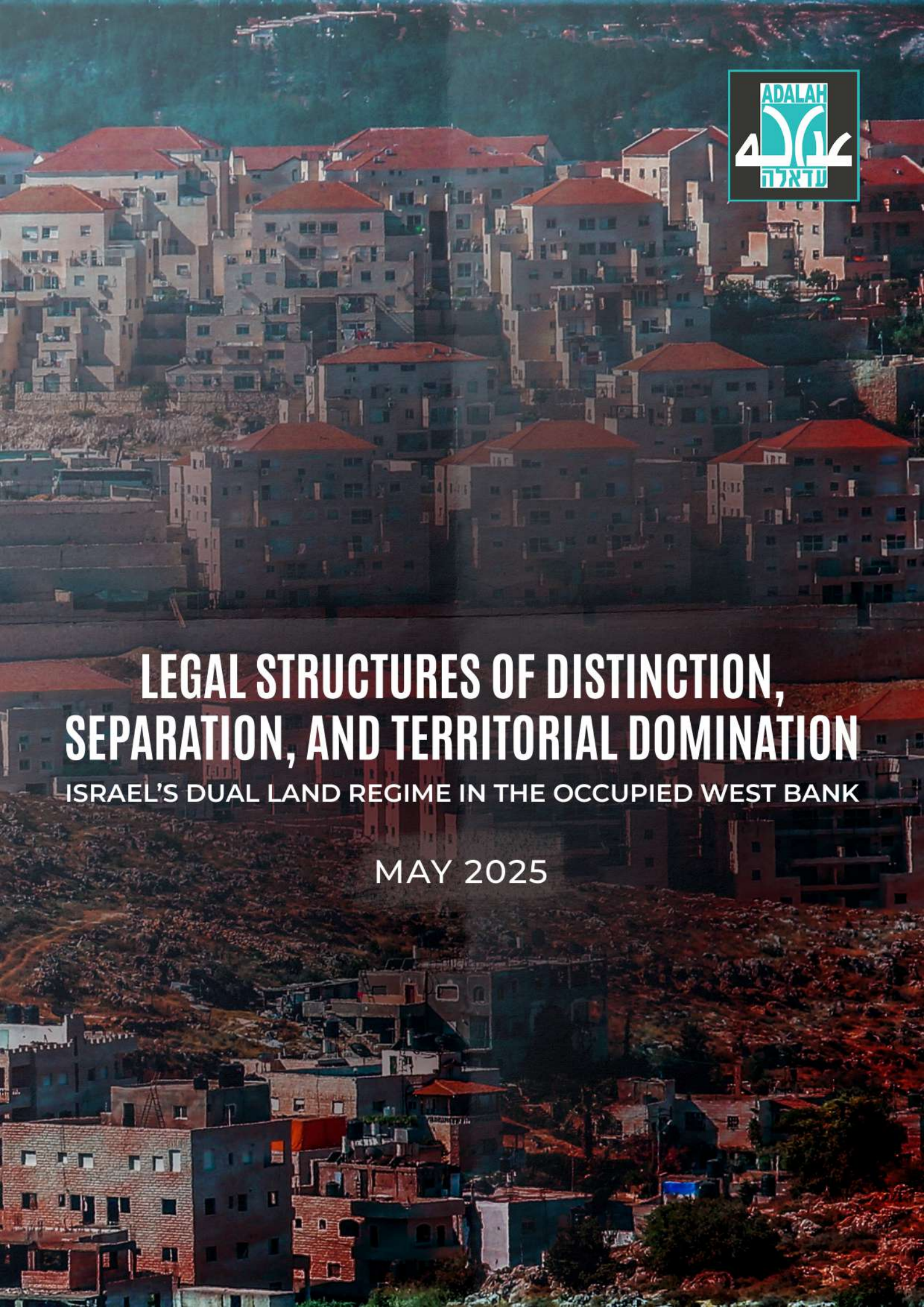


LEGAL STRUCTURES OF DISTINCTION, SEPARATION, AND TERRITORIAL DOMINATION

ISRAEL'S DUAL LAND REGIME IN THE OCCUPIED WEST BANK

MAY 2025

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Introduction

1. The 37th Israeli government, sworn in on 29 December 2022, has adopted policies and practices to further entrench oppression and subjugation of Palestinians in the occupied West Bank through a two-tiered system of governance. This report tracks institutional and administrative changes that have occurred since the beginning of the new government's term, as well as the measures in place to deepen and expand the settlement enterprise and control over land in the West Bank, more specifically in Area C.

2. To that end, the report addresses five main themes that are crucial to understanding the processes taking place by setting out the legal framework of governance: (i) Civilianization, as opposed to the militarization process; (ii) Administration of local authorities; (iii) Frameworks administering the declaration of 'state land' and its allocation; (iv) Financial Incentives for Settlements; and (v) the Planning system in Area C, which serves Israel's expansionist agenda. While the primary focus of this report is on policy changes introduced under the current far-right government, it also provides a historical and legal context to outline the foundations of the current system established during the 58 years of the Israeli occupation.

3. This report is not an exhaustive analysis of all forms of discrimination and oppression faced by Palestinians in relation to land and planning rights, rather, it only focuses on the above-mentioned themes. For example, the report does not cover issues related to water and the exploitation of natural resources, infrastructure and roads, nature reserves and afforestation, antiquities, declared military areas, displacement and displacement induced by settler-violence, and confiscation of privately

owned property. The report also does not cover bills pending before the Israeli Knesset.[1]

4. This report draws on over two decades of legal work and monitoring and is based on a comprehensive analysis of Israel's land regime in the West Bank (excluding East Jerusalem), from both primary and secondary sources. The assessment relies on primary research, including a review of Israeli laws, military orders, official government statements, and military publications from 29 December 2022 to the present. It further relies on an in-depth examination of land planning processes carried out by Israeli planning authorities concerning the West Bank based on official state sources, tenders published by the Israel Land Authority (ILA), and information obtained through Freedom of Information (FOI) requests. Additionally, the analysis integrates documentation from human rights

[1] Two relevant pending bills are under discussion: The first is the Israel Antiquities Authority Bill (Amendment – Authority of the Antiquities Authority in Judea and Samaria), 5783–2023 that seeks to apply the Israel Antiquities Authority Law, 5749-1989 and the Antiquities Law, 5738-1978 to the West Bank. The rationale presented for the proposed law is that the West Bank is rich in Jewish history and, therefore, Israel should have authority over these archaeological sites. The bill can be tracked in the following link:
https://main.knesset.gov.il/activity/legislation/laws/pages/lawbill.aspx?t=lawsuggestionssearch&lawitemid=2200570
On 16 March 2025, Adalah sent a letter to the relevant Israeli authorities arguing that the bill contradicts international humanitarian law, particularly The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and the Geneva Conventions, along with Israel's obligations to preserve and protect cultural sites in occupied territories. Adalah further argued that it constitutes a measure of prohibited annexation of occupied territories and undermines Palestinian self-determination and sovereignty. See the letter in the following link:
https://www.adalah.org/uploads/uploads/Letter_Antiquities_Law_March2025.pdf
See also a press release regarding hearing in the Knesset's Education, Culture and Sport Committee on this bill:
https://main.knesset.gov.il/en/news/pressreleases/pages/press11225s.aspx
The second bill is the Negev Development Authority Bill (Amendment - Definition of the Negev), 5774-2024 that seeks to extend the application of Negev Development Authority Law (1991) to the West Bank. On 27 October 2024, Adalah sent a letter to the relevant Israeli authorities arguing that the bill violates international humanitarian law. Letter is available in the following link:
www.adalah.org/uploads/uploads/Letter_Negev_Authority_October_2024.pdf
On 13 November 2024, the Legal Advisor to the committee stated that the proposed law would be amended after the preliminary reading to clarify that its definition does not imply Israeli sovereignty over Judea and Samaria but only determines benefit eligibility by location. The full response is available at:
https://www.adalah.org/uploads/uploads/Response_Negev_Authority_November_2024.pdf
The bill can be found in the following link:
https://main.knesset.gov.il/activity/legislation/laws/pages/lawbill.aspx?t=lawsuggestionssearch&lawitemid=2210285

and civil society organizations, including Adalah's legal actions, state responses, and relevant media reports. All findings are derived from an evidence-based examination of the referenced materials.

I. Civilianization Process

5. Since the 1967 occupation of the West Bank, and particularly after the Begin Government's late 1970s strategic decision to formalize Israel's settlement policy in the OPT, a process of "civilianization" has taken place in the administration of land and construction. This shift from military governance towards a civilian framework, was tailored to manage land almost exclusively for the benefit of Israeli settlers. The process of civilianization took place through the development of several interconnected legal mechanisms, resulting in the vesting of the administration of declared 'public land' - commonly referred to as 'state land' - in the hands of Israeli sovereign state and quasi-state institutions, accompanied by the classification of Israeli settlements as a political rather than a security matter. This shift is reflected in four main and interrelated processes and structural changes that took place through the years, including further major structural changes that took place since December 2022.

A. Settlement as a Political Rather than Security Matter

6. In the first decade after the occupation, the Israeli government framed Israeli settlement in the West Bank as a security matter. In response to petitions filed to the Israeli Supreme Court on this matter, the state argued that its settlement policies were based solely on legitimate security considerations and the interests of Israel as an occupying power. However, this position shifted significantly following the Israeli Supreme Court's decision in the *Dweikat* case decided in November 1979, which

effectively established that the question of civilian settlement in the Occupied Palestinian Territory (OPT) was non-justiciable and fell within the realm of political considerations.[2] Following this court decision, the Israeli government adopted Resolution No. 145, which stated: "We decide (unanimously): to expand the settlement in Judea, Samaria, the Jordan Valley, the Gaza Strip and the Golan Heights, by adding population to existing settlements and by establishing additional settlements on land owned by the state…".[3]

7. The court's decision and the government's resolution mark a turning point by which Israel abandoned its reliance on alleged security considerations to justify the establishment and expansion of settlements and redefined it as a clear civil matter. This shift is also explicitly acknowledged in a handbook for settlement local authorities in the West Bank, titled 'Planning and Construction Laws in Judea and Samaria', issued by the Israeli Ministry of Interior in January 2024. The handbook states: "Until 1977, the concept of settlement had a security aspect, and the Israeli settlements were established according to security needs…. At the end of the [1970s] (1979) the concept of settlement changed from a security aspect to a civilian aspect (following the "Alon Moreh" High Court decision [***Dweikat*** case]) and accordingly Israeli settlements will be established on state lands or on lands owned by Israelis only."[4]

[2] HCJ 390/79 *Ezat Mohammad Mustafa Dweikat v The Israeli Government* (1979), IsrSC 34(1) 1. See also: HCJ 4481/91 Gavriel Bargil, General Director of 'Peace Now' v The Government of Israel (1993), IsrSC 47(4) 210.
[3] Cited in: Attorney Shlomit Greenfield Gilat - War Law Cluster in the Department of International Law Consulting and Legislation, "1979 - The Butterfly Wings of the High Court of Justice Dweikat" (Ministry of Justice, 20 March 2019). Available in the following link: https://www.gov.il/he/pages/roots_1979
[4] "Handbook for Training of Elected Officials in the Local Authorities 'Planning and Construction laws in Judea and Samaria" (Ministry of Interior, January 2024), p. 11. The handbook is available in the following link: https://www.gov.il/BlobFolder/guide/guides-for-selected1/he/home_main_local-government_Information-guides_commity-guides-8.pdf

B. Establishment of the Civil Administration

8. In 1981, the government introduced administrative changes to the military government over the West Bank. Following Government Decision no. 106 from 4 October 1981 concerning the "Reorganization of the Military Government System in Judea, Samaria and the Gaza Strip", the then-Minister of Defense, Ariel Sharon, issued the Military Order Concerning the Establishment of a Civil Administration (Judea and Samaria) (Order No. 947).[5] This Order institutionalized and expanded the existing division of the civilian and the military functions in the military Government.[6]

9. The Order established the Civil Administration (CA) as a branch of the military government in the West Bank, tasked with managing all civilian, as opposed to security-related matters. It further stipulated that the CA shall be led by a senior military officer subordinate to the area's military commander. From that point, the military government in the West Bank had two sections: a military section, assigned authority over security matters, and the CA section, authorized to exercise the powers previously held by the Jordanian government. According to article 3 (a) of the Order, the head of the civil administration has "all powers determined by the law except those specified by the laws listed in annex 1 to the Order"[7] and "all powers determined by the security, also called military, orders listed in annex 2 to the Order." The annex lists 195 military orders, including all aspects of land allocation, registration, administration, and development. Article 3 (b) states that "with respect to this article, acts of legislation that

[5] Military Order No. 947 is available in the following link:
www.idf.il/media/qxrdbke1/הקמת-מינהל-אזרחי-צו-947.pdf
[6] See also Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories (27 August 1982). The report can be found in the following link:
https://www.un.org/unispal/document/auto-insert-182598/
[7] These powers include the authorities prescribed by security legislation, including the East Jordan Defense Law, 1935, the regulations and orders issued pursuant to it; Defense Regulations (Emergency), 1945; and the Prisons Law, No. 23 of 1953.

were issued by virtue of the law, after the determining date (6 June 1967) shall be regarded as part of the law and not as security legislation". Article 4 of the Order empowers the head of the CA to enact secondary legislation based on the laws and security orders under which he operates.

10. As some legal practitioners accurately observed at the time, Military Order No. 947 sought to institutionalize the existing separation of the civilian and military functions of the military government of the West Bank.[8] This order undermined the status of the West Bank as an occupied territory and elevated the status of numerous military orders and regulations, justified by alleged security and public-order needs, to that of ordinary civil laws, with many changes to the Jordanian laws in force in the area, including those in areas such as land transactions, land allocation, local governance, natural resource exploitation, and municipal regulations. The CA is subordinate to the Coordinator of Government Operations in the Territories (COGAT), which is subordinate to the Minister of Defense. Following the Oslo Agreements, most of the powers vested in the CA were transferred, in Areas A and B, to the Palestinian Authority (PA). However, Israel retained several authoritative powers in Areas A and B, including the entry of foreigners, family unification, work visas, and the import of goods,[9] and military orders vesting many powers to the Israeli occupation authorities were not changed to restrict their validity to Area C.

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[8] Jonathan Kuttab and Raja Shehadeh, Al-Haq Report, 'Civilian Administration in the Occupied West Bank: Analysis of Israeli Military Government Order No. 947' (Al-Haq, 1982). Available at: https://www.alhaq.org/cached_uploads/download/alhaq_files/publications/Civilian_Administration_in_the_Occupied_West_Bank.pdf

[9] "Procedure for entry and residence of foreigners in the Judea and Samaria region", December 2022, is available in the following link: https://www.gov.il/BlobFolder/policy/judeaentry2022/he/%202022דצמבר-%20בעברית%20זרים%20כניסת%20נוהל.pdf
"Import procedure to the Palestinian Authority" is available in the following link: https://www.gov.il/BlobFolder/policy/noaalmeches-100920/he/customs_nealim_procedure-for-importation-into%20the-palestinian-authority-100920.pdf

11. The CA includes both military personnel and civil servants, who are employees of government ministries and state agencies. The civil servants serve as the professional representatives of their respective ministries or of other governmental units within the Ministry of Defense, and they perform their duties, including the exercise of governmental powers, pursuant to the military commander's authorization. Until the structural changes of 2023 (detailed below), they were subordinate to the head of the CA. As an example, the Legal and Land Registration Officer is an employee of the Ministry of Justice and is responsible, among other things, for issues related to land registration in the region; the Director of the Supervision Unit is an employee of the Ministry of Finance and is in charge of the unit responsible for enforcing planning and construction laws in the West Bank (see more in section IV. C below).[10] Israeli civilian authorities such as the ILA, the Ministry of Construction and Housing, and Zionist settlement organizations working on behalf of the Israeli Government, all operate hand in hand with the CA in the West Bank. Together, they plan, build and expand settlements; regularize the status of settlement outposts; allocate agricultural land for use by Israeli settlers; confiscate Palestinian land for alleged 'public purposes'; and displace Palestinian communities using planning and building regulations. These arrangements created a system through which Israeli territoriality was administered through civilian means.

