

# Over the Border

The institutionalized Israelization of Area C  
and the violation of Palestinians' human rights



October 2022

# Over the Border

The institutionalized Israelization of Area C  
and the violation of Palestinians' human rights



Position Paper, October 2022

**Research and writing:** Yonatan Kanonich

**Editing:** Dan Owen, Ziv Stahl

**Legal counsel:** Adv. Shlomy Zachary

**Translation:** Maya Johnston

**Graphic design:** Studio Yuda Dery

**Yesh Din volunteers:** Dahlia Amit, Maya Bailey, Hanna Barag, Adv. Dr. Assnat Bartor, Osnat Ben-Shachar, Rochale Chayut, Yehudit Elkana, Rony Gilboa, Hana Gottlieb, Tami Gross, Dina Hecht, Niva Inbar, Daniel A. Kahn, Edna Kaldor, Ruth Kedar, Dr. Joel Klemes, Bentzi Laor, Judy Lots, Aryeh Magal, Sarah Marliss, Ilana Meki Shapira, Amir Pansky, Naama Patenkin, Talia Pecker Berio, Nava Polak, Dr. Nura Resh, Eddie Saar, Idit Schlesinger, Dr. Tzvia Shapira, Sara Toledano, Yoram Zeevi.

**Staff:** Firas Alami, Yudit Avidor, Maysoon Badawi, Chanah Dulin, Shahd Fahoum, Adv. Natalie Goral, Moneer Kadus, Yonatan Kanonich, Lipi Komash, Adv. Saja Misherqi-Baransi, Georgie Nustas, Dan Owen, Adv. Fadia Qawasmi, Adv. Michael Sfard, Ziv Stahl, Adv. Shlomy Zachary, Adv. Michal Ziv, Adv. Lior Zur.

**Public Council:** Adv. Abeer Baker, Hanna Barag, Dan Bavly, Prof. Naomi Chazan, Ruth Cheshin, Akiva Eldar, Prof. Rachel Elior, Adv. Yehudit Karp, Dr. Roy Peled, Yair Rotlevy, Prof. Uzy Smilansky, Joshua Sobol.

**Yesh Din's activity in 2022 was supported by:**

Asamblea de Cooperacion por la Paz, Agencia Española de Cooperación Internacional para el Desarrollo, Catholic Agency for Overseas Development, Foundation for Middle East Peace, Irish Aid, The Netherlands Ministry of Foreign Trade and Development, Norwegian Ministry of Foreign Affairs, Norwegian Refugee Council, New Israeli Fund, NGO Development Center, The Rockefeller Brothers Fund, Switzerland Federal Department of Foreign Affairs, United Nations Development Program, Misereor.

---

**Cover: Israeli runners during the Bible Marathon, near the village of aa-Sawiyah in the West Bank. The Israeli military blocked Road 60, the main traffic artery between Ramallah and Nablus for this marathon** (Photo Ahmad Al-Bazz, ActiveStills, September 28, 2018) (see, pp. 18-19)

Yesh Din is mostly funded by foreign governmental entities. A list of our donors is available on the Israeli Associations Register's website and on our website. Yesh Din is proud to be funded by states that believe, as we do, that the occupation is not an internal Israeli matter and that support the advancement of human rights.

<b>Introduction</b>	<b>5</b>
<b>The Interim Agreement (Oslo Accords)</b>	<b>6</b>
<b>“Oslo is dead” - or is it? The legal situation today</b>	<b>8</b>
<b>Area C - Home of the settlers</b>	<b>10</b>
<b>The Israelization of Area C</b>	<b>13</b>
<b>Israeli presence in Area C violates human rights</b>	<b>21</b>
<b>Conclusion: Area C is occupied Palestinian territory</b>	<b>22</b>

# Introduction

Talk of a so-called Palestinian takeover of lands in Area C has been growing louder in the Knesset, the media and among the Israeli public.<sup>1</sup> This narrative is fundamentally wrong; it contradicts the reality on the ground and reflects an outlook that flies in the face of both Israeli and international law. “Over the Border” aims to set the record straight and serve as a reminder that, legally, **like the rest of the West Bank, Area C is Palestinian land held under Israeli military occupation.**<sup>2</sup>

The report also presents the government-led, institutionalized Israelization of Area C, which constitutes 60% of the West Bank. The State of Israel supports the expansion of the illegal settlement enterprise, helps Israelis take over vast areas in the West Bank and advances creeping legal annexation. Meanwhile, the government and other entities work to intensify Israel’s social, cultural and economic infiltration into the occupied Palestinian territory (oPt). This Israeli policy is meant to turn Area C and the settlements inside it into an inseparable part of Israel, despite the fact that the state itself considers this area to be outside the country’s borders.

In the three decades that have passed since the Israeli-Palestinian Interim Agreement (the Oslo Accords) was signed and the West Bank was divided into areas, Israeli presence in Area C has grown far beyond soldiers and settlers. Over the Border explains why getting an education at the university in the settlement of Ariel, attending an Israeli rock concert in the oPt or going shopping beyond the Green Line inherently impinges on the human rights of Palestinians in the West Bank. The report shows how these seemingly mundane activities are not as innocuous as they appear, but are rather politically charged actions designed to lend public legitimacy to the Israeli occupation.

