Farming the Forbidden Lands

Israeli Land and Resource Annexation in Area C

2014
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Introduction

“The fish, even in the fisherman’s net, still carries the smell of the sea”.
– Mourid Bargouthi

The Israeli government utilises multiple means in a systematic fashion to illegally annex an increasing amount of Palestinian land for continued Israeli development beyond its official borders. This report focuses on the land and resource annexation project being undertaken by Israel within Area C of the West Bank, in the occupied Palestinian territories (oPt), and uses this to explore the wider Israeli state intent. Primarily, Israeli state expansion policies emphasise rural development as a primary tool for territorial and resource colonisation.

Today this is upheld and enforced by a complex web of zoning and planning laws through which Israel demands the forced displacement of thousands of Palestinians. At the ground level, this is implemented by the associated policies of demolitions, evictions and vast restrictions on land access and movement. Whilst frequently recognised as illegitimate by both Israel’s own Supreme Court and the international community, these restrictions on Palestinian development have been applied intentionally in order to enable illegal Israeli settlements to thrive. This agenda is clearly embodied in the creeping annexation effort used by Israel to emphasise the maximal seizure of critical resources for its own benefit, at the expense of the resource rights (and, therefore, basic human rights) of the existing population. Subsequently, the basic human rights of Palestinians are jeopardised and, in many cases, denied, for the benefit of the occupying Israeli state.

This study analyses this issue using three foundations; commencing with an examination of the enactment of planning and zoning laws in the oPt to clarify the foundations of Israel’s expansionist state agenda. Section two explores the efficient system of forced displacement through targeted land acquisition that is used to support this oppressive planning regime. The third and final section discusses the extent of land and resource annexation and degradation that is enabled through these mechanisms of control. First, however, some contextual explanation of the legal framework is useful.
International Law and Resource Custodianship

It is important to note that Israel’s actions to this end frequently persist in direct violation of international law – specifically, the laws governing occupation and the associated duties of the occupying power, as set out in the Fourth Geneva Convention (GCIV, articles 27-34 and 47-78, as well as particular provisions of Additional Protocol I), the 1907 Hague Regulations (HR, articles 42-56), as well as various facets of customary international humanitarian law.

For this reason, it is beneficial to briefly note the major legal principles relevant to this study. The ways in which Israel consistently ignores these laws and principles will be explored in greater detail throughout the three main sections of the analysis that follows.

1. Strategic Land Zoning and Planning

   The occupying power must respect and uphold the laws in force in the territory at the time of its occupation, unless they constitute a threat to security or to the application of international occupation law (GC IV, art. 64, and HR, art. 43). Further, the confiscation of private property by the occupying power is prohibited unless absolutely required by military necessity (HR, art. 46(2)).

Since the occupation began in 1967, Israel has retroactively revived numerous planning laws from both the Ottoman and Jordanian periods of rule in order to justify its continuous expropriation of Palestinian resources in the occupied West Bank. This is particularly relevant in Area C, where constant changes in land laws are used to facilitate effective annexation, and where Israel’s various military orders regarding land and resource use have significantly altered the legal and institutional structure of the Palestinian water sector. Additionally, Israel’s seizure of large portions of privately owned Palestinian land for Israeli residential settlement is wholly illegal, and does not meet the standard of ‘military need’. As will be identified in Section 1, these laws are primarily used improperly and to the grave detriment of the property, ownership and human rights of the occupied Palestinian population.

2. Means of Forced Displacement

   Collective or individual forcible transfers as well as deportations of people from or within the occupied territory are prohibited (GC IV, art. 49), as is the transfer – voluntary or otherwise - of the civilian population of the occupying state into the occupied territory (GC IV, art. 49, and art. 8(2)b of The Statute of the International Criminal Court, which labels this as a war crime). Further, to the fullest extent possible, the occupying power must take measures to ensure the sufficient provision of food, water, health and hygiene to the occupied population (GC IV, art. 55). These rights are also guaranteed to all peoples within The International Covenant on Economic, Social and Cultural Rights (1966), art. 1, 11 and 25, which Israel has ratified.
The Israeli state has used demolitions, evictions, construction of various kinds and restrictions on movement and access as strategic tools for the continual displacement of the pre-existing Palestinian population. Importantly, the sole motivation behind this forced displacement of Palestinians is Israel’s colonial settlement project, the success of which requires the mass transfer of a civilian Israeli population into the occupied land. During this overlapping process of Palestinian expulsion and Israeli invitation, Palestinians are often denied access to basic food, water and other critical needs and are often therefore simultaneously denied the right to live lives of sufficiency and dignity. This will be expanded upon throughout Section 2, which focuses on the means of forced displacement used by Israel to achieve colonisation.

3. Resource Annexation and Degradation

The occupying power is considered to be a guardian or temporary administrator of natural resources and private property only, and is not authorised to assume ownership over them, to dispose of them, to diminish them, to withhold them from the occupied peoples, or to transfer them to its own state (HR, art. 55). It is also prohibited for the occupying power to discriminate against the residents of the occupied territory with regard to resource allocation (GC IV, art. 27), and to exploit or destroy the natural resources of the occupied territory for its own economic and social interests (HR, art. 43). This is in violation of the permanent sovereignty of all peoples and nations over their resources (HR, art. 55).

The inappropriate use of Palestinian land and resources for agricultural cultivation within settlements, for tourism and for the production of goods for retail by Israel constitutes a violation of various international laws and regulations. Simultaneously, the effective annexation of these resources that enables these activities to take place (and, in most cases, the complete denial of Palestinian access to them) discriminates against the occupied population by disrespecting their sovereign right to own and manage them. Importantly, the manner in which Israel uses these resources often results in their irreparable depredation, causing permanent changes to the land and removing opportunities for Palestinians to utilise them in the future. These issues will primarily be addressed in Section 3 of this study.

Resource Annexation

To date, the terminology used to describe the way that the Israeli state absorbs and utilises land and resources in the oPt has been wide and varied. Most commonly, this has included references to processes such as ‘appropriation’, ‘theft’, ‘confiscation’, ‘transfer’, and ‘seizure’. Whilst these terms certainly reflect in part the reality of both the underlying policies used to this end by Israel, as well as the situation on the ground that results, they largely fail to speak of the important, strategic motivation behind this action. Here, there exist two fundamental issues to be noted: the first is the manner in which Israel’s actions bear the distinct intent of permanency, despite the requirement for occupations to remain temporary in nature and practise. This is evident in the way that Israel uses a complex network of planning and zoning laws in the oPt to create the conditions within
which the very geographical, cultural, economic, environmental and social fabric of Palestine is undermined and even replaced by illegal and ongoing Israeli colonisation. The second issue with these various terminologies is that they offer little to no appreciation of the quintessential exclusivity of Israel’s use of Palestinian land and of its profiteering from Palestinian resources. This is important, not only because it constitutes a grave violation of international law, but also because it secures the development of one group of people at the explicit expense of the development aspirations and basic human rights of another.