C. Oslo Agreement Area C

12. The Oslo Agreement and the 1995 Israeli Palestinian Interim Agreement on the West Bank and the Gaza Strip, or Oslo II Agreement (as

[10] State response in HCJ 69755-9/24, *Yesh Din and the Association for Civil Rights in Israel v. Minister of Defense* (pending) dated 6 February 2025, pp. 4-5. Available in the following link: https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/Annexation_petition_2024/state_feb25.pdf

subsequently amended in the Wye River Memorandum in 1998, and the Sharm el-Sheikh Memorandum of 1999), shaped the current administrative map of the West Bank, divided into 'Area A', 'Area B', and 'Area C'. Area A comprises 18 percent of the West Bank and includes major Palestinian towns and cities, in which 26 percent of the Palestinian population resides, under full Palestinian administration. Area B includes most of the built-up areas of the Palestinian villages and currently amounts to 22 percent of the land in the West Bank. 70 percent of the population resides in Area B, under Palestinian civilian control and Israeli military control. Area C makes up around 60 percent of the West Bank. Due to the lack of an official population count, estimates as to the number of Palestinians living in Area C vary. According to OCHA, 297,980 Palestinians live in 532 residential areas located partially or fully in Area C.[11] According to Israeli sources, the number of Palestinians is estimated between 300,000 to 600,000.[12]

13. This division into Areas A, B, and C introduced an additional geo-demographic layer of Israeli control in the West Bank, alongside the illegal annexation of East Jerusalem and the isolation of the Gaza Strip. It granted the Israeli authorities a new tool for expanding the settlement enterprise, including urban, agricultural, and economic development.

14. Israel maintains full control and authority over all aspects of land administration in Area C, from planning and building, to laying infrastructure, land allocations, and development. According to Peace

[11] UNOCHA-OPT, "Access to Land" 18 October 2024. Available in the following link: https://public.tableau.com/app/profile/ocha.opt/viz/Accesstoland_PVPP/DashAccessland

[12] Protocol No. 62 Meeting of the Knesset's Foreign Affairs and Security Committee, titled "The Palestinian Authority's takeover of the open areas in Judea and Samaria and the Israeli response" (19 July 2023). The protocol is available in the following link: https://oknesset.org/meetings/2/2/2208264.html

Now, as of November 2024, Israel established 141 settlements in Area C.[13] As of May 2025, it is estimated that 520,148 live in these settlements.[14] Also according to Peace Now, as of November 2024, Area C also contained 123 settlement outposts (settlements classified as unauthorized under Israeli law) and 113 settlement farm-outposts. 31 of these "illegal settlements" were established in 2023, while 60 were founded until 31 December 2024.[15] Area C also contains all of Israel's military zones in the West Bank, its main roads, extensive rural areas, the majority of the West Bank's natural resources and undeveloped land, and most of the agricultural land of Palestinian villages, including villages where the residential areas are located in Areas A or B.

15. This division of the West Bank into Areas A, B and C is used by Israel to consolidate its territorial control over Area C, and the reality on the ground in this area, coupled with Israel's settlement policies, clearly reflects its territorial ambitions. A clear, more recent, and explicit indication of this intent is found in the guiding principles signed by the coalition parties upon forming Israel's 37th government in 2022. In this document, the parties committed to the principle that: "The Jewish people have an exclusive and inalienable right over all areas of the Land of Israel. The government will advance and develop settlements in all parts of the land of Israel in the Galilee, the Negev, the Golan Heights, and Judea and

[13] These are settlements that were officially established by the Israeli government. Peace Now, 'Population' (statistical data) https://peacenow.org.il/en/settlements-watch/settlements-data/population

[14] This data is based on the Israeli Central Bureau of Statistics (CBS) table titled *Population in Localities / Regional Councils – Preliminary Estimates for the End of May 2025*. The table is routinely updated on the CBS Hebrew website, available at: https://www.cbs.gov.il/he/cbsnewbrand/Pages/default.aspx and can be found by navigating to the homepage, selecting the tab "Information by Geographic Area", and then "Population in Localities and Regional Councils".

[15] Peace Now, 'Population' (statistical data), available at: https://peacenow.org.il/en/settlements-watch/settlements-data/population accessed 6 March 2025. Further, according to Peace Now, "Out of the outposts established: the government evacuated two outposts (Migron and Amona); 29 outposts were legalized (four as independent settlements and the rest as "neighborhoods" of existing settlements); and at least 28 outposts are in the process of being legalized (plans promoted and/or a government resolution)".

Samaria."[16] In this regard, the coalition agreement between the ruling Likud party and the Religious Zionist Party explicitly states that Israeli sovereignty over the West Bank is a priority, and that a fundamental purpose of the new government will be to promote Israeli sovereignty over the West Bank.[17]

16. While under the Oslo Agreements, planning and construction authorities were transferred to the PA in Areas A and B, these powers do not grant it the ability to engage in regional development planning. Areas A and B are already mostly populated, with little available land for further development, and the remaining potential for urban, agricultural, and economic growth in the West Bank lies in Area C, where Israel has full control over planning and development. This division also means that any development, including laying infrastructure – i.e. water, electricity or transport – that passes through Area C, must be approved by the Israeli land planning bodies. Consequently, Israel's planning and construction policies in Area C severely constrain Palestinian development across the entire West Bank.[18]

D. 2023 Structural Changes

17. Building upon the processes of civilianization set out above, in February 2023, a "memorandum of understanding and division of responsibilities

[16] The coalition agreements and guiding principles of the 37th government can be found in the following link: www.gov.il/BlobFolder/generalpage/government-documents37/he/Gov_Docs_gov37_co37.pdf
See Adalah's Analysis of the New Israeli Government's Guiding Principles and Coalition Agreements and their Implications on Palestinians' Rights, 10 January 2023, available in the following link: https://www.adalah.org/uploads/uploads/37_govt_position_paper_Eng_100123.pdf
[17] Section 118 of the coalition agreement between the Religious Zionist Party and Prime Minister Netanyahu. The agreement can be found in the following link: www.gov.il/BlobFolder/generalpage/government-documents37/he/Gov_Docs_gov37_co37.pdf
[18] See discussion in: Yael Stein, 'Fake Justice: The Responsibility Israel's Supreme Court Justices Bear for the Demolition of Palestinian Homes and the Dispossession of Palestinians', p. 7 (B'Tselem – The Israeli Information Center for Human Rights in the Occupied Territories, February 2019). The report is available in the following link: www.btselem.org/sites/default/files/publications/201902_fake_justice_eng.pdf

and powers between the Minister of Defense and the additional minister in the Ministry of Defense" (the Memorandum) was signed, which introduced substantial changes to the governing structure that Israel operates in the West Bank.[19] The Memorandum was signed pursuant to the 2022 coalition agreements between the Religious Zionist Party and the Likud Party, following a legislative amendment passed by the Knesset to the Basic Law: The Government in December 2022, which allows for the appointment of an additional minister in various ministries.[20]

18. These changes include: (a) the transfer of responsibility for most civil matters to the additional minister, while the defense minister retains responsibility for military activities in the West Bank; and (b) the establishment of a separate 'civilian' system, the "Settlement Administration," within COGAT, which is subordinate to the additional minister with new far-reaching decision-making powers.

19. The memorandum stipulates that powers to direct key policies of COGAT and the CA, including land management, planning, acquisition, expropriation, the declaration of land as 'state land,' settlement 'regularization,' agricultural farms, energy regulation, water connections in settlements in Area C, the process for Palestinians in Area C to apply for building permits, access to cellular networks in settlements, transportation, archaeological excavation licensing, municipal jurisdiction, and the management of holy sites, shall be transferred to the additional minister. As part of the memorandum's implementation, the

[19] The Memorandum is available here:
https://www.adalah.org/uploads/uploads/memorandum_of_understanding_Smotrich_February_2023.pdf
Adalah's letter, sent in response, demanding the revocation of the Memorandum is available here:
https://www.adalah.org/uploads/uploads/Letter_Smotrich_Agreement_25_March_2024.pdf

[20] Adalah's press release 'Adalah: The Law Allowing for the Appointment of an Additional Minister in the Defense Ministry is Intended to Advance Apartheid and De Facto Annexation in the Occupied Palestinian Territory', 29 December 2022, available here:
https://www.adalah.org/en/content/view/10767

Israeli government approved Decision No. 657, dated 18 June 2023, amending previous Decision No. 150, dated 2 August 1996.[21] Decision No. 657 establishes that during the term of the 37th government, and as long as an additional minister serves in the Ministry of Defense, powers previously granted to the Minister of Defense under the decision will be transferred to the additional minister. These powers include the authority to approve or reject "any new planning permission and announcement of tenders for construction on state lands in the areas". In addition, decision No. 657 instructed the Ministerial Committee for National Security Affairs to amend the committee's decision No. B/175 of 17 March 1999,[22] so that decisions on the expansion of a "settlement that was or will be established by government decision, or of a settlement recognized by law" in the West Bank and Gaza Strip, no longer requires government decision. Accordingly, a decision in this regard was made by the Ministerial Committee for National Security Affairs on 13 July 2023 (decision No. B/17).[23]

20. The Memorandum further established the position of a civilian deputy head of the CA for civil affairs, with broad authority (Civilian Deputy).[24] According to the Memorandum, the Civilian Deputy is subordinated hierarchically to the head of the CA and professionally to the Settlement Administration. Subsequently, the Order Concerning the Establishment of a Civil Administration (Amendment No. 33) (Judea and Samaria) (No. 2195) - 2024 was issued.[25] This order authorizes the head of the CA to

[21] Governmental Decision no. 657 available here: https://www.gov.il/he/pages/dec657-2023; Governmental Decision no. 150 available here: https://www.gov.il/he/pages/02aug1996150
[22] Supra note 10, Appendix RE/15 (Decision No. B/175).
[23] Ibid, Appendix RE/16.
[24] On 5 May 2024, Mr. Hillel Roth was appointed as the Deputy Head of the CA for Civil Affairs.
[25] Available in the following link: https://www.idf.il/media/zsxnyj52/צו-בדבר-הקמת-מינהל-אזרחי-תיקון-מס-33-יהודה-והשומרון-מס-2195-תשפד-2024.pdf
A petition challenging the order is pending before the Israeli Supreme Court. HCJ 69755-9-24, *The Association for Civil Rights in Israel v. Minister of Defense*. See more in the following link: https://www.yesh-din.org/en/hcj-

delegate powers vested in him by law and security legislation, including the authority to enact regulations, to the Civilian Deputy. These powers encompass authorities from 78 pieces of legislation (Military Orders, Regulations, Directives, and Jordania legislation), transferring hundreds of administrative powers across all aspects of the occupied territory's management.[26] The delegation includes authority in areas such as real estate transactions, land and water regulations, planning and construction (including supervision and enforcement), local authorities, nature reserves, and the management of holy sites, among others.

21. The memorandum also granted the Civilian Deputy authority over all matters assigned to the Additional Minister, with civil servants in the CA becoming subordinate to him. Military personnel handling these matters were similarly placed under his authority and are to be professionally guided by him.[27] According to the Attorney General, the Civilian Deputy's powers extend beyond those outlined in the memorandum, as additional

petition-repeal-the-transfer-of-powers-from-the-head-of-the-civil-administration-to-his-deputy-which-means-the-annexation-of-the-west-bank/.

[26] Such military orders include: Order Concerning Land Transactions (Judea and Samaria) (No. 25), 5727–1967; Order Concerning Government Property (West Bank Area) (No. 59), 5727–1967; Some authorities under the Order Concerning Appeals Committees (West Bank Region) (No. 172), 1967; Order Concerning Land and Water Settlement (Judea and Samaria) (No. 291), 5729–1968; Order Concerning Forestry and Forest Laws (Judea and Samaria) (No. 306), 5729–1969; Order Concerning the Land Law (Acquisition for Public Needs) (Judea and Samaria) (No. 321), 5729–1969; Some authorities under Order Concerning the Protection of the Holy Places (Judea and Samaria) (No. 327), 5729–1969; Order Concerning the Protection of Nature (Judea and Samaria) (No. 363), 5770–1969; Order Concerning Parks (Judea and Samaria) (No. 373), 5770–1970; Order Concerning the Planning of Cities, Villages and Buildings Law (Judea and Samaria) (No. 418), 5771–1971; Land Law Order (Judea and Samaria) (No. 450), 5732–1971; Land Demarcation and Measurement Order (Judea and Samaria) (No. 451), 5732–1971; Order Concerning the Registration of Transactions in Certain Real Estate (Judea and Samaria) (No. 569), 5735–1974; Order Concerning the Management of Regional Councils (Judea and Samaria) (No. 783), 1979; Order Concerning the Antiquities Law (Judea and Samaria) (No. 1166), 5746–1986; Order Concerning Approval of Planning and Building Procedures (Judea and Samaria) (No. 1445), 5756–1996; Order Concerning Amendment of the Law on Registration of Immovable Properties Not Yet Registered (Judea and Samaria) (No. 1621), 5769–2008; Some authorities under the Order Concerning Real Estate (Review of Registrations) (Judea and Samaria) (No. 1737), 5774–2014; Some authorities under the Order Concerning the Civil Services Administration (Judea and Samaria) (No. 1789), 5777–2017; Order Concerning Real Estate (Warning Note) (Judea and Samaria) (No. 1795), 5778–2018; Order Concerning the Removal of New Structures (Judea and Samaria) (No. 1797), 5778–2018; Ottoman Land Law, 1858; Taboo Law, 1858; Regulations Concerning Real Estate Transactions (Transaction License) (Judea and Samaria), 5775–2015; The Real Estate Regulations (Inspection of Records) (Judea and Samaria), 5776–2016; and much more. See full list in section 3 of Order No. 2195, supra note 25.

[27] Supra note 10, p. 7.

authority may be granted at the Defense Minister's discretion, as specified in the letter of appointment and delegation.[28]

22. The Settlement Administration was also established to implement the powers of the additional minister, alongside executing the "Equal Citizenship" reform, which aims to improve government services for settlements in the West Bank and seeks to equalize them with those provided in Israel.[29] On 29 May 2024, a directive entitled "Working Procedure between the Settlement Administration of the Defense Ministry and the Civil Administration" was issued, regulating the coordination between the two entities in accordance with the Memorandum. The directive explicitly authorizes Israeli authorities to operate outside Area C in various fields, including environmental protection, archaeology, enforcement, and planning. It further permits Israeli activities within Area C in areas where authority had been transferred to the PA under the Oslo Agreement. Effectively, this directive allows the Settlement Administration to unilaterally assert powers granted to the PA in Areas A, B, and C, thereby expanding Israeli control beyond the scope of the Oslo Agreement. [30]

23. While a separation of civilian and military functions had already been established within the military government, and despite the Memorandum noting that the transfer of authorities does not alter the "legal status of the Judea and Samaria region, the law applicable to it, and the powers of the political echelon and the Ministry of Defense,"[31] the 2023

[28] Ibid, p. 10.
[29] Government Decision No. 168 dated 23 February 2023 appointed Mr. Yehuda Eliyahu as Head of the Settlement Administration for a term of four years or until "the completion of the temporary mission of the Settlement Administration", whichever occurs first. The decision is available at: https://www.gov.il/he/pages/dec168-2023
[30] Supra note 10, Annex RE/9, para. 9.
[31] Section 1 of the Memorandum, supra note 19.

Memorandum and subsequent implementation decisions introduced far-reaching structural changes that further entrenched this separation. Bezalel Smotrich, the additional minister, explicitly acknowledged the significance of these changes, stating: "We created a separate civilian system within the Ministry of Defense. There is a minister, an administration akin to a government ministry, and a director general overseeing it, like a governmental ministry. There is also a deputy head of the Civil Administration, a civilian employee of the Ministry of Defense, subordinate not to the head of the Civil Administration nor the commander-in-chief, but directly to the Civilian Administration, with powers delegated by the head of the administration".[32]

24. These civilianization processes have resulted in deepening and enhancing the legal system of distinction and separation between Palestinians and Israeli settlers in the West Bank, including in Area C. This distinction is manifested through the dichotomy between international humanitarian law (IHL) and Israeli constitutional and administrative law. While Israel claims to uphold protections under customary IHL for Palestinians in the West Bank, it extends its civil, constitutional, and administrative duties exclusively to its Israeli settler-citizens in the areas they occupy within the West Bank. These duties include socio-economic development, land allocation, and settlement development, and are very similar to those that Israel performs within the administrative framework governing these matters inside Israel. This system of distinction is codified through military orders, as will be detailed below.

[32] The speech of Minister Smotrich can be found in the following link: https://www.ynet.co.il/news/article/h1yltbx8c

II. Administration of Local Authorities

25. Two distinct legal frameworks administer Palestinian villages and Israeli settlements in the West Bank. While Palestinian villages in Area C are administered under the Jordanian law, Israeli settlements are administered through local and regional councils, with a legal framework of military orders and *de facto* Israeli laws applicable solely to them.

