COVID-19 An: Opportunity for Authoritarians in the Middle East and for Israel to Annex the West Bank

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Introduction

As of August 4, 2020, COVID-19 has infected more than 18 million people worldwide; of these 10 million people, 698,510 have fallen victim to the virus.¹ The pandemic that began in December 2019 in the Wuhan province of China² has halted daily life throughout the world, leading to the adoption of new measures to contain its spread. Although predicting an end to this on-going public health crisis is difficult, it is safe to say that the precautionary measures adopted by countries throughout the world will remain until the severity of the pandemic eases. While these public health measures are necessary to stem the rise in COVID-19 cases, many put individual freedoms at risk. By imposing stay-at-home orders, curfews, and even full-scale lockdowns, governments around the world have largely resorted to authoritarian measures to prevent the spread of the coronavirus, endangering both democratic values and human rights. This report highlights the rise in authoritarianism worldwide —especially in the Middle East— resulting from the coronavirus pandemic, and situates the Israeli annexation of the West Bank within this trend. As countries globally use the coronavirus crisis to achieve their own political ends, so is Israel: not only is Prime Minister Benjamin Netanyahu militarising the coronavirus pandemic to extend his executive powers³ but also to expand Israeli settlements and annex the West Bank. By using the coronavirus crisis to

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attain this specific political objective, Israel is violating Palestinian human rights and international humanitarian law (IHL). Netanyahu's annexation plans have prompted a rise in violence by the Israeli authorities and settlers against Palestinians in the West Bank, a result that exacerbates the existing health challenges faced by occupied Palestinian communities during the coronavirus pandemic.

**UN Warning and Rising Authoritarianism during the COVID-19 Pandemic**

In a statement released on April 23, 2020, the United Nations Secretary General, Antonio Guterres, acknowledged that the COVID-19 crisis is not only a public health emergency, but also “an economic crisis, a social crisis, and a human crisis that is fast becoming a human rights crisis.” He underscored the importance of human rights during the coronavirus pandemic, stating that rights must be “front and centre” in governments’ responses to the crisis rather than a mere afterthought. Most significantly, he warned that measures adopted to counter the virus must be proportionate to the threat it posed, and that, “against the background of rising ethno-nationalism, populism, authoritarianism and a pushback against human rights in some countries,” the crisis must not be used as a “pretext to adopt repressive measures for purposes unrelated to the pandemic.”

Secretary General Guterres’ statement not only provides insight into the political circumstances of various nations during this public health emergency, but also points to exploitation of this on-going crisis by leaders and governments to achieve their own political ends. The acclaimed international human rights organisation, Human Rights

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5 ibid.

6 ibid.
Watch, has criticised governments’ clampdown on human rights during this public health emergency for their own political objectives. Condemning the irresponsible behaviour of world leaders endangering public health, the censorship of information, the limits on free speech, and the digital surveillance of citizens, the organisation warns that “autocratic governments’ dangerous expansion of power may be one of the pandemic’s most enduring legacies.”

Similarly, reputable newspapers like the New York Times, the Guardian, and the Independent have also alerted citizens to their governments’ misuse of the coronavirus crisis: Selam Gebrekidan of the New York Times cautions that governments are “using the public health crisis as cover to seize new powers that have little to do with the outbreak with few safeguards to ensure that their new authority will not be abused;” Shaun Walker of the Guardian notes that this “terrifying” situation is “a perfect mobilising force for authoritarians…applying military terminology to civilian life;” and Borzou Daragahi of the Independent proceeds to draw parallels between the coronavirus crisis and Germany in the 1930s, stating that the coronavirus pandemic could be exploited like the 1933 burning of the German Reichstag to impose more permanent authoritarian measures on people. Policies implemented by leaders globally—in Hungary, Britain, Romania, Chile, Bolivia, Brazil, South Korea, Singapore, the Philippines, India, and even the United States—give credence to the warnings of these journalists and Human Rights Watch: we are currently witnessing a rise in authoritarian tendencies in democracies and the

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solidification of one-man rule in autocracies. For instance, in Britain, a traditional democracy, ministers have the power to detain people and close borders.\textsuperscript{11} Likewise, in the United States, one of the world’s oldest democracies, President Donald Trump has attempted to manipulate information about the coronavirus to maintain his favourability.\textsuperscript{12} In China, an authoritarian country, the Chinese government dismissed Dr. Li Wenliang’s warnings about the nature of the coronavirus, and censored vital information about the spread of the disease.\textsuperscript{13} Similarly, in Hungary, another authoritarian state, Viktor Orban has used the coronavirus crisis to strengthen his rule by declaring a state of emergency and governing Hungary by decree.\textsuperscript{14}

