

**Written evidence submitted to the UK Parliament Foreign Affairs Committee by Emek Shaveh\* in response to a call for evidence on the Israeli-Palestinian conflict (IPC0080). Our submission addresses the following question:**

*How can the UK assure the resilience of efforts to bring about a lasting peace at a time of uncertainty caused by conflicts elsewhere and changes in leadership in the international community?*

Introduction

1. Antiquities and Heritage have historically played a crucial role in the formation of cultural, ethnic and national identities in Palestine and Israel. The evidence we present below highlights the current danger posed by current Israeli heritage policy in East Jerusalem and the West Bank while offering alternatives that stress the potential of shared heritage initiatives in partnership-based peacebuilding.
2. With most of the world's attention focused on Gaza, wholesale displacement of Palestinian communities in the Occupied Palestinian Territories (OPT) is currently being carried out, often in the guise of heritage protection. Part of a larger drive to change the demographic and cultural character of Jerusalem's historic core and clear Palestinians from Area C in the West Bank (with recent efforts also targeting Area B), heritage has become a central justification and a mechanism for changing facts on the ground, while operating at a deeper level to justify historic Jewish primacy in the OPT.
3. And yet, the ancient sites of Israel and Palestine can offer a more positive vision. Recognizing them for the multilayered, multivocal and multicultural repositories that they are can offer a path to partnership in heritage protection and to a shared interest in peace-building.
4. We are submitting this evidence at a critical time in the region's history. With the war still raging, incomprehensible damage has been wrought to cultural heritage sites in Gaza. In the West Bank and East Jerusalem processes of displacement of Palestinian communities in the name of heritage have reached unprecedented levels. We acknowledge the role of the international community, including the British government, in holding Israel accountable to its obligations to protect heritage sites and the cultural and human rights of the Palestinian people. Furthermore, we recognize that the multicultural nature of heritage sites in the region can be used as a platform for advocating for a shared heritage perspective conducive to processes of mutual reconciliation and peacebuilding.
5. Context  
Over the past 25 years, the settler faction in Israel has leveraged cultural heritage sites in an aggressive campaign to appropriate land and expand settlements in the OPT. Scheduled antiquities sites and landscapes have been declared off-limits to Palestinians whether through the designation of national parks (14% of 'Area C' territories in the OPT) and archaeological parks or through fencing off land that had been used for residence, agriculture, or grazing. Under the present government, ancient sites and the biblical narratives associated with them have become the ideological backbone driving and justifying the Israeli government's expansionist

policies of displacing Palestinian communities in the West Bank and developing multiple sites as Jewish-themed tourist attractions. In the name of the Jewish people's return to their biblical homeland the present government has allocated a budget for developing new sites into crowd-drawing "anchor" sites in the West Bank and to conducting surveillance and enforcing demolitions of Palestinian construction in areas declared as antiquity sites. While members of the current Israeli parliament frequently rail against Palestinian destruction of "Jewish" antiquities, the settlers themselves together with the government are advancing development plans that will cause great harm to a site declared as World Heritage Site in Palestine.

6. The following is a listing of major developments in the field of heritage in the OPT over the past two years:

7. *Consolidation of heritage governance under the ultra-nationalist Jewish Power Party in January 2023*

In January 2023 the newly formed coalition government delivered on its promise to Itamar Ben Gvir's "Jewish Power" party to consolidate various heritage bodies under the newly configured Ministry of Heritage, headed by Jewish Power MK Amihai Eliyahu. It entailed the transfer of the Israel Antiquities Authority (IAA) as well as the Council for the Preservation of Sites from the Ministry of Culture to the Ministry of Heritage.

8. The ultra-nationalist Jewish Power party's insistence on receiving the heritage portfolio was not surprising in light of the increasing preoccupation by right wing NGOs, settler councils and MKs with ancient sites in East Jerusalem and the West Bank. When Eliyahu assumed his new role as Minister of Heritage he expressed this viewpoint as follows: *"Israel needs three pillars in order to stand strong: the security pillar, the economic pillar and a third pillar which is the pillar of transcendence."* He added *"The Ministry of Heritage will strengthen the third pillar. We will fortify our national resilience by engaging with our heritage. We will protect the various heritage sites and devise programmes to deepen Jewish identity..."*

9. *Jerusalem Cable Car*

Among the multiple settler-led touristic ventures in Jerusalem's historic core, the cable car to the City of David stands out. If realized, it will ferry thousands of tourists a day to the planned settler-controlled visitors' centre at the entrance to the Palestinian village of Silwan. Criticised by hundreds of heritage professionals in Israel and abroad as a highly political project that threatens to disrupt the visual continuity of a timeless landscape, it will also be highly detrimental to the Palestinian residents of Silwan whose homes are situated directly beneath the line of the planned cable car route. In 2022 the Israeli High Court of Justice greenlighted the project. For more about the cable car project see [here](#). In addition, the government decided on Jerusalem Day 2023 to allocate over 40 million NIS for settler-led archaeological projects in Jerusalem's Historic Basin and an additional 146 million NIS for the Western Wall excavations (for 2023-2026).