26. According to the Jordanian Village Management Law No. (5) - 1954 and Municipalities Law No. (29) - 1955, two types of Palestinian localities exist: municipalities and villages, including tribal units. These laws established the administrative structure for these localities. In comparison, settlements in Area C are administered through two main types of local government, like those that exist in Israel's sovereign territory. The first type are the regional councils, which typically encompass large geographic areas in which community towns and agricultural kibbutzim (collective communities, characterized by communal living) and moshavim (cooperative farming villages) are located and the second are the local authorities, including municipalities.

27. Regional councils in the West Bank and in Israel are administered in a similar manner. The Order of Local Councils (Regional Councils) – 1958, which sets forth the framework for the administration of regional councils in Israel, was adopted and incorporated into the Regulations for Regional Councils (Judea and Samaria) – 1979, with some adaptations. Subsequent amendments to the 1958 Israeli Order were also similarly duplicated in the Regulations for Regional Councils in the West Bank. The Order Concerning the Management of Regional Councils (Judea and Samaria) (No. 783) – 1979 lists six regional councils that serve dozens of

settlements.[33] The regulations provide for the direct applicability of several Israeli Knesset laws, such as Public Service (Capital Declaration) Law, 2016, Freedom of Information Act, 1998, and relevant elections laws with adaptations.

28. Similarly, local authorities in the West Bank follow a comparable system. The Local Councils Ordinance [new version], applicable in Israel, was adapted into the Regulations of the Local Councils (Judea and Samaria) - 1981.[34] The regulations set the applicability of several Israeli laws, such as Business Licensing Law, 1968;[35] Water and Sewerage Corporations Law, 2001;[36] and the Law for Streamlining Municipal Enforcement and Supervision in Local Authorities (Temporary Order), 2011.[37] The Order Concerning the Management of Local Councils (Judea and Samaria) (No. 892) -1981 lists 18 such councils (as of April 2025, these included 4 municipalities and 14 local councils).[38]

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[33] The regional councils are: Shomron Regional Council; Mateh Binyamin Regional Council; Megilot Yam Hamelah; Har Hevron Regional Council; Gosh Etzion Regional Council; and the A'rvot Hayarden Regional Council. They administer dozens of settlements, community and agricultural small towns. The order can be found in the following link:
https://www.idf.il/media/galm1bvm/%D7%A6%D7%95-%D7%91%D7%93%D7%91%D7%A8-%D7%A0%D7%99%D7%94%D7%95%D7%9C-%D7%9E%D7%95%D7%A2%D7%A6%D7%95%D7%AA-%D7%90%D7%96%D7%95%D7%A8%D7%99%D7%95%D7%AA-%D7%99%D7%94%D7%95%D7%93%D7%94-%D7%95%D7%94%D7%A9%D7%95%D7%9E%D7%A8%D7%95%D7%9F-%D7%9E%D7%A1-783-%D7%AA%D7%A9%D7%9C%D7%98-1979-%D7%9E%D7%A2%D7%95%D7%93%D7%9B%D7%9F-%D7%9C%D7%99%D7%95%D7%9D-02042018.pdf

[34] The regulations are available in the following link: https://www.gov.il/BlobFolder/legalinfo/local-council-regulations-1981/he/legal_info_takanon_moatsot.pdf

[35] Available in the following link: https://www.nevo.co.il/law_html/law00/74267.htm

[36] Available in the following link: https://www.nevo.co.il/law_html/law01/235_079.htm

[37] Available in the following link: https://www.nevo.co.il/law_html/law01/500_541.htm

[38] These are: Alcana, Ariel, Ma'ale Adumim, Ma'ale Ephraim, Kiryat Arba, Efrat, Givat Zeev, Emmanuel, Alfie Menashe, Beit Arieh, Oranit, Beitar Ilit, Karni Shomron, Kadumim, Har Adar, Modi'in Ilit, Bet El, and Sha'ar Shomron. The order can be found in the following link:
https://www.idf.il/media/zzwptyyb/%D7%A6%D7%95-%D7%91%D7%93%D7%91%D7%A8-%D7%A0%D7%99%D7%94%D7%95%D7%9C-%D7%9E%D7%95%D7%A2%D7%A6%D7%95%D7%AA-%D7%9E%D7%A7%D7%95%D7%9E%D7%99%D7%95%D7%AA-%D7%99%D7%94%D7%95%D7%93%D7%94-%D7%95%D7%94%D7%A9%D7%95%D7%9E%D7%A8%D7%95%D7%9F-%D7%9E%D7%A1-892-%D7%AA%D7%A9%D7%9E%D7%90-1981-%D7%9E%D7%A2%D7%95%D7%93%D7%9B%D7%9F-%D7%9C%D7%99%D7%95%D7%9D-02042018.pdf
Sha'ar Shomron was added in an order from 9 May 2022: www.idf.il/media/e0znufen/תקנות-המועצות-המקומיות-הוספת-המועצה-המקומית-שער-שומרון-יהודה-ושומרון-התשפב-2022.pdf

29. These parallel frameworks have largely unified the administrative systems governing land between Israel and the settlements in the West Bank, from a municipal and local jurisdictional standpoint. In the past, the Interior Minister took decisions regarding changes to the jurisdictional areas of local authorities in Israel, while the military commander issued orders for the settlement local authorities in the West Bank. However, since 2017, any modifications to the jurisdictional areas of West Bank settlements have been carried out following 'consultation' with the Israeli Interior Minister based on recommendations by a 'Geographic Committee' assigned by him under Israeli law. [39]

30. On 23 March 2017, the Director General of the Interior Ministry appointed a Geographic Committee, pursuant to the authority under Sections 3, 8 and 9(b) of the Municipalities Ordinance [New Version] and under the Local Councils Ordinance [New Version], as specified in the appointment letter. According to the letter, the committee's mandate is to examine "the municipal status of local authorities, changing the boundaries and jurisdictions of local authorities, and declaring revenue distribution areas between local authorities in the Jerusalem, Central and Southern districts and in the Judea and Samaria region."[40] The scope of the committee's work includes numerous settlements in the West Bank and extends to almost all of Area C, as shown in the map defining the committee's

[39] The committees were formed on 23 March 2017, as permanent committees authorized 'to examine the municipal status of local authorities, change boundaries and areas of jurisdiction of local authorities, and declare areas of distribution of income between local authorities. Information about the Committees is available in the following link:
https://www.gov.il/he/departments/topics/geographical/govil-landing-page
[40] The letter of appointment is available in the following link:
https://www.adalah.org/uploads/uploads/Geographic_Committee.pdf

geographic area of authority (see Map in Annex F).[41] Similar 'Geographic Committees' function in Israel.

31. These five-member committees play an important role in the expansion of Israel's settlement enterprise. As an example, in March 2022, the committee recommended the unification of the local committees of Shaarei Tikva and Etz Ephraim to establish a new local authority in the West Bank.[42] The recommendation was submitted to the director-general of the Ministry of Interior and was endorsed and recommended for the approval by the Minister of Interior on 14 April 2022. Following the recommendation, the Minister of Interior granted the approval on 27 April 2022.[43] On 9 May 2022, the Military Commander in the West Bank adopted the recommendation and issued the Local Councils Regulations (Addition of the "Shaar Shomron" Local Council) (Judea and Samaria), 2022.[44]

32. In response to a 2017 letter by Adalah contesting this decision, as it violates IHL and effectively applies Israeli law in occupied territory, thus, constituting a measure of *de facto* annexation, the Ministry of Justice argued that the borders committee merely makes recommendations to the military commander in the West Bank, as part of its consultation with the Interior Ministry, while the military commander retains authority to

[41] Including Ariel, Beit El, Givat Ze'ev, Gush Etzion, Oranit, Alfei Menashe, Elkana, Efrata, Beit Aryeh, Beitar Illit, Mount Adar, Mount Hebron, Megillot Yam Hamalem, Mateh Binyamin, Modi'in Illit, Ma'ale Adumim, Emmanuel, the Jordan Valley, Ma'ale Ephraim, Kedumim, Kiryat Arba and Karnei Shomron (see Map 1 determining the committees jurisdictional investigations authority – see Annex 1). The committee's page is available in the following link: https://www.gov.il/he/pages/geographical-yrusalim

[42] The Committee's reports are available in the following link:
https://hadar.moin.gov.il/fs/CmtJerDocs/-%20אפרים%20עץ%20רשויות%20איחוד%20או-ו%20מוניציפלי%20שינוי%20מעמד%20673/תקווה%20שערי%20.pdf

[43] The director-general's recommendation and approval of the Minister of Interior available in the following link:
https://hadar.moin.gov.il/fs/CmtJerDocs/-%20אפרים%20עץ%20רשויות%20איחוד%20או-ו%20מוניציפלי%20שינוי%20מעמד%20679/תקווה%20שערי%20.pdf

[44] Available in the following link:
https://www.idf.il/media/e0znufen/2022-התשפב-ושומרון-יהודה-שומרון-שער-המקומית-המועצה-המקומיות-הוספת-תקנות.pdf

make final decisions in this regard.[45] *De facto*, through such mechanism of 'consultation,' Israeli law is effectively applied in the West Bank, as these committees operate and formulate their recommendations based on Israeli legal standards, functioning in a similar manner in both Israel and the West Bank.

III. Financial Incentives for Settlements

33. Israeli settlements receive extensive financial benefits through direct government subsidies, preferential policies, and financial incentives aimed at encouraging settlement expansion and development. These benefits cover multiple sectors, including land allocation, housing, infrastructure, and agriculture.

A. National Priority Areas

34. By the authority granted to the government under the *Economic Efficiency Law 2009*,[46] various state authorities provide multiple benefits to designated National Priority Areas (NPAs) based on two governmental decisions that are regularly updated. Benefits under this framework include:

35. **ILA Benefits**: Settlements designated as NPAs enjoy reduced industrial, public and residential land lease fees and non-tender allocations, making land acquisition significantly cheaper.[47] Additional funding for the development of public buildings by local authorities is also granted for NPAs. The designated NPA list for purposes of ILA benefits include

[45] The response, dated 25 January 2018, is available in the following link: https://www.adalah.org/uploads/uploads/AG_Response_Committees_1-2018.pdf
[46] Law available here: https://www.nevo.co.il/law_html/law01/500_192.htm
[47] According to ILA Council decisions. Available in the following link: https://apps.land.gov.il/CouncilDecisions/assets/data/61/CouncilDecisions.pdf
For instance, land allocated without competitive bidding for residential, public institutions and public needs, is subject to reduced lease fees - 31% of land value in National Priority Area A and 51% of land value in National Priority Area B (Article 4.2.2 of ILA Council Decisions).

settlements such as Itamar, Shavei Shomron, Ma'ale Efraim, Alon Moreh, and Kfar Tapuach.[48]

36. **Housing and construction benefits:** NPAs for construction and housing benefits, most recently under Government Decision No. 561 of May 2023,[49] include planning and development subsidies and housing loans. According to Decision No. 561 (as updated by Decision No. 1069 from November 2023),[50] location-based loan supplements are also provided to families purchasing homes in urban or rural localities in the amount of ₪ 35,000 - ₪100,000 (approximately USD $9660 - $27,595). The list of eligible localities includes many settlements such as Kiryat Arba, Beit El, Ma'ale Efraim, Ofra, Shilo, Eli, Psagot, Tekoa, Nokdim, and Revava.[51]

B. Agricultural and Volunteer-Based Support

37. On 19 November 2021, the Israeli Government decided to allocate NIS 20 million (about US $5.5 million) annually for the years 2022, 2023, and 2024 for: "Support for volunteer groups operating in rural settlements engaging in significant agricultural activity in areas of National Priority".[52] According to the directives published in this regard, the support aimed at "encouraging volunteer activity that assists farmers in cultivating lands they legally hold, in order to prevent their abandonment…"[53] According to the directives, funding may cover salaries for instructors, volunteer

[48] The full list dated May 2024 is available here: https://apps.land.gov.il/CouncilDecisions/assets/data/constFiles/megurim.pdf
[49] Decision 561 is available in the following link: https://www.gov.il/BlobFolder/pmopolicy/dec561-2023/he/dec561-2023.pdf
[50] Decision 1069 is available in the following link: https://www.gov.il/he/pages/dec1069-2023
[51] The full list of eligible localities can be accessed in the following link: https://www.gov.il/apps/moch/viewlist/list/yeshuvey_adifut_leumit
[52] The decision is available at: https://www.gov.il/he/departments/policies/dec668_2021 In 2024, a subsequent decision reduced the funds allocated under this benefits scheme; see: https://www.gov.il/he/pages/dec1377-2024. As far as we can determine, it was not renewed beyond 2024.
[53] The directives are available in the following link: https://www.gov.il/BlobFolder/rfp/volunteers_procedure2024/he/agri_volunteers_procedure2023.pdf

coordinators, project managers, and association management; training costs for volunteers and staff; travel, food, and housing expenses for volunteers or staff; equipment; advertising; and renovation costs for buildings housing volunteers or staff.

C. Development Areas A

38. Industrial and tourism enterprises in settlements designated as Development Areas A are eligible for investment grants, as well as preferential tax rates.[54] These benefits include, for instance, grants for the establishment or expansion of businesses and a reduced corporate tax rate for preferred enterprises. This designation is based on government regulations that incorporate West Bank settlements into the 'Development Areas A' framework under the Encouragement of Capital Investment Law - 1959, despite that the law does not directly apply to the West Bank.[55] The list of towns in Development Area A includes many West Bank settlements and industrial zones, including: Ariel, Beitar Illit, Givat Ze'ev, Ma'ale Adumim, Sha'ar Binyamin, Barkan, and Efrat.[56]

39. These financial incentives create a highly favorable economic environment for settlers, directly encouraging population growth and the continued expansion of Israeli settlements in the occupied West Bank.

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[54] Specifically, the tax rate for preferred enterprises in Development Area A is 7.5% on preferred income, compared to the general rate of 16% (Section 51-Tz). Similarly, preferred technological enterprises in Development Area A benefit from a 7.5% tax rate on preferred technological income, compared to 12% in general areas (Section 51-Kh); For Industrial Enterprises: A 20% investment grant is provided for approved industrial enterprises, industrial buildings, equipment rental businesses, and refurbished industrial buildings in Development Area A;
For Tourism Enterprises: A 20% investment grant is available for tourist accommodation facilities (e.g., hotels) in Development Area A. A 10% investment grant is provided for tourism attractions (e.g., amusement parks, cultural sites) in Development Area A.

[55] The law is available in the following link: https://www.nevo.co.il/law_html/law01/p181_001.htm

[56] See updated list of all towns and industrial areas designated as Development Areas A: https://www.gov.il/he/departments/dynamiccollectors/development-areas-a?skip=0

40. In addition, an amendment to the Municipal Corporations Ordinance (referred to as the 'Arnona Law'), passed in April 2024, authorizes the Interior Minister to allocate revenues from municipal taxes collected in Israeli municipalities and betterment levies (taxes imposed on real estate owners when a municipal planning decision significantly increases the value of their property) to various municipalities, including those in the occupied West Bank. The amendment explicitly aims to equate Israeli settlements with Israeli municipalities, applies Israeli municipal law to settlements in the West Bank, and thus represents a clear annexationist measure.[57] By facilitating the channeling of public funds to Israeli settlements, the amendment strengthens the financial and administrative framework that supports their expansion.

IV. 'State Land'

A. Declarations of 'State Land'

41. The declaration of 'state land' in the West Bank is primarily governed by the "Order Concerning Government Property (Judea and Samaria) (No. 59)," 1967 (hereinafter: "Order 59").[58] Such declarations serve as the primary legal mechanism through which Israeli authorities have taken possession of Palestinian land in the West Bank since the late 1970s. The vast majority of declared 'state land' is allocated for the benefit of Israeli settlement, with Palestinians being almost entirely prohibited from using these lands.