For this reason, this study will maintain the use of the term ‘annexation’ to discuss the way that Israel deals with Palestinian land and resources in the oPt. Defined as the incorporation of occupied territory by an occupying state into its own territorial borders, this term contains a key implicit reference to a process of seizure that goes beyond mere removal or pillaging. Certainly, the term ‘annexation’ is frequently used when discussing the legal framework behind the status of the Syrian Golan Heights or of East Jerusalem that have been de facto annexed to Israel (despite the refuted legality of these processes). By legal definition, the term ‘annexation’ is limited to the acquisition of territory and does not make specific inclusion for the acquisition of resources by the occupying power. Despite this, the underlying principle of an unlawful removal of property from the jurisdiction of the occupied peoples to that of the occupying force is critical here, and applies directly to the manner in which resources are taken by Israel from the oPt for their own, exclusive benefit. For this reason, this study deliberately employs the term annexation when referring to Israel’s land and resource takeover in the oPt, due to the way in which this term precisely reflects both the permanency and exclusivity of this procedure.

Together, the multiple violations of human rights that are associated with Israel’s approach to land and resources in the West Bank (specifically, in Area C) continue to deny Palestinians opportunities for self-development using their own resources within their own territorial borders. To demonstrate this fully, this paper will examine the land and resource annexation occurring in Area C with the core intention of furthering Israel’s state expansionist agenda, with an essential focus the oppressive impact of this upon Palestinian communities.

1) This element of discrimination against the Palestinian people (this includes Palestinian residents of Israel) for the express benefit of the Jewish-Israeli population meets the definition of ‘apartheid’ which has been repeatedly applied to Israel’s actions in Israel and the oPt. For example, Al-Haq has made a specific application of the term ‘apartheid’ to the allocation of water resources in the West Bank, in their 2013 study entitled ‘Water for One People Only: Discriminatory Access and Water Apartheid in the oPt.’ For more general references to apartheid in this context, see also the work of well-known figures on this topic, including Uri Davis, Richard Falk and Ilan Pappe.


4) ‘Jurisdiction’ is used both in the sense of legal jurisdiction (as in the case of the transfer of water ownership in the West Bank to Israeli), as well as jurisdiction in terms of physical use and capacities to tangibly access resources.
Strategic Land Zoning and Planning

Section 1:

Areas A, B and C

The use of land zoning to systematically drive out Palestinian communities from their land and to facilitate resource theft largely begins with the classification of an area as either ‘Area A’, ‘B’ or ‘C’, as per the Oslo Accords5. These area classifications denote varying levels of Israeli and Palestinian government control. Area A is under the jurisdiction of the Palestinian Authority (PA), Area B is jointly controlled by the PA (for civil control) and Israel (which retains security control), and Area C is entirely controlled by Israeli forces. Due to the strategic significance and intensity of the issues experienced there, this study focuses on Area C where Israel maintains full military and civilian jurisdiction as per the stipulations of the Accords.

At the time of the Oslo II agreement (1995), Area A comprised just 2.7% of the total Palestinian land area, whilst areas B and C accounted for 25.1% and 72.2%, respectively6. Whilst the Israeli government gradually transferred more of this land into Palestinian control initially (as was part of the five-year plan of the Accords), the distribution is now frozen (17.2% - Area A; 23.8% - Area B; and 59% - Area C)7. Since 1999, no land has been transferred out of Area C, whilst the restrictions applicable within Area C (as well as within various other kinds of associated government land) have intensified. As will

5) Consisting of Oslo I (1993) and Oslo II (1995), the Accords comprise an attempt by the Israeli and Palestinian leadership to reach a working peace deal. Whilst Oslo I emphasised the gradual withdrawal of Israeli troops from the West Bank and Gaza over five years, Oslo II largely contradicted this effort by outlining the redeployment of Israeli forces throughout a now-geographically-sectioned West Bank, broken into Areas A, B and C with varying levels of internal Israeli control.
7) Ibid.
be outlined below, this intensification both facilitates and bolsters the theft of land and expropriation of critical resources by Israel in the Palestinian territory, subsequently forcing a slow yet significant driving-out of the Palestinian population.

Prior to 2014, it was estimated that approximately 150,000 Palestinians lived in Area C; however, recent surveying by the UN has revealed that there are actually 297,000⁸ people who live in 532 residential areas in the West Bank which are either fully or partly existing in Area C (i.e. the town may be split with one portion in Area A or B, and one portion in Area C). Due to the Israeli restrictions on development in this area (as will be explored below), residents of Area C experience heightened poverty and vulnerability. 70% of Area C residents are not connected to a water network, and rely on tanked water at exuberant costs (often five times the price of water supplied to settlements through Israeli company Mekorot)⁹. Some communities in Area C receive as little as 20 liters of water per day, which is less than one-fifth of the quantity recommended by the World Health Organisation as being minimally sufficient per capita. Additionally, 24% of the population of Area C is food insecure, compared to 17% in the remainder of the West Bank¹⁰.

Settlements and population transfer

“You don’t simply bundle people onto trucks and drive them away ... I prefer to advocate a more positive policy, to create, in effect, a condition that in a positive way will induce people to leave”.

– Former Israeli Prime Minister, Ariel Sharon¹¹

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⁹ OCHAoPt (2013) ‘Area C of the West Bank: Key humanitarian concerns’.
¹⁰ Ibid.
Currently, there are at least 325,000 Israeli settlers living illegally in Area C of the West Bank in 135 residential settlements and 100 ‘military outposts’\(^\text{12}\). Interestingly, the municipal boundaries of each settlement is nine-times larger than the actual built-up area, suggesting the extent of illegal spread that the Israeli state has in mind for the thriving settlement venture in the future.

Within this area, Israel acts with relative impunity to seize land from its Palestinian owners. In consequence of the state’s largely successful attempts to justify blatant land seizures using a complex web of land classifications, it remains that at least 70% of Area C land (approximately 40% of the entire West Bank territory) is completely unavailable for development by Palestinians. With reference to Table 1, the combined reality of the numerous ‘off limits’ areas in Area C of the West Bank are evident.