**Israel's attempts to obscure or erase the borders of the oPt by normalizing non-military Israeli presence in the West Bank is a grave breach of international law and a severe, extensive violation of the human rights of the indigenous Palestinian population.**

1 Hereinafter also Area C. See, e.g.: Elisha Ben Kimon, “[Palestinian takeover of Area C: Head of Samaria Council holds meetings at European parliament](#)”, **ynet**, March 1, 2022 (Hebrew). Sheila Fried, “[Stop the madness: Palestinian takeover of Area C continues to grow](#)”, **Makor Rishon**, November 28, 2021 (Hebrew); Elisha Ben Kimon, “[Hundreds of settlers march in Judea and Samaria: We’re losing the fight for Area C](#)”, **ynet**, June 21, 2021 (Hebrew); The Knesset Foreign Affairs and Defense Committee had a session to discuss: “Government action to prevent Palestinian Authority takeover of Area C,” July 29, 2020 (Hebrew).

2 In this report, reference to the West Bank will exclude East Jerusalem as Area C is irrelevant to the city. However, it is noted that although Israel applied Israeli law to East Jerusalem in 1967, it is an inseparable part of the West Bank and international law considers it occupied territory.

# The Interim Agreement (Oslo Accords)

In September 1995, the Government of Israel and the Palestine Liberation Organization (PLO), as the representative of the Palestinian people, signed the Israeli-Palestinian Interim Agreement on the West bank and the Gaza Strip.<sup>3</sup> The agreement included numerous articles relating, in part, to the establishment of the Palestinian Authority, the transfer of authorities to it and the redeployment of the Israeli military in the oPt. The detailed arrangements in the agreement were to be kept in place for a transitional period that was to culminate in a permanent agreement in 1999.<sup>4</sup>

For purposes of the planned five-year interim stage, three area types were introduced to the map of the West Bank:

**Area A** (constituting about 18% of the total area of the West Bank) included mainly Palestinian urban centers. The Palestinian Authority assumed responsibility for internal security and all civilian affairs in this area.

**Area B** (22%) included the built-up area of Palestinian rural spaces. Here, the Palestinian Authority received limited powers over civilian affairs and local policing only.

**Area C**, which accounts for about 60% of the West Bank, was defined in the agreement as follows:

“Area C” means areas of the West Bank outside Areas A and B, which, except for the issues that will be negotiated in the permanent status negotiations, will be gradually transferred to Palestinian jurisdiction in accordance with this Agreement.<sup>5</sup>

According to the Interim Agreement, Israel was to retain overall responsibility for internal security, public order and all civilian affairs in Area C for the interim period, with these responsibilities gradually being transferred to the Palestinian Authority.

3 **UN Peacemaker website**, [Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip](#), Washington, D.C., September 28, 1995 (hereinafter: the **Interim Agreement**).

4 **Ibid.**, Introduction. The permanent agreement would be based on UN Security Council Resolutions 242 and 338, which stipulate, inter alia, the “withdrawal of Israel armed forces from territories occupied” in 1967, **UN Peacemaker website**, [Security Council Resolution 242](#), November 22, 1967.

5 **Interim Agreement**, Chapter 2, Article XI, 3c. The city of Hebron was excluded from the Area A, B, C division, and special arrangements were made in its case.





The lines delineating Areas A and B were drawn along the last rows of houses in Palestinian communities as they were in 1995. This created more than 100 fragmented “islands” – Areas A and B – separated from one another and “floating” in a “sea” of Area C.

**The division into areas, which, as noted, rested on the premise that this would be a five-year interim phase, resulted in most Palestinian farmland, including land adjacent to villages, being assigned an administrative category separate from that in which the landowners lived. Land reserved for future construction and development in Palestinian communities were likewise marked as Area C and remained under the full control of the Israeli military, and so too were the West Bank’s main traffic arteries.**

**As the years passed, the division into Areas A, B and C effectively transformed the West Bank into a fragmented space under maximal Israeli control.**

The West Bank  
(excluding East Jerusalem)

-  Areas A and B
-  Area C



# “Oslo is dead” - or is it?

## The legal situation today

The Interim Agreement never did mature into a permanent one. After several attempts at negotiations, effective talks for a comprehensive peace agreement between Israel and the Palestinians based on the Oslo Accords have, for now, ground to a halt. Nevertheless, **from a legal standpoint, the Interim Agreement continues to apply as it was never revoked.**

The principles and powers stipulated in the Interim Agreement were regularized via the “Proclamation regarding the Application of the Interim Agreement,” issued by the Commander of Military Forces in the West Bank in 1995.<sup>6</sup> This proclamation is still in force and continues to serve as a key element of military legislation in the West Bank. Accordingly, in its various rulings on relevant matters, the Supreme Court of Israel continues to regard the Interim Agreement and the military proclamation implementing it as part of the law applicable to the oPt.<sup>7</sup>

Despite diplomatic crises between Israel and the Palestinian Authority and calls on both sides to revoke the agreement,<sup>8</sup> the conditions created in the mid-1990s and designed to remain in place for a transitional period of five years have effectively become permanent and remained virtually unchanged for nearly 30 years.