[57] The law, *Amendment to the Municipalities Ordinance Law (No. 157), 2024*, is available here: https://fs.knesset.gov.il/25/law/25_lsr_4279672.pdf On 9 June 2024, Adalah sent a letter to the relevant Israeli authorities, prior to the passage of the amendment, arguing that the extension of Israeli municipal law to West Bank settlements constitutes an act of annexation of occupied territories, violates international law, contravenes the Geneva Conventions and Hague Regulations, deepens *de facto* annexation, and undermines Palestinian self-determination and human rights. Available at: https://www.adalah.org/uploads/uploads/Arnona_Bill_Letter_June2024.pdf

[58] Available in the following link: www.idf.il/media/rlmh5yjb/02042018-מעודכן-ליום-1967-תשכז-59-מס-ושומרון-יהודה-ממשלתי-צו-בדבר-רכוש.pdf

42. Order 59 authorizes the Commissioner of Government Property (hereinafter: "the Commissioner") to designate land as 'government property'. The Commissioner is empowered to assume control over such land and manage it. 'Government land' is defined as:

> "(1) Property which on or after the determining date belongs to, is registered in the name of, or is vested in any of the following: (a) an enemy state; (b) a corporation in which an enemy state has any right, whether directly or indirectly, whether it has control or not; or property in which one of them was a partner;
> (2) Real estate acquired for public purposes pursuant to any law or security legislation, by an IDF authority and for an IDF authority that is not a local authority or a local planning and building committee;
> (3) Property whose owner has requested the Commissioner to manage it, and the Commissioner has accepted its management".[59]

43. Under this process, the Commissioner issues a declaration designating land that is not registered in the land registry as 'state land'. The 1979 Government Resolution 145 (mentioned above), which aimed to expand Israeli settlement in the West Bank, resulted in a process of declarations of 'state land'. This mechanism sought to circumvent the prohibition under IHL on the confiscation of privately owned land of the occupied population for settlement purposes.

44. Between 1979-1992, the Israeli authorities declared approximately 908,000 dunams of land in the West Bank as state land.[60] Most of these lands are located in Area C, as demarcated by the Oslo Accords.[61] In 1999, the Civil Administration established the "Team for Demarcating State Lands" (known as the "Blue Line Team" and renamed as the "Land Status Team")

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[59] Ibid, Article 1.
[60] State Comptroller Annual Report 56A (2005) p. 190. Available in the following link: https://library.mevaker.gov.il/sites/DigitalLibrary/Documents/1950-2008/2005-56a/2005-56a-112-MinhalEzrachi.pdf
[61] "Blue and White make Black -The Blue Line Team in the West Bank" (Kerem Navot, December 2016), p. 6. Available here: https://www.keremnavot.org/_files/ugd/cdb1a7_04c9fe5f2c954d17953d9c5114041962.pdf

to refine declarations made up until that point, which were made using outdated technology, and contained many inaccuracies. According to the "Professional Team to Formulate an Outline for the Regularisation of Construction in the Judea and Samaria Area", headed then by Haya Zandberg, the Director of the Civil Department at the State Attorney's Office, "the intention is that whenever a plan for new construction is planned on an area that has been declared "state land," the boundaries of the plan will be precise and clear and will correspond to the scale currently used in planning."[62] This statement indicates that the work of the team is intrinsically connected to the ongoing expansion of settlements in the West Bank; this fact was also made clear by the State Comptroller in his 2005 annual report.[63]

45. The CA, now under the authority of the Civilian Deputy, continues to conduct land surveys to assess areas for potential designation as 'state lands', pursuant to locations identified and proposed by the 'Survey Land Team'.[64] Upon legal and political approval,[65] the Commissioner signs a declaration certificate per his authority under Section 2C of Order 59.[66]

46. Israeli authorities further rely on the 1858 Ottoman Land Code to justify declarations of state land. This Code stipulates that land left uncultivated for over three consecutive years becomes the property of the empire. In

[62] 'The Professional Team to Formulate an Outline for the Regularisation of Construction in the Judea and Samaria Area – Concluding Report' (15 February 2018), p. 23. The team was formulated by Prime Minister Netanyahu in a decision dated 16 February 2016. The concluding report is available in the following link: https://www.gov.il/BlobFolder/reports/report_11/he/report_11.pdf

[63] State Comptroller supra note 48, p. 191.

[64] 'Survey Lands Detection Inspection Team - Work Procedures' (June 2016). Available in the following link: www.gov.il/BlobFolder/policy/crewlanddetectionteamworkproceduress/he/צוות%20לבדיקת%20איתורים%20באדמות%20ס-%20קר%20-%20נוהלי%20עבודה.pdf

[65] Legal approval is granted by the legal advisor of the Civil Administration. The work procedures do not clarify the type of political approval required or which political authority is authorized to approve such declarations.

[66] This certificate is published publicly, allowing for appeals before the Military Appeals Committee. See Diagram: Workflow of the "Blue Team", regarding Declarations on State Land, Annex F.

the context of the West Bank, where two-thirds of the land was not formally surveyed or registered prior to the 1967 occupation, Israel invokes a draconian interpretation of para. 68 of the Ottoman Land Code, to seize lands that were not cultivated for the specified period.[67] According to information provided by the Attorney General in December 2011, it is estimated that about 1,300,000 dunams in Area C were classified as state land (land registered as such by previous regimes, over which the Israeli military assumed responsibility, and declared 'state land').[68] This vast area accounts for about 42% of Area C.

47. Since December 2022, the state has markedly increased its declarations of 'state land'. According to information obtained by Peace Now through a Freedom of Information Act request, between 1998-2016, an 18-year period, about 21,367 dunams were declared as 'state land', predominantly for settlement purposes.[69] In comparison, between 29 February 2024 and 9 December 2024 (a 10-month period), over 24,200 dunams were declared as state land,[70] constituting nearly half of all such declarations made since

[67] Kerem Navot, supra note 49, p. 15. See also: "What is a declaration of state land?" (Peace Now, 8 September 2014). Available in the following link: https://peacenow.org.il/en/what-is-a-declaration-of-state-land

[68] State response in Administrative Petition (Jerusalem) 40223-03-10 "*Bimkom" - Planners for Planning Rights v. the Civil Administration in the West Bank* (2012) dated 8 December 2011, p. 3. In its response, the state clarified that this number is an estimate, due to inaccuracies in existing maps. Available in the following link: https://law.acri.org.il/he/wp-content/uploads/2010/04/hit40223tshuva.pdf

[69] The response to Peace Now's FOIA request is available at: https://peacenow.org.il/wp-content/uploads/2024/11/List-of-declarations-FOI-CA-191216.pdf

[70] The following declarations of "state land" were made between 29 February 2024 and 9 December 2024:

- 29 February 2024: 2,640.30 dunams, available at: www.gov.il/BlobFolder/reports/t2299/he/%D7%AA%D7%A2%D7%95%D7%93%D7%94%20%D7%97%D7%AA%D7%95%D7%9E%D7%94%20%D7%9E%D7%99%D7%99%D7%9C.pdf
- 20 March 2024: 8,159.80 dunams, available at: www.gov.il/BlobFolder/reports/yafith/he/%D7%99%D7%A4%D7%99%D7%AA%20%D7%9C%D7%90%D7%AA%D7%A8.pdf
- 1 April 2024: 170 dunams, available at: www.gov.il/BlobFolder/reports/herod1/he/%D7%94%D7%A8%D7%95%D7%93%D7%99%D7%95%D7%9F%20-%20%D7%9C%D7%A4%D7%A8%D7%A1%D7%95%D7%9D%20%D7%91%D7%90%D7%AA%D7%A8.pdf
- 25 June 2024: 12,715.2 dunams, available at: www.gov.il/BlobFolder/reports/yafit2heb/he/igal_%D7%99%D7%A4%D7%99%D7%AA%20-%20%D7%9E%D7%A7%D7%98%D7%A2%D7%99%D7%9D%20%D7%91%20%D7%92%20%D7%90%D7%99%D7%A0%D7%98%D7%A8%D7%A0%D7%98%20%D7%A2%D7%91%D7%A8%D7%99%D7%AA.pdf

the Oslo Accords.[71] These declarations were issued by the Commissioner, under the authority of the newly appointed Civilian Deputy, all for Israeli settlement purposes.

- 8 July 2024: 69.65 dunams (Evyatar), available at: www.gov.il/BlobFolder/reports/evyatarheb/he/igal_%D7%A4%D7%A8%D7%A1%D7%95%D7%9D%20%D7%91%D7%90%D7%AA%D7%A8%20-%20%D7%A2%D7%91%D7%A8%D7%99%D7%AA.pdf
- 15 July 2024: 441.14 dunams (Na'ale, Nili), available at: www.gov.il/BlobFolder/reports/nilinaalehb/he/igal_%D7%A0%D7%99%D7%9C%D7%99%20-%20%D7%A0%D7%A2%D7%9C%D7%94%20-%20%D7%90%D7%99%D7%A0%D7%98%D7%A8%D7%A0%D7%98%20-%20%D7%A2%D7%91%D7%A8%D7%99%D7%AA.pdf
- 18 November 2024: 10.37 dunams (Yizhar Cemetery), available at: www.gov.il/he/pages/izharheb
- 9 December 2024: 54.79 dunams (Har Adar), available at: www.gov.il/he/pages/haradarheb

Additionally, while never published formally and therefore not included in the above figures, a notice of intent to expand the municipal jurisdiction of the Geva Binyamin settlement indicates that a large area - estimated in the hundreds of dunams - was declared as state land near the Bnei Adam outpost.
Notice of intent:
https://www.gov.il/BlobFolder/reports/geva_binyamin/he/ayman_storm_%D7%94%D7%95%D7%93%D7%A2%D7%94%20%D7%A2%D7%9C%20%D7%93%D7%91%D7%A8%20%D7%94%D7%9B%D7%95%D7%95%D7%A0%D7%94%20%D7%9C%D7%AA%D7%99%D7%A7%D7%95%D7%9F%20%D7%AA%D7%97%D7%95%D7%9D%20%D7%A9%D7%99%D7%A4%D7%95%D7%98%20%D7%94%D7%99%D7%A9%D7%95%D7%91%20%D7%92%D7%91%D7%A2%20%D7%91%D7%A0%D7%99%D7%9E%D7%99%D7%9F-%20%D7%A2%D7%91%D7%A8%D7%99%D7%AA.pdf
Furthermore, three changes were made to previously declared state land, following work conducted by the Blue Line Team, as outlined below:

- Migdal Oz – 6 August 2024
  In the area of the Migdal Oz settlement, the boundaries of previously declared state land were adjusted. Some parcels were added, while others were excluded. The overall outcome was a net addition of 79.3 dunams of state land.
  Official map and declaration:
  https://www.gov.il/BlobFolder/reports/migdalheb/he/igal_%D7%9E%D7%92%D7%93%D7%9C%20%D7%A2%D7%95%D7%96%20%D7%90%D7%99%D7%A0%D7%98%D7%A8%D7%A0%D7%98%20%D7%A2%D7%91%D7%A8%D7%99%D7%AA.pdf
- Nahal Heletz – 13 August 2024
  In the area designated for the new settlement of Nahal Heletz—approved as part of the 2024 government decision to establish new settlements—an amendment to a prior state land declaration resulted in a reduction of approximately 100 dunams.
  Official map and declaration:
  https://www.gov.il/BlobFolder/reports/heletzhb/he/igal_%D7%A0%D7%97%D7%9C%20%D7%97%D7%9C%D7%A5%20%D7%90%D7%99%D7%A0%D7%98%D7%A8%D7%A0%D7%98%20%D7%A2%D7%91%D7%A8%D7%99%D7%AA.pdf
- Susya – 10 March 2024
  Near the Susya settlement, an update to the state land boundaries added a total of 9 dunams.
  Official map and declaration:
  https://www.gov.il/BlobFolder/reports/t17324/he/%D7%A7%D7%95%20%D7%9B%D7%97%D7%95%D7%9C%20%D7%A1%D7%95%D7%A1%D7%99%D7%90%20%D7%9E%D7%96%D7%A8%D7%97%20%D7%9C%D7%90%D7%AA%D7%A8%20.pdf

[71] "2024 in the West Bank – The Year of Annexation and Expulsion", Settlement Watch Team (Peace Now, February 2025). Available in the following link:
https://peacenow.org.il/wp-content/uploads/2025/02/SW-Report-Summary-2024-Peace-Now-February-2025.pdf

B. Allocation of 'State Land'

48. Distinct legal frameworks govern the allocation of 'state land' in the West Bank. These frameworks involve contractual arrangements, Israeli law, military orders, and the delegation of authority to the Settlement Division of the World Zionist Organization (WZO).

49. For Palestinians in Area C, state land allocation, commonly requested by Palestinian entities (local authorities and communities), is governed by a procedure entitled "*Allocation of State Lands for the Needs of the Palestinian Population in Judea and Samaria*."[72] Under this procedure, the authority to allocate these lands rests with the Civilian Deputy after the delegation of authorities by the head of the CA, while actual allocations are carried out by the Commissioner. Such allocations entail lengthy procedures requiring coordination with many civil and/or military administration officials.

50. In contrast, land allocations for Israeli settlements follow a separate track, supported by mechanisms that advance Israel's expansionist objectives. Allocations within the jurisdictional areas of settlement localities – regional council and local/municipal council – are carried out in two different ways, depending on the type of the locality and the purpose of allocation.

51. Settlements in regional councils are commonly established by the Rural Growth and Development Division (known also as the Settlement Division) of the WZO, following a contractual authorization to develop and settle the settlement by the Commissioner. Once such authorization is

[72] The procedure can be found in the following link: www.gov.il/BlobFolder/policy/allocationofstatelandfortheneedsofthepalestinianpopulation/he/%D7%94%D7%A7%D7%A6%D7%90%D7%AA%20%D7%90%D7%93%D7%9E%D7%95%D7%AA%20%D7%9C%D7%A6%D7%95%D7%A8%D7%9B%D7%99%20%D7%94%D7%90%D7%95%D7%9B%D7%9C%D7%95%D7%A1%D7%99%D7%99%D7%94%20%D7%94%D7%A4%D7%9C%D7%A1%D7%98%D7%99%D7%A0%D7%99%D7%AA%20%D7%9E%D7%93%D7%99%D7%A0%D7%94%20.pdf

granted, residential plots in rural settlements need to be approved by an admissions committee established in each regional council, a process similar to that in Israel, which assesses candidates based on their "socio-cultural compatibility", under an amendment to the Regulations for the Regional Councils.[73] Admissions committees in Area C settlements consist of five members: two settlement representatives, the WZO Settlement Division area director, and two non-resident representatives from the regional council.

52. Once approved by the admissions committee, a contract is signed between the settlers and the Settlement Division of the WZO. Following such a signature, the settlers may be required to sign another agreement with the Commissioner.[74]

53. Land allocation in local and municipal councils follows a process like that in Israel. The Minister of Construction and Housing, the ILA and the CA, publish bids for such allocations in accordance with the Law on the Obligation of Tenders, 1992. According to Israel's Attorney General, "while the tendering laws and the tendering obligation regulations, 1993 do not apply directly to the area [West Bank], the commissioner acts in accordance with the accepted procedures of the Israel Land Authority and subject to the binding norms of administrative law."[75] This process represents the *de facto* application of Israeli law in the West Bank.

[73] Regulations of the Regional Councils (Amendment No. 147) (Judea and Samaria), 2019 (signed on 26 December 2019), adding Provision 179C to the regulations. The regulations are available in the following link: https://www.nevo.co.il/law_html/law65/666_019.htm#Seif401 (Document on file with Adalah).
[74] A sample contract can be found at the WZO website here: https://www.hityashvut.org.il/%D7%97%D7%95%D7%96%D7%99%D7%9D-%D7%95%D7%91%D7%98%D7%97%D7%95%D7%A0%D7%95%D7%AA-2/
[75] Letter sent to Adalah on 16 January 2018. Available in the following link: https://www.adalah.org/uploads/uploads/AG_Response_tenders_West_Bank.pdf

54. A recent tender illustrates this process: Tender number 88/2023 for 83 housing units in Efrat settlement (local council). According to the tender's documents, once a bidder is chosen, a lease contract is signed with the Commissioner, allowing the developer to develop the plots, build housing units, and sell them. In addition, a construction agreement is signed between the developer and the "The Government of Israel on behalf of the State of Israel through the authorized signatories in the Ministry of Construction and Housing who were authorized to sign on its behalf", in which it is stated that the ILA is the administrator of the land in the project, and the developer commits to "build the residential housing units and meet the tasks specified in the tender conditions and the infrastructure agreement and to sell the apartments at a target price to the those who do not own a house and/or those improving their housing in accordance with the tender conditions."[76]

55. This distinct system for land allocations, in both local and regional councils, is reinforced by the application of Israeli laws in allocation of land for settlement purposes through contractual obligations, as mentioned above, instated by the Civil Administration in the West Bank and the ILA, and facilitated by the Israeli Ministry of Housing and Construction. These include The Israel Lands Law, the Israeli Land Administration Law, and the Israel Lands Law (Amendment No. 3), 2011. The 2011 amendment prevents any person or party (public or private) from selling land, renting property for a period of over five years, bequeathing or transferring private ownership rights in Israel to "foreigners". This law defines "foreigners" as individuals who are not residents or citizens of Israel, or non-Jews, excluding those who have the right to immigrate to Israel under the Law

[76] Tender documents can be found in the following link: https://apps.land.gov.il/MichrazimSite/#/michraz/20230088

of Return (1950). As a result of these contractual arrangements between the Israeli occupation authorities and the settlement developers, Palestinians in the West Bank are banned from acquiring land rights in settlements.