<table>
<thead>
<tr>
<th>Settlements and regional councils</th>
<th>Total area (Hectares)</th>
<th>% of Area C</th>
<th>% of entire West Bank</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘State land’</td>
<td>121,846.90</td>
<td>36.40%</td>
<td>21.00%</td>
</tr>
<tr>
<td>Closed military zones</td>
<td>101,714.20</td>
<td>30.50%</td>
<td>17.60%</td>
</tr>
<tr>
<td>Nature reserves and national parks</td>
<td>46,466.90</td>
<td>14.00%</td>
<td>8.00%</td>
</tr>
<tr>
<td>Areas closed off by the Apartheid Wall</td>
<td>11,623.30</td>
<td>3.50%</td>
<td>2.00%</td>
</tr>
<tr>
<td>Total (overlap deducted)</td>
<td>234,301.3</td>
<td>70.30%</td>
<td>40.50%</td>
</tr>
</tbody>
</table>

Table 1: Major areas where Palestinian access and land development is prohibited. Adapted from: B’Tselem 2013\(^\text{13}\).

It is important to note here that the planned dissection of land that this involves means that the areas remaining available for Palestinian usage are non-adjoining. Indeed, this space exists as a series of non-contiguous enclaves of land (166 Islands of area A and B land within an overwhelming C classification\(^\text{14}\) that demonstrate little opportunity for the creation of any viable, independent Palestinian state in the future (see Map A).

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14) B’Tselem (2013) ‘Acting the landlord: Israel’s policy in Area C, the West Bank’
Map Legend

- Governorate Capital
- 1949 Armistice Green Line
- International Boundary
- East Jerusalem
- No Man’s Land
- Israeli Settlement Built-up
- Israeli Settlement Municipal Area

Oslo Areas

- AREA (A)
- AREA (B)
- Nature Reserve
- Inferred AREA (C)
- Hebron (H2)

State Land

Prior to 1979, Israeli settlements in the West Bank and their associated seizure of land had been justified using the title of ‘military land’ – i.e. private Palestinian land acquired by the state for the purposes of military use. Under the 1899 and 1907 Hague Conventions on the Law and Customs of War on Land this practise is indeed allowed\(^\text{15}\) however, such seizures of property must be imperatively demanded by temporary military needs during an occupation for the acquisition to be justified.

The Israeli High Court case of 1979 relating to the Elon Moreh settlement\(^\text{16}\) demonstrated that this kind military zoning was being used simply to acquire more private Palestinian land for Jewish settlement, had little to do with security or military needs, and was not designed to be temporary in nature (a direct violation of the 1899 and 1907 Hague Conventions). The Elon Moreh settlement was subsequently ordered to dismantle, with the land to be returned to its rightful Palestinian owners. Furthermore, the High Court found that this particular kind of ‘military’ land seizure was actually unconstitutional since the primary objective of the requisition was for civilian settlement, rather than military needs. Since this decision in 1979, the ‘State Land’ label has effortlessly filled the gap left in the wake of these apparent complications with the ‘military’ label, and has unfortunately been wholly capable of performing the same function.

The Hayovel case

“The frontier is where Jews live, not where there is a line on the map.”\(^\text{17}\)

- Former Israeli Prime Minister Golda Meir, September 1972

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15) Convention with Respect to the Laws and Customs of War on Land, July 29, 1899; and Convention Respecting the Laws and Customs of War on Land, October 18, 1907.
State land demarcation is based on the Ottoman Land Code of 1858, which stipulates that if land has been fallow for three years, the land is automatically returned to the jurisdiction of the state as 'state lands'. To this end, the Israeli Civil Administration is charged with determining which areas are 'uncultivated', generally through the use of aerial photographs and personal testimonies. The case of Hayovel settlement offers a good example of the intrinsically political rather than legal nature of land use decisions. Aerial photographs of the site clearly show a number of houses and cultivated land, some of which falls on land registered officially as private Palestinian land. Regardless of this, the state acted with impunity to authorise the settlement by declaring small sections of land within this property as uncultivated. This included, for example, the spaces between trees. Thus, the area was acquired by Israel as state land.

Interestingly, during the subsequent petitions and a court case launched against the state in January 2013, the Civil Administration openly told the court, “The official who decides on the declaration [of state land] is at the political level: the defence minister”\(^{21}\). This clearly suggests the political motivation that guides these decisions, which is contrary to the supposed legal and technical processes that are supposed to determine the status of the land.

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19) This code was indeed in effect at the time of Israel’s 1967 occupation of the Palestinian territories and, according to the 1907 Hague convention on the Laws and Customs of War on Land, must therefore be recognized and upheld by Israel today so long as the occupation continues. See Article 6 in the English translation of the original 1858 Turkish script: Ongley, F (1892) The Ottoman Land Code.

20) Levinson (2013) ‘Just 0.7% of state land in the West Bank has been allocated to Palestinians, Israel admits’, Haaretz. March 28, 2013.

21) Ibid.
According to documents submitted in 2013 to the Israeli High Court by Israel’s own Civil Administration, state lands in the West Bank currently comprise 1.3 million dunums (approximately 325,000 acres, or 40% of the entire West Bank). Of this, 1.3 million dunums, the state holds 671,000, while the World Zionist Organization holds 400,000; 103,000 dunums are distributed between communications companies and local governments, and utilities companies have been given 160,000 dunams. In comparison, Palestinians received a total of 8,600 dunums (2,150 acres); this equates to 0.7% of the total land area designated as state land, thereby violating the requirement for state land to serve the interests of the existing population.

As is clear, Israel continues to use a wide range of methods and argumentations, unlawful and retroactively justified, to confiscate large areas of Palestinian land for its own benefit. In order to implement these confiscations, the Israeli state applies a policy of rampant demolitions and evictions underpinned by the expansion of the settlement industry, the continued construction of the illegal Apartheid Wall outside of official state borders, as well as the seizure of land by Israel through the establishment of firing zones and military areas. Combined, these mechanisms are used as a means to forcibly displace Palestinian communities from their homes in order to open these areas up to illegal Israeli colonisation.

22) According to the 1858 Land Code, any seizure of land by the state under this law must 1) be militarily necessitated, and 2) be used for the benefit of the local Palestinian population. Through its building of Jewish-only civilian settlements on State land, Israel plainly reveals its legal folly – a reality that has enormous implications for the lives and livelihoods of the existing Palestinian population.
Section 2: Means of Forced displacement

“Palestinians are utterly frustrated by the impact of Israeli policies on their lives. They can’t move freely around their territory. They can’t plan their communities. They are evicted from their homes. Their homes are regularly demolished. I don’t believe that most people in Israel have any idea of the way planning policies are used to divide and harass communities and families. They would not themselves like to be subjected to such behavior.”

- United Nations Under-Secretary-General for Humanitarian Affairs, Baroness Valerie Amos.23

Illegal in all its forms according to Article 49 of the 4th Geneva Convention, ‘forcible transfer’ and ‘forcible deportation’ refer to the movement of people from their place of residence by force and without compensation. The people are relocated to a place that is not of their own choosing either within their state (forcible transfer) or across international borders (forcible deportation).24 In Area C, it remains that the two key contributing factors to the rampant forced displacement are demolition of homes and other structures, as well as the forced eviction that often originates, both from the construction of the Apartheid Wall, as well as zoning and the re-zoning strategies employed by Israel.