The Palestinian Authority exists and functions under Israeli auspices and engages in ongoing security coordination with the Israeli authorities. Its main influence is on internal and civilian affairs in Areas A and B. **Area C is under full Israeli control.**

The Israeli military maintains a visible presence in and remains active throughout the West Bank.<sup>9</sup> Military activity consists of permanent and flying checkpoints on roads, raids on

6 **Military Advocate General's Corps website**, Main Legislation Index, [Proclamation regarding Application of the Interim Agreement \(No. 7\)](#), November 23, 1995 (Hebrew).

7 This has been the case in hundreds of judgments, see, e.g.: HCJ 3304/21 **Samaria Regional Council v. Water Authority** (judgment dated January 26, 2022); HCJ 2206/20, **Rosso v. State of Israel** (judgment dated December 30, 2021); HCJ 358/18, **City of Hebron v. State of Israel** (judgment dated June 30, 2019);

8 See, e.g.: Jack Khoury, [“Palestinian Authority Decides to End Division of West Bank Into Areas Set by Oslo Accords”](#), **Haaretz English website**, August 31, 2019; Arik Bender and Yanir Kozin, [“Abu Mazen: ‘Oslo is dead. The Americans cannot continue brokering’”](#), **Maariv**, January 27, 2018 (Hebrew). **Knesset website**, **Knesset Plenum Protocol**, [Session 323 of the 15th Knesset](#), “Proposed agenda item: Oslo is dead – what is the alternative?”, June 26, 2002 (Hebrew).

9 The Israeli military often launches operations in Area A. In August of 2022, it took direct action against Palestinian human rights organizations, invading their offices in Area A (see, Hagar Shezaf, Jack Khoury and The Associated Press, [“Israel Raids Outlawed Palestinian Rights Groups' Offices in West Bank”](#), **Haaretz English website**, August 18, 2022).



cities, towns and villages, nocturnal incursions into homes, arrests, interrogations, live-fire training exercises in expansive areas, and more.

Civilian affairs in Area C are run by the Civil Administration - an Israeli military unit.<sup>10</sup> As noted, the division into areas, which preserved conditions as they were in 1995, kept Palestinian farmlands and land reserves for future Palestinian expansion and development in Area C. This allows Israel to use the Civil Administration to control many aspects of Palestinian civilian life in the West Bank, including matters concerning land, planning and building, as well as the installation and maintenance of infrastructure such as water, electricity, traffic and communications.<sup>11</sup>

Palestinians living in the West Bank, including Areas A and B, are forced to contend with a bureaucracy Israel imposes on them through the Civil Administration. They must ask the Israeli military for permits in order to engage in ordinary everyday activities, such as accessing their private lands in Area C and traveling from the West Bank to Israel or other countries. They are also required to obtain permits for construction and development, including infrastructure. This “permit regime,” which has grown more sophisticated and insidious over the years, allows Israel to monitor and control people who are suspected of no wrongdoing, and is sometimes used to pressure individuals to collaborate with the occupation authorities in return for favors.<sup>12</sup>

Additionally, as the areas where West Bank Palestinians live and work lack geographic contiguity, they are forced to use roads in Area C, which enables the military to control how they travel from one place to another or simply go about their lives. Any routine trip - to visit family, get to work or school, receive medical treatment at a hospital, cultivate land or travel for leisure, could end at a military checkpoint, with passengers delayed or denied access by soldiers. Israel’s hegemony over West Bank roads in Area C robs Palestinians of independence and control over their private space and time.

**It is important to note that the Interim Agreement did not alter Israel's borders, apply sovereignty to any area or change the fundamental legal situation in the West Bank. Then, as now, the entire West Bank, and particularly Area C, is under Israeli military occupation – a regime whose powers come from and are bound by international humanitarian law.**

10 The Interim Agreement stipulates that the Civil Administration would be dismantled once the Palestinian Council was inaugurated, though this was never implemented (**Interim Agreement**, Annex I, Section 5).

11 For more see, **Yesh Din**, [Through the Lens of Israel's Interests": The Civil Administration in the West Bank](#), January 2017. See also hereinafter p. 12.

12 See, e.g.: **Breaking the Silence**, [Military Rule - Testimonies of soldiers from the Civil Administration, Gaza DCL and COGAT, 2011-2021](#), July, 2022; **Machsom Watch website**, [The Bureaucratic Maze of the Occupation](#); Yoav Zeitun, [“Sex for permits: The officer's threats and the exploitation of Palestinian women seeking work”](#), **ynet**, October 20, 2021 (Hebrew).

