

The pogroms are working - the transfer is already happening

For decades, Israel has employed a slew of measures designed to make life in dozens of Palestinian communities throughout the West Bank miserable. This is part of an attempt to force residents of these communities to uproot themselves, seemingly of their own accord. Once that is achieved, the state can realize its goal of taking over the land. To advance this objective, Israel forbids members of these communities from building homes, agricultural structures or public buildings. It does not allow them to connect to the water and power grids or build roads, and when they do, as they have no other choice, Israel threatens demolition, often delivering on these threats.

Settler violence is another tool Israel employs to further torment Palestinians living in these communities. Such attacks have grown significantly worse under the current government, turning life in some places into an unending nightmare and denying residents any possibility of living with even minimal dignity. The violence has robbed Palestinian residents of their ability to continue earning a living. It has terrorized them to the point of fearing for their lives and made them internalize the understanding that there is no one to protect them.

This reality has left these communities with no other choice, and several of them have uprooted themselves, leaving hearth and home for safer places. Dozens of communities scattered throughout the West Bank live in similar conditions. If Israel continues this policy, their residents may also be displaced, freeing Israel to achieve its goal and take over their land.

Background

Dozens of Palestinian shepherding communities are scattered across the West Bank. Because Israel considers these communities to be “unrecognized,” it does not allow them to connect to the water and power grids or the road system. Israel also considers all structures built in these communities - homes, public buildings and agricultural structures - “illegal” and issues demolition orders against them, which, in some cases, it executes. Some structures have been demolished and rebuilt several times.

In recent years, settlers have built dozens of outposts and small farms near these communities with the aid of the state, and since then, violence against Palestinians living in the area has increased, reaching new heights under the current government. These violent attacks, which have become a terrifying daily routine, include settlers driving Palestinian shepherds and farmers out of pasturelands and farm fields, physically assaulting residents of the communities, entering their homes in the middle of the night, setting fire to Palestinian property, scaring livestock, destroying crops, theft and road closures. Palestinian residents have also reported water tank valves being opened and settler flocks being led to drink in Palestinian water reservoirs.

In these circumstances, residents of these communities could no longer continue going out to their pasturelands and farm fields. With the Palestinians gone, settlers, in some places, began

cultivating their fields under the protection of soldiers. In other places, settlers began grazing their owned flocks in pasturelands that had until recently been used by Palestinian shepherds. Without access to pasturelands, Palestinians have had to switch to purchasing fodder and water for their flocks at a high cost, which has caused significant financial losses, effectively destroying their livelihoods.

The current government plays a significant role in this state of affairs. While it did not introduce restrictions on Palestinian construction, house demolitions and the use of settler violence to take control of Palestinian land, it does lend full legitimacy to settler violence against Palestinians by publicly encouraging and supporting its perpetrators. Members of this government have themselves led such violence in the past. They are now the people in charge of designing policy. They allocate the funding that finances the violence, and they are responsible for enforcing the law on settlers who attack Palestinians.

This government does not even bother with the empty condemnations once heard after these acts of violence, praising violent settlers instead. Where previous governments insisted on keeping up the charade of a functioning law enforcement system that investigates and prosecutes Israelis who harm Palestinians, members of this government work to erase all trace of it, with one minister [calling to](#) “erase Huwarah,” members of coalition parties paying a hospital [visit](#) to an Israeli suspected of killing a Palestinian and ministers [refusing](#) to condemn the violence, all while condoning one [pogrom](#) in a Palestinian community after [another](#).

The first to suffer the consequences of this change are the most isolated, most vulnerable Palestinian communities. These communities live in the most basic conditions, surrounded by settlement outposts whose residents are given carte blanche to harm them with impunity. If Palestinians in more established communities like Turmusaya and Um Safa received no protection while soldiers and police officers worked together with the pogromists, what hope do residents of these isolated shepherding communities have? Fearing for their very survival, realizing that they and their children have been abandoned to their fate, all while losing their sources of income, has, understandably, left them with no way to continue living in their communities and has forced them to leave.

The displaced communities

In the past two years, at least six West Bank communities have been displaced.

Four of the communities lived to the north and northeast of Ramallah. Some of their members lived on land owned by other Palestinians who had agreed to let them live there after they were displaced from other places within Israel and around the West Bank. Several Israeli residential and farming outposts have been established around these communities in recent years, with the state’s help, the first of which, Micha’s Farm, was established in 2018. Like elsewhere in the West Bank, these settlement outposts were almost immediately connected to the water and power grids, as well as the road system. They have enjoyed immunity from demolition, and their residents work in full concert with the military, which provides them with protection. Some of these outposts were established in areas where, officially, no communities may be built, as Israel has declared them “firing zones,” but nevertheless received the support of the state.

