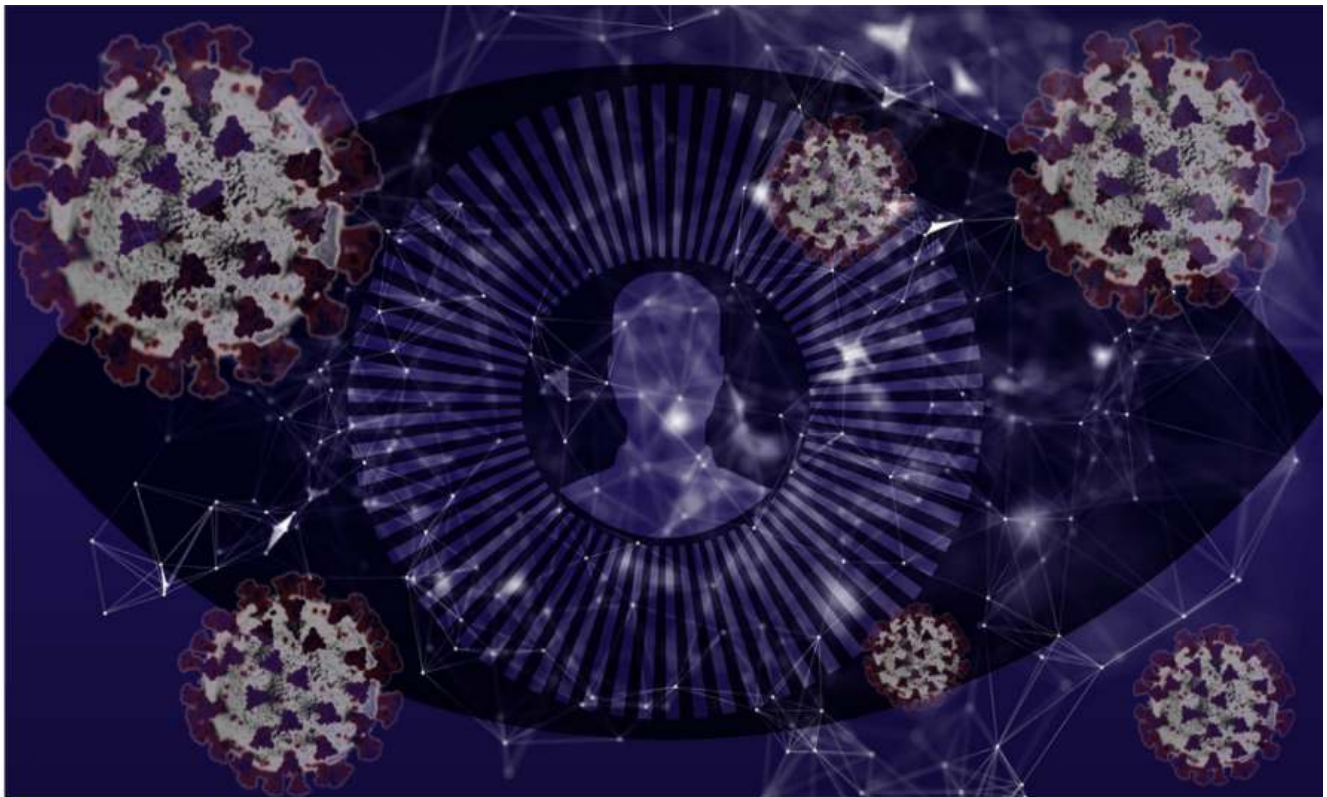




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In Israel, a pandemic becomes a military operation

BY TALIA SAMUELSON ON 18 JUNE 2020

“The coronavirus is a matter, for me, just as bad as a rocket coming down on my house,” says David (who does not want to disclose his full name), a former director of the Mossad, the fabled Israeli security agency as famous for its efficacy as for its methods.

And, to date, Israel has treated the coronavirus pandemic like one of its military operations, enlisting intelligence agencies and generals alongside doctors to combat the virus.