**COVID-19 Pandemic and Growing Authoritarianism in the Middle East**

In the Middle East too, governments are exploiting this health crisis to serve their own political ends. In Algeria, the coronavirus pandemic has provided the government with an excuse to ban protests that have swept the country for almost a year.\textsuperscript{15} The Lebanese and Moroccan governments too have used the crisis to suspend the right to assemble in public places.\textsuperscript{16} The Egyptian government has increased its control of information, and has suspended the licenses of foreign reporters who revealed that the government had underreported the number of coronavirus cases within Egypt.\textsuperscript{17} Likewise, Jordan has passed an emergency defence law—which

\textsuperscript{11} Gebrekidan, “For Autocrats, and Others, Coronavirus Is a Chance to Grab Even More Power.”


\textsuperscript{13} ibid.

\textsuperscript{14} ibid.


\textsuperscript{16} ibid.

\textsuperscript{17} ibid.
prohibits the spread of “false” information—in order to crack down on dissent. Turkey has also clamped down on the reporting of vital information by increased its arrest of journalists; the Turkish government in fact is investigating a Member of Parliament for stating that the coronavirus had spread to the country’s prisons, a fact that Turkish President Recep Tayyip Erdogan denies. In Iran, the government has blamed the United States for the pandemic to deflect attention from its economic woes and its ill management of the crisis. Lastly, the Saudi Arabian monarchy has delayed the trials of local activists, and has sought to expand its repressive policies. In short, rising authoritarianism has afflicted the Middle East during the coronavirus pandemic as it has the rest of the world.

COVID-19 Pandemic and Rising Authoritarianism in Israel

In Israel, the Netanyahu government—like others in the Middle East—has been exploiting the coronavirus crisis to achieve its political objectives. Domestically, Prime Minister Benjamin Netanyahu is using the crisis to salvage his reputation after facing corruption charges and to further strengthen his grip over Israel. Critics claim that Netanyahu is taking advantage of the coronavirus pandemic to prolong his tenure as Prime Minister: in March, Netanyahu insisted that Parliament observe coronavirus restrictions, thus preventing Benny Gantz’s Blue and White party from creating parliamentary committees and electing a speaker; in April, he agreed to establish a coalition with Gantz and the Blue and White party as long as he remained Prime Minister.}

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18 Gebrekidan, “For Autocrats, and Others, Coronavirus Is a Chance to Grab Even More Power.”
19 Roth, “How Authoritarians Are Exploiting the COVID-19 Crisis to Grab Power.”
20 Dunn, “Authoritarianism and the Middle East in the Time of COVID-19.”
Minister for another 18 months, despite his impending trial on corruption charges.\(^{22}\) In addition to these political manoeuvres, Netanyahu’s government has expanded surveillance of Israeli citizens by employing a national database collated by the Shin Bet, Israel’s internal security agency, to track the transmission of the coronavirus. This secret database, which was originally compiled after 9/11 as a counter-terrorism measure, contains the names, addresses and phone numbers of Israeli citizens, tracks phone calls, uses geo-location services to monitor citizens’ movements throughout the state, and records online activity and Internet searches.\(^{23}\) By using a counter-terrorism measure to help prevent the spread of the coronavirus within Israel, the Netanyahu government has militarised a health crisis.\(^{24}\) The Israeli newspaper *Haaretz* noted that Israel is “the only democracy using its security services to track coronavirus victims.”\(^{25}\) While Israeli citizens acknowledge the need to track the transmission of the coronavirus, many are unhappy with the autocratic decision-making behind the move. Israeli civil liberty groups and opposition leaders have criticised the government for its violation of privacy rights and infringement upon democratic liberties; despite the coronavirus restrictions, these groups organised a protest convoy on March 19, 2020, to oppose the government’s use of this counter-terrorism measure.\(^{26}\) Critics claim that Netanyahu’s obstruction of Parliament, his political arrangement with Gantz, and his use of state surveillance serve to consolidate his authoritarian rule; the historian Yuval


\(^{23}\) Richard Silverstein, “Israel Is Militarising and Monetising the COVID-19 Pandemic.”

\(^{24}\) ibid.