The four displaced communities in this area are:

- [Ras a-Tin](#): On 7 July 2022, the roughly 120 members of this community, about half of them minors, uprooted themselves. The community was established in the late 1960s by Palestinians whom Israel had displaced from the South Hebron Hills on privately owned and registered Palestinian land belonging to residents of Kafr Malik and al-Mughayir. Over the years, the civil administration issued demolition orders against some of the residents' structures and until today Israel had demolished three non-residential structures in the community. The Civil Administration had also issued a demolition order for the school built by community residents. In 2018, Micha's Farm, a settlement outpost, was built near the community, and following its establishment, community residents reported a significant increase in violent incidents, including harassment, theft, vandalism and verbal violence, which became a daily routine.
- ['Ein Samia](#): On 22 May 2023, the last remaining residents of the community of 'Ein Samia, home to 28 families with a total of about 200 members, abandoned their homes. The community settled at the site, on lands leased from residents of nearby Kafr Malik, in 1980, after being displaced by Israel several times from other places. Over the years, the civil administration issued demolition orders against some of the residents' structures and until today Israel had demolished 21 houses in the community, which had been home to 83 people, including 52 minors, as well as another 28 non-residential buildings. The Civil Administration also issued a demolition order for the community's school, which was supposed to serve its roughly 40 children. In October 2022, the Jerusalem District Court dismissed a petition filed by local residents to suspend the demolition. The residents left before the demolition order was executed. Residents of 'Ein Samia also reported a significant increase in settler violence beginning in 2018. A week before the community left, the police confiscated dozens of sheep and goats from its residents on the false claim that they had been stolen from settlers. Settlers entered the community during the night, attacked local residents and the school, flew a drone above them and torched pasturelands. They also let their flock loose in the community's farm fields, and the animals consumed their entire crop.
- [al-Baq'ah](#): On July 10, 2023, 33 people, including 21 minors, were displaced. On September 1, 2023 the last remaining family, numbering 5 people including one minor, was displaced too. Their departure was preceded by daily attacks by settlers who had established a farm about 50 meters away from the community's homes, installed solar panels, connected to the water infrastructure serving the nearby outpost of Neve Erez and took control of the community's access road to the main road. The settlers had also been grazing their flock, numbering between 60 and 70 head of sheep, in the community's pasturelands and harassing shepherds from the community who were out grazing their own flocks. On 7 July 2023, at around 6:30 A.M., a tent in the community, which was more isolated than others, was set on fire. The family was out at the time, as they had been spending their nights elsewhere ever since the establishment of the outpost, for fear of settler attacks. The family saw the fire from a distance and called the police, but no one came to the scene.
- [al-Qabun](#): The community, which was home to 12 families numbering 86 residents, including 26 minors, was displaced in early August 2023. The community had lived at the site since 1996, after Israel forced its members out of the Negev desert in the early 1950s. Over the years, the civil administration issued demolition orders against some of the residents' structures and until today Israel had demolished six houses, which had been home to 41 people, including 18 minors, and 12 non-residential buildings. In February of this year, settlers established an outpost near the community, inside an area Israel had declared a "firing zone." The settlers harassed residents, who reported they walked around

their houses, even entering them, arrived on horseback and in ATVs late at night, intimidated them, took over their farm fields and prevented them from grazing their flock.

At least two more communities were forcibly displaced in the South Hebron Hills. The first was [Khirbet Simri](#), a hamlet of two families belonging to two brothers with a total of 20 members, including eight minors. In 1998, the outpost of Mitzpe Yair was established on top of the hill where the community had lived, and increased violence followed. Settlers harassed community members, threatened them, entered their homes, prevented them from grazing their flocks and entered their homes. In 2020, settlers brought in a herd of cattle, which they grazed on land that residents of the community had used to graze. In July 2022, the residents decided to leave.

The second community to leave was [Widady a-Tahta](#), also numbering 20 residents, including 12 minors. The community had lived at the site for about 50 years. Roughly two years ago, settlers established an outpost about 500 meters away from the community's homes. Since then, settlers had repeatedly blocked community members' access to pasturelands around their homes, including by using a drone to scare and scatter the flock. Armed settlers also repeatedly entered residents' homes, in some cases with a dog, at all hours, attacking community members, beating them and threatening them at gunpoint. Additionally, about a year ago, the Civil Administration issued demolition orders for all structures in the small hamlet - three residential structures and a livestock enclosure. On 27 June 2023, two armed settlers entered the community and threatened one of the residents, who was grazing his sheep near his house. He fled to call family members for help, and the settlers tried to steal the sheep, but when they saw the residents approaching, they abandoned them and returned to the outpost. The family contacted the police, but they refused to help them. After this incident, the family came to the decision that the danger was too great, and they had to leave.

