West Bank Annexation: Law, Politics and Territories amid the COVID-19 Pandemic

During these times of confusion and uncertainty, where the human perception of what is “normal” has been completely altered, the world’s efforts are geared toward combatting the COVID-19 pandemic. Order and solidarity are more essential than ever before. However, Israel is not on the same page as others salvaging the human condition. In the most malicious and exploitative manner, Israel is taking advantage of the Corona virus situation not only to ramp up aggression and violations against Palestinians, but also to continue its annexation project of the West Bank, part of a continuous policy aimed at exhausting the Palestinians and pushing them to give up their right to self-determination.

Exploiting the COVID-19 Pandemic to Change De Facto to De Jure Annexation

Notably, Israeli aggression and violations of Palestinians' human rights include, but are not limited to illegal expropriation of lands, demolition of properties, issuing military demolition orders; land leveling; soil contamination; destruction of farmlands, crops and grazing areas; attacks on herds and herders; arson attacks by colonial settlers on lands and properties; and physical assault on Palestinian citizens, especially Bedouins and farmers in Area C. The following are some statistics of escalated Israeli aggression and violations of Palestinians' rights specifically those pertaining to land and housing, as well as the variance in escalation and level of aggression as observed during the pandemic and compared to the pre-COVID-19 era:

1. Pre-COVID-19, the average rate of land confiscation that is eventually used for settlement expansion purposes was about 850 dunums (85 hectares) per month. However, the rate is now nearly doubled with a total of 1,480 dunums (148 hectares).

2. The Palestinian agricultural and urban sectors have been targeted with a vicious campaign of military orders (threats) of demolition, confiscation, and eviction altogether to serve the annexation project. Intensified attacks and assaults against Palestinian farmers and farmlands were recorded with a higher rate compared with Pre-COVID-19 time. More specifically, attacks against trees per month soared to 956 cases per month as compared to 119 cases pre-COVID-19 phase.

3. The Israeli occupation claimed the halting of home and facilities demolition during the pandemic. However, the rate of properties demolition notably ramped up with a total of 96 demolition cases of inhabited homes and establishments. The variance in demolition rate pre and during the -COVID-19 pandemic is 30 to 32 cases per month.

4. During March, April, and May of 2020, the rate of home demolition military orders (threats) totaled 97. The variance in demolition threats rate before and during the -COVID-19 pandemic is an increase from 61 to 187 cases per month.

5. Some 562 dunums of agrarian lands were targeted with vicious attacks by Israeli colonial settlers and soldiers alike. Before the time of Corona virus, an estimate of 43 dunums (4.3
(19 hectares).

6. Some 72 cases of physical assaults (including by attack dogs unleashed on Palestinians) were recorded throughout the pandemic time. The variance in rate of the attacks is 20 cases before the COVID-19 phase to 24 incidents during the pandemic.

The below table details the variance in the rate of the Israeli aggression/violations before and during the COVID-19 pandemic.

<table>
<thead>
<tr>
<th>Violation/Aggression</th>
<th>Unit</th>
<th>Before COVID-19</th>
<th>During COVID-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land expropriation</td>
<td>Dunum</td>
<td>850</td>
<td>1,480</td>
</tr>
<tr>
<td>Aggressions on trees</td>
<td>Incidents</td>
<td>119</td>
<td>956</td>
</tr>
<tr>
<td>Demolition of houses and properties</td>
<td>Structures</td>
<td>30</td>
<td>32</td>
</tr>
<tr>
<td>Demolition threats</td>
<td>Number</td>
<td>61</td>
<td>187</td>
</tr>
<tr>
<td>Aggressions on farmlands and crops</td>
<td>Dunum</td>
<td>43</td>
<td>190</td>
</tr>
<tr>
<td>Physical assaults on farmers</td>
<td>Incidents</td>
<td>20</td>
<td>24</td>
</tr>
</tbody>
</table>

Assessment and Recommendations

The current U.S.-sponsored “deal of the century” brings absolutely no prospect of peace and stability to the region. On the contrary, it carries within its articles and terms destructive powers that would deepen existing wounds and increase the tension between the colonizer and the colonized. Since the “deal” was made public, the PA completely rejected it and severed communication and mediation with the authoring parties, continuing the moratorium started after Trump’s recognition of Jerusalem as Israel’s capital.