## Area C - Home of the settlers

The most significant change in Area C in the 30 years since the Interim Agreement was signed in 1995 is the number of settlers residing in it. Back then, 134,000 Israelis lived in the West Bank (excluding East Jerusalem), all of them in Area C.<sup>13</sup> In the years since, with the help of the government and the military, **the number of settlers has tripled, and today, more than 450,000 Israeli settlers live in Area C in 282 settlements and unauthorized outposts.**<sup>14</sup>

All Israeli settlements and outposts in the oPt were built in violation of international law and are considered illegal by most countries in the world.<sup>15</sup> Additionally, **the existence of settlements and the presence of settlers inherently lead to human rights abuses against Palestinians living in the oPt, including violations of the rights to property and freedom of movement, and sometimes even the right to life and bodily integrity.**<sup>16</sup>

According to Civil Administration figures, as of 2021, the total area included in settlement jurisdictions in Area C exceeds half a million dunams, which accounts for 15.1% of Area C.<sup>17</sup> Since many of the unauthorized outposts, including shepherding outposts, established by Israelis in the West Bank are located outside the jurisdictional boundaries of settlements, settlers control and occupy a much larger area in practice.

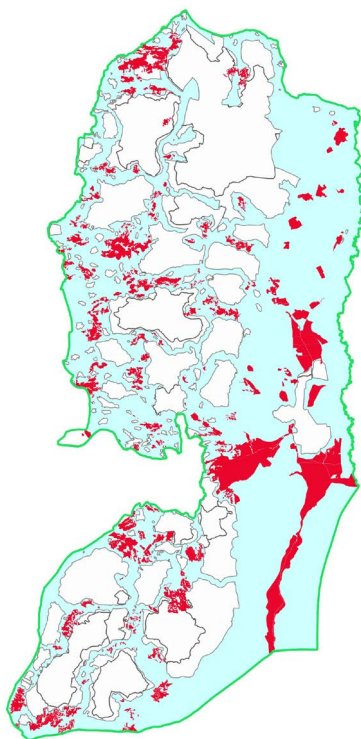
13 With the exception of several hundred Israeli settlers living in the City of Hebron.

14 **Peace Now website**, [Population](#). As noted, the numbers exclude East Jerusalem.

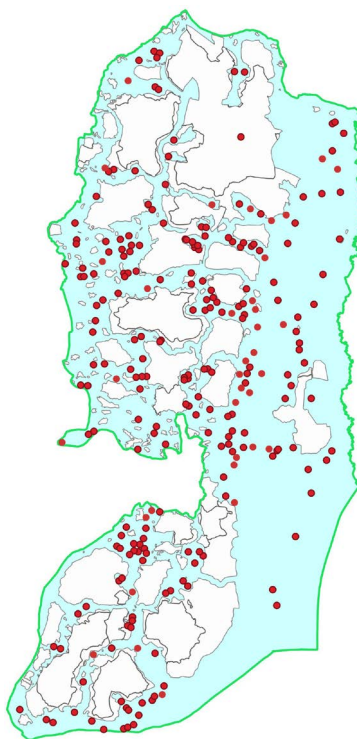
15 **Settlements** are Israeli communities built within the area controlled by the military government in the West Bank with approval from the Government of Israel. **Unauthorized outposts** are communities established by Israeli citizens in the oPt without official approval from the government, but usually with help, funding and involvement from various government bodies. While the terms “settlement” and “outpost” have evolved to take on different meanings and statuses among the Israeli public and legal community, according to international law (Article 49 of the Fourth Geneva Convention (1949)), all Israeli settlements and outposts in the West Bank are illegal.

16 For more, see, **Yesh Din**, [Yitzhar – A Case Study: Settler violence as a vehicle for taking over Palestinian land with state and military backing](#), August 2018; **Yesh Din**, [The Road to Dispossession - A Case Study - The Outpost of Adei Ad](#), February 2013.

17 Yesh Din receives figures from the Civil Administration in response to annual inquiries under the Freedom of Information Act.



Israeli settlement jurisdictions in Area C  
(Civil Administration figures, 2020)



Israeli settlements and unauthorized  
outposts in Area C (Yesh Din and  
Civil Administration figures, 2020)

The Israeli government and the military authorities in the West Bank have initiated and supported settlement expansion and growth in the oPt. Israel declares vast areas within Area C as public land (“state land”) and allocates them for exclusive use by Israelis. The state promotes the expansion of settlements, retroactively approves unauthorized outposts and supports the establishment of shepherding outposts. Other methods the government uses to expand areas under Israeli control in the oPt include building industrial zones and declaring nature reserves, parks and archeological sites. These are in addition to areas exclusively controlled by the military and used for bases, firing zones and training grounds.<sup>18</sup>

18 For more see, **Yesh Din**, [Bad Faith - The illegal outpost of Mitzpe Kramim and efforts to retroactively approve it](#), February 2022; **Yesh Din**, [Plundered Pastures: Israeli settler shepherding outposts in the West Bank and their infringement on Palestinians' human rights](#), December 2021 (hereinafter: **Plundered Pastures**). **Yesh Din**, [The Age of Regularization - The Zandberg Committee Expropriation Report for Retroactive Authorization of Israeli Outposts and Illegal Construction in the Settlements: Analysis, Ramifications and Implementation](#), January 2019.