56. Since January 2023, the ILA has awarded tenders for the long-term lease of land, encompassing 618 housing units, along with commercial and industrial projects. Furthermore, tenders for at least 2,684 housing units have been published across various settlements in Area C, although they have not yet been awarded.[77]

57. Land allocations outside settlement localities are regulated by a special "procedure for publishing permissions/ allocations outside the jurisdictions of Israeli settlements."[78] This procedure allows for four types of authorizations by the Commissioner, including planning permissions, temporary authorizations, development agreements, and direct allocations through contracts.[79]

58. As a matter of policy and practice, almost all 'state land' is allocated for settlement purposes, with only a small fraction allocated to Palestinian use. According to information provided by the head of the CA in response

[77] This data was compiled by Adalah through a comprehensive review of tenders relevant to the specified period, available on the ILA website at https://apps.land.gov.il/MichrazimSite/#/homePage. See Annex E for the data.

[78] The procedure can be found in the following link: https://www.gov.il/BlobFolder/policy/procedureforrealestateassignmentsinstaffingg/he/נוהל%20הקצאות%20מקרקעין%20באיוש.pdf

[79] The four types of authorizations are: a. an authorization to promote planning by a "third party (e.g., Ministry of Construction and Housing, local authority)," and in case the third party has no proprietary interest in the land on which the authorization is granted; b. an authorization limited in time (up to 7 years) allowing the use of the land for the purpose of the authorization (not defined in the procedure). Under this type of authorization, no permanent construction is allowed; c. infrastructure development agreement between a local/regional authority or a contractor and the Israeli Land Administration, which allows the local authority/contractor to develop the land on its behalf, for example for the benefit of building infrastructure; d. development agreement limited in time (typically for 3 years), which grants rights to develop an industrial / residential area, in accordance with the approved construction plan; e. allocation of the land to third party through a contract. Including tenders or economic activities that are promoted by third parties on a given area.

to a FOIA request dated 13 June 2018 by Yesh Din, it appears that of all public lands in the West Bank allocated for any use by the Israeli occupying authorities since 1967, less than a quarter of a percent - 0.24% (approximately 1,625 dunams) - were allocated for the use of Palestinian residents, while 99.76% (approximately 674,459 dunams) were allocated for the use of Israeli settlers in the West Bank - mainly for the establishment of settlements.[80]

V. Planning System in Area C: Legal and Structural Framework

A. Centralized and Distinct Planning Systems

59. In Area C of the West Bank, the Israeli military authorities established a distinct and centralized planning system controlling all aspects of land use and development. The military commander formulated this system with the enactment of Order Regarding the Towns, Villages and Buildings Planning Law (No. 418) in 1971 (Order 418) and subsequent amendments, which also changed the Jordanian Planning Law - City, Village and Buildings Planning Law, No. 79 – 1966 (hereinafter: The Jordanian Planning Law).[81] The authorities justified the changes as necessary to align with the occupying power's obligations under Article 43 of the Hague Regulations.

60. The Jordanian Planning Law set forth three levels of planning committees: the Supreme Planning Council, district committees, and local committees. However, with the introduction of Order 418, the local and district committees, which previously included Palestinian

[80] HCJ 72436-11-24 *Yesh Din - Volunteers for Human Rights v. IDF in the West Bank* (pending), p. 7. Available in the following link: https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/petition+72436-11-24+-+mandatory+tenders/HCJ+petition+72436-11-24+-+mandatory+tenders_28112024.pdf

[81] Order Regarding the Towns, Villages and Buildings Planning Law (No. 418) (1 April 1971). Available in the following link: www.idf.il/media/rsef543g/צו-418-חוק-תכנון-ערים-כפרים-ובנינים.pdf

representatives, were dissolved and their powers were transferred to the (Israeli) Higher Planning Council (HPC), with no representation of local Palestinian councils. Under Order 418, the HPC is authorized to declare planning areas; approve regional outline plans and regular outline plans; approve regulations on planning and construction matters in the area; approve regulations under Jordanian law; handle objections and appeals of decisions of the various planning committees; determine planning policy in the area; and inspect various planning committees.[82]

61. The HPC may establish various sub-committees such as for Planning and Licensing; Settlements; Roads, Railways and Airports; the Environment; Mining and Quarrying; Objections; and for Inspection. These sub-committees operate with no representation from the local Palestinian population in the West Bank.[83] In 2023, following an amendment to the relevant decree governing the HPC, for the first time, a representative from an Israeli governmental ministry was appointed as a member of the HPC, namely, from the Ministry of Settlement and National Missions.[84] Additionally, the Civil Administration's planning bureau is divided into two distinct planning departments, one for settlers and one for Palestinians: "Department of Planning in the Jewish Sector (Settlement)" and "Planning Department in the Palestinian Sector."[85]

[82] See Planning Bureau structure available on the Civil Administration website: https://www.gov.il/he/pages/about-planning-office

[83] According to Decree of Appointment and Delegation of Powers of the High Planning Council (Judea and Samaria), 2009. Available in the following link: https://www.nevo.co.il/law_html/law65/666_037.htm (Document on file with Adalah).

[84] Appointment and Delegation of Powers of the High Planning Council (Amendment No. 4) (Judea and Samaria), 2023. Available in the following link: www.gov.il/BlobFolder/legalinfo/elegation-of-powers-appointment/he/%2.מינוי%20ואצילת%20סמכויות%20של%20מועצת%20התכנון%20העליונה%20(תיקון%20מס'%204)%20(יהודה%20ושומרון)-התשפג-2023.pdf

[85] Supra note 82.

62. Order 418 and its subsequent amendments significantly altered the Jordanian Planning Law, *de facto* creating two parallel planning systems in Area C, one for Palestinians and another for Israeli settlements, serving Israel's distinct political and territorial interests. One main distinction in this regard is local planning committees, established in the settlement's local authorities, that are authorized in some planning schemes with the issuance of building permits, and enforcement.

63. In accordance with Order 418, On April 15, 2008, Order Concerning the Declaration of Planning Areas (Local Councils and Regional Councils) (Judea and Samaria), 2008 was promulgated, through which all Settlement local and regional councils were declared as special planning areas.[86] On the same date, the authorities decreed an Appointment of Special Planning Committees (Local Councils and Regional Councils) (Judea and Samaria), 5768–2008, which established local planning committees in local and regional councils of settlements – as defined in Section 1 of the Regional Councils (Judea and Samaria) Regulations, 1979, or as defined in Section 1 of the Local Councils (Judea and Samaria) Regulations, 1981 - and granted them planning powers. The head of each council will serve as the chairman of the Special Planning Committee, and the council members will serve as members of the Special Planning Committee. [87] The decree authorized these committees to prepare plans within their jurisdiction, advise the central planning office on regional matters, examine objections to master plans and submit recommendations or positions, prepare detailed planning, adopt or recommend detailed plans, issue building permits, and approve land

[86] The Oreder is included in the "Legislative folder in the field of planning law in the Judea and Samaria region" p. 174. Available in the following link: www.idf.il/media/xsmb3jv5/2022-התכנון-דיני-חקיקה-אוגדן.pdf
[87] The decree is included in the "Legislative folder in the field of planning law in the Judea and Samaria region" p. 170. Available in the following link: www.idf.il/media/xsmb3jv5/2022-התכנון-דיני-חקיקה-אוגדן.pdf

subdivision plans. Additionally, the decree tasked these committees with powers to enforce building regulations within their areas of jurisdiction. This legal framework effectively formalized the division of planning systems, creating a clear separation between the planning processes for settlers and Palestinians in Area C.

64. No such committees exist within the Palestinian localities in Area C. The planning processes for Palestinians, along with regional planning for Israeli settlers, remain highly centralized, with full Israeli control through the CA. This centralization extends across all planning stages, from the drafting of master and local plans to the issuance of building permits.[88]

B. The Planning System: Designed for Settlement Expansion and Restrictive Palestinian Planning

65. The planning system instituted by Israel in the West Bank serves the state's own interests, treating the West Bank as if it were Israeli sovereign territory, and blatantly disregarding the needs of the Palestinian population living under occupation. The system operates to limit construction and development in Palestinian towns and villages, while striving to expand settlements,[89] as is apparent from data concerning master plans and building permits approved over the years, as detailed below.

66. The Jordanian Planning Law requires a building permit to be acquired before any construction work or land use is commenced (Section 34(1)). The definition of the term "construction" under the section, as interpreted by Israeli military authorities "is broad in that almost any change made to

[88] The Israeli Supreme Court rejected petitions submitted in 1991 and 2011, which challenged the changes to the planning system, HCJ 4154/91 *Douden v IDF Commander in the West Bank* (1991), IsrSC 46[1] 89; HCJ 5667/11 *Deirat Rifa'iya Village Council v Minister of Defence* (2015).
[89] For further discussion see: Yael Stein supra note 18.

the land or structure will be considered construction, and refers to anything that becomes fixed to the land if it is not temporary."[90] These changes include the: "establishment of a building or introduction of changes therein, its expansion, repair or demolition; the use of the building and land for a purpose other than the permitted purposes [...] - including changing the existing use of the building or land; laying a sewer network, drainage and digging septic tanks and filtration; excavations, demolition and filling; establishment of roads, walls and fences and any engineering work and mining work, and any other work carried out in or above the ground; all construction activities and work relating to the external form of the buildings, including plastering and painting; installation of a bathtub, toilet, sink, bowl or drainpipe in an existing building; installation of electric elevators in existing buildings; air conditioning and heating; the use of any land, road or any exterior part of a building for advertising purposes."[91]

67. The planning and construction process consists of four main stages: (i) obtaining planning permission; (ii) deposition of the plan; (iii) approving and publishing plans for effect; and (iv) issuing building permits, followed by development and/or marketing authorization. These stages formally apply to both Palestinian construction and for settlements. However, in settlements, local planning authorities (the councils) oversee the issuance of building permits and construction. For Palestinians, since there are no local committees or local planning bodies in Area C, the planning bodies in the CA function as local planning bodies and are authorized to issue the building permits for the Palestinians.

[90] Supra note 4, p. 32.
[91] Ibid, p. 32-33.

68. Building permits may only be granted in accordance with an existing approved master plan that allows the requested construction. In the absence of such a master plan, it is not possible to apply for a building permit. These requirements transform the planning system into a powerful and decisive tool that serves Israel's political interests in the West Bank. Namely, expanding the settlement enterprise by enabling planning for Jewish Israelis, while obstructing Palestinian development through restrictions or lack of planning whatsoever. Notably, while Israeli state authorities and Zionist organizations are responsible for settlement planning and the bodies authorized to issue building permits are integral part of the settlement authorities, Palestinians in Area C depend on their own resources or NGO assistance in this regard, as the PA has no planning authority in the area. Thus, the planning system clearly reflects the power relations between the occupying power and the occupied Palestinian community. Recent data clearly shows how Israel uses the planning processes for its expansionist political aspirations.

69. According to data collected, between January 2023 and May 2025, at least 12,789 housing units in various settlements across the West Bank received final approval through planning processes.[92] The majority of units approved are for new housing units, while a limited number involve the retroactive approval of already built structures. Additionally, the planning

[92] This data was compiled by Adalah through a comprehensive survey of three official sources:
1. The Planning Administration (Minhal HaTichnun): https://mavat.iplan.gov.il/SV1
2. The Civil Administration's Website, where notices of plan depositions and approvals are published: https://www.gov.il/he/collectors/publications?officeId=a1db8292-6f30-4545-b391-7400a4aec3ea
3. The Israel Land Authority's (ILA) Database: https://apps.land.gov.il/TabaSearch/#/Plans

These sources provide authoritative information on planning and land administration matters. The plans were compiled until February 2025; plan status last reviewed by Adalah on 11 May 2025. Note that this compilation includes only large plans; therefore, the number of units presented represents a minimum and is not comprehensive. Note that a small number of the plans included in the above figure of approved plans have received final committee approval under certain conditions. Their legal effect remains subject to the completion of additional, typically minor, procedural steps or approvals. See plans and further details in Annexes A-D.

authorities (district committee) deposited plans for an additional 8,991 units during the same period.[93] Further, the authorities approved for deposition plans for additional 3,947 housing units and are awaiting formal publication for public objections. Master Plans for an additional 3,296 units are in the preliminary planning stages; these units received initial political approval but have not yet reached the deposition phase.[94]

70. The following example, using a specific plan, outlines the major stages in Israel's planning process for West Bank settlements, while also illustrating the broader procedural framework. This example focuses on a detailed plan that introduces amendments to a master plan. The plan involves the expansion of the settlement of Kokhav Ya'akov, a religious Israeli settlement, and seeks to rezone land initially designated for residential, commercial, and public uses. The plan includes 627 housing units, along with roads, public buildings and infrastructure and covers an area of 253.74 dunams.[95]

71. The plan was submitted by the Mateh Binyamin Regional Council in October 2020 to the District Planning and Building Committee – Subcommittee for Settlement, Judea and Samaria District, which reviews detailed plans for Israeli settlements. This subcommittee operates under the HPC. The plan for the expansion of Kokhav Ya'akov was formally received on 25 October 2020. At this stage, the relevant planning authority conducts a preliminary assessment to ensure the plan complies with legal

[93] In Israeli planning terms, "deposition" refers to the stage at which plans are formally published for public objections. During this phase, relevant authorities and the public may submit objections before the plan proceeds to final approval. See plans in Annex C. Note that some of the plans were deposited before the reporting period but remain at the deposition stage without final approval. However, developments during this time warrant their inclusion in the above statistics.
[94] The documents do not specify who exactly grants the political approval.
[95] Plan number 242/2 Kokhav Ya'akov, available on the ILA website here: https://apps.land.gov.il/TabaSearch/#/Plans/Plan/7002478, and the planning administration here: https://mavat.iplan.gov.il/SV4/1/7005103182/310

and planning requirements. On 4 April 2021, the plan received political-level approval. The Subcommittee held a hearing on the formal deposit of the plan on 23 February 2023, during which it reviewed and approved the plan for deposition. Following approval for deposit, a formal notice was published on official government websites and relevant newspapers. This publication marks the beginning of the public objection period of two months, during which affected parties can challenge or request modifications to the plan. The District Planning and Building Committee then conducts an additional hearing during which it assesses any objections raised and decides whether to accept, modify, or reject the plan. In this case, no objections were filed and the committee approved the plan at a hearing held on 5 February 2025.

72. According to recent data presented by the CA in the Knesset Foreign Affairs and Security Committee in July 2023, 95% of residential plan schemes submitted by Palestinians in Area C are rejected. According to the CA, there is such a high rate of rejection for "professional, land-related, planning reasons, from our vision for future planning of the area, and in some cases, political reasons."[96] According to information obtained by Peace Now, in 2019 and 2020, the CA decided on 342 plans and building permit applications submitted by Palestinians. Of these, it rejected 310—over 90 percent—and approved only 32. During the same period, the authorities approved and advanced plans to build 16,098 new housing units in Israeli settlements and permits for an additional 2,233 housing units were issued. In the years 2009-2018, the authorities granted only 98 of 4,422 requests for building permits filed by Palestinians (2%); these

[96] Protocol No. 62 Meeting of the Foreign Affairs and Security Committee in the Knesset titled "The Palestinian Authority's takeover of the open areas in Judea and Samaria and the Israeli response" (19 July 2023). The protocol does not specify period of data presented. The protocol is available in the following link: https://oknesset.org/meetings/2/2/2208264.html

permits were for a variety of purposes, including housing, industry, agriculture and infrastructure. Of these 98 permits, the authorities issued a few dozen between 2016 and 2018 for the construction of alternative housing for the residents of the village of Khan Al-Ahmar, slated for evacuation.[97] According to data provided to Bimkom – Planners for Human Rights, an Israeli NGO, between 2016 and 2020, Palestinians submitted 2,550 building applications, of which only 24 were approved (less than 1%). The information received by Bimkom indicates a rejection rate of 99% for building permit requests by Palestinians.[98]

73. Planning and construction in the Israeli settlements typically involves many governmental institutions, including the Ministry of Housing and Construction and the ILA. Building permits are granted in accordance with the planning schemes advanced by these bodies, with the exception of the 'unauthorized outposts', which are illegal settlements, even under Israeli law. Settlers establish these outposts without the explicit permission of the Israeli government. However, the government generally seeks to regularize them (see below for more).

