / Président / Presidente
Burhan Sonmez

International Secretary / Secrétaire International / Secretario
Tanja Tuma

Treasurer / Trésorier Tesorero Interino
Eric Lax

Executive Director / Directrice Exécutive / Directora Ejecutiva
Romana Cacchioli

Presidents Emeritus / Présidents Emérites / Presidentes Eméritos
Jennifer Clement, Homero Aridjis, John Ralston Saul, Per Wästberg, Mario Vargas Llosa

Vice Presidents / Vice-présidents / Vicepresidentes
Svetlana Alexiévich, Margaret Atwood, Niels Barford, J.M. Coetzee, Terry Carlbom, Lucina Kathmann, Kata Kulavkova, Eric Lax, Joanne Leedom-Ackerman, Perumal Murugan, Boris A. Novak, Vida Ognjenović, Elizabeth Norgren, William Nygaard, Orhan Pamuk, Elena Poniatowska, Nayantara Sahgal, Michael Scammell, Eugene Schoulgin, Hori Takeaki, Franca Tiberto, Ngugi Wa Thiong'o

The Board / Le Comité Exécutif / El Consejo
President / Président / Presidente
International Secretary / Secrétaire International / Secretario Internacional
Treasurer / Trésorier / Tesorero
Ege Dündar, Elisha July, Beatrice Lamwaka, Ola Larsmo, Gabriel Seisdedos, Salil Tripathi.

International PEN is trading as PEN International.
International PEN is a company registered in England and Wales with registration number 05683997.
International PEN is a registered charity in England and Wales with registration number 1117088.
International PEN's registered office is 167-169 Great Portland Street, London W1W 5PF

received reliable reports that the Gaza-based *28Magazine*[8] gallery in Rafah, a valuable cultural space frequented by many Gazans that hosted numerous cultural activities in recent years, and the historic Al Ghussein Cultural House[9] were destroyed by Israeli bombardment. Such substantial losses represent a significant loss of Palestine's tangible cultural heritage and cultural infrastructure[10] (with an immeasurable impact on Palestine's intangible heritage), constituting a challenge to Palestinians' access to cultural resources in the present and future. The impact on future generations of Palestinians is likely to be unparalleled. A generation of children in Gaza is not only at severe risk of loss of life from bombings, malnutrition, starvation, and disease, but also the disruption of their education and access to cultural services and facilities will impact their ability to develop and enjoy their creative expression in later life, depriving us all of a crucially important Gazan perspective on life and the world.

Rise in hate speech and dehumanising rhetoric

PEN International further notes a sharp increase in hate speech directed at the Palestinians by Israelis/pro-Israeli voices, including senior government officials and soldiers fighting in Gaza since October 2023.[11] The January ICJ order, in particular, highlights the harrowing dehumanising and hateful rhetoric directed at Palestinians by senior Israeli officials, including the PM, the President, and the Minister of Defence.[12] The resulting collective trauma will have significant repercussions for the mental health of Palestinians, including artists and writers, for decades to come. PEN International has spoken with writers who have survived the war so far, and in all cases, survivors describe the devastating impact of the war on their mental health and their inability to creatively imagine any other reality or put words to paper.

Arbitrary detention

Israel authorities have intensified its practice of arbitrary detention of Palestinians, especially in the West Bank, throughout the October conflict,[13] resulting in unprecedented numbers of administrative detainees held without charge or trial and with many subjected to inhumane and degrading treatment in detention (including reports of severe beatings, humiliating treatment, and starvation).[14] PEN International has documented the cases of five Palestinian writers including writer and human rights activist Ahed Tamimi[15] and writer, poet and librarian Mosab Abu Toha.[16] All five writers were arbitrarily arrested in November and December 2023, and detained for varying periods

[8] https://www.28mag.ps/category/c1/c6/
[9] https://www.facebook.com/AlGhussein.Cultural.House/
[10] https://www.youtube.com/watch?v=FpUYkDQkfY8
[11] https://apnews.com/article/israel-palestinians-south-africa-genocide-hate-speech-97a9e4a84a3a6bebeddfb80f8a030724
[12] https://www.icj-cij.org/sites/default/files/case-related/192/192-20231228-app-01-00-en.pdf
[13] https://www.france24.com/en/middle-east/20240117-israel-administrative-detention-rates-soar-after-october-7
[14] https://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/
[15] https://www.pen-international.org/news/palestinian-writer-and-activist-ahed-tamimi-detained-amid-surge-in-arbitrary-arrests-by-israeli-forces?rq=OPT%5CIsrael%3A%20Palestinian%20writer%20and%20activist%20Ahed%20Tamimi
[16] See Palestine section, PEN-I CL2023/2024: https://www.pen-international.org/news/pen-international-case-list-2023-2024

without charge or trial, during which they allege being subjected to numerous threats, beatings, and inhumane and degrading treatment. .