\(^{26}\) Steve Hendrix and Ruth Eglash, “Israel is Using Cellphone Surveillance to Warn Citizens: You May Already be Infected.”
Noah Harari argued that Netanyahu is exploiting a health crisis to establish his own dictatorship.\textsuperscript{27} Netanyahu’s attempts at further consolidating his power in Israel thus follow the trend of growing authoritarianism observed throughout the world and the Middle East during the coronavirus crisis.

\textbf{COVID-19 Pandemic and Netanyahu’s Ambitions in the West Bank}

West Bankers comment that the coronavirus restrictions imposed on them are no different from the existing constraints posed by the Israeli occupation: many note that restrictions on their movement and daily activities are “the rule rather than the exception”\textsuperscript{28} and that violence against West Bankers by settlers and the Israeli authorities has also continued unimpeded. Despite the continued challenges faced by Palestinian communities in the West Bank, the entanglement of the coronavirus pandemic with Israeli politics has grave repercussions for them: the pandemic has allowed Netanyahu to extend Israeli control over the West Bank. Under the April power sharing agreement between Netanyahu and Gantz—a pact largely resulting from the Israeli public’s desire for a united government during this pandemic\textsuperscript{29}—the Netanyahu government can begin annexing parts of the West Bank, specifically the region designated Area C under the Oslo Accords, on July 1, 2020. Netanyahu had first announced his intention to annex West Bank settlements, including those in the Jordan

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  \item \textsuperscript{27} Steve Hendrix and Ruth Eglash, "Israel is Using Cellphone Surveillance to Warn Citizens: You May Already be Infected."
  \item \textsuperscript{29} Richard Silverstein, “Israel Is Militarising and Monetising the COVID-19 Pandemic.”
\end{itemize}
Valley and the Northern Dead Sea, in September 2019. Having not won clear majorities in any of the three closely contested Israeli elections this past year, Netanyahu had been unable to implement his plans; his new political arrangement with Gantz in the midst of the coronavirus crisis, however, has finally given him the opportunity to proceed with the annexation of the West Bank. Netanyahu’s plans have not only faced opposition by Palestinians in the West Bank, but also by Jewish and Arab citizens in Israel; these opponents of Netanyahu’s annexation plans in fact staged a protest in Tel Aviv on June 6, 2020, to condemn Israeli violence against Palestinians. The Israeli police, citing coronavirus restrictions, initially barred the protest; however, the demonstration was finally allowed to proceed when the police received backlash for the initial ban. Despite facing widespread criticism for his West Bank annexation plans, Netanyahu has showed no signs of yielding to the opposition.

**History of Israeli Interests in the West Bank**

Under United Nation Security Council Resolution 181 that outlined the creation of a Jewish Israeli state and a Palestinian Arab State at the end of the British Mandate of Palestine, most of the West Bank fell under Palestinian administration. After the Arab-Israeli War of 1948, a conflict sparked by the Arab states rejection of the creation of a Jewish state in Palestine, Israel annexed territory from that allotted to the Palestinian Arab state (increasing its size to 77% of mandate Palestine), but not the West Bank.

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Having been annexed by Jordan,\textsuperscript{34} the West Bank was united with the East Bank under the rule of King Abdullah I in 1950, a move that provided West Bank Palestinians with Jordanian citizenship. The West Bank had its own representation in the Jordanian Parliament and Palestinian Jordanians were treated equally under Jordanian law.\textsuperscript{35}

During the Six Day War of 1967, however, Israel occupied the West Bank from Jordan, along with other territories like Gaza from Egypt. For Jews, the West Bank, known as Judea and Samaria, was of religious importance because it contained Jewish religious places and was the site of biblical events.\textsuperscript{36} The West Bank's religious significance to Jewish Israelis thus made it an area of interest for the Israeli state, prompting its occupation. The United Nations in Security Council 242 affirmed that Israel must withdraw its forces from the West Bank, an area reserved for a Palestinian state, and end its occupation.\textsuperscript{37} Despite this resolution, Israel began building settlements in the occupied West Bank, the first being Kfar Etzion. The Alon Plan of 1967 in particular advocated greater settlement building and the annexation of the eastern parts of the West Bank, like the Jordan Valley, for Israeli state security.\textsuperscript{38} Twelve years later in 1979, the UN Security Council, in Resolution 446, pronounced the Israeli settlements in the West Bank illegal, and condemned Israel's attempts to alter the West Bank's demographic composition.\textsuperscript{39} Yet the Drobless Plan, adopted by the Israeli cabinet