In stark contrast to its policies regarding settlements in Area C, Israel blocks any development in Palestinian communities in this area, employing the Civil Administration's authority over planning, building and enforcement. As noted, the lines marking Areas A and B were drawn along the last rows of houses in Palestinian communities as they were in 1995, meaning most options for the natural expansion of Palestinian communities are located in Area C and are entirely dependent on the Israeli military.

Figures the Civil Administration provided to Israeli NGO Bimkom - Planners for Planning Rights reveal that between 2016 and 2020, Palestinians filed 2,550 applications for building permits in Area C. The Civil Administration approved only 24 - less than one percent (0.94%). By comparison, according to figures released by the Israeli Central Bureau of Statistics, during the same period, the Civil Administration approved 9,157 building permits in Israeli settlements in the West Bank, or 381 times as many as the number issued to Palestinians. Also during this period, the Civil Administration issued 3,440 demolition orders for Palestinian structures built without permits in Area C.<sup>19</sup> **Using this policy, Israel effectively relegates Palestinians to living in areas A and B only.**

Israeli authorities in the West Bank engage in practices that are prohibited under international law, such as denying rights to a national group, denying resources to one group and allocating them to another, physical segregation between groups and more. Israel also openly and deliberately pursues measures designed to preserve its control over Palestinian residents of the West Bank while depriving them of their lands and other property. All of this, combined with the growing presence of privileged settlers in the West Bank alongside an oppressed Palestinian population whose rights are increasingly abused, form part of Israel's apartheid policy in the West Bank, which constitutes a crime against humanity.<sup>20</sup>

19 Civil Administration to Alon Cohen-Lifshitz, Bimkom, "Request for information regarding building permit applications and demolition orders in Area C", October 20, 2021; **Central Bureau of Statistics**, Central Database; see also: **UN Office for the Coordination of Humanitarian Affairs (OCHA)**, "[Most Palestinian plans to build in Area C not approved](#)", June 22, 2021.

20 See, **Yesh Din**, [The Israeli Occupation of the West Bank and the Crime of Apartheid: Legal Opinion](#), June 2020.

# The Israelization of Area C

The Israeli occupation, in place for more than 55 years, is characterized by a deliberate policy of creeping land takeover through the implementation of long-term changes on the ground in contravention of international law. Sure enough, over the years, Israeli presence in the West Bank has extended far beyond the military and settlers.

The last decade has seen a marked shift in Israel's incremental legal annexation of the West Bank and a transition from de-facto to de-jure annexation. Legal annexation is reflected in bills brought to the Israeli parliament, which sees itself as competent to make law in the West Bank; in official legal opinions and state positions in petitions pending before the court or materials published by the Ministry of Foreign Affairs. These shifts challenge the internationally accepted status of the West Bank as occupied territory.<sup>21</sup>

In a process that parallels creeping legal annexation, state authorities and government ministries take deliberate steps to blur the line between the sovereign State of Israel and the territories it occupies. As a result, much of the Israeli public treats Area C as Israeli territory through and through, with an attendant social, cultural and economic seepage of "Israeliness" into the West Bank. Rather symbolically, the Green Line – the internationally recognized border between Israel and the West Bank – is being erased from official Israeli maps and the Ministry of Education ensures that this is what Israeli children are taught.<sup>22</sup>

Below are selected examples - chosen out of many - to illustrate the Israelization of the West Bank. An interesting point to observe is how phrases such as "Israeli" or "in Israel" are often used as a method of implanting the infiltration of Israeliness into the oPt in the public's mind.

**Over the border** - As of late September 2022, at least **nine Israeli members of parliament (MKs)** live in settlements located in Area C. **Two Supreme Court justices**, Noam Sohlberg and David Mintz also live in the oPt, in contravention of the law they should be upholding.

21 For more see, **Yesh Din website**, [Annexation Legislation Database: Yesh Din, The Potential Impact of West Bank Annexation by Israel on the Human Rights of Palestinian Residents](#), April 2020.

22 See, e.g.: Or Kashti, "[Education Ministry Demands Tel Aviv Municipality to Take Down School Maps That Show 1967 Borders](#)", **Haaretz English website**, August 24, 2022. **Akevot Institute**, [Erasure of the Green Line](#), June 2022.



The village of Deir Ibzi' and the settlement of Dolev, where Supreme Court Justice David Mintz lives (photo credit: Yaakov, Wikimedia, [CC BY-SA 4.0](https://creativecommons.org/licenses/by-sa/4.0/))

**Post-secondary education** - The settlement of Ariel has a **university** that is funded and monitored by Israel's higher education regulatory body, the Council for Higher Education, and the Ministry of Education, despite being located outside Israel's borders. Ariel University cooperates with settler shepherding outposts in the West Bank, some of which are focal points of violence against Palestinians.<sup>23</sup>



Call to volunteer with an organization that supports settler shepherding outposts in return for Ariel University credits (photo from HaShomer Yosh Facebook page, March 18, 2021)

<sup>23</sup> For more see, [Plundered Pastures](#), p. 23.