In all cases, Israeli soldiers who arrested the writers demonstrated a pattern of intentionally humiliating them and, in one case, threatening their family members. In two cases, writers reported being forced to sleep on the ground with limited access to adequate food and drinking water whilst in detention. In one case, a writer was threatened by Israeli officers if they spoke of their experience in prison or of detention conditions, they would kill their father, who was placed under arbitrary administrative detention at that time. The writer's father, who is also a well-known activist and human rights defender, was released in June 2024 without facing charges. Online footage that captured his release demonstrates the visible toll of the detention on him as he appeared to have lost considerable weight. PEN International believes that all writers were targeted due to the peaceful exercise of their right to freedom of expression, including writings critical of the Israeli occupation of Palestine.

Additionally, cultural actors expressing solidarity with Gazans or criticising Israeli actions, have faced particular targeting and face ongoing reprisals for their expression.[17] For example, on 16 October, Dalal Abu Amneh, a prominent Palestinian singer and neuroscientist known for her activism promoting Palestinian culture, was arrested from her home in Nazareth for alleged 'incitement to terrorism' because of her pro-Palestinian views on social media.[18] Following her release, she said she was subjected to ill-treatment by Israeli police because of her views.[19]

Recent media investigations into Israeli detention camps found rampant and systematic abuse of Palestinian detainees, where thousands of individuals – especially from Gaza – have been stripped down, blindfolded, and only allowed to wear diapers while facing constant humiliation and abuse.[20] Many detainees have reportedly been subjected to amputations following infections developed while in detention because of the strains.[21]

Challenges to press freedom

Safety of journalists and their families

The war in Gaza has taken an unprecedented toll on journalists and freedom of the press, with a staggering number of journalists and media workers killed during the conflict, making it the deadliest for journalists in recent history,[22] with 68 per cent of all journalists killed in 2023.[23] Journalists remain heavily restricted from reporting on the war in Gaza, with an almost complete ban on the access of international journalists to the Gaza Strip, and those who are in Gaza have been subjected to serious intimidation and

[17] https://www.newyorker.com/news/annals-of-human-rights/inside-the-israeli-crackdown-on-speech
[18] https://www.middleeasteye.net/news/israel-palestine-war-israeli-forces-arrest-palestinian-singer-dalal-abu-amneh
[19] https://www.facebook.com/Dalalabuamneh.official/posts/pfbid0B2M3ghFLartsd6EjTTPiYT9LZzqLdqbCnbzebSXaGEv5buSnRKfYJRxhx72GM7jAl
[20] https://edition.cnn.com/2024/05/10/middleeast/israel-sde-teiman-detention-whistleblowers-intl-cmd/index.html
[21] https://english.wafa.ps/Pages/Details/145535
[22] https://www.pen-international.org/news/pen-international-joins-cpj-and-partners-calling-on-the-eu-to-help-journalists-in-israel-gaza-war
[23] https://www.ohchr.org/en/press-releases/2024/02/gaza-un-experts-condemn-killing-and-silencing-journalists

harassment. Press freedom organisations raised fears of deliberate retaliatory targeting by Israeli forces of journalists and their families,[24] such as the Al Jazeera bureau chief in Gaza, Wael Al-Dahdouh, injured in the same drone attack on 15 December in which journalist Samer Abudaqa lost his life,[25] after losing his wife, son, daughter, and grandson in an Israeli airstrike on the house they were sheltering in Nuseirat camp in October.[26] On 8 January, he further lost his eldest son, journalist Hamza Al-Dahdouh, along with his colleague Mustafa Thuraya,[27] in a missile attack on their car in southern Gaza while interviewing displaced families.[28]

Journalists elsewhere covering the widening war were also affected. For example, a *Reuters* investigation concluded that its journalist Issam Abdallah was killed, and six other journalists from *Al Jazeera*, *Agence France-Presse* and *Reuters* were injured in southern Lebanon on 13 October by two Israeli tank shells, despite wearing marked journalists' attire.[29] Other journalists were injured or reported missing.

