For years Israel has been implementing a plan to forcibly transfer thousands of Palestinians who live in farming-shepherding communities in the West Bank. Focusing on three areas – the Jordan Valley, the South Hebron Hills, and the area east of Jerusalem – it aims to establish facts on the ground that would achieve exclusive de facto Israeli control in those areas, and eventually facilitate annexation.

Israel’s plans range from freezing any Palestinian development, through minimizing the Palestinian foothold in major parts of the West Bank, to the destruction and transfer of entire communities. It is implementing these plans through the application of some – or all – of the following measures: not allowing to build new private or public buildings, to be connected to water or power grids, or to pave access roads. When, in the absence of any alternative, residents build without permits, they face threats – or actual – demolition, and confiscation of essential equipment.

Israel attempts to provide legal justification for its actions against these Palestinian communities by arguing that they are “building without permits”. This, however, is a disingenuous claim as Israel’s planning policy in the West Bank all but precludes Palestinians from ever receiving the required permits.

Forcible transfer – by direct physical force or by creating a coercive environment that makes residents leave their homes – is a war crime. All people responsible for it – including the Israeli prime minister and the minister of defense – bear personal liability.

The recent decision by Israel’s High Court of Justice to approve the demolition of the Khan al-Ahmar community, and thus to provide a legal stamp of approval for the forcible transfer of the community’s residents, changes nothing with regard to the above analysis. All it does is add another High Court injustice to what is nothing short of a war crime, no matter how much legal formalism is enlisted in an effort to excuse the inexcusable.