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Demolitions and Evictions

In Area C, Israel retains complete control over all security and civil matters, including the allocation of land, construction and planning, meaning Palestinians are not allowed to build or renovate without Israeli approval. Between 2000 and 2007, 94% of applications for construction from Palestinians in Area C were rejected. Often, residents decide to build anyway in order to meet their basic need for safe housing, agricultural infrastructure, or water extraction facilities being fully aware of the risk of impending demolition, yet often seeing no other option.

Since the occupation began in 1967, Israel has demolished more than 28,000 Palestinian homes, businesses, and livestock-related and other infrastructure across the West Bank (including East Jerusalem). Between 1988 and 2013, it is estimated that the Israeli military issued 12,570 demolition orders across Area C, many of which are still outstanding, leaving families to await the worst. Largely due to this, the last 5 years have seen a sharp 196% increase in the number of demolitions in Area C, resulting in a 152% rise in displacement. In 2013 alone there were 565 demolitions of structures and associated evictions in Area C, collectively responsible for the displacement of 805 people. Between January and May 2014, the number of displaced people in Area C already totalled 528 (a 234% increase on those displaced during the same period in 2013). Further, the strategic nature of these demolitions is explored by ICAHD, who note an important trend: in 2011, 60% of the total structures demolished in the West Bank were in pastoral communities. These residents represent more than 80% of the total people displaced.

28) January to May 2013 saw 225 dispersal in Area C due to demolitions or evictions; from January to May 2014, there were 528 dispersal. Source: UN OCHA (2014) ‘Forced Displacement’, available: http://www.ochaopt.org/content.aspx?id=1010137  
Case Study: Jiftlik

An illustrative example of both the intensity and ongoing nature of the Israeli domination and demolition policy in Area C is the village of Jiftlik in the Jordan Valley. Jiftlik is home to approximately 5,000 people, and has suffered immensely under the Israeli occupation due to its location and size. Interestingly, Jiftlik is the only village in the Jordan Valley to have a master plan drafted for it by Israel, yet this was done without the involvement of the Palestinian community. According to B’Tselem30, the plan was approved in 2005, and did not include any land allocation for public buildings, prohibited paved roads, and only encompassed 60% of the built-up village area (leaving 60% of the total land area of the village at risk of demolition). The majority of the accounted-for 60% is also yet to be connected to electricity and reliable water networks. A subsequent request made by the village council to build a water reservoir for the community was denied because Israel retroactively declared the proposed area an archaeological site.

This policy of demolition to spur displacement operates in perfect parallel to the rigid Israeli planning restrictions in Area C. Like most villages in Area C, Jiftik residents have experienced incessant destruction of their property; a recent example of this occurred on the 21st of May 2014, when the Israeli military demolished 20 structures belonging to the Deis family, including 13 residential buildings and 7 steel structures used for animal rearing. According to Guy Inbar, a spokesperson for the Ministry of Defence, “the structures were built illegally without the permits needed”. Such is the reason given for most of the demolitions that take place throughout Area C of the Jordan valley. Currently, 95% of land in the Jordan Valley is designated as Area C, making life for Palestinian residents there a constant struggle.

In unison with Israel’s ongoing policy of demolishing the houses of Palestinian citizens of Israel itself who live in affectionately termed “unrecognized villages and neighbourhoods”31 within the state, it becomes clear that this destruction of property and resultant forced displacement is not primarily (if at all) about security and military necessity; rather, it is about systematically-entrenched discrimination in an effort to ripen the conditions in which Palestinians have little choice but to leave their lands, therefore leaving them open for further Israeli appropriation.

31) See ICHAD (2012) ‘Israel’s policy of demolishing Palestinian homes must end: A submission to the UN Human Rights Council by ICAHD.’
Closed Military Areas, Firing Zones

One of many contexts in which demolitions and evictions are used by Israel in Area C to secure land control is in the creation of Closed Military Areas and Firing Zones on Palestinian land. Military zones are areas of Palestinian land that have been declared ‘closed’ by the Israeli state, and in which it is therefore prohibited for any Palestinian to enter without a permit. These are most commonly seen in the areas surrounding settlements, as well as in the seam between the Apartheid Wall and the Green Line. Firing Zones are frequently established within these Closed Military Areas, denoting an area in which Israeli Occupation Forces train using live fire.

Today, 30.5% of land in Area C has been classified as a Military Area or Firing Zone, almost solely concentrated within the Jordan Valley (where 56% of land has been seized as military land) and the South Hebron Hills. Interestingly, these two areas are also where the majority of illegal Israeli settlement construction occurs, with the exception of occupied East Jerusalem. Such zones cover a total of 17.6% of the West Bank - approximately the same amount that is currently held by the PA under the 'Area A' classification32. Today, approximately 6,200 people living in 38 Palestinian communities reside in these areas, with an additional 12,000 Palestinians from Bedouin or herding backgrounds affected, whose livelihoods depend on their ability to safely access their land33.

Specifically, Firing Zones alone contain a total of 5000 Palestinian residents, most of whom belong to communities established there long before the zone was declared on top of them. As can be deduced, forced displacement is a major issue within these zones; on average, approximately half of the total demolitions and evictions that occur in Area C take place in Firing Zones. Today, this displacement of Palestinian people and associated seizure of land by Israel for unexplained “military reasons” continues to run rampant and, upon closer inspection, maintains a vulgar, strategic pattern.

In September 2014, Israeli Authorities confirmed the seizure of 2,000 dunums of Palestinian land (approximately two square kilometres) in the Ibe Zaid Valley in the Southern Hebron hills, citing a confiscation order that was originally issued in 1997. To date, no actual military activities have ever been conducted in the area, yet still the nearby village of Aldairat has been refused permission to develop this privately owned land for safety reasons.

It is important to note here that this land is located adjacent to the ever-expanding illegal settlement of Karmel. In the week prior to this, at least two other land confiscations were announced in the Hebron and Bethlehem areas - one of which included twelve dunums next to the settlement of Asfar, while the other threatened to seize four square kilometres of Palestinian land near the Gush Etzion settlement bloc, comprising the largest blatant land grab in the oPt for more than thirty years. Due to considerable national and international pressure, the major Gush Etzion confiscation was put on hold by the Israeli state shortly after its announcement. It is yet to be seen whether this hold will translate to a requisition of the confiscation order in the future.