10. *A Multimillion NIS plan for Sebastia*

Sebastia, a highly important archaeological site north of Nablus, consists of an archaeological mound (in Area C of the OPT) and a town (in Area B) both of which are replete with antiquities. In May 2023 the Israeli government approved the

allocation of 32 million NIS (approximately £7 million) for the development of ancient Sebastia. The decision followed a five-year settler-led campaign to increase Israeli control over ancient sites in the West Bank claiming a deliberate effort by the Palestinians to destroy Jewish antiquities.

11. The archaeological site of Sebastia consists of an archaeological mound (in Area C) and a town (in Area B). A section of the mound is identified with Samaria (Shomron in Hebrew), the capital of the Iron Age ancient Kingdom of Israel in 9-8 BCE. The mound and the town of Sebastia also contain substantial ruins from the Hellenistic, Roman, Byzantine and later periods. Sebastia the mound and the village was added to UNESCO's tentative list of World Heritage Sites by the State of Palestine in 2012.

12. The culture and way of life of the people of Sebastia has been shaped by centuries of living among the ruins. If implemented, the plan will separate the mound from the town, severing the residents of the town of Sebastia from their cultural heritage and sources of livelihood.

13. In July the Israeli army issued a seizure order for 1.3 dunams at the summit of the site of Sebastia for a military installation. Under International Humanitarian Law, particularly the 1954 Hague convention on the Protection of Cultural Property during Armed Conflict, there is a prohibition on establishing military facilities on historic and cultural sites.

14. Developing "anchor sites" in "Judea, Samaria and the Jordan Valley" (i.e the West Bank)

In July 2023, the government approved a plan of 120 million NIS to "salvage, preserve, develop and prevent antiquity theft at heritage sites in Judea, Samaria and the Jordan Valley." This followed a coalition agreement with the "Jewish Power" party and a government decision from January to draw up a "national emergency" plan to "safeguard" heritage sites from "damage, destruction and theft".

15. Enforcement in Area B

In June 2023, the Israeli government decided to empower the Civil Administration (ICA) to enforce actions against the destruction of heritage sites in Area B of the West Bank. According to the Interim Agreement (1995), heritage governance in Area B is under the auspices of the Palestinian Department of Archaeology and Cultural Heritage (DACH), operating under the PA's Ministry of Tourism. The Israeli government's decision effectively nullifies governance distinctions in the field of antiquities as defined by the Oslo Accords and grants the ICA (now under the auspices of far-right Minister Bezalel Smotrich) permission to expand its activities, to restrict development and carry out demolitions in areas designated as antiquities sites or suspected of containing antiquities in Area B. The implication of this decision is a further erosion of Israel's commitment to the Oslo Accords and to the two-state solution – the establishment of mechanisms for seizing land in Area B under the pretext of heritage preservation is a further manifestation of de facto annexation.

16. Proposed bill to expand the remit of the Israel Antiquities Authority into the West Bank passes preliminary vote

Currently, the field of antiquities in Area C of the West Bank is governed by the Staff Officer for Archaeology (SOA) within the Civil Administration. A proposed legislative

amendment by Likud Member of Knesset Amit Halevi which passed a preliminary vote seeks to extend Israeli antiquities laws to the West Bank, and transfer authority over the field of antiquities from the SOA to the Israel Antiquities Authority (IAA). If the bill is passed, we argue, it would be tantamount to de jure annexation in the field of antiquities and in blatant violation of international law and conventions to which Israel is a signatory. For more information see [here](#) and [here](#).

#### 17. Outpost and planned settlement threaten destruction of World Heritage Site

The World Heritage Site known as the *Land of Olives and Vines – Cultural Landscape of Southern Jerusalem, Battir* southwest of Jerusalem is facing a full-on attack from ongoing and planned Israeli settlement activities throughout the section of the core zone of the World Heritage Site situated in Area C of the West Bank. Inscribed as a World Heritage Site in Palestine in 2014 for its unique cultural and agricultural landscape, the area is renowned for its ancient terraces and sophisticated irrigation systems, evidence of thousands of years of human activity. The unique agricultural landscape has been cultivated and maintained by local communities for thousands of years.