Intimidation of journalists

Palestinian journalists covering the war in Gaza, including Anas al-Sharif, reported receiving threats from the Israeli authorities to stop their coverage of the war.[30] Also in Israel, *Alaraby TV* reporter Ahmed Darawsha was threatened by an Israeli armed police officer during his live coverage from Ashdod in October.[31] On the same day, *BBC* journalists Muhannad Tutunji, Haitham Abudiab and their *BBC Arabic* team covering the conflict were assaulted and held at gunpoint after Israeli police stopped and searched them in Tel Aviv.[32] In October, Israeli journalist Israel Frey was forced to leave his house and hide due to a mob attack on his home[33] after expressing solidarity with Palestinians in Gaza and criticising the conduct of Israeli authorities during the war.[34]

Restricted communications

The intensive Israeli bombardment has devastated Gaza's infrastructure,[35] including its telecommunications, causing severe limitations to internet access,[36] in addition to Israel's repeated days-long complete communications blackouts[37]. Gazans, the majority of whom have been forcibly displaced, struggle to use social media and communication apps to inform their families whether they remain safe, hampered by the longstanding inadequacy of Gaza's internet services.[38] It is also important to highlight that social media

[24] https://www.theguardian.com/world/2023/dec/21/israel-idf-accused-targeting-journalists-gaza
[25] https://www.reuters.com/world/middle-east/two-al-jazeera-journalists-wounded-gaza-missile-strike-reporter-2023-12-15/
[26] https://network.aljazeera.net/en/press-releases/al-jazeera-condemns-killing-its-journalist-wael-al-dahdouh%E2%80%99s-family-gaza
[27] https://www.bbc.co.uk/news/world-middle-east-67905566
[28] https://www.aljazeera.com/news/2024/1/7/hamza-son-of-al-jazeeras-wael-dahdouh-killed-in-israeli-attack-in-gaza
[29] https://www.reuters.com/graphics/ISRAEL-LEBANON/JOURNALIST/akveabxrzvr/
[30] https://www.facebook.com/aljazeerachannel/videos/871922237664695/
[31] The officer seemed unhappy with Drawisha's coverage: https://twitter.com/AlarabyTV/status/1713496050655175114
[32] https://www.bbc.co.uk/news/world-middle-east-67102956
[33] https://www.arabnews.com/node/2392441/media
[34] https://www.youtube.com/watch?v=zMKyH4jCnTE
[35] https://news.sky.com/story/israel-hamas-war-satellite-images-show-homes-and-infrastructure-destroyed-in-gaza-12985717
[36] https://www.accessnow.org/press-release/communications-blackout-gaza-strip/
[37] https://www.palestinechronicle.com/internet-communication-services-fully-cut-off-in-gaza-for-seventh-time/
[38] https://edition.cnn.com/2023/10/13/middleeast/gaza-internet-outage-map-visuals-dg/index.html#:~:text=Internet%20access%20is%20hanging%20on,working%2C%20but%20with%20disrupted%20service.

companies have reportedly censored pro-Palestinian content and severely limited individuals' reach on their platforms.[39] PEN International has experienced difficulty communicating with writers and artists in Gaza, sometimes for days, due to internet blackouts. Limited communications and restricting Palestinian content online have severely limited Palestinians' practice of freedom of expression.

Systematic silencing of voices critical of Israel

Individuals and groups critical or perceived to be critical of Israel have come under particular attack, especially in Europe. Reports of attempts by mainstream media outlets to suppress journalistic coverage of the Israeli's extensive bombing of Gaza,[40] including distortion of its own reporting, are of particular concern. The Guardian fired its long-serving cartoonist Steve Bell for his cartoon depicting Benjamin Netanyahu performing self-surgery with the caption, 'Residents of Gaza, get out now."[41]

The BBC is reported to have taken six Arabic-speaking reporters in the Middle East off air and launched an investigation into their social media posts on the grounds that they were allegedly showing support for Palestinians.[42] The investigation seemingly followed complaints from a pro-Israeli media monitoring body accusing the journalists of bias against Israel. The journalists' names and photos have been circulating in the press, accusing them of supporting Hamas on social media, leaving a terrifying impact on them. PEN International spoke with three journalists, who were never found to have violated BBC editorial policies, faced strict disciplinary measures, including restricting their online activities and threatened to lose their jobs in case new complaints were filed. One senior journalist was forced to resign from her job.