Since March, Israeli's internal security agency, Shin Bet, has tracked the movements of those in quarantine due to the virus or their travel history by tracing both their cell phones' GPS and credit card activity. Shin Bet accesses this information to determine where a person has been and who they've had physical contact with.

The controversy surrounding the operation has called into question how much freedom people are willing to sacrifice for safety, and the ethics of surveillance in a country that does not often publicise the activities of its intelligence services.

The Court Case



Israel Court of Justice

Shin Bet—whose usual job is to track terrorist activity—initially conducted this surveillance under a quiet emergency order from the executive branch. This all came to an end when Israel's High Court of Justice ruled on 26 April that such tracking required legislation from the Knesset, Israel's congressional body, in order to continue.

The court petition, brought by the Adalah Legal Center for Arab Minority Rights and the Association for Civil Rights in Israel, provides a rare insight into the operations of a usually opaque organisation.

It reveals that Shin Bet has been tracking the metadata of Israeli citizens for years. “This crisis allowed us to peek into the Shin Bet and realise there are very powerful—and maybe ominous—surveillance capabilities, but there's no further debate beyond the... context of COVID-19. Nobody's asking if we need that thing at all. Is there any reason for the Shin Bet

to keep records of internal Israeli communications for 18 years? Nobody knows,” says Amir Cahane, a fellow at Hebrew University’s Cyber Security Research Center.

The publicity of the court case has shone a spotlight on the methods of Israeli intelligence in general. Used to surveilling foreign threats, this is the first time in recent memory that Shin Bet turned its capabilities on its own Jewish citizens.

“It’s a country of lawyers and doctors and those doctors and lawyers are usually liberal people, and they don’t like it that their lives [are] being invaded,” says David.

The Legalisation

On 20 May, the office of the Prime Minister published a memo outlining the [proposed legislation](#), which would continue to allow retroactive access to the data of confirmed patients two weeks before their diagnosis.

The purpose of the data collection is to ascertain who they had been in contact with during the disease’s incubation period. If approved by the Knesset, the legislation will be valid for three months, with the possibility of being extended for another three months if deemed necessary.

Many in the medical community remain critical of Shin Bet’s role. Dr Nadav Davidovitch, director of the School of Public Health at Ben-Gurion University of the Negev, sees little need for such measures at this point in Israel’s fight with coronavirus.

“From a professional perspective and an ethical perspective, involving the security services is not justified...We were against it from the beginning but now even more so because we are now in a phase of almost no new cases and they still continue to ask for [Shin Bet surveillance] in the name of the second wave, and there was no clear discussion of bringing in different experts in epidemiology and public health, or bringing in experts in bioethics,” says Davidovitch.

The Lingering Controversy

Israel is [the only democracy in the world](#) to enlist a security agency to help with the tracking of COVID-19.

The nation has made headlines from the very beginning of the pandemic for using the Mossad to obtain extra medical equipment at any cost, including procuring items that had already been earmarked for other countries.

“The oversight mechanisms are very lacking. We are relying basically on the internal controls of the Shin Bet,” says Cahane. But according to David, Shin Bet is extensively regulated by the government. He also suggests that the internal controls Cahane mentions should be implicitly trusted.

“People in the Shin Bet are also citizens, who also respect human rights....They have other very strong capabilities... which could be very infringing on human rights and I know that my colleagues from the Shin Bet would refuse to use them on Israeli citizens unless they were convinced that it was a clear and present danger, including on Arab-Israeli citizens.”

David

The precedent set by Shin Bet and the Israeli government is of continued concern, even as Israel became one of the first countries to reopen its bars and restaurants at the end of May. On 21 May, the editorial board of its most widely regarded paper, Ha’aretz, [penned a letter](#) condemning the legislation.

Cahane warns: “There’s the risk that this is a slippery slope, once the public has shown that in certain circumstances it is willing to accept highly intrusive government surveillance, it will be tempting to apply it again in other circumstances.”

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