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\textsuperscript{34} ibid.
\textsuperscript{35} Jalal Al Husseini, “Jordan and the Palestinians,” Books.openedition.org, 2013,
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in 1981, ignored UN resolutions and promoted increased settlement building, which continued through the 1980s.\textsuperscript{40}

The Oslo Accords, however, signalled a change in Israeli policy in the West Bank. Signed by Israel and the Palestinian Liberation Organisation in 1993 and 1995, these Accords divided the West Bank into 3 zones: A, B, and C. Israel agreed to give the newly established Palestinian Authority control of most Palestinian affairs in Area A, and of education, health, and the economy in Area B. In Area C, the largest area of the West Bank, Israel was given control over affairs, but had to transfer its control to the Palestinian Authority in 1999.\textsuperscript{41}

Yitzhak Rabin’s assassination in 1995,\textsuperscript{42} the visit of Ariel Sharon, then-Israeli Prime Minister, to the Haram al-Sharif in 2000, and the start of the Second Intifada derailed the peace process.\textsuperscript{43} Noting the change in circumstances, Israel began constructing a separation wall in the West Bank, deemed illegal by the International Court of Justice.\textsuperscript{44} In an attempt to salvage the peace process in 2003, the United States, the European Union, the Russian Federation, and the UN, outlined a roadmap to a two-state solution. Israel proceeded to withdraw completely from Gaza in 2005,\textsuperscript{45} but this withdrawal did not prompt a similar move in the West Bank. Instead of disengaging
from Area C, as it should have according to the Oslo Accords, Israel increased its settlements in the West Bank from 258,988 in 2005 to 295,380 in 2008.\textsuperscript{46} The Obama administration took a firmer stance than previous US administrations against Israeli settlement building. On May 19, 2011, President Barack Obama declared US support for an independent Palestinian state according to pre-1967 borders,\textsuperscript{47} a declaration that made clear the US stance on the illegality of Israeli West Bank settlements. Despite Obama’s declaration, in July 2011, a military document showed Israel’s plans to annex West Bank settlements, including those in the Jordan Valley and Northern Dead Sea.\textsuperscript{48} The UN Security Council once again condemned Israeli settlement building in Resolution 2334 of 2016.\textsuperscript{49}

Following the announcement of Netanyahu’s West Bank annexation plans in September 2019, the Trump administration reversed President Obama’s policy on Israeli settlement building in the West Bank. US Secretary of State Mike Pompeo, on November 18, 2019, announced that according to the United States, Israeli West Bank settlements did not violate international law.\textsuperscript{50} This novel US stance contradicted decades of UN resolutions. In fact, President Trump’s plan for Israeli-Palestinian peace, more commonly known as the “deal of the century,” serves as the basis for Netanyahu’s annexation of the West Bank.\textsuperscript{51} Secretary Pompeo’s May 2020 visit to Israel in the midst
of the COVID-19 pandemic further illustrated the Trump administration’s approval of Netanyahu’s annexation plans.52

The Current Situation in the West Bank: Violence by Israeli Authorities and Settlers

Despite this change in US policy, Israeli settlements in the West Bank remain illegal under international humanitarian law (IHL), specifically under the Fourth Geneva Convention. As an occupying power, Israel is forbidden from transferring its population to the West Bank and from destroying Palestinian private property,53 yet the Netanyahu government continues to violate its obligations under IHL by continuing the building of settlements. Moreover, by exploiting the coronavirus pandemic to further its West Bank annexation plans and attain a declared political objective, the Netanyahu administration is violating its responsibility as an occupying power to “ensure sufficient hygiene and public health standards, as well as the provision of food and medical care to the population under occupation.”54 As Zaha Hassan and Hallaamal Keir highlight, the Israeli occupation has already exacerbated the challenges of the coronavirus pandemic in the West Bank.55 For instance, Palestinians do not have sufficient access to testing or doctors. Israel has been with withholding Palestinian tax revenue amounting to 11 million dollars per month, and has also imposed an import tax of 3 to 5% on Palestinian
goods. These actions have deprived the Palestinian Authority of much needed revenue for its health infrastructure.\(^{56}\) By adding to Palestinians’ existing challenges during the pandemic, the Netanyahu government’s exploitation of the COVID-19 crisis to annex the West Bank has further jeopardised Palestinian lives. For instance, the Israeli Civil Administration’s confiscation of materials intended for the creation of eight health clinics in the Northern West Bank on March 26, 2020 endangered public health. This move, aiming to facilitate Israel’s annexation plans, points to the Israeli government’s violation of its obligation under IHL to protect its occupied population during a health crisis.\(^{57}\)