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In light of the aforementioned examples, the strategic nature of land requisition for military and training purposes in Area C comes into considerable question. In May 2014, Ha’aretz34 reported that during a session of the ‘Judea and Samaria Affairs’ group (a subcommittee of the Foreign Affairs and Defense Committee of the Knesset) on 27 April, a senior IOF officer remarked that military exercises in firing zones in the West Bank are “used as a way of reducing the number of Palestinians living nearby”. Echoing this sentiment, General Yoav Mordechai (Coordinator of Government Activities in the oPt), said that the Israeli authorities are now focusing on “the removal of Bedouin from the [E1] area” through the creation of Firing Zones and Military Areas. At this same meeting, Colonel Einav Shalev explained the IOF’s policy of repossessing humanitarian items such as tents and bedding destined for Palestinians whose homes had been destroyed in these zones as “a punch in the right places”. For this reason, the Red Cross is one of many organisations that have chosen to stop supplying such emergency materials to residents of demolished homes.

Together, Military Areas and Firing Zones are used by the Israeli State to further displace an already predominantly refugee population, and to appropriate Palestinian lands in direct violation of international law. Today, there are ten Israeli settlement outposts located either partially or fully in Firing Zones across the West Bank. Whilst these settlements thrive, this tactic leaves Palestinian communities isolated and unprotected with no option for development (and little opportunity to access the humanitarian assistance that they have largely come to depend upon).

**Landmine Fields**

Another related source of displacement in Area C is the landmine areas that not only force Palestinians out of their land, but also embody a grave decrepitude of arable land that the Israeli government refuses to clear (and to subsequently open to Palestinian development) despite its responsibilities under international protocol. Today, land mines and remnant unexploded ordnances from military exercises are present across 50,000 acres of the West Bank.35 During the Six-Day War of 1967, the Jordanian army laid landmines in the now-occupied Palestinian territories to offer protection from Israeli attacks. Following Israeli’s capture of the West Bank during this period, the Israeli army subsequently laid mines in the Jordan Valley to protect its new frontier with Jordan. Whilst the exact

figure is unknown, the HALO Trust has determined that there are total of 91 minefields remaining in the West Bank, 13 laid by the Jordanian army from 1948 to 1967, and 77 laid by the Israeli army after 1967. Most of the mines exist along the border with Jordan in Area C, however there are also 16 in total across Bethlehem (3), Jenin (5), Tulkarem (1), Qalqilya (2), Hebron (2) and Ramallah (3) with an additional two in the area known as ‘no man’s land’ between the West Bank and Israel (i.e. the Seam Zone).

*Protocol and responsibility*

The 1997 Mine Ban Treaty (also known as the Ottawa Treaty) has been signed by 139 parties and ratified by 105. Due to Palestine’s non-state status in 1997, it was not eligible to sign the treaty, but expressed its intention to do so upon being granted full, independent state status. Israel refused to sign this treaty, citing its special ‘security’ situation. To date, it appears that as the landmines pose no threat to Israeli settlers or citizens, Israel has thus far been largely unwilling to work to remove them for the safety of Palestinians who risk becoming victims of them.

*Casualties and fatalities*

Between 2000 and 2012, there were 948 casualties (151 killed; 784 injured and 13 unknown – all of which were civilians) from landmine detonations and unexploded ordnances; 55% of these deaths in 2012 were children. All of these casualties could be avoided with co-operation from Israel, yet no government clearance initiation has been launched.

Important to this study is that the majority of these land mine fields exist in arable Palestinian land that could have been used for cultivation or grazing. There are an estimated 30,171 herders and Bedouins in the West Bank to whom these mines pose a considerable threat, with many of them concentrated in Area C of the Jordan Valley region. Unfortunately for nearby villages, mine site identification is poor or non-existent, with some operational areas entirely unmarked, or with fencing and signage in need of repair to maintain clarity. On some occasions, signs in the area indicating the presence of a minefield are written in Hebrew or English only, and are not accompanied by an Arabic translation for the Arabic-speaking Palestinian population.

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41) Ibid.
Case Study: Surif, southern West Bank

In the Palestinian village of Surif, Abdel Hamid Abu Khader and his family have been grazing animals without issue on their 10 acres of land for many years. In February 2012, Israeli soldiers arrived on his property unannounced and erected concrete blocks with yellow warning signs, stating that the land was infested with landmines and was therefore now declared a ‘closed military zone’ in which he and his family were now prohibited to enter. Abdel has stated that the PA cleared all land mines from his land (originally placed there by Israel for military training purposes) more than twenty years ago. Whilst it is certain that extensive areas do indeed host dangerous land mines and unexploded ordinances (as detailed above), this particular example suggests that, in addition to the detriments associated with unmarked and uncleared land mine fields, the declaration of land mine zones in areas that no longer contain mines is yet another way that Israeli occupation forces use zoning to displace Palestinians from their land.

The Apartheid Wall

Another key source of displacement in Area C is Israel’s Apartheid Wall (also called the ‘security fence’ or the ‘separation barrier’). Construction of this wall began in 2002 under the broad justification of ‘security’ given by the Israeli government. The wall takes two main forms: in urban areas, it exists as an eight-meter high concrete wall complete with watchtowers, trenches, sensors, cameras, and a buffer zone ranging from 30-100 meters wide for constant military patrols. In non-urban areas, it is a three-meter high electric fence with razor wire on either side, surveillance cameras, and a buffer zone for patrol.

In 2004, the International Court of Justice (ICJ) refuted the validity of Israel’s security argument. They concluded that the wall was illegal, not justified on security grounds, and proceeded to demand that all construction on the wall be stopped, while existing sections be immediately dismantled, with all affected persons renumerated for the losses incurred to their properties and livelihoods. At the time that this decision was made, 190 kilometres of the wall had been constructed; in complete disregard of this ruling, by 2012 the wall extended for 440 kilometres, with a total of 712 kilometres planned. Interestingly, the Green Line along which the state borders were supposed to be maintained is only half of this length, revealing its winding, strategic nature. In addition to the overall illegality at its core, the wall has been constructed outside of Israel’s official borders in a way that purposefully confiscates significant Palestinian agricultural and residential land.

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44) Currently, 9.4% of West Bank land and 3.5% of Area C land is contained in the space between the wall (already-built or currently being constructed) and the Green Line. This area is referred to as the ‘Seam Zone’: a closed area for which movement in and out is heavily restricted, and basic services are frequently denied. OCHA estimates that 11,000 Palestinians live in this area within 32 communities.
Case Study: Beit Jala

Located on the outskirts of Bethlehem, and squeezed between the settlements of Gilo and Har Gilo, the Palestinian village of Beit Jala offers an important case study of this confiscation issue. Beit Jala has a population of 17,000 and is considered the ‘breadbasket’ of the area due to its fertile agricultural land, which bears specialised produce such as olives, grapes and apricots. In addition to its agricultural value, these lands are important recreational areas for families in the area. In 2006, the Israeli Ministry of Defence issued a notice of land seizure for a small portion of the Beit Jala community in order to continue the construction of the illegal Apartheid wall, intended to allow the Israeli settlements of Gilo and Har Gilo to grow and become one congruous settlement.