Advertisement for Israeli Science Day in the settlement of Ariel (photo from Ariel University website, March 24, 2022)

**Tourism** - The Ministry of Tourism and the Israel Nature and Parks Authority, two publicly funded bodies, promote foreign and domestic tourism in Area C in collaboration with local and regional settlement councils.<sup>24</sup> The **Society for the Protection of Nature in Israel**, a government-funded association, is also active in the oPt, including operating a field school in the settlement of Ofra, marking hiking trails in Area C and selling trail maps of the area (in Hebrew only) in collaboration with the Survey of Israel.

The Samaria Regional Council, which hosts family hikes in the region, went so far as to flippantly incorporate wordplay referencing Area C in its advertisements (see photo and explanation below).



Advertisement for a special tour of Samaria for journalists and bloggers offered by the Ministry of Tourism. The title reads: "Rediscovering Israel" (Ministry of Tourism website, March 9, 2022)

24 See, e.g.: **Ministry of Tourism website**, "Tour of Samaria for journalists and bloggers", March 9, 2022 (Hebrew). Ohad Levin, "Passover in Judea and Samaria - Israelis let their legs do the talking during holiday", **Hahadashot**, March 31, 2021 (Hebrew). **Binyamin Tourism Facebook page**, "Couples Friday in ancient Shilo", February 9, 2021 (Hebrew); **Shomron Tours Facebook page**, "Hannukah at the Israel Nature and Parks Authority, Judea and Samaria", November 23, 2021 (Hebrew).





Samaria Regional Council advertisement for a family hike in the Samaria region entitled “Peak Summer Hike.” The Hebrew word for ‘peak’ is replaced by the letter C, which sounds identical (photo from Samaria Regional Council Facebook page)

The Gush Etzion Regional Council invests a great deal in tourism, branding itself as “an Israeli home.” The general director of Tourism Gush Etzion, Moshe Bruce, admitted that **tourism is used to normalize settlements and obscure borders:**

Tourism is a vehicle for getting people to come to the area for the first time in their lives (apart from military service, of course) and discover that what lies beyond the dark mountains is a breathtaking gem with special people and **normalization**. Some among the people of Israel still have “hang-ups” that stop them from going to places beyond the Green Line, but tourism - the nature, the heritage, the views, the bicycle trails and the myriad sites - **blur the lines** and eventually wipe out the emotional hang-ups and help truly expose people to the settlement enterprise.<sup>25</sup>

International travel websites like **Airbnb** and **Booking.com** also market hotels and guest accommodations run by Israeli settlers in the oPt. In September 2022, the media reported Booking.com would be adding an advisory to listings in Israeli settlements in the West Bank warning travelers that “visiting the area may be accompanied by an increased risk to safety and human rights, or other risks to the local community and visitors.”<sup>26</sup> Israeli Minister of Tourism Yoel Razvozov said in response: “A business will not dictate to us what area is Israel and what area isn’t.”<sup>27</sup> Minister Razvozov is correct about one thing: whether or not the West Bank and Area C are inside Israel is not dictated by Booking.com, rather, it is Israeli and international law which dictate they are not.

25 Moshe Bruce, “[There is tourism in the Judea and Samaria Area](#)”, **INN**, August 2, 2020, (Hebrew) (emphasis added).

26 Hagar Shezaf, Jonathan Lis, Noa Shpigel and Hadar Kane, “[Booking.com to Add ‘Safety and Human Rights Warning’ to West Bank Settlements](#)”, **Haaretz English website**, September 19, 2022.

27 Ibid.

Ultimately, apparently due to pressure from the Israeli government, as of late September 2022, Booking.com has added an advisory for all properties in the West Bank, both Israeli and Palestinian, stating: “Please review any travel advisories provided by your government to make an informed decision about your stay in this area, which may be considered conflict-affected.”<sup>28</sup> The Israeli Ministry of Foreign Affairs touted this as an achievement, saying: “The threat that Judea and Samaria and Israeli owned properties in this region would be singled out disfavorably on social media platforms has been lifted.”<sup>29</sup>

**Transportation** - The intercity **road system** Israel built and expanded in Area C is used by the **Israeli public transportation system**. With support from the Ministry of Transportation, buses operated by Israeli companies exit the country’s territory, crossing the checkpoints in and out of the oPt daily. This is true not just for routes servicing settlements, but also for buses that take shortcuts through the oPT, as do, for example, buses traveling from Jerusalem to Beit Shean, Tiberias or Katzrin. Some bus lines, such as Egged 445 from Jerusalem to Eilat, travel through the West Bank even though they have no stops there.

**Trade and industry** - **Industrial parks**, as well as **commercial and shopping centers** built in Area C, benefit from low real estate prices and tax benefits offered by the government and exploit the West Bank’s natural resources. Israeli businesses also exploit Palestinian labor, paying much lower wages than they pay Israeli workers.<sup>30</sup>

For instance, Design City, a design mall built in Area C, near the settlement of Ma’ale Adumim, brands itself as “Israel’s design capital,” despite being located outside the country’s borders. The complex deliberately misleads consumers, advertising itself as being located in Jerusalem, and tries to attract businesses by boasting that municipal taxes are lower than in downtown Jerusalem. Similarly, a new tourism park set to be built in Area C is presented in the Israeli media as being built within the country.