Similarly, Israel’s impending annexation has resulted in an increase in demolitions, confiscations, and arrests by the Israeli authorities in the West Bank. In Area C of the West Bank particularly, the Israeli Civil Administration and military have destroyed or confiscated homes, tents, livestock enclosures, agricultural structures, water pipes, and construction material.\(^{58}\) Oxfam reported that the since the Palestinian Authority declared a state of emergency on March 5, 2020 due to the coronavirus crisis, the Israeli authorities have “demolished, forced people to demolish or seized 40 structures, displacing 26 Palestinians and affecting over 260 others,” and have conducted 298 search and arrest operations, arresting 312 Palestinians, including at least 29 children.\(^{59}\)

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In addition to the increase in operations by the Israeli authorities, Israel’s West Bank annexation plans have caused a rise in settler violence against Palestinians since the first COVID-19 case was reported in Israel on February 21, 2020.\textsuperscript{60} While 11 settler attacks were reported in January 2020 and 12 in February 2020, there were 23 in March 2020, 30 in April 2020, and 18 in May 2020. These incidents involved assault, vandalism, stealing livestock, and crop damage.\textsuperscript{61} In a particularly violent incident on April 16, 2020, brothers ‘Issa and Musa Qatah from al-Jalazun Refugee Camp were assaulted whilst out for a walk. Both were severely injured, and a settler even spat at Qatah, putting him at risk of COVID-19 infection. Israeli soldiers provided no assistance to the brothers; in fact, in most of these incidents, the Israeli soldiers either took no action against the settlers or then aided them. Many soldiers also arrested Palestinian residents who attempted to protect their families or homes.\textsuperscript{62}

These violent actions of the Israeli authorities and settlers have created an atmosphere of impunity. The Israeli human rights organisation Yesh Din has reported that 91% of investigations into settler violence by the Israeli authorities “are closed with no indictment.”\textsuperscript{63} Some Palestinians also refrain from filing complaints with the Israeli authorities because they believe that doing so will normalise the existing situation of occupation.\textsuperscript{64} In short, Palestinians in the West Bank have no access to justice for crimes committed against them.
**Conclusion: COVID-19, An Opportunity for Peace?**

As examined above, the COVID-19 pandemic has allowed authoritarians throughout the world—especially in the Middle East—to strengthen their grip on power by achieving political ends. The case of Israeli Prime Minister Benjamin Netanyahu is no exception to this trend. Whilst exploiting the coronavirus crisis to consolidate his hold on the Israeli government, Netanyahu is executing his plans to annex the West Bank, particularly the land designated Area C under the Oslo Accords, endangering Palestinian lives in the process.

Despite the Netanyahu government’s unilateral actions in the West Bank, a few scholars have noted some instances of cooperation between the Israeli government and the Palestinian Authority during the coronavirus pandemic; for example, both established a joint operations centre and other information-sharing and coordination mechanisms to control the spread of the coronavirus.\(^5\) Nickolay Mladenov, the UN Special Coordinator for the Middle East Peace Process, even praised these instances of cooperation, saying that the pandemic had created opportunities for Israeli-Palestinian peace.\(^6\)

While the COVID-19 pandemic has contributed to some collaboration between the Israeli and Palestinian authorities, the Netanyahu government’s West Bank annexation plans overshadow any cooperation. As Oxfam concludes, the Israeli government’s annexation of settlements in the West Bank “would create a permanent solution in which two
populations live in one area but enjoy two distinct sets of rights...and would also deprive any future Palestinian state of geographic integrity and critical natural resources." By using this health crisis to achieve its political objective of annexing the West Bank, Israel is not only violating its responsibility under international humanitarian law to protect Palestinian human rights, but also eliminating any possibility of a two-state solution—a path for peace agreed upon by Israelis and Palestinians and endorsed by the international community. As the United Nations highlights, the COVID-19 pandemic has demonstrated that Israelis and Palestinians are interdependent. Instead of using this crisis to attain short-sighted political ends, it would be more valuable for both parties to accept their interdependency and engage in diplomacy to work towards a two-state solution, respecting the human rights of both Israelis and Palestinians in the process. To facilitate such dialogue and the creation of an independent Palestinian state, Israel must stop its unilateral annexation of the West Bank and completely disengage from the occupied territory in accordance with United Nations Security Council resolutions. Any unilateral action by Israel would only serve as an obstacle to peace.
Bibliography