Currently, the exact route of the wall is being disputed in the Israeli Supreme court by the Monastery and Convent, and the Ministry of Defence. Originally, the wall route proposed by the Ministry would have separated the Salesian Monastery and winery from the Convent and school (as can be seen in Map B below), leaving the former on the Israeli side and the latter on the Palestinian side.

Map B: The initial proposed route of the Apartheid Wall in Beit Jala

Thanks to considerable internal and external pressure, this decision has been reviewed, and, at the time of writing, the Ministry of Defence has now proposed an alternate route that leaves both the monastery and convent on the Palestinian side of the wall. Whilst this is certainly better than the formerly-planned separation of the two, it is very important to note two key issues arising from this, which together demonstrate the strategic nature and illegality of Israel’s Apartheid Wall: first, the wall now cuts both the convent and monastery off from their respective agricultural lands, opening them up to further illegal colonisation by leaving them on the Israeli side of the wall. Access to these lands will be controlled using ‘agricultural’ gates that are heavily guarded at all times by Israeli Occupation Forces. The second point of overarching concern here is that this entire section of the wall as proposed here in Beit Jala – as in countless other areas - does not follow the Green Line in any way. Hence, the route of the wall in this location is entirely illegal.

In the case of Beit Jala and many other fertile locations exposed to this intolerable separation, the use of agricultural gates (supposedly for Palestinians to access their lands cut off by the wall) only further complicates economic activity rather than granting any kind of relief following the construction of the wall. Currently, there exist a total of 73 agricultural gates along the route of the wall that restrict the ability of Palestinian farmers to access their land. In reality, 70% of these gates (52) are only open during the October olive harvest season for a limited number of daylight hours, whilst the rest open daily (11) or weekly (10) following prior coordination with Israeli authorities to organise ‘visitation permits’ for their land, which is now considered to be a ‘closed military zone’. 60% of such requests for permits are denied and, as such, the rate of farming in these areas since the start of the construction of the wall has decreased by 80%.

The Beit Jala case study offers one example of the manner in which the Israeli state employs the tactical construction of the Apartheid Wall to appropriate Palestinian agricultural land and deny access. More specifically, this intentionally separates landowners from their major sources of income and, as with declarations of state land (for example), further allows Israeli companies and individuals to cultivate and make profit from fertile Palestinian lands through settlement expansion and settler agriculture.

This tactic to enable Israeli profiteering on Palestinian land is the underlying motivation behind the blatant human displacement secured through demolitions, evictions, the installation of Firing and Military zones, and the construction of the Apartheid Wall. Beyond this, there exist more covert projects focussed on resource annexation and resultant degradation, courtesy of the Israeli state. Without the aforementioned land seizures through strategic zoning and displacement, this would not be able to occur to the same extent that it does today.

Agricultural activity is a key means by which the Israeli state seizes control of land in oPt for the purpose of further developing the settlement enterprise whilst neighbouring Palestinian communities live in relative poverty. Specifically, through the aforementioned planning and associated ‘cleansing’ policies, Israel creates ripe conditions for the maximisation of land and water resources in the West Bank for the exclusive benefit of the illegal Israeli settler population that dwells there.

Settler land cultivation and resource use

Land cultivation offers a two-fold benefit for Israel: first, it is a way to facilitate the quick establishment of ‘facts on the ground’ to try and justify settlement construction, without necessitating expensive residential and other construction. Indeed, today 93,000 dunums of land have been appropriated for settler cultivation within military areas, civilian outposts, settlements and near settler bypass roads, even though the total area of built-up land for settlements only spans 60,000 dunums (excluding East Jerusalem). Second, cultivation in settlements currently provides Israel with a critical source of income through its products that, despite being grown illegally on Palestinian land, are sold nationally and internationally for Israeli profit. To this end, at the onset of the occupation in 1967, the Israeli state began to emphasise cultivation as a central tool in its theft of Palestinian land for the benefit of the growing settler population.

47) ‘Facts on the ground’ is a colloquial, diplomatic term that has come to denote a strategy or method most commonly applied to the de facto possession of property for a wider physical and psychological purpose. Interestingly, Stolzenberg (2009) notes that this term therefore refers to both the process and the effect of possession; specifically with reference to the creation of a congruent national consciousness through the agricultural cultivation that frequently precedes or simultaneously accompanies settlement development in the oPt. See Stolzenberg (2009) ‘Facts on the Ground’, USC Legal Studies Research Paper No.09-23.

The first Israeli settlement in the West Bank, Kfar Etzion, was established in late September 1967 next to Bethlehem as a religious agricultural kibbutz. Most of the agricultural lands of Kfar Etzion were seized from the end of the 1960’s onward by military orders, and were subsequently allocated to settlers for agricultural use. The 30 settlements that succeeded in the first decade after 1967 were mostly set up as agricultural settlements, many of which are located in the Jordan Valley.

Interestingly, this process of land acquisition closely reflects the national settlement strategies developed within several state plans forged by Israeli politicians. In July 1967, the Allon Plan (named after the former Labour Minister, Yigal Allon) outlined the first proposal for fully colonizing the West Bank. He envisioned the annexation of a maximal area of territory leaving as few Palestinian communities remaining as possible. The overarching intent of this plan was to facilitate the creation of a corridor of Israeli agricultural settlement between the Jordan Valley and Jerusalem, with the goal of annexing the Jordan Valley, Jerusalem as well as large parts of the southern West Bank to Israel (after, of course, the near-eradication of existing Palestinian populations so as not to encounter an internal demographic complication). Whilst this plan was never officially adopted, the reality of development and resultant division of powers implemented across the West Bank today through the various planning and zoning mechanisms explored above – predominantly, the ‘Area C’ classification’ - bear a striking similarity to the crude nature of this plan, as can be seen through a comparison of Maps C and D below.

In addition to land appropriation, agriculture represents a significant source of income for the settlements and a means for sustainability. For instance, agricultural production by settlers in the Jordan Valley totalled around USD 125 million in 2010 with the wide majority of the produce being exported (mostly to the European market). This would financially and logistically impossible if not for the parallel theft of critical water reserves in the occupied West Bank that feeds this state policy of illegal profiteering from Palestinian resources.

Water Control

"Is it possible today to concede control of the [Mountain] Aquifer [in the West Bank], which supplies a third of our water? Is it possible to cede the buffer zone in the Jordan Rift Valley? You know, it's not by accident that the settlements are located where they are."

- Former Prime Minister of Israel, Ariel Sharon, in response to the question of whether withdrawal of Israeli settlers from the West Bank would ever be possible.  