C. Enforcement

74. Enforcement and demolition actions in Area C are primarily governed by the Jordanian Planning Law, which has been amended over time by Israeli military legislation to expand enforcement powers.[99]

[97] Peace Now, '(Dis)Approvals for Palestinians in Area C – 2009-2020' (Report) (Peace Now, 31 January 2021). Available in the following link: https://peacenow.org.il/en/approvals-for-palestinians-in-area-c-2009-2020.

[98] Bimkom, Destructive Planning Policies West Bank, 2018-2022, available in the following link: https://bimkom.org/eng/wp-content/uploads/BimkomDemolitionsChangesReport.pdf

[99] Sections 38 and 39 empower the authorities to issue and implement demolition orders against unauthorized construction. Jordanian planning law. As stipulated in the 2024 "Handbook for Training of Elected Officials in the Local Authorities 'Planning and Construction laws in Judea and Samaria", supra note 4, pp. 45-46.

75. The Civil Administration's Supervision Unit is the main body that carries out enforcement measures. The unit is "responsible for law enforcement and security legislation in Area "C", by virtue of planning and construction laws against illegal construction in the Palestinian and Israeli sectors, protecting state lands and the firing zones."[100] According to the Civil Administration, areas of responsibility and services of the unit include "supervision and detection of illegal construction in all sectors and in fire zones; protection of state lands; and conducting land surveys in accordance with political directives."[101]

76. In areas seized for military purposes, enforcement is carried out under the Order Regarding Permits for Work in Areas Seized for Military Needs, empowering the military commander or a designated official to order the demolition, dismantling, or removal of any structure built without a permit or in violation of permit conditions.[102] In other areas, enforcement is carried out under Order 59 and initiated by either local planning committees in the settlements, or the Civil Administration's Supervision Unit. Although each body follows a slightly different procedure, both involve identifying unauthorized construction, judicial review, and the execution of demolitions.

77. Furthermore, the Ministry of Settlement and National Missions has allocated millions of shekels to so-called "inspection units" tasked with the preservation of state land in Area C. In 2023, over NIS 34 million (about USD $9.38 million) were allocated; in 2024, this figure increased to NIS 39

[100] See the explanation about the unit on the Civil Administration's website. Available in the following link: https://www.gov.il/he/departments/units/supervision_unit
[101] Ibid.
[102] Sections 5-6 Order Regarding Permits for Work in Areas Seized for Military Needs (no. 997). Available in the following link:
www.gov.il/BlobFolder/generalpage/laws-yosh/he/District_planning_institutions_tzav_bedavar_matan_ieterim_le_avodot_be_shtahim_tfusim_mispar_997.pdf

million (about USD $10.76 million). According to a government decision from March 2025, more than NIS 39 million have been allocated again for 2025.[103]

78. In 2024, Israeli authorities demolished 1,055 Palestinian-owned structures in Area C, displacing 860 Palestinians.[104] In 2023, the Supervision Unit demolished 550 Palestinian structures, the highest number in 30 years.[105] In comparison, according to the Civil Administration, in the first half of 2023, Israeli authorities identified 266 Israeli structures without permits, while enforcement took place only against 21 such structures.[106]

79. According to the 2023 memorandum of understanding, the Civil Administration's Central Supervision Unit now operates directly under the supervision of the Civilian Deputy.[107] Notably, Minister Smotrich announced plans to overhaul the enforcement system in the West Bank to escalate actions against Palestinian construction. In a recording released by Israeli media he stated: "We are working now to implement a completely new enforcement system in the Civil Administration. It was agreed between the Minister of Defense and me that there is going to be

[103] Government decision regarding budget for 2023-2024 is available here: https://www.gov.il/he/pages/dec511-2023.
The 2025 government decision is available here: https://www.gov.il/he/pages/dec2825-2025. Additionally, a response to a FOIA request from the Ministry of Settlement and National Missions to the NGO Hatzlacha provides a detailed breakdown of the 2023-2024 budgets of the Ministry is available here: https://www.odata.org.il/dataset/d1f4947a-acc5-4847-b58a-aa6ee92cfeaf/resource/4337ed16-9779-4079-8308-d29af9238dfa/download/-.pdf. An announcement by the ministry regarding support for the establishment and operation of a land patrol units in councils in the West Bank for 2025 is available here: https://www.gov.il/he/pages/supportprocedurehityashvut2
See also Peace Now: https://peacenow.org.il/the-budget-of-the-settlement-ministry
[104] UNOCHA-OPT: https://app.powerbi.com/view?r=eyJrIjoiY2NjMTVhOTgtNDZlOS00Y2RkLWFkNzAtZjUyYjRlZTZiZTBjIiwidCI6IjBmOWUzNWRiLTU0NGYtNGY2MC1iZGNjLTVlYTQxNmU2ZGM3MCIsImMiOjh9
In comparison, in 2022, 1,600 new illegal structures were located in Palestinian communities and about 500 structures were demolished.
[105] According to the head of the Unit, in a Foreign Affairs and Security Committee discussion on 21 March 2024 https://main.knesset.gov.il/activity/committees/foreignaffairs/news/pages/21324.aspx
[106] Note that enforcement of building permit laws within settlement boundaries falls under the responsibility of local authorities and is not included in the above figures.
Available here: https://main.knesset.gov.il/news/pressreleases/pages/press19.07.23k.aspx
[107] Supra note 19, para 9.

a completely different concept of operation. There will be a unit that will enforce in built-up areas, there will be a unit that will enforce in open areas, there will be technological aids, there will be a dramatic addition of positions [...] We approach this matter with the understanding that if anywhere else in the State of Israel there are certain purposes for enforcement: rule of law, equality, conservation of scarce resources, environmental considerations; in Judea and Samaria there is one great consideration and purpose, and it is, in the end, geo-political, strategic and security."[108]

80. In the settlements, Special Local Planning Committees also have inspection and enforcement authorities under the decree on the "Appointment of Special Planning Committees (Local Councils and Regional Councils) (Judea and Samaria), 5768–2008. These inspection and enforcement units are authorized to operate against Israeli settlers (Section 4(11)).

D. Regularization of Outposts

81. A key feature of Israel's settlement enterprise and planning strategy is the regularization of unauthorized settler outposts, which, as noted, are settlements established without formal government approval. Nonetheless, the government generally seeks to regularize these outposts retroactively, as will be detailed below.

82. As monitored by Peace Now, in 2023-2024, there was a substantial increase in the establishment of outposts throughout the West Bank.[109]

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[108] The recording is available in the following link: https://www.ynet.co.il/news/article/h1yltbx8c; see also Peace Now, The Annexation Agenda of the Israeli Government, 21 June 2024, available in the following link: https://peacenow.org.il/en/the-annexation-agenda-of-the-israeli-government

[109] See Peace Now's statistics available at: https://peacenow.org.il/en/settlements-watch/settlements-data/population.

83. For years, the settler leadership sought a way to retroactively authorize 'unauthorized' Israeli settlement outposts. These outposts, an outgrowth of the settlement enterprise in the OPT, began to appear in the mid-1990s, when the Israeli government reduced its formal involvement in establishing settlements, apparently due to Israel's international status and the negative stance of most states towards the settlement enterprise. Despite being 'unauthorized', these outposts continued to receive the support of Israeli authorities and bodies acting on behalf of the state, which play a key role in their establishment, including the Ministry of Housing and Construction, the CA, the Ministry of Defense, the Israeli military, and the Settlement Division of the WZO.[110] In a letter dated 23 February 2024, Minister Smotrich directed COGAT and the Head of the CA to promote development and construction in 70 outposts. This directive represents a significant policy shift toward the formalization of these outposts on privately owned Palestinian land.[111]

84. Attempts to regularize the outposts have also intensified since the commencement of the current government in December 2022, along with a decline in demolitions against such "illegal construction." Three governmental decisions address these matters. First, on 12 February 2023, Israel's Security Cabinet (hereinafter: the Cabinet) decided to "regularize" ten settlements (outposts) in the West Bank. [112] According to information published by Peace Now, the ten outposts consist of approximately 335

[110] Talia Sasson, '(Interim) Report Concerning Unauthorized Outposts' (2005) 19, 25-27 (Document on file with Adalah). Twenty years ago, Talia Sasson, a former senior official in the State Attorney's Office, was commissioned by then-Prime Minister Ariel Sharon, and with the approval of then-Attorney General Menachem Mazuz, to draft a report with recommendations concerning the legal principles governing the 'legality' of the outposts. The AG approved the report, and the Israeli government adopted it in Governmental Decision No. 3376 of 13 March 2005. The government decision is available here: https://www.gov.il/he/pages/2005_des3376

[111] The letter, obtained by Peace Now, is available here: https://peacenow.org.il/wp-content/uploads/2024/05/Smotrich_Letter_Outposts_List_230224.pdf

[112] The decision is available here: https://www.gov.il/BlobFolder/pmopolicy/dec6b-2023/he/dec-b6150323.pdf, 12 February 2023.

housing units and are located on over 1,100 dunams of land, including approximately 420 dunams of privately owned Palestinian land.[113] The mapping of these outposts shows that they are situated in the areas of Palestinian rural councils, as follows (See Maps - Regularization of Outposts and Palestinian Local Councils, Annex F):

Israeli Outpost	**Palestinian Village Council**
Avigail	Kfar Yatta Village Council
Beit Hogla	Allenby Musa Village Council
Givat Harel	Sinjil, Al-Laban, Al-Sharkiya, and Qaryut Village Councils
Givat Haroeh	Sinjil Village Council
Givat Arnon	Yanun Village Council
Mitzpe Yehuda	Al Obeida Village Council
Malachei Shalom	Al Ma'air Village Council
Sde Boaz	Al Khader Village Council
Shacharit	Beyda and Kafar Al-Dik Village Councils
Asa'el	A-Sim'a Village Council

85. Second, on 27 June 2024, the Cabinet approved the regularization of five additional outposts.[114] Israeli Minister Bezalel Smotrich explicitly tied this

[113] See Peace Now, 'The Security and Political Cabinet approved the establishment of 9 new settlements by authorizing 10 illegal outposts in the Occupied Territories' 15 February 2023, available in the following link: https://peacenow.org.il/en/the-security-and-political-cabinet-approved-the-establishment-of-9-new-settlements-by-authorizing-10-illegal-outposts-in-the-occupied-territories.
[114] Decision available in the following link: http://adalah.org/uploads/uploads/decision_regularization_outposts_June2024.pdf

decision to international recognition of the State of Palestine, framing it as a retaliatory measure.[115] Mapping of these outposts shows that they are situated in the areas of Palestinian rural councils, as follows (See Maps - Regularization of Outposts and Palestinian Local Councils, Annex F):

Israeli outposts	**Palestinian Village Council**
Givat Assaf	Batin Village Council
Adorayim	Dura Village Council
Sde Ephraim	Kaft Ni'ma and Kharabta Village Councils
Evyatar	Qabalan Village Council
Heletz	Battir Village Council

86. The decisions to regularize these outposts permit the planning and development of areas that were previously considered illegal under Israeli law. By conferring legal status upon these outposts, Israel created a framework that facilitates further settlement expansion and consolidation. For example, as a result of these decisions, the authorities designated some settlement-outposts as eligible for tax benefits, providing a direct incentive for continued expansion and population growth in these areas.[116]

[115] A video of Minister Bezalel Smotrich discussing the decision to regularize is available on the minister's official Instagram page: https://www.instagram.com/reel/C8vDMxtIiRx/?utm_source=ig_web_copy_link

[116] For the tax year 2025, the authorities designated the settlements of Avigail and Asa'el as eligible for tax benefits. The official notice from the Tax Authority (titled "List of Settlements Eligible for Tax Benefits for 2025") is available in the following link: www.gov.il/BlobFolder/generalpage/income-tax-monthly-deductions-booklet/he/generalInformation_income-tax-monthly-deductions-booklet_monthly-deductions-booklet-2025.pdf

87. Third, it was reported, that on 22 March 2025, the Security Cabinet decided to “split 13 communities in Judea and Samaria," granting independent status to settlements that were considered "neighborhoods" of existing settlements. This brings the number of officially recognized settlements from 127 to 140.[117]

88. In addition to the formal regularization, the authorities legalized several outposts through the expansion of existing settlements. The HPC’s Settlement Subcommittee in the West Bank approved the development of over 7,000 housing units in settlements, including those in outposts such as Mevo’ot Yericho, Nofei Nehemiah, Pnei Kedem. This legalization process has been advanced through changes in jurisdictional boundaries or alterations in planning processes. The authorities regularized the following outposts in this manner: [118]

Nofei Nehemia	On 3 April 2023, Israeli planning authorities approved an expansion plan for the settlement of Rehalim, which included the retroactive legalization of the Nofei Nehemia outpost.[119]
Zayit Ra’anan	On 19 May 2023, planning authorities approved the plan for the expansion of the settlement of Talmon, which includes the retroactive legalization of the Zayit Ra’anan outpost. According to Peace Now, previously, this outpost consisted of only a few mobile homes. The approved plan allocates 203 dunams for

[117] Peace Now, The Cabinet Establishes 13 Official Settlements, 23 March 2025, available in the following link: https://peacenow.org.il/en/the-cabinet-establishes-13-official-settlements
[118] Note that another plan has been deposited but not yet approved to regularize the outpost of Pnei Kedem by incorporating it into the settlement of Metzad (Asfar).
[119] For detailed information, refer to the planning document available at: https://mavat.iplan.gov.il/SV4/1/7000782699/310

the development of 189 housing units, effectively establishing a new settlement.[120]

Mevo'ot Yericho — Following a government decision on 15 September 2019 to establish the settlement of Mevo'ot Yericho, planning authorities approved a plan on 20 November 2023 to officially establish the settlement, thereby retroactively legalizing the existing outpost.[121]

89. With these intensified attempts to regularize and support outposts, Government Decision No. 109 of 5 February 2023, transferred certain responsibilities related to West Bank settlements and outposts to the Ministry of the Negev, the Galilee, and National Resilience. This decision granted the ministry authority to promote "regularization measures in the young settlements, including planning, connection, renewal and upgrading of infrastructures, security components, necessary public buildings and other essential infrastructures, and other components as may be required, in coordination with the authorized bodies and subject to the applicable law in the area without detracting from their powers, and with the approval of the Prime Minister on matters of principle as will be determined by him, after coordination with the Minister of the Negev, the Galilee, and National Resilience".[122]

[120] Peace Now, "The government announced the promotion of 6,000 housing units in settlements: in practice, 7,157 units were promoted, including five additional outposts" (19 February 2023). Available in the following link: https://peacenow.org.il/en/the-government-will-advance-over-6000-housing-units-in-settlements-including-the-authorization-of-five-additional-outposts. See official planning documents at the following link: https://mavat.iplan.gov.il/SV4/1/7000929631/310

[121] Decision is available here: https://www.gov.il/he/pages/dec4693_2019

[122] Section (c)(15) of the decision. The governmental decision is available in the following link: https://www.gov.il/he/pages/dec109-2023

E. Re-establishment of Evacuated Settlements

90. On 20 March 2023, the Knesset passed an amendment to the Law on the Implementation of the Disengagement Plan (Amendment No. 7), 2023, which removed the restrictions on the entry and stay of Israeli citizens in the areas that were evacuated as part of the 2005 Disengagement Plan. In practice, this amendment allows settlers to begin to re-establish these four settlements: Sa-Nur, Ganim, Kadim, and Homesh.