Before the announcement of the “deal,” the Israeli government, already had carried out some of its terms and articles, as the U.S. designated the Israelis to be the exclusive implementers of the deal. Such provisions include the maintaining of control over East Jerusalem and some parts of the West Bank.

After the formation of a coalition government that is composed of right-wing and national-religious parties in the Israeli Knesset, massive lands of Area C of the West Bank are more likely to be annexed to the State of Israel. This renders the West Bank cities geographically disconnected enclaves, ending any prospect for the two-state solution.

Indeed, for peace and settlement deals and plans to materialize, they should be grounded in the UN resolutions, international law and human rights. Such references guarantee to the Palestinians their basic rights such as the right to self-determination, along with individual human rights. Most importantly, the right of Palestinian refugees to return and full reparations should be unquestionable and the top priority for such a peace. Therefore, any deals that propose otherwise should be internationally rejected. If accepted by any means by any country, it cannot be seen, but as a clear position of prolonging military occupation and an apartheid system over the Palestinian people as a whole.
Appendix

What is the West Bank?
As the name suggests, it is the area located to the west of the River Jordan and bordered by the areas of Palestine to the north, West and South occupied since 1948. Despite hosting the Palestinian Authority, which was established as per the Oslo Peace Agreement in the mid-1990s, it has been occupied by Israel since the 1967 Six Day War.

What characterizes the lives of around 2.1 million and 3 million (estimates vary) Palestinian Arabs living in the cities and villages of the West Bank is a combination of dependency and direct Israeli military rule. Again, being occupied as previously explained, the West Bank (besides East Jerusalem) is also home to some 430,000 Israeli colonial settlers who reside in 132 settler colonies (and 124 smaller "outposts") built under Israel's occupation.

Both Palestinians and the international community, through the UN, have long asserted the illegality of settler colonies in the occupied West Bank and Jerusalem. However, the current U.S. Administration has blatantly announced that what has been conventionally "illegal" as finally "legalized" and considered part of the borderless State of Israel. Such an unprecedented move was part of a series of U.S. actions and procedures favoring Israel in its pursuit of complete sovereignty over what has remained of the lands of historic Palestine.

From Trump's "Deal" to "Annexation"

Annexation is the term applied when a state unilaterally proclaims its sovereignty over any region outside its territorial jurisdiction. It is forbidden by international law. The annexation project entails enforcing Israeli sovereignty over Jewish settler colonies and their “planning zones” on illegally appropriated lands of the West Bank, which include the vast majority of the border with Jordan along the Jordan Valley. The ramifications of such move would render the Jordan Valley (an approximate 30% of the total area of the West Bank) annexed to Israel.

The “deal of the century” suggests creating a non-contiguous and Palestinian entity without sovereignty, which will, in the course of the next five years, be discussed as a potential basis for statehood. The already-existing settler colonies in the West Bank will not only remain intact, but will also be given legitimacy as “legalized” and become annexed to the borders of the State of Israel.

The same annexation applies to the Jordan River Valley. The Palestinian entity will be first disarmed and should be demilitarized, with Israel retaining control of security matters. In other words, it would be a stateless state; a title only. Palestinians would not have sovereignty over their capital Jerusalem; their entity would be founded on 40% of the West Bank, which is to be linked to Gaza Strip via an apartheid land corridor in addition to some parts of the southern Naqab. The question of refugees would be entirely excluded from any negotiations. Israel would not receive a single returning refugee in Israel. Some might return to Palestinian lands, but under limited conditions and circumstances. The rest should remain in their host countries.
Compensation for Palestinian refugee losses would hinge on “compensation for lost assets” for Jewish refugees from Arab countries.

Organizations and partners in support to the Palestinian peoples' rights

Land Research Center (Palestine)

Union of Agricultural Work Committees UAWC, (Palestine)

Housing and Land Rights Network – Habitat International Coalition

In coordination with - International Planning Committee for Food Sovereignty, Near East/North Africa region