OCCUPATION IN THE TIME OF COVID-19:
HOLDING ISRAEL ACCOUNTABLE FOR PALESTINIAN HEALTH

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Israel's military occupation and siege of the Occupied Palestinian Territory (OPT) have directly contributed to Palestinians' deteriorating health system and to their inability to mitigate the disastrous effects of the COVID-19 pandemic. As an occupying power, Israel has responsibilities under international humanitarian law (IHL) to the Palestinians which it has consistently failed to carry out, including the provision of public health. Instead, Israel has contributed to the "de-development" of the Palestinian health sector and it has restricted Palestinian initiatives to respond to the pandemic throughout the OPT.

Several articles under section III of the 4th Geneva Convention describe the responsibilities of an occupying power towards civilians in occupied territories. UN Special Rapporteur for human rights in Palestine, Michael Lynk, "has previously noted that Israel is in 'profound breach' of its international obligations with regards to the right to health of Palestinians living under occupation." Israel's blockade and continuous assaults on the Gaza Strip have led to shortages in food, electricity, and medical supplies, including desperately needed and life-saving ventilators. In the West Bank, continued land loss and underfunding, and Israel's strict restrictions on imports and exports, have crippled the Palestinian Authority's (PA) ability to fund a faltering health sector.

This de-development of the Palestinian health sector, which predated the pandemic, has led to the deterioration of Palestinians' health, making them especially vulnerable to the severe symptoms associated with COVID-19. In addition, the PA has largely failed to respond to the pandemic due to limited investment in the health sector and Israel's apartheid infrastructure in the form of checkpoints, border crossings, the separation wall, and the permit system. In 2019, only 64% of medical permits were approved from Gaza, and 81% from the West Bank. And in spring 2020, after the PA stopped civil coordination with Israel following Israel's annexation plan, Israel only approved half of the medical permit requests from Gaza.

As for Israeli aid to Palestinians during the pandemic, Danny Danon, the Israeli ambassador to the UN, has said that, "Palestinians need to choose. If they want to continue receiving coronavirus aid, they need to stop the incitement." In other words, Palestinians must prove that they deserve aid, without criticizing the Israeli government's behaviors, or risk being accused of incitement and anti-Semitism. What is more, in April 2020, Defense Minister Naftali Bennett indicated that relief to Gaza would be conditioned on whether Israel could recover the remains of two of its soldiers lost in the 2014 war.

In addition to these harsh policies, Israel has blocked Palestinian efforts to tackle the pandemic. For example, Israel not only raided a COVID-19 testing center in Silwan, it also arrested its organizers to prevent "any Palestinian Authority activity in Jerusalem." As another example, Israeli authorities do not service areas like Kufr Aqab that are technically within Israeli-drawn boundaries, but on the outside of the separation wall. As a result, and since Israel bans PA activity in these areas, Palestinians there are left without any government services. Moreover, incursions

and raids by the Israeli military in the West Bank have continued, as well as frequent home demolitions, leading to fears among Palestinians that Israeli soldiers entering or destroying their homes, or staffing the checkpoints, might be infectious.

In light of the devastating economic sector, especially since the pandemic, many Palestinians from the West Bank have sought work in Israel, while those from Gaza are typically not given work permits. In fact, up to 70% of Israel's construction workforce is Palestinian. Many of these workers come into contact with infected Israelis and consequently, spread the virus throughout the OPT when they return home. And without the health services to test and treat the infected, Palestinians have little hope of effectively stopping its spread.

What is desperately needed to address the public health crisis in Palestine during the COVID-19 pandemic is the following:

- Palestinian leadership must take a "socially collaborative and empowering approach" that meets the needs of Palestinians.

- Israel must release Palestinian political prisoners, especially elderly and chronically ill prisoners, as well as improve conditions for those serving sentences.

- A just resolution to the status of Palestinian refugees throughout the Middle East, including return, as well as implementation of rights in host states, is needed to protect this marginalized population that is disproportionately impacted by the pandemic.

- Israel must lift its siege of Gaza to allow for the entry of medical goods and materials to build health facilities, and to allow the entry of medical personnel to support the understaffed health providers in Gaza.

- The international community must pressure Israel to meet its obligations as an occupying power towards the occupied Palestinian people under the 4th Geneva Convention.