Several literary and cultural performances have been cancelled or postponed following the outbreak of the war. The Palestinian Freedom Theatre reported that the mayor of Choisy-le-Roi in France cancelled their performance, "*And Here I Am*," which focuses on actor Ahmed Tobasi's exploration of themes relating to identity during his life in a refugee camp. Similarly, *LitPromm,* the awards administrator of the Frankfurt Book Fair, postponed the award ceremony for Palestinian writer Adania Shibli, during which Shibli was set to receive the LiBeraturpreis for her novel 'Minor Detail, citing "the terror against Israel" and stating that the book fair "stands with complete solidarity on the side of Israel".[43]

Restriction on rallies

Several countries have imposed restrictions on freedom of expression and assembly in response to recent events using the pretext of maintaining public order. Hundreds of Jewish activists were arrested during a

[39] https://www.hrw.org/report/2023/12/21/metas-broken-promises/systemic-censorship-palestine-content-instagram-and
[40] https://www.nplusonemag.com/online-only/online-only/a-surge-in-suppression/?fbclid=PAAaZQUi-uAgCQn3UGs8jHccQivlWM4ew86XttVNFbXWU4BdnVNVQUBwCWESo_aem_ATczwKQn2_M9nNSqQdikjACpA_F8vAm-JaFnoUy7xUlv_4FB2ewpQ_uC12RbVDhl8B8
[41] https://news.sky.com/story/guardian-cartoonist-steve-bell-sacked-after-benjamin-netanyahu-sketch-12985696
[42] https://www.ft.com/content/c998bfa4-ad8e-4c61-9117-61a57aa9a92a
[43] https://www.pen-international.org/news/litprom-decision-to-postpone-award-ceremony-for-palestinian-author-adania-shibli

sit-in at the United States Congress in Washington, DC, where they demonstrated against "Israel's continuous oppression of Palestinians."[44] French Interior Minister Gerald Darmanin instructed the police to ban and arrest organisers of pro-Palestinian demonstrations due to concerns about public order.[45] In Germany, 174 protestors were reportedly arrested at an "unauthorised" pro-Palestinian demonstration in Berlin,[46] following tensions over protest bans.[47] In the UK, the Home Secretary Suella Braverman issued a letter to the police in England and Wales suggesting that "waving of a Palestinian flag may not be legitimate."[48] In Egypt, authorities arrested scores of people for taking part in protests in solidarity with Palestinians. Between 20 October 2023 and 9 May 2024, Egyptian authorities arrested at least 137 individuals who were detained for varying periods, with 83 facing charges, including "joining a terrorist group," "illegal assembly," and "disseminating false news," for their participation in – very limited – pro-Palestinian protests.

Recommendations

To Israel:

- Immediately cease all indiscriminate attacks against civilians, including writers, artists and cultural workers, and refrain from targeting telecommunication and cultural infrastructure and cultural heritage sites.
- Respect the right of journalists to report on hostilities, ensure journalists' safety, abstain from obstructing, harassing, shooting, or detaining journalists, and allow all journalists and their families seeking to evacuate from Gaza to do so, abjure the indiscriminate and deliberate killing of journalists, promptly and thoroughly investigate all attacks on journalists, and hold accountable individuals found to be responsible.
- Abolish the practice of administrative detention and end the use of military courts against Palestinians, and immediately and unconditionally release all arbitrarily detained Palestinians, and ensure their access to lawyers and family members, adequate food and water and health care services, as well as protection from torture and other forms of ill-treatment pending their release.
- Take all necessary measures to suppress hate and dehumanising speech against Palestinians and hold accountable individuals found to be responsible.
- Support swift, transparent, and independent investigations into the killing of all journalists and ending the longstanding pattern of impunity in the killings of journalists by the IDF.

[44] https://www.aljazeera.com/news/2023/10/19/jewish-activists-arrested-at-us-congress-sit-in-calling-for-gaza-ceasefire
[45] https://edition.cnn.com/2023/10/12/europe/france-ban-pro-palestinian-intl/index.html
[46] https://www.dw.com/en/berlin-174-arrested-at-unauthorized-pro-palestinian-event/a-67145837
[47] https://www.dw.com/en/berlin-police-break-up-banned-pro-palestinian-rally/a-67104373
[48] https://www.gov.uk/government/publications/police-chiefs-asked-to-protect-communities-from-provocations/letter-to-chief-constables-in-england-and-wales-following-the-israel-hamas-conflict-accessible

To the International community:

- Respect the rights of individuals and groups of freedom of expression concerning the conflict in Gaza, and end all forms of suppression of critical voices of Israel, including restrictions on rallies, cancellations of cultural events, and other forms of expression.

To the Media:

- Ensure fact-based and independent reporting on the conflict to combat misinformation and disinformation, take necessary measures to suppress hateful and dehumanising rhetoric against Palestinians in the media, and refrain from taking any actions or enforcing any policies intimidating journalists and media workers expressing views critical of Israel.