18. Recent and simultaneous developments at several locations within the World Heritage Site area represent an extensive threat to the Palestinian communities living in the area and their heritage: namely, the establishment of the Battir settler outpost in December 2023, settler takeovers of land in Wadi al-Makhrour (another area with the WHS) as well as the proposed establishment of a completely new Nahal Heletz settlement. Together these are part of a larger strategy by the Israeli government to disrupt Palestinian territorial continuity west of Bethlehem. In doing so, these actions are not only fragmenting Palestinian space and depriving large communities of their natural and cultural heritage, they also pose an imminent threat to an area considered to be of the highest cultural value to humanity. It should be noted that in so doing, Israel is in direct violation of the 1972 Convention Concerning the Protection of World Cultural and Natural Heritage, to which it is a signatory, which stipulates that State parties undertake not to take any deliberate measures that might damage the cultural or natural heritage situated in the territory of other state parties to the convention. For more information on Battir see [here](#) and for our entry on Battir in the 2024 World Heritage Watch report see [here](#) (p. 120))

#### 19. Gaza

According to UNESCO, as of end of November 2024, 75 historic and religious sites have sustained damage during the current war. Accurate assessments are currently impossible due to lack of ground access. In December 2023 we published a response to the destruction of the al Omari Mosque in Gaza's Old City. In March our Executive Director, Alon Arad, and Chairperson of the Board, Professor Rafi Greenberg, published an op-ed piece about the intentional and methodical destruction of cultural institutions in Gaza as an attempt to deny Palestinian peoplehood. In January 2024 we reported on an IDF "discovery" of an antiquities storeroom in Gaza. We are concerned that the war and breakdown of law and order will result in looting on a mass scale resulting in a flooding of the market with illegal antiquities from Gaza.

#### 20. Recommendations

21. Demand an immediate end to all hostilities and the release of the hostages.
22. Take measures to enforce the 1970 convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property for antiquities from Gaza and urge UK customs to implement strict controls.
23. Demand Israel halt all laws and practices that advance annexation of the West Bank. In the realm of antiquities we draw your attention to the proposed bill to expand the jurisdiction of the Israel Antiquities Authority, a civilian authority, into the West Bank (described in paragraph 16).
24. Demand Israel withdraw from its highly controversial plan to build a cable car to Silwan/City of David and multiple other settler led projects that undermine the daily and cultural life of the Palestinian residents and threaten the multicultural character of Jerusalem.
25. Demand Israel adhere to international conventions and agreements including the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (Israel is a signatory to first protocol of the convention, but not the second) and to the 1972 World Heritage Convention to which it is a signatory. Demand Israel refrain from installing military facilities on antiquity sites, as is planned for Sebastia (see paragraph 13). Uphold Israel to its obligation as the occupying power to cease all archaeological/touristic development at ancient sites in the OPT which are not being undertaken in cooperation with and for the benefit of the occupied Palestinian population.
26. Urge Israel to expand its commitment to international law regarding heritage protection by ratifying the Second Protocol to the 1954 Hague Convention and the 1970 UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property.
27. Urge Israel to uphold its democratic values by, among other things, refraining from enacting legislation that restricts the space for human rights organizations. It is equally important to halt any legislation that undermines academic freedom, ensuring that these fundamental pillars of democracy remain intact.
28. Support UNESCO's role and advocate for a more robust involvement of UNESCO in protecting cultural heritage sites in the OPT.
29. Support Palestinian communities who engaged in preserving and safeguarding their heritage (for ex. the abovementioned communities in Battir and Sebastia).
30. Promote a shared heritage approach and inclusive narratives: Encourage cultural and academic programs and entities in Israel and the Occupied Palestinian Territories that recognize and respect the diverse heritage of all communities in the region.

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- Emek Shaveh is an Israeli NGO, founded by archaeologists in 2009, dedicated to defending cultural heritage rights and protecting ancient sites as public assets that

belong to members of all communities, faiths, and peoples. We advocate against the use of archaeological sites as tools for displacement and dispossession, while highlighting the wealth of cultures embedded in thousands ancient sites across the country. We monitor and report on the use of ancient sites in East Jerusalem and the West Bank to promote nationalist narratives and political objectives, and campaign against policies and practices that harm cultural heritage sites or violate the cultural and human rights of local communities. Emek Shaveh reports to international bodies such as UNESCO and works to promote global standards in heritage preservation and governance.

***31<sup>st</sup> December 2024***