Part of a long-standing policy

These communities did not make the decision to uproot themselves in a void. It is the direct result of Israel's policy, which is designed to achieve this exact outcome: displacing Palestinians and reducing their living space in order to transfer their land to Jewish hands. The policy rests on a slew of restrictions and abusive measures and practices by the state and its agents, with varying degrees of severity and pursued both officially and unofficially.

The official track: Extreme restrictions on construction and development

Israel effectively [forbids](#) Palestinian construction and development in Area C, which comprises 60% of the West Bank. The area is home to 200,000-300,000 Palestinians, thousands of whom live in dozens of shepherding and farming communities. Though most Palestinian residents of the West Bank live in areas defined as A and B under the Oslo Accords, which were signed as a five-year interim agreement about 30 years ago, all Palestinians are impacted by the ban on building. The reason is that when the Oslo Accords were signed, Areas A and B were already largely populated, while areas with potential for urban, agricultural and economic development remained mostly in Area C, and the Palestinian population has nearly doubled since.

To prevent Palestinian construction in Area C, Israel has defined approximately 60% of it as banned for Palestinian construction by attaching various legal definitions to large (and

sometimes overlapping) areas: “state land” comprises about 35% of Area C, military training grounds (firing zones) comprise about 30% of Area C, nature reserves and national parks cover another 14% and settlement jurisdictions comprise another 16% of Area C. Israel is waging an unrelenting war against Palestinians living in these areas, repeatedly driving them away from their land on false pretenses, such as “military training,” demolishing their homes and confiscating their property.

In the remaining 40% of Area C, Israel, which has full and exclusive control over building and planning in the West Bank, enforces extreme restrictions on construction and development. The Civil Administration refuses to prepare master plans for the vast majority of Palestinian communities in this area. The few master plans that have been approved by the Civil Administration, accounting for less than 1% of Area C and in areas that are mostly already built up, do not meet planning criteria accepted in the world today.

The odds of a Palestinian receiving a building permit, even on privately-owned land, are minuscule. According to figures the Civil Administration provided to [Peace Now](#), in the decade between 2009 and 2018, only 98 permits for residential, industrial, agricultural and infrastructure construction were approved out of 4,422 permit applications submitted (2%). According to figures provided to the Israeli NGO Bimkom, of 2,550 applications submitted between 2016 and 2020, 24 were approved (less than 1%). The number of permit applications submitted does not necessarily reflect Palestinians’ construction needs, since most Palestinians no longer go to the trouble of submitting building permit applications, knowing that they will be rejected anyway.

The lack of master plans prevents not just residential construction but also construction for public purposes, such as schools and medical facilities, as well as infrastructure, including connections to the road system and water and power grids. Due to climate change, restrictions on infrastructure make life harder for Palestinian residents by the year. Not only does Israel deny residents connections to infrastructure, but it also prevents them from taking care of their needs independently, prohibiting the digging of water cisterns and the installation of solar systems and regularly confiscating water tanks. Without connections to running water, [water consumption](#) in these communities is 26 liters per day per person, which is similar to water consumption in disaster zones and is about a quarter of the 100 liters per day per person recommended by the World Health Organization.

Given these conditions, Palestinians are forced to advance development in their communities and build their houses without permits. They do this not because they are criminals but because they have no possibility of building legally. The Civil Administration issues demolition orders against these structures, sometimes executing them. According to B’Tselem figures, between 2006 and 31 July 2023, Israel demolished 2,123 homes across the West Bank. 8,580 people lost their homes in these demolitions, including 4,324 minors. During this time, Israel also demolished 3,387 non-residential structures.

Thus, by using a sterile legal and urban planning vocabulary and latching onto military orders and “planning and building laws,” Israel manages to drive Palestinians out of vast areas it sets its sights on and corral them into smaller areas, where it puts their lives on hold and applies policies designed to deny them any development. Palestinians are forced to live in constant uncertainty regarding their future and in never-ending fear that Civil Administration personnel will come to deliver demolition orders or demolish what they have already built.

They live in a state of constant deprivation, in conditions that cannot begin to be compared to those in the settlements built near their communities and often on their lands.

The unofficial track: Settler violence

Israeli land grab is also pursued via daily acts of violence carried out by bands of settlers operating without fear of repercussions, who are armed, supported, encouraged and funded by the state, whether directly or indirectly. These acts of violence are [part of a broad strategy](#) designed to displace Palestinians from Area C.

In recent years, about 70 “agricultural farms” have been established throughout the West Bank. Starting a farm requires far fewer resources than building a settlement, and through grazing sheep and cattle, these farms enable easy takeover of vast areas spanning thousands of dunams, which usually contain pastureland, water resources and land cultivated by Palestinians. Settlers residing in these farms terrorize Palestinians living near them.