91. In response to a letter from Adalah, the International Law Department at the Office of Legal Counsel and Legislative Affairs of the Israeli Justice Ministry, on 21 May 2023, asserted, among other things, that the decision to amend the disengagement law is political in nature and does not contradict international law. The response makes clear that the amendment eliminates the criminal prohibition on Israeli presence in the evacuated area and enables them to "acquire property rights in the future, in accordance with the established normative framework in the region". Furthermore, the Justice Ministry stated that the "essence of the law is to equate the status of the evacuated area in northern Samaria to the status of other designated areas, defined as Area C."[123]

92. Meanwhile, on 18 May 2023, Major General Yehuda Fox, Commander of the Central Command, signed an order entitled "Implementation of the Disengagement Plan (Cancellation regarding the Homesh area) (Judea and Samaria) (No. 2137) 2023-5783". This order permits the presence of settlers in the specific area marked as the "Homesh area" on the map.[124] Subsequently, on 29 May 2023, Israeli settlers relocated a yeshiva from

[123] The response is available in the following link:
www.adalah.org/uploads/uploads/Response_Disengagament_Law_21_May_2023.pdf
[124] The order is available in the following link:
www.gov.il/BlobFolder/legalinfo/disengagement-plan/he/--%202137%20'מס%20צו%20בדבר%20ביטול%20חוק%20ההתנתקות%20במרחב%20חומש%20.pdf

privately owned Palestinian land to an area designated as state land within the former outpost of Homesh.[125] Another Order was issued by Major General Fox on 10 May 2024 – "Order Concerning the Implementation of the Disengagement Plan (Cancellation with Regard to Northern Samaria) (Judea and Samaria) (No. 2190), 5774-2024"[126]- map attached to the order marked the four abovementioned dismantled settlements.

Conclusions

93. Israel's longstanding policy of settlement expansion and annexation of territories in the West Bank has markedly accelerated under the 37th government. Since its formation, the government has advanced significant measures aimed at entrenching settlements and formalizing annexation, in line with its declared commitments regarding its governance and control over the West Bank.

94. The government's fundamental guidelines are predicated on the principle that the right to self-determination between the Mediterranean and the Jordan River and in the occupied Syrian Golan, is reserved exclusively to the Jewish people.[127] Accordingly, the Prime Minister expressly pledged that his government would lead "the formulation and promotion of a policy under which sovereignty will be implemented"[128] throughout the West Bank, when Israel's "national and international interests" so permit. The government has reiterated this position in its

[125] Peace Now "The Road to the Reestablishment of the Outpost of Homesh" (30 May 2023). Available in the following link: https://peacenow.org.il/en/the-settlement-of-homesh-was-reestablished
[126] Available in the following link: https://www.idf.il/media/uezl2wyo/צו-בדבר-יישום-תוכנית-ההתנתקות-ביטול-ביחס-לצפון-השומרון-יהודה-ושומרון-מס-2190-התשפד-2024.pdf
[127] Supra note 16.
[128] Section 26 of the coalition agreement with the "Noam" party. Available in the following link: https://main.knesset.gov.il/mk/government/Documents/CA37-Noam.pdf

correspondence with Adalah. In one such letter, the Cabinet Secretary, Yossi Fuchs, replied as follows: "Judea and Samaria are the cradle of the history for the Jewish people and were liberated in 1967 in a defensive war against the aggression of the Jordanian occupation, which illegally held these areas since 1948. The area of Judea and Samaria was included in the territory designated for the establishment of a Jewish state in the Land of Israel over 100 years ago within the framework of the League of Nations decision that was unanimously accepted at the San Remo conference by the 50 member states."[129] This gives concrete expression to, and goes even further than, the 2018 Basic Law: Israel – The Nation-State of the Jewish People, which constitutionally entrenches racial discrimination, defines Jewish settlement as a national value, and limits the right to self-determination exclusively to the Jewish people within the "Land of Israel," a term that encompasses all of Mandatory Palestine.[130]

95. The measures and policies adopted by the current government clearly illustrate the ongoing process of civilianization, including by transferring authority over settlement-related matters to various Israeli government ministries. These measures and policies deepen and expand the subjugation and control of the Palestinian people and reflect the total denial of their right to self-determination in their homeland, while implementing laws and institutional measures which, in practice, bypass

[129] Response from the Cabinet Secretary Mr. Yossi Fuchs dated 21 February 2023 to the letter of Adalah Attorney Suhad Bishara, dated 14 February 2023, regarding Government Decision no. 109, dated 5 February 2023, under the title "Changing the name of the Ministry for the Development of the Periphery, the Negev and the Galilee to Ministry of the Negev, Galilee and National Resilience; transfer of spheres of operation; transfer of powers from minister to minister, and the amendment of government decisions" with regard to the transfer of areas and spheres of operation in the 1967 Occupied Territories to the "Ministry of the Negev, Galilee and National Resilience". See the translated response (English) in the following link: www.adalah.org/uploads/uploads/Response_Cabinet_Secretary_English_21_February_2023.pdf

[130] See more in Adalah's position paper on the law https://www.adalah.org/uploads/uploads/Adalah%20Position%20Paper%20-%20Basic%20Law%20Jewish%20Nation%20State%20-%20ENGLISH%20-%2015072018%20-%20FINAL.pdf

the applicability of IHL and replace it with domestic Israeli law and illegitimate political interests.[131]

96. These actions flagrantly violate international law, in that:

a. They contradict fundamental principles of IHL: The measures seek to supplant the norms of IHL by applying Israeli law to the West Bank in the fields covered by this report, despite the clear obligation under public international law that the authority of the military commander must be exercised in accordance with the laws of occupation.

b. These measures, especially the application of Israeli law norms in the West Bank, contradict Regulation 43 and 64 of the Hague Regulations. This conclusion was also reached by the International Court of Justice (ICJ) in its Advisory Opinion dated 19 July 2024, on the question of the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. In its opinion, the ICJ addressed the application of the Israeli legal framework in the occupied territories and determined, inter alia, that such application is contrary to Regulation 43 of the Hague Regulations and Article 64 of the Fourth Geneva Convention:

> "... the Court considers that Israel has exercised its regulatory authority as an occupying Power in a manner that is inconsistent with the rule reflected in Article 43 of the Hague Regulations and Article 64 of the Fourth Geneva Convention."[132]

[131] These measures, in practice, void the "Promulgation on Legal and Administrative Arrangements Procedures" (No. 2) dated 11 August 1967, which established the military regime in the West Bank and sought to maintain the governmental, legal, and judicial procedures that existed in the occupied territories, subject to changes to be made by the order of the military commander and resulting from the establishment of the military regime. This decree entrusted the management of these territories solely to the military commander.

[132] Advisory Opinion, "Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem" (19 July 2024). Available in the following link: https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf, para. 141.

c. These actions further entrench the illegality of Israel's settlement enterprise: The ICJ, in its Advisory Opinion of 9 July 2004 on the "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory", had already determined the status of all the territories occupied by Israel in 1967 as occupied territories and that the establishment settlements in these territories constitutes a violation of IHL.[133] In its Advisory Opinion of July 2024, the ICJ further determined that the transfer of settlers to the occupied territories, as well as actions to maintain their presence, are contrary to the sixth paragraph of Article 49 of the Fourth Geneva Convention.[134]

d. The actions outlined above deepen prohibited annexation measures of occupied territories. These actions deepen the mechanism of *de facto* annexation of occupied territories and can even be considered a *de jure* annexation move through the direct application of Israeli law in the West Bank in clear violation of international law. The ICJ determined, in this context, that:

> "Israel's extension of its domestic law to the West Bank, notably to the settlements and over the settlers (see paragraphs 134-141 above), as well as its assumption of broader regulatory powers by virtue of the prolonged character of the occupation, entrenches its control over the occupied territory....
> ... the Court is of the view that Israel's policies and practices, including the maintenance and expansion of settlements, the construction of associated infrastructure, including the wall, the exploitation of natural resources, the proclamation of Jerusalem as Israel's capital, the comprehensive application of Israeli domestic law in East Jerusalem and its extensive application in the West Bank, entrench Israel's control of the Occupied Palestinian Territory, notably of East Jerusalem and of Area C of the West Bank. These policies and practices are designed to remain in place indefinitely

[133] Advisory Opinion, "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory" (9 July, 2004), para. 120. Available in the following link: https://www.icj-cij.org/sites/default/files/case-related/131/131-20040709-ADV-01-00-EN.pdf
[134] Supra note 132, paras. 119, 155.

and to create irreversible effects on the ground. Consequently, the Court considers that these policies and practices amount to annexation of large parts of the Occupied Palestinian Territory."[135]

e. The discussed measures entrench the violation of the right to self-determination of the Palestinian people and the illegality of Israel's presence in the occupied territories. In its Advisory Opinion, the ICJ determined, inter alia, that Israel's policy in the occupied territories, including the policy of settlements and *de facto* and de jure annexation, demonstrates an intention to establish final and irreversible facts in the territory, while violating the right to self-determination of the Palestinian people, and that the continued presence of the State of Israel in the Palestinian territories occupied since 1967 is unlawful.

f. These substantial measures further deepen the apartheid system that already exists in the OPT.[136] The legal mechanisms described in this report established and maintain an institutionalized system of "domination by one racial group of persons over any other racial group of persons and systematically oppressing them". This mechanism is prohibited by the International Convention on the Suppression and Punishment of the Crime of Apartheid (1973), which defines practices of apartheid as a crime against humanity. Therefore, the above measures

[135] Ibid, paras. 170, 173.
[136] See: Supra note 132, paras. 225-229; Michael Lynk, "Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967" (12 August 2022). Available in the following link: https://docs.un.org/en/A/HRC/49/87
See also: Human Rights Watch, "A Threshold Crossed - Israeli Authorities and the Crimes of Apartheid and Persecution" (27 April 2021). Available in the following link: https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution
Amnesty International, "Israel's apartheid against Palestinians: Cruel system of domination and crime against humanity" (1 February 2022). Available in the following link: https://www.amnesty.org/en/documents/mde15/5141/2022/en/
Michael Sfard, "The Israeli Occupation of the West Bank and the Crime of Apartheid: Legal Opinion" (Yesh Din June 2020). Available in the following link: https://www.yesh-din.org/en/the-occupation-of-the-west-bank-and-the-crime-of-apartheid-legal-opinion/

also constitute the crime of apartheid, which is also defined as a crime against humanity under Article 7(1)(j) of the Rome Statute of the ICC.

g. Finally, the transfer of a civilian population by the occupying power to occupied territory is classified as a war crime under the Rome Statute establishing the ICC (Article 8 (2) (b) VIII of the Statute). Annexation is also defined as a crime of aggression under Article 8 (2) (a) of the Rome Statute.

Annexes

Annex A: Plans pending deposition that have received approval from the political echelon

Annex B: Plans approved for deposition, in many cases subject to conditions

Annex C: Deposited Plans

Annex D Approved plans

Annex E: Tenders

Annex F: Maps and Diagrams

Annex A: Plans pending deposition that have received approval from the political echelon

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Plan 426/7/2/1/א – Beitar Illit
Date of political echelon approval: 31/05/2023
Objective: rezoning to land for commercial and employment use.
Number of Housing Units: 230
Link: https://mavat.iplan.gov.il/SV4/1/7005273782/310

Plan 118/1 – Yakir
Date of political echelon approval: 28/06/2023
Objective: Rezoning from agricultural land to residential, public open space, engineering facilities, future planning, road, and public buildings.
Number of Housing Units: 632
Link: https://mavat.iplan.gov.il/SV4/1/7005108920/310

Plan 419/3/1 – Bat Ayin
Date of political echelon approval: 19/01/2025
Objective: Expansion of settlement.
Number of Housing Units: 1170
Link: https://mavat.iplan.gov.il/SV4/1/7005232114/310

Plan 222/5 – Psagot
Date of political echelon approval: 16/01/2025
Objective: Rezoning residential, agricultural, and public areas for residential, public buildings, open spaces, and roads.
Number of Housing Units: 350
Link: https://mavat.iplan.gov.il/SV4/1/7005389554/310

Plan 158/5/1 - Avnei Hefetz
Date of political echelon approval: 03/02/2025
Objective: Development of eastern neighborhood including 720 housing units.
Number of Housing Units: 720
Link: https://mavat.iplan.gov.il/SV4/1/7005360176/310

Plan 235/9/3 – Talmon
Date of political echelon approval: 02/02/2025
Objective: Expansion of a residential neighborhood.
Number of Housing Units: 194
Link: https://mavat.iplan.gov.il/SV4/1/7005339944/310

Annex B: Plans approved for deposition, in many cases subject to conditions

Plan 237/7 - Eli
Date of approval: 27/11/2024
Objective: Increase density from 40 to 50 housing units.
Number of Housing Units: 10
Link: https://mavat.iplan.gov.il/SV4/1/7005306292/310

Plan 203/7 - Halamish
Date: 26/06/2023
Objective: Rezoning from industrial, agricultural, and public land to residential, public buildings, open spaces, roads, commercial areas, and engineering facilities. Expansion of settlement.
Number of Housing Units: 330
Link: https://mavat.iplan.gov.il/SV4/1/7005246290/310

Plan 414/2/3 - Metzad
Date: 29/01/2025
Objective: Rezoning from road, open space, residential, and agricultural land to residential, open space, commerce, public buildings, and employment areas.
Number of Housing Units: 509
Link: https://mavat.iplan.gov.il/SV4/1/7005332184/310

Plan 210/4/2/6 - Modi'in Ilit
Date: 03/07/2024
Objective: Rezoning from office and commercial employment land to residential, employment, buildings, and public institutions.
Number of Housing Units: 300
Link: https://mavat.iplan.gov.il/SV4/1/7005311118/310

Plan 418/2/1/א - Alon Shvut
Date: 03/07/2024
Objective: First stage of the settlement's expansion includes 250 housing units, part of a larger plan for 1,006 units.
Number of Housing Units: 250
Link: https://mavat.iplan.gov.il/SV4/1/7005392508/310

Plan א/ 1/ 118 - Yakir
Date: 04/07/2024
Objective: Expansion of settlement, rezoning to residential, commercial, and public buildings.

Number of Housing Units: 168
Link: https://mavat.iplan.gov.il/SV4/1/7005392512/310

Plan 235/13/1 - Talmon
Date: 04/07/2024
Objective: Stage 1 of settlement expansion, comprising 436 housing units as part of a larger 1,404-unit plan.
Number of Housing Units: 436
Link: https://mavat.iplan.gov.il/SV4/1/7005392504/310

Plan 516/3/1 - Adora
Date: 26/06/2023
Objective: Legalization of existing structures and expansion.
Number of Housing Units: 287
Link: https://mavat.iplan.gov.il/SV4/1/7005227104/310

Plan 107/1 – Elon Moreh
Date: 04/12/2024
Objective: Rezoning agricultural land to residential, road and others. Plan seeks to legalize existing construction.
Number of Housing Units: 83
Link: https://mavat.iplan.gov.il/SV4/1/7005307430/310

Plan 235/12/2 – Talmon
Date: 14/01/2025
Objective: Expansion of settlement.
Number of Housing Units: 202
Link: https://mavat.iplan.gov.il/SV4/1/7005340968/310

Plan 203/7/1 – Neveh Tzuf
Date: 29/01/2025
Objective: Rezoning from future residential and roads to residential and roads.
Number of Housing Units: 126
Link: https://mavat.iplan.gov.il/SV4/1/7005432258/310

Plan 119/10/4 – Nofim
Date: 18/12/2024
Objective: Rezoning agricultural, future planning, and nature reserve areas to residential, public use, roads, commercial, and industrial zones.
Number of Housing Units: 168
Link: https://mavat.iplan.gov.il/SV4/1/7005238700/310

Plan 612 - Kedem Arava
Date: 04/07/2024
Objective: planning for the settlement outpost of Beit Hogla, retroactively regularized by the Israeli government in its February 2023 decision.
Number of Housing Units: 316
Link: https://mavat.iplan.gov.il/SV4/1/7005153594/310

Plan 232/3 – Hashmonaim
Date: 05/03/2025
Objective: Rezoning agricultural land to residential, commercial, public use, open spaces, and roads.
Number of Housing Units: 478
Link: https://mavat.iplan.gov.il/SV4/1/7005336516/310

Plan 163/3/6 - Itamar
Date of committee's approval for deposition: 26/02/2025
Objective: Expansion of a residential neighborhood through rezoning agricultural land.
Number of Housing Units: 284
Link: https://mavat.iplan.gov.il/SV4/1/7005309332/310

Annex C: Deposited Plans

Plan 413/1/8 - Ma'ale Amos
Date: 19/02/2025
Objective: Rezoning to residential, public buildings, roads, open public space.
Number of Housing Units: 117
Link: https://mavat.iplan.gov.il/SV4/1/7005313478/310

Plan 426/1/1/3/10/1 - Beitar Illit
Date: 20/02/2025
Objective: Rezoning to residential, commercial, public buildings.
Number of Housing Units: 393
Link: https://mavat.iplan.gov.il/SV4/1/7005342070/310