Logically, in order to maintain stable land cultivation, the settlements must be provided with sufficient water resources for their intensive farming activities. Thankfully, water is not - and has never been - scarce in the oPt.

Since 1967, Israeli forces have stressed the confiscation of lands overlooking natural water bodies, or on top of the mountain aquifers so as to secure dominance over the major surface and ground water resources of the area. After the six day war, this control that was already in place in reality was reinforced officially by a series of military orders that integrated the water system of the West Bank into the Israeli system (effectively annexing all water resources to Israel), while at the same time denying Palestinians free access to this vital resource\textsuperscript{51}. This integration was significantly advanced in 1982 by the transfer of ownership of Palestinian water infrastructure in the West Bank to Israel’s national water company Mekorot, of which the State of Israel owns 50%\textsuperscript{52}.

With substantial government investment, Mekorot managed to connect settlements to the Israeli water network, while government subsidies greatly lowered the cost of water for settlers: today in the Jordan Valley, an average family of settlers pays only 105 NIS for all of their water needs per month\textsuperscript{53}. Further, the average water consumption for an Israeli settler in this area is 487 litres a day for household use (when factoring in agricultural usage, this figure drastically increases to around 1,312 litres per settler, per day, which is almost 18 times greater than the average amount of water available to West Bank Palestinians each day\textsuperscript{54}).

The subjection of Palestinian surface water resources to Israeli limitations on access and usage also applies to ground water stores. Palestinian water harvesting projects (whether concerning the construction of new water extraction points such as wells and bores, or the rehabilitation of existing ones) must be prefaced with an application to the ‘Joint Water Committee’, comprised of both Palestinian and Israeli representatives who must authorize and oversee all water projects in the West Bank. Nevertheless, the JWC has no authority over Israeli settlements and, as the committee provides Israel with a veto, many of the Palestinian projects are prevented. A 2011 study by B’Tselem showed that between 1995 and 2008, Israel only approved half of all Palestinian proposals for wells, while most (if not all) applications for well rehabilitation were rejected\textsuperscript{55}.

\textsuperscript{51} As examples, in June 1967, Military Proclamation No. 2, declared all water resources in the region to be State property. Military Order No. 92 transfers complete authority over all water resources and water-related issues in the OPT to the Israeli military authorities. Military Order No. 158 requires that a permit be issued for the construction of any new Palestinian water installation, approved or denied at the full discretion of Israeli authorities, without which any water structure is subject to default confiscation or demolition.

\textsuperscript{52} Following the establishment of Israel in 1948, ‘Mekorot’ became the official Israeli Water Authority and fell under the joint ownership of the Government of Israel and its original founders. COHRE and Badil, (May 2005) ‘Ruling Palestine: A History of the Legally Sanctioned Jewish-Israeli Seizure of Land and Housing in Palestine’

\textsuperscript{53} B’tselem, (2011) ‘Dispossession and Exploitation: Israel’s policy in the Jordan Valley and Northern Dead Sea’

\textsuperscript{54} B’tselem, (2011), ‘Dispossession and Exploitation: Israel’s policy in the Jordan Valley and Northern Dead Sea’

\textsuperscript{55} Ibid.
Due to these restrictions, approximately 67% of Palestinians in the Jordan Valley do
not have ready access to their own water resources, and are forced to purchase water
tanks sold by Mekorot that are extremely expensive. For Palestinians connected to a wa-
ter network, their water costs 2.6 NIS per cubic meter; in contrast, the price of tanked
water ranges from 14 to 37.5 NIS per cubic meter. Moreover, the price of tanked water
has increased by up to 153% since the beginning of the Second Intifada, predominantly
caused by increased restrictions on movement and access, resulting in some house-
holds spending upwards of 40% of their income on water alone. As a result, Palestinians
pay a higher individual cost and a much greater percentage of their family income to
water in comparison with Israeli settlers56.

Associated Palestinian Labor issues

The annexation of resources, water and land to Israeli settlements throughout the
West Bank has had a severe impact upon Palestinian farmers and their respective
livelihoods. The severe movement restrictions land closures in Area C have pre-
vented many farmers from accessing, cultivating or harvesting their own lands.
According to a study by the Palestinian Institute for the Study of Economic Policy
(MAS), it is estimated that 34% of Palestinian agricultural land in the West Bank
is not accessible by owners today, mainly due to the presence of settlements, the
Apartheid Wall, closed military zones, and various other methods of enclosure
and resultant exclusion57. For this reason, many areas of land in the West Bank
are being abandoned, therefore enabling cultivation by settlers. Ironically, many
Palestinian farmers end up working in the settlements for the benefit of Israeli
companies for very low wages58.

56) MAAN Development Center, (2012), ‘Parallel Realities: Israeli settlements and Palestinian
Communities in the Jordan Valley’
58) Workers in settlements report an average of salary of approximately 70 NIS per day, when the
minimum Israeli salary is, by law, 200 NIS.
Palestinian settlement workers are typically hired on an informal contract-basis for upwards of six-months, usually during harvest periods. The working conditions are frequently very hard and hazardous, with continuous working hours from 6 in the morning until two in the afternoon in scorching weather conditions. Further, it is estimated that among these Palestinian workers, 5.5% are children. Due to deep poverty, few alternate employment options and a dilapidated educational system, many Palestinian children are compelled to work in settlements - some as young as thirteen. Indeed, as a direct result of Israeli fertile land confiscation for settlements, every youth worker who participated in MA’AN’s recent surveying on this issue cited the lack of alternative job opportunities in agriculture as the main reason for working in the settlements; all stated that if they had the opportunity, they would rather work for a Palestinian farmer or company.

Combined, these issues of land and water theft (and the associated factor of Palestinian labour problems) only serves to further entrench the occupying state’s matrix of control over Palestinian resources. Despite the widely recognised illegality of these actions, Israel continues to cement this control through the installation of numerous resource extraction projects in Area C, many of which (as suggested above) pertain to the seizure of important water sources that themselves are the foundation of the settlement industry. To date, the greed and mismanagement associated with this has resulted in extensive resource depletion and environmental decline at the expense of Palestinian lands and economy. One such example is the current status of the Dead Sea, the over extraction of which for tourism and retail profiteering has been responsible for its rapid degradation.

**Dead sea Profiteering and Decline**

The Jordan Valley and Northern Dead Sea region host the Dead Sea - a natural water basin that boasts the saltiest water on earth. As per the Oslo Accords, the Dead Sea was designated as Area C or a closed military zone, and placed under full Israeli control. Despite this, Israel has since then established seven settlements of varying sizes, including Vered Yericho, Beit Ha’arava, Almog, Kalia, Ovnat and Mitzpe Shalem and Mitzpe Yericho. In addition to residential installations, a thriving tourism industry has been provided for upon this Palestinian land that falls under the control of Israeli authorities and is managed by the settlements. Further, these settlements are heavily involved in the pillaging of the Dead Sea for profit that we see today in the production of cosmetics, fertilizers, and in the extraction of sand and gravel for development, with many of the settlers who reside in the area owning shares in one or more of some 50 Israeli factories.