28 Agence France-Presse, “[Booking.com issues West Bank warning](#)”, **Al-Monitor**, October 1, 2022.

29 Haaretz and The Associated Press, “[After Israeli Pressure, Booking.com Waters Down West Bank Settlement Travel Warning](#)”, **Haaretz**, October 1, 2022 (Hebrew). The [English version](#) of this story does not contain the report about the response of the Foreign Affairs Ministry.

30 See, e.g.: **Yesh Din**, [The Great Drain - Israeli quarries in the West Bank: High Court sanctioned institutionalized theft](#), September 2017; **MAAN Workers Association**, “[Palestinian workers in Mishor Adumim unionize with WAC, strike for collective agreement](#)”, December 18, 2018 **Who Profits website**, “[Economic Exploitation](#)”.

## רשמית: דיזיין סיטי בירושלים הפך למתחם העיצוב הגדול בישראל בו הושכרו למעלה מ-50,000 מ"ר למותגי עיצוב הבית

Jerusalem or the settlement of Ma'ale Adumim? Screen capture of the title of a story on an Israeli marketing website: "It's official: Design City in Jerusalem has become the largest design mall in Israel, with more than 50,000 m2 leased to home design brands" ([Channel 22 News](#), last accessed July 2022)

Screen capture of the title of a story published on an Israeli travel website on July 20, 2022: "Will it be ready in two and a half years? A look at the mammoth tourism park soon to be built in Israel" ([Mako Vacation](#), last accessed September 2022)

**Culture** - Israelis hold cultural events in Area C, including **theater, music concerts and sporting events**, with the support of the ministries of education, tourism, culture and sports and science and technology.

The Bible Marathon, for example, is set to be held in the West Bank for the eighth time this year. Some of the funding for this event is provided by government ministries, the Binyamin Regional Council, HaPoel Center, Marathon Israel (a company that produces running events), and Mey Eden (a mineral water company). The marathon website advertises accommodations in settlements and unauthorized outposts. Palestinians from the West Bank are barred from participating in the different legs of the marathon as they pass through settlements and outposts.<sup>31</sup> As it did in previous years, during the marathon, the Israeli military will block Route 60, the main traffic artery for Palestinians traveling between Ramallah and Nablus.<sup>32</sup>

31 Israel imposes a blanket ban on entry by West Bank Palestinians into settlements in the OPT (Declaration of Closed Military Zone (Israeli Communities) (Judea and Samaria) 2002).

32 See also: Ilan Zeiser, "[Bible Marathon: Running on the trails of apartheid all the way to fake history](#)", **Local Call**, July 24, 2017 (Hebrew).



Advertisement for the Bible Marathon,  
(photo from Binyamin Regional Council  
Facebook page, October 23, 2021)

Below are several more examples randomly chosen from an endless variety of cultural events:

- The Tammuz **Film Festival** took place in the performing arts center in the settlement of Ariel. Film critic Ron Fogel: "I'm proud to be in Samaria. Israeli cinema is thriving".<sup>33</sup>
- The **Beer in the Desert festival** was held in the settlement of Tekoa. Gush Etzion Regional Council Head: "Every year, there are more tourism and art projects that cement the Gush as the tourism capital of Judea and Samaria and Tekoa as the artist hub."<sup>34</sup>
- "Time Vintage" - the Judea, Samaria and Binyamin **wine festival**: "beyond any political disagreement."<sup>35</sup>
- Collaboration between **Maccabi Tel Aviv Basketball**, Israel's leading basketball team, and Elitzur Shomron, a Samaria based basketball team: "The conquest of Samaria."<sup>36</sup>

33 Yoni Kampinsky, "[Film critic Ron Fogel: 'I'm proud to be in Samaria. Israeli cinema is thriving'](#)", **INN**, July 4, 2022 (Hebrew); Yoni Kampinsky, "[Hosted by Shalom Assayag, the first film festival in Samaria is launched](#)", **INN**, July 3, 2022 (Hebrew).

34 Srugim News, "['Beer in the Desert': Thousands celebrate Tekoa beer festival](#)", **Srugim**, July 24, 2022 (Hebrew).

35 Ronen Pearlmuter, "[Wine makes the heart grow fonder: We visited the great Judea and Samaria Area wine festival](#)", **Israel Hayom**, April 3, 2022 (Hebrew).

36 Yaakov Meir, "[The conquest of Samaria: The Maccabi Tel Aviv Elitzur Shomron collab](#)", **Israel Hayom**, February 19, 2019 (Hebrew). See also: Arie Livnat and Itay Goder, "[Basketball Team From West Bank Settlement Should Be Kicked Out of Israel League, Says Ex-pro Player](#)", **Haaretz English website**, August 8, 2022.