Plan 420/4/10 (E-1 East) - Ma'ale Adumim
Date: 27/02/2020, on 08/01/2024 plan's status changed to "decision on the plan."
Objective: Residential Neighborhood E-1 East. Status changed to "decision on the plan."
Number of Housing Units: 2,173
Link: https://mavat.iplan.gov.il/SV4/1/7000268939/310

Plan 420/4/7 (E-1 South) - Ma'ale Adumim
Date: 27/02/2020, on 08/01/2024 plan's status changed to "decision on the plan."
Objective: Neighborhood E-1 South. Status changed to "decision on the plan."
Number of Housing Units: 1,228
Link: https://mavat.iplan.gov.il/SV4/1/7000268933/310

Plan 113/11/3 - Kdumim
Date: 05/12/2022, on 15/04/2024 the District Committee decided to make minor changes to the plan prior to its approval.
Objective: Expansion of residential neighborhood. Rezoning for residential, mixed-use, public buildings.
Number of Housing Units: 377
Link: https://mavat.iplan.gov.il/SV4/1/7005118208/310

Plan 131/3/1 - Kfar Tapuach
Date: 06/07/2023
Objective: Rezoning to residential, public open space, public buildings, commercial.
Number of Housing Units: 133
Link: https://mavat.iplan.gov.il/SV4/1/7001014813/310

Plan 125/26 - Elkana
Date: 29/03/2023
Objective: Expansion of residential neighborhood.
Number of Housing Units: 500
Link: https://mavat.iplan.gov.il/SV4/1/7005117018/310

Plan 404/2 - Elazar
Date: 20/11/2023
Objective: Expansion of residential neighborhood. Number of Housing Units: 433
Link: https://mavat.iplan.gov.il/SV4/1/7005251728/310

Plan 510/6/2 - Kiryat Arba
Date: 04/04/2024
Objective: rezoning from future residential to residential and public buildings.
Number of Housing Units: 234
Link: https://mavat.iplan.gov.il/SV4/1/7005127166/310

Plan 237/4 - Eli
Date: 11/04/2024

Objective: Rezoning primarily from agricultural areas to residential zones, public buildings, open spaces, commercial and office spaces, tourism, rural accommodation, sports and recreation, trails, parking, and roads.
Number of Housing Units: 414
Link: https://mavat.iplan.gov.il/SV4/1/7005153814/310

Plan 122/15 - Sha'arei Tikva
Date: 12/06/2023
Objective: Rezoning from agricultural land to residential, public open space, public buildings, and roads.
Number of Housing Units: 191
Link: https://mavat.iplan.gov.il/SV4/1/7005227248/310

Plan 237/6 - Eli
Date: 11/04/2024
Objective: Rezoning from open spaces, agricultural land, and roads to residential, public buildings, recreation areas, and roads.
Number of Housing Units: 347
Link: https://mavat.iplan.gov.il/SV4/1/7005213868/310

Plan 237/5 - Eli
Date: 11/04/2024
Objective: Rezoning from residential, public spaces, agricultural land, and roads to residential, public buildings, commercial areas, cemetery, forest, park, engineering facilities, and roads.
Number of Housing Units: 650
Link: https://mavat.iplan.gov.il/SV4/1/7005269472/310

Plan 117/1/4/10 - Karnei Shomron
Date: 25/07/2024
Objective: Rezoning from commercial to commercial and residential.
Number of Housing Units: 27
Link: https://mavat.iplan.gov.il/SV4/1/7005077172/310

Plan 208/3/3 - Ganei Modi'in
Date: 23/09/2024
Objective: Rezoning from: agricultural area, engineering facilities, open public space, and roads to residential, public buildings and institutions, open public space, and roads.
Number of Housing Units: 150
Link: https://mavat.iplan.gov.il/SV4/1/7001021803/310

Plan 130/15 - Ariel
Date: 30/10/2024
Objective: Rezoning from agricultural land, roads, and open landscape area to residential land, public buildings, public open space, engineering facilities, and roads.
Number of Housing Units: 98
Link: https://mavat.iplan.gov.il/SV4/1/7005284634/310

Plan 420/1/6/25 - Ma'ale Adumim
Date: 07/11/2024
Objective: 340 housing units, public institutions, and areas designated for engineering facilities and roads.
Number of Housing Units: 340
Link: https://mavat.iplan.gov.il/SV4/1/7005286570/310

Plan 19/ב/426/7 - Beitar Illit
Date: 09/12/2024
Objective: Construction of 98 housing units and a commercial area.
Number of Housing Units: 98
Link: https://mavat.iplan.gov.il/SV4/1/7005324804/310

Plan 220/10/21 - Giv'at Ze'ev
Date: 09/12/2024
Objective: Increasing the number of housing units from 18 to 21 in the plan.
Number of Housing Units: 3
Link: https://mavat.iplan.gov.il/SV4/1/7005117274/310

Plan 104/2/1 - Mevo Dotan
Date: 13/01/2025
Objective: Expansion of the settlement. Adding 251 housing units on top of approved 204.
Number of Housing Units: 251
Link: https://mavat.iplan.gov.il/SV4/1/7005109160/310

Plan 220/10/9 - Giv'at Ze'ev
Date: 28/01/2025
Objective: Addition of 5 housing units.
Number of Housing Units: 5
Link: https://mavat.iplan.gov.il/SV4/1/7005263870/310

Plan 126/2/8 - Etz Efraim
Date: 29/01/2025
Objective: Planning for an addition of 24 housing units, totaling 73 units.
Number of Housing Units: 24
Link: https://mavat.iplan.gov.il/SV4/1/7005321690/310

Plan 14/1/ב/426/7 - Beitar Illit
Date: 02/02/2025
Objective: rezoning from commercial zones to residential and commercial.
Number of Housing Units: 27
Link: https://mavat.iplan.gov.il/SV4/1/7005243792/310

Plan 227/9 - Kfar Adumim
Date: 25/07/2023
Objective: Rezoning from Residential, Public Open Space, and Judean Desert (RJ-5) to Residential, Public Buildings, Parking, Sports and Recreation, and Roads. Regularization of existing housing units.
Number of Housing Units: 52
Link: https://mavat.iplan.gov.il/SV4/1/7000963349/310

Plan 237/3/2 – Eli
Date: 17/02/2025
Objective: Increase in residential density from 80 to 100 units.
Number of Housing Units: 20
Link: https://mavat.iplan.gov.il/SV4/1/7005415442/310

Plan 126/15 - Etz Efraim
Date of deposition: 18/02/2025
Objective: Rezoning from future residential, open space, desert to residential and public buildings.
Number of Housing Units: 80
Link: https://mavat.iplan.gov.il/SV4/1/7005321586/310

Plan 116/5/3 - Ma'ale Shomron
Date of deposition: 11/03/2025
Objective: Rezoning from agricultural land to residential, roads, and public use. Expansion of neighborhood.
Number of Housing Units: 120
Link: https://mavat.iplan.gov.il/SV4/1/7005275056/310

Plan 129/6 - Kiryat Netafim
Date of deposition: 25/02/2025

Objective: Rezoning from agricultural land to residential, commerce, and public spaces.
Number of Housing Units: 136
Link: https://mavat.iplan.gov.il/SV4/1/7005360314/310

Plan 208/3/4 – Ganei Modi'in
Date of deposition: 03/04/2025
Objective: Expansion of the settlement, residential areas, and public buildings.
Number of Housing Units: 178
Link: https://mavat.iplan.gov.il/SV4/1/7005403140/310

Plan 126/6/1 - Etz Efraim
Date of deposition: 03/03/2025
Objective: Rezoning from proposed road and future planning area to public education institutions, residential, and road.
Number of Housing Units: 192
Link: https://mavat.iplan.gov.il/SV4/1/7000411617/310

Annex D: Approved plans

Plan 224/3 – Rimonim
Date of committee decision: 19/02/2025
Objective: Rezoning from agricultural, industrial, and open spaces to residential, commercial, public buildings, and roads.
Number of Housing Units: 98
Link: https://mavat.iplan.gov.il/SV4/1/7005198542/310

Plan 242/2 – Kokhav Ya'akov
Date of committee decision: 05/02/2025
Objective: Rezoning from proposed residential, commercial, and public spaces to residential, public buildings, parks, and roads.
Number of Housing Units: 627
Link: https://mavat.iplan.gov.il/SV4/1/7005103182/310

Plan 411/12 - Nokdim
Date of committee decision: 04/07/2024
Objective: Rezoning to residential, public buildings, open public space, landscape preservation. Approved on 04/07/2024 subject to conditions.
Number of Housing Units: 290
Link: https://mavat.iplan.gov.il/SV4/1/7001006257/310

Plan 116/5/2 – Karnei Shomron

Date of official approval (notice published): 11/03/2025
Objective: Rezoning from residential, tourism, agricultural, and public spaces to residential, tourism, and roads, with added residential area.
Number of Housing Units: 56
Link: https://mavat.iplan.gov.il/SV4/1/7005108650/310

Plan 160/12 – Pedu'el
Date of official approval (notice published): 19/02/2025
Objective: Rezoning from agricultural, residential, and public space to residential, public buildings, open space, and road. Adding 25 units to the existing 8.
Number of Housing Units: 25
Link: https://mavat.iplan.gov.il/SV4/1/7005369878/310

Plan 142/4 – Migdalim
Date of official approval (notice published): 17/02/2025
Objective: Rezoning from agricultural land and public spaces to residential, public buildings, and roads. Adding 172 units and regularizing 12 units.
Number of Housing Units: 184
Link: https://mavat.iplan.gov.il/SV4/1/7005244020/310

Plan 3/2/א/7/426 – Beitar Illit
Date of official approval (notice published): 25/02/2025
Objective: Rezoning from institutional to residential and commercial.
Number of Housing Units: 28
Link: https://mavat.iplan.gov.il/SV4/1/7005336394/310

426/7/A/4 – Beitar Illit
Date of official approval (notice published): 19/03/2025
Objective: Rezoning from urban center area to residential and commercial.
Number of Housing Units: 184
Link: https://mavat.iplan.gov.il/SV4/1/7005323456/310

Plan 149/14 – Zufim
Date of official approval (notice published): 10/10/2024
Objective: Rezoning from agricultural land and open space to residential, public space, and parking.
Number of Housing Units: 74
Link: https://mavat.iplan.gov.il/SV4/1/7005199382/310

Plan 410/5/76 – Eftat
Date of official approval (notice published): 15/02/2023
Objective: Addition of 4 housing units (from 12 to 16 units).

Number of Housing Units: 4
Link: https://mavat.iplan.gov.il/SV4/1/7005038988/310

Plan 515/7 – Teneh Omarim
Date of official approval (notice published): 20/02/2023
Objective: Increasing density through rezoning, adding more units to the existing residential area.
Number of Housing Units: 68
Link: https://mavat.iplan.gov.il/SV4/1/7005108694/310

Plan 126/14 – Etz Efraim
Date of official approval (notice published): 02/04/2023
Objective: Add 3 housing units to the 2 already planned on residential land.
Number of Housing Units: 3
Link: https://mavat.iplan.gov.il/SV4/1/7005070230/310

Plan 166/6/2 – Hinanit
Date of official approval (notice published): 02/04/2024
Objective: Rezoning agricultural land to residential.
Number of Housing Units: 8
Link: https://mavat.iplan.gov.il/SV4/1/7005189488/310

Plan 107/8 – Elon Moreh
Date of official approval (notice published): 03/04/2023
Objective: Expansion of settlement by rezoning agricultural land to residential, public spaces, recreation, and roads.
Number of Housing Units: 100
Link: https://mavat.iplan.gov.il/SV4/1/7000342777/310

Plan 171/1 – Rehelim
Date of official approval (notice published): 02/04/2023
Objective: Rezoning land to residential, commercial, and public areas, legalizing the Nofei Nehemiya outpost.
Number of Housing Units: 212
Link: https://mavat.iplan.gov.il/SV4/1/7000782699/310

Plan ב/522 – Sansana
Date of official approval (notice published): 02/04/2023
Objective: Rezoning agricultural, tourism, and open spaces to residential, commercial, and public areas.
Number of Housing Units: 100
Link: https://mavat.iplan.gov.il/SV4/1/7000895685/310

Plan 405/6/6/2 – Alon Shvut
Date of official approval (notice published): 02/04/2023
Objective: Increase in the number of housing units.
Number of Housing Units: 18
Link: https://mavat.iplan.gov.il/SV4/1/7005109650/310

Plan 411/6/4/3 – Nokdim
Date of official approval (notice published): 02/04/2023
Objective: Rezoning from future planning to residential.
Number of Housing Units: 32
Link: https://mavat.iplan.gov.il/SV4/1/7005132810/310

Plan 234/1/4 – Dolev
Date of official approval (notice published): 03/04/2023
Objective: Rezoning of open space and future planning areas to roads, residential zones, and open public spaces.
Number of Housing Units: 90
Link: https://mavat.iplan.gov.il/SV4/1/7005090514/310

Plan 110/2/1 – Einav
Date of official approval (notice published): 20/04/2023
Objective: Rezoning of future planning areas, agricultural land, engineering facilities, and open spaces to residential zones, public institutions, commerce, and roads.
Number of Housing Units: 179
Link: https://mavat.iplan.gov.il/SV4/1/7005046104/310

Plan 212/2/1 – Mevo Horon
Date of official approval (notice published): 03/04/2023
Objective: Rezoning agricultural, future residential and open spaces to residential and public areas.
Number of Housing Units: 210
Link: https://mavat.iplan.gov.il/SV4/1/7000929711/310

Plan 414/3/1 – Metzad
Date of official approval (notice published): 25/04/2023
Objective: Rezoning agricultural land and roads to residential and public areas, *de facto* legalizing the Pnei Kedem outpost.
Number of Housing Units: 120
Link: https://mavat.iplan.gov.il/SV4/1/7005035274/310

Plan 113/13/3 – Kdumim
Date of official approval (notice published): 02/04/2023

Objective: Rezoning agricultural and future planning areas to residential, public, commercial, and office spaces.
Number of Housing Units: 317
Link: https://mavat.iplan.gov.il/SV4/1/7005102234/310

Plan 603/4 – Vered Yeriho
Date of official approval (notice published): 02/04/2023
Objective: Rezoning agricultural and public land to residential and open spaces. Expansion of settlement.
Number of Housing Units: 45
Link: https://mavat.iplan.gov.il/SV4/1/7005039108/310

Plan 235/7/1 – Talmon
Date of official approval (notice published): 15/05/2023
Objective: Rezoning agricultural land and public areas to residential and commercial use, according to Peace Now, the plan seeks to build a new settlement on lands currently held by the Zayit Ra'anan outpost, where there are currently a small number of caravans.
Number of Housing Units: 189
Link: https://mavat.iplan.gov.il/SV4/1/7000929631/310

Plan 220/10/28 – Giv'at Ze'ev
Date of official approval (notice published): 12/09/2023
Objective: Increase housing units from 54 to 98 in the same area.
Number of Housing Units: 44
Link: https://mavat.iplan.gov.il/SV4/1/7005134928/310

Plan 126/16 – Etz Efraim
Date of official approval (notice published): 15/08/2024
Objective: Change designation from future residential zone to residential.
Number of Housing Units: 12
Link: https://mavat.iplan.gov.il/SV4/1/7005262402/310

Plan 220/31 – Giv'at Ze'ev
Date of official approval (notice published): 13/09/2023
Objective: Rezoning agricultural land to residential and public areas.
Number of Housing Units: 486
Link: https://mavat.iplan.gov.il/SV4/1/7005207642/310

Plan 507/1/2 – Carmel
Date of official approval (notice published): 12/09/2023
Objective: Expansion of the settlement.
Number of Housing Units: 42

Link: https://mavat.iplan.gov.il/SV4/1/7000894435/310

Plan 426/3/1 – Beitar Illit
Date of official approval (notice published): 02/08/2023
Objective: rezoning agricultural land to residential, commercial, and roads.
Number of Housing Units: 221
Link: https://mavat.iplan.gov.il/SV4/1/7000721041/310

Plan 220/10/16 – Giv'at Ze'ev
Date of official approval (notice published): 18/09/2023
Objective: Convert single-family lots to two-family lots.
Number of Housing Units: 29
Link: https://mavat.iplan.gov.il/SV4/1/7005128686/310

Plan 330 – Mevo'ot Yericho
Date of official approval (notice published): 30/03/2023
Objective: Establish a new settlement and legalize the existing outpost in the area.
Number of Housing Units: 181
Link: https://mavat.iplan.gov.il/SV4/1/7005033