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59) MAAN Development Center (2011) ‘Palestinian workers in agricultural settlements’
60) MAAN Development Center, (March 2013 – June 2013) Archived Interview
and 14 quarries that border the west shore of the Dead Sea\textsuperscript{61}. Importantly, it is these Israeli industries that have largely been responsible for the diminishing water levels of the Dead sea. In 1970, the water level rested at 389 meters below mean sea level, yet has now fallen to -427m\textsuperscript{62}. Largely, this is the result of the pumping of approximately 200 MCM per year out of the sea (in collaboration with the Jordanian Arab Potash Company), which is estimated to be the source of 30-40\% of the total evaporation rate of the sea, while the salt industry is responsible for another 25-30\%\textsuperscript{63}.

**Case study: Dead Sea products & Ahava**

The well-known company ‘Ahava’ is the only company that currently holds an excavation license from Israeli authorities to operate a site for mud collection from the Dead Sea for cosmetic production and sale. The company was founded in 1988 and is located in the settlement of Mitzpe Shalem, established on lands confiscated as ‘State Land’. At present, 44.5\% of company shares are held by two settlements: 37\% by Mitzpe Shalem and 7.5\% by Kalia. Another 37\% is held by Hamashbir Holdings, a subsidiary of the Israeli entity, B. Gaon Holdings. Approximately 18.5\% of Ahava is held by Shamrock Holdings (California, USA), the Disney family’s investment fund. Mitzpe Shalem and Kalia are a part of an exploitative mechanism applied by Israeli settlements, enabling them to profit from the occupation of Palestinian territory and the Ahava factory figures as an asset to these settlements.

\textsuperscript{61} A report published by the Palestinian Ministry of National Economy in cooperation with the Applied Research Institute Jerusalem (ARIJ) calculated that the potential economic value of all Dead Sea resources in Area C is approximately $1.79 billion USD, with an estimated gross value of $1.10 billion USD. This represents about 14\% of the total Palestinian GDP at present. The estimated foregone gross value added for the Palestinian economy from mining and quarrying is $575 million USD, or 7.1\% of total Palestinian GDP. Indeed, the losses inflicted by the wrongful control of the Dead Sea are estimated at $144 million USD per year. See: PMNE and ARIJ (2014) ‘The economic costs of the Israeli occupation for the occupied Palestinian territory’.  
By extracting the mud from the Dead Sea in this manner, the right of Palestinians to permanent sovereignty over their own natural resources – an essential principle protected under international law⁶⁴ - is violated. In this way, Ahava is part of a very prosperous industry that profits directly from the exploitation of Palestinian land and natural resources, and assists the Israeli government in its continuous effort toward increased economic isolation and suffocation of the Palestine and its people.

In addition to issues associated with resource annexation for production and sales, all archaeological and religious sites within or neighbouring the Dead Sea region have been placed under the control of the Israel Nature and Parks Authority, having grave implications for the dissolving Palestinian tourism industry. For instance, the Inn of The Good Samaritan, located on the main road connecting Jerusalem and the Dead Sea, is known for its visitation by Christian pilgrims, possessing an historical importance as it houses the remains of caves and old mosaics of historic Palestine significant to the religion. Moreover, the baptismal site of ‘Qasr al-Yahud’ where, according to tradition, John the Baptist baptized Jesus, is located north of the Dead Sea on the banks of the Jordan River. The Israel Nature and Parks Authority also maintains authority over the Qumran National Park, situated next to the settlement of Qalia, where the Dead Sea Scrolls are presumed to have been found. Rather than allowing Palestinians access to - and control over - their own natural and archaeological sites, Israel ensures that tourists and nationals pay entrance fees to the Israeli state in order to access these important places. Even though these sites are all located on Palestinian land, Palestinians are deprived of the right to benefit from their showcase through tourism. One again, this practice helps to establish ‘facts on the ground’ to extend effective land annexation by Israel and, furthermore, to deepen the illusion for many tourists of congruity between Jerusalem and the Dead Sea, leading them to believe that the Dead Sea is an integral part of Israel, rather than of Palestine.

Overall, the right of Palestinians to use and to benefit from the resources of the Dead Sea are wholly denied, amounting to a clear violation of their right to manage their own land – and all for the purpose of Israel’s economic, social and strategic interests. Through this, Palestinians are denied the right to use the Dead Sea as a source for their future economic development, and as part of their national geographic and cultural identity in the eyes of others. Importantly, this exploitation has been responsible for extensive environmental degradation, causing a serious threat to the sensitive ecosystem of the region, and affecting the wider resources of the oPt.

⁶⁴ The Hague Regulations of 1907 (Articles 42-56) consider the occupying power to be a guardian or temporary administrator of natural resources, but does not permit that power to assume ownership over them, to transfer them to its’ own state, or to withhold them from the occupied population in order to further its own economic and other interests.
Conclusion

Ultimately, Israel’s state expansion agenda necessitates the de facto annexation of enormous quantities of land and resources from the oPt in order to sustain itself. Within Area C, this process is particularly evident, and is implemented in a highly strategic manner that consistently denies the existing Palestinian population their basic human rights (as well as to their right to free and fair development, and to the dignity that is associated with this).

Underpinning the annexation is a complex network of planning and zoning laws that predominantly build upon the overwhelming use of the ‘C’ area classification, as well as the ‘State Land’ demarcation. Both prior to and after such classifications are declared, the Israeli state implements its overly familiar policy of forced displacement amongst Palestinians who happen to depend on the land which Israel wishes to take for its own benefit. This is administered through outright demolitions and evictions, the frequent establishment of military areas and firing zones (which often precede such demolitions and evictions), the presence of uncleared land mine fields and the declaration of mine sites where they do not exist, as well as through the ongoing construction of the Apartheid Wall, which continues to displace thousands of Palestinian families and often removes them from their agricultural lands in the process in order to make them available for settler cultivation. With an emphasis on agricultural activities, this constant impulse to colonise often results in the severe degradation of Palestinian resources, alongside the attempted uprooting of the Palestinian culture, environment and history that is associated with these natural reserves and important sites.

It is these major issues and associated tactics applied in Area C and throughout the oPt that create the conditions in which opportunities for mere existence and sustainable development are intentionally removed from Palestinians. Annexed Palestinian resources and land have then been handed over to the jurisdiction of the thriving settlement industry in the West Bank, in order to further bolster Israel’s wholly illegal colonisation of what now remains of Palestine.
Farming the Forbidden Lands

Israeli Land and Resource Annexation in Area C

2014