- Israeli 2022 **Adventure Motorcycle championship**: “Bring the whole family for a motor experience with Samaritan views.”<sup>37</sup>
- **Israel's biggest names in music and other performing arts perform in the occupied territories**. Head of Samaria Regional Council: “The Samaria region will keep hosting Israel's top artists and support Israeli art and culture.”<sup>38</sup>

Israeli artists who have performed in oPt settlements include Berry Sakharof, Rita, the Gevatron, Aviv Geffen, Sarit Hadad, Eyal Golan, Marina Maximilian, Evyatar Banai, Rami Kleinstein, Ravid Plotnik, Harel Skaat, Hanan Yovel, Mosh Ben-Ari, Red Band, Ethnix, Adir Miller, Avi Nussbaum.



Advertisements for concerts by top Israeli artists in settlements (Photos from, right to left: Samaria Regional Council Facebook page, May 20, 2022; Tourism Gush Etzion Facebook page, August 22, 2021; Binyamin Community Center Facebook page, May 3, 2022)

An Israeli rock concert, a marathon or a film festival in the oPt is not just an innocuous cultural or sporting event. These are politically charged activities designed to serve the agenda of blurring the lines between the sovereign State of Israel and the territories it occupies. These are tools for normalizing the illegal West Bank settlement enterprise. Beyond that, the growing Israelization of the oPt (due to the social, cultural and economic infiltration into Area C) together with creeping legal annexation, help obfuscate the reality of military occupation in the West Bank. In this way, simple, seemingly ordinary activities serve to legitimize the mechanisms of control and oppression in the West Bank and violate Palestinians' human rights.

<sup>37</sup> Samaria Tourism Facebook page, March 29, 2022 (Hebrew).

<sup>38</sup> Yonatan Gottlieb, “Aviv Geffen in Samaria concert: ‘Left and right is just nonsense’”, INN, July 5, 2022 (Hebrew). For information about the seizure of Palestinian homes for concerts and events held by settlers, see, Yesh Din, **Breaking the Silence and Physicians for Human Rights Israel, A Life Exposed: Military invasions of Palestinian homes in the West Bank**, November 2020, p. 98.

## Israeli presence in Area C violates human rights

Israel's military occupation directly and indirectly violates the human rights of Palestinians living in the West Bank, including the rights to property, freedom of movement, liberty, equality and even the right to life. In Area C, the main blight is the settlements and the vast areas they control, achieved by taking over Palestinian lands. In addition, the myriad Israelis who transit from Israel's sovereign territory into Area C each day significantly exacerbate the harm to Palestinians' human rights.

Firstly, the presence of Israelis in the West Bank lends legitimacy to the illegal, colonialist settlement enterprise. Beyond this, every event or action, be it in business, education, tourism or culture, further drives Israel's infiltration of the occupied Palestinian territory and increases public acceptance of it, making illegal actions appear as the accepted norm.

When Israelis travel on West Bank roads, Palestinians living in the area almost inevitably lose at least some of their freedom of movement. The Israeli military, which controls traffic arteries in Area C, including those connecting the dozens of enclaves which comprise Areas A and B, works to ensure free travel and an uninterrupted routine for settlers and other Israelis. This, of course, often comes at the expense of Palestinians' freedom of movement, robbing Palestinians of sovereignty over their private space and time.

Meanwhile, the presence of Israeli civilians in the West Bank means more military personnel stationed in the oPt; military activity means control by forceful, oppressive means, exacerbating the harm to the millions of Palestinians living under Israeli occupation.

**All this evidences how Israeli presence in Area C inherently violates the human rights of Palestinian residents of the West Bank.**



**Military checkpoint blocking the access point from the village of Beita to Route 60 (Ahmad al-Bazz, Activestills, September 23, 2016)**

## Conclusion: Area C is occupied Palestinian territory

The division of the West Bank into Areas A, B and C, as part of the Israeli-Palestinian Interim Agreement (the Oslo Accords) for a transitional period of five years has been in place for nearly three decades. Israel continues to rule the entirety of the oPt with military force, using this artificial division to take over a staggering amount of land in the West Bank, particularly in Area C, in violation of international law.

Israel forces the majority of the Palestinian population to reside in Areas A and B, as they did in 1995, and to remain completely dependent on the Israeli military for everyday activities. Israel's full control of Area C and its interests in this area impinge on Palestinians' freedom of movement inside the West Bank and their freedom to cultivate their lands, build and expand their communities and more.

Though the Interim Agreement did not alter the state of sovereignty over the West Bank in legal terms, Israel treats Area C as if it were an inseparable part of the country and goes to great lengths to obfuscate its borders. It continues to build and expand settlements, outposts and shepherding outposts in the West Bank, resulting in an exponential growth in the number of settlers and the areas they control. In a parallel process, the state initiates and advances institutionalized legal, economic and cultural infiltration into the West Bank in an effort to normalize Israeli civilian presence in the occupied territory. In this way, Israel strives to supplement its military control with civilian dominance, thereby effectively annexing Area C, which makes up 60% of the West Bank.

**Israel's policy defies both international law and Israeli law, which expressly stipulate that Area C, like the rest of the West Bank, is land held under military occupation. Yesh Din calls on the international community to intervene and stop the institutionalized Israelization of Area C, which severely violates the human rights of the indigenous Palestinian population.**