



ISSUE BRIEF: ANNEXATION STEPS TAKEN BY THE NETANYAHU GOVERNMENT

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The government of Israeli Prime Minister Benjamin Netanyahu was established with the [guiding principle](#) that “the Jewish people have an exclusive and indisputable right to all parts of the Land of Israel” – a term that encompasses not just the State of Israel, but also the occupied West Bank. It has also committed to “promote and develop settlement of all parts of the Land of Israel.” In addition to intensifying [de facto annexation](#) – expanding Israeli settlement in areas of the West Bank in ways that intrinsically tie them to Israel – the ultra right-wing government is taking incremental steps that formally extend Israel’s domestic laws and government over those areas (i.e., [de jure annexation](#)). The coalition agreements refer to “[applying sovereignty](#),” to avert the international scrutiny a formal declaration of annexation would trigger.

***De jure* annexation measures by the Netanyahu government:**

- **Transfer of authority over most aspects of civilian life in the occupied West Bank to Bezalel Smotrich:** In his capacity as an additional minister in the Ministry of Defense, Smotrich will essentially become the [first civilian governor](#) of the West Bank. He will oversee the Civil Administration and the Coordinator of Government Activities in the Territories (COGAT), as well as a new Settlement Administration. [Reports specify](#) broad powers for Smotrich, including: authority over the planning and construction bureaucracy that authorizes settlement construction; land purchases, surveys, and registration of state land in Area C; declaration and development of nature reserves; and enforcement against unauthorized construction in Area C. Consistent with international law governing belligerent occupation, the General in charge of Israel’s Central Command had served as the governing authority of the West Bank since Israel captured it in 1967. [For more detail, see “[Bezalel Smotrich’s West Bank Takeover Is What Annexation Looks Like](#).”]
- **Application of Israeli laws to settlers:** Among the functions of the new Settlement Administration is speeding the process of “[pipelining](#)” the application of Israeli laws to settlers. This will further institutionalize a dual legal system which affords settlers broad rights and protections, while their Palestinian neighbors continue to live under military law. Under the guise of “equal citizenship” reform, the new Settlement Administration is also [charged](#) with streamlining the provision of services to settlers by government ministries.

***De facto* annexation steps by the Netanyahu government:**

- **“Legalizing” settlement outposts:** Israel’s Security Cabinet [approved](#) regularizing [ten West Bank outposts](#), which are illegal under Israeli and international law, to convert them into authorized settlements. The government’s coalition agreements [indicate commitment](#) to “regularize” *all outposts and additional illegal Israeli construction in the West Bank* – including farms and extensions to settlements. Prime Minister Netanyahu will head a new ministerial team

for regularizing outposts. “Legalizing” all outposts would significantly extend the amount of the West Bank consumed by settlements.

- **Advancing large-scale settlement expansion:** Israel’s Civil Administration in the occupied West Bank advanced the planning and building of [over 7,000 new settlement housing units](#), outstripping approvals in 2022 and 2021. Alongside the outpost “legalization,” this major announcement was condemned internationally, including by the [UN Security Council](#) and the [foreign ministers](#) of the US, France, Germany, Italy, and the United Kingdom. Roughly 80 percent of the new units will be built in settlements [deep in the West Bank](#), in areas needed for a viable Palestinian state. Despite its pledges at [Aqaba](#) and [Sharm al-Sheikh](#) for a temporary moratorium on settlement expansion, Israeli authorities also approved plans for [6,500 housing units in East Jerusalem](#). The government’s coalition agreements contain measures to facilitate large-scale migration of Israelis to the West Bank, including: tax breaks, removal of barriers to settlement construction, and incentives for Israeli farmers. Its [budget](#) contains [7 billion shekels](#) (\$1.9 billion) over five years for West Bank roads.
- **Repealing key parts of the 2005 Disengagement Law:** By [repealing the ban](#) on Israelis living in the northern West Bank area where four evacuated settlements are located, the Netanyahu government is paving the way for “legalizing” the outpost at Homesh ([promised](#) in the coalition agreements) and taking a [major step](#) to transform the region by populating it with settlements. The repeal also [breaks multiple commitments](#) to US administrations. [See “[Why the Netanyahu Government’s Disengagement Repeal Is So Problematic for the Biden Administration](#).”]
- **Connecting illegal outposts to infrastructure:** The Security Cabinet authorized connecting dozens of still-illegal outposts to Israeli state-provided infrastructure like water and electricity. This is consistent with its “[humanitarian solution](#)” of allowing illegal outposts to connect to electricity infrastructure prior to their “legalization.”

What key parties are saying:

- [US Ambassador to Israel Tom Nides](#): “Our position is quite clear: We do not support annexation. We will fight any attempt to do so.” [Assistant Secretary of State for Near East Affairs Barbara Leaf reportedly told](#) Israeli officials the US would oppose any West Bank authority transfer to Bezalel Smotrich, regarding it as a step toward annexation.
- [Former IDF Head of Strategic Planning Brigadier General \(res.\) Udi Dekel](#): “The subordination of the Civil Administration to the Minister of Settlement [Bezalel Smotrich] and the subordination of the areas it oversees to other government ministries connotes that this is no longer a slow process of annexation, but rather, accelerated annexation.”
- [The Israeli Law Professors’ Forum for Democracy](#): “Not only does [the transfer of West Bank authority to the Israeli government] support the perception that Israel is annexing the territory in violation of international law, but it may amount to an act of aggression, which affects both the responsibility of the state and the criminal responsibility of its leaders.”