The key tactics used by the settlers include taking over pastureland by grazing sheep and cattle on it, racing ATVs into Palestinian flocks and flying drones over them to scare and scatter the animals, using physical violence against Palestinian residents of the communities - in pasturelands and farm fields and inside their homes - and damaging water sources.

Using these tactics, settlers have managed to drive Palestinian shepherds and farmers from the fields, pasturelands and water sources they had relied on for generations and take control of them. [Research](#) conducted by B’Tselem about two years ago indicated that five small settler farms, with just a few dozen residents - usually a family or two and some youths - have taken over an area spanning a total of more than 28,000 dunams (1 dunam = 1,000 sq. meters) of farmland and pastureland used by Palestinian communities for generations.

The military, which is well aware of these acts, avoids confronting violent settlers as a matter of policy, and instead, soldiers sometimes participate in these acts themselves or protect the settlers from a distance. Israel’s inaction continues after settler attacks on Palestinians have taken place, with enforcement authorities doing their utmost to avoid responding to these incidents. Complaints are difficult to file, and in the very few cases in which investigations are, in fact, opened, the system quickly whitewashes them. Indictments are hardly ever filed against settlers who harm Palestinians, and those that are filed usually cite minor offenses, with token penalties to match, in the rare instance of a conviction.

This is nothing new. Violence committed by settlers against Palestinians has been documented since the very early days of the occupation in countless government documents and dossiers; thousands of testimonies from Palestinians and soldiers; books; reports by Palestinian, Israeli and international human rights organizations and thousands of media stories. This broad, consistent documentation has had almost no effect on settler violence against Palestinians, which has long since become part and parcel of life under the occupation in the West Bank.

This policy has left Palestinians without any protection, denied even the right to defend themselves against people invading their homes. When Palestinians try to fend off attacking settlers, including by throwing stones, soldiers who, until then, stood by or participated in the attack, fire tear gas canisters, stun grenades, rubber-coated metal bullets and even live rounds at them. In some cases, Palestinians are also arrested, and some are prosecuted.

The state not only legitimizes violence against Palestinians but also legitimizes the results of these acts, allowing settlers to remain on land they forcibly took from Palestinians. The military forbids Palestinians from entering these areas, and the state fully supports the settlements established on them. Dozens of outposts and farming outposts built without official permission are left standing, while Israel provides support through government ministries, the Settlement Division of the World Zionist Organization and regional councils in the West Bank. The state also subsidizes financial endeavors in the outposts, including agricultural facilities, provides support to new farmers and for shepherding, allocates water and legally defends outposts in petitions for their removal.

This is how forcible transfer began, and this is how it continues

Israel works to make the lives of residents in communities located in areas it covets miserable to the point that they can no longer take it and uproot themselves, leaving their homes and land for the state to take. This policy is implemented using two parallel tracks. In one track – given a stamp of approval by military orders, legal advisers and the Supreme Court - the state evicts Palestinians from their land. In the other parallel track, settlers use violence against Palestinians, aided and abetted by state forces, and sometimes, with their participation. This policy has led to the forcible transfer of at least six communities, but many other communities throughout the West Bank experience the same brutality and are under an immediate threat of expulsion.

This is an illegal policy that implicates Israel in the war crime of forcible transfer. International law, which Israel is obligated to respect and has undertaken to abide by, forbids the forcible transfer of residents of an occupied territory - no matter the circumstances. The fact that this particular case does not involve soldiers arriving at residents' homes and physically forcing them out is irrelevant. Creating a coercive environment that leaves residents no other choice is sufficient to find Israel liable for this crime.

These communities are not displaced because of some natural disaster or other unavoidable circumstances. It is a choice the apartheid regime is making in order to realize its goal of maintaining Jewish supremacy in the entire area between the Jordan River and the Mediterranean Sea. This regime views land as a resource designed to serve the Jewish public only, and so land is, therefore, used almost exclusively for the development and expansion of existing Jewish settlements and the establishment of new ones.

As such, resisting the ongoing transfer is a duty, and there is, obviously, no obligation to continue cooperating with the implementation of the policies that drive it. Growing segments of the Israeli public have recently declared their refusal to serve in the army in an undemocratic country. There is nothing more worthy of refusing than participating in the commission of a war crime and the implementation of a transfer policy.

In compliance with the Israeli law that seeks to equate the receipt of international funding with disloyalty, please note that last year, more than 50% of B'Tselem's funding came from foreign state entities. These are listed on the website of the Israeli Registrar of Associations (and elsewhere). Be that as it may, we remain loyal to dismantling the apartheid and occupation regime and to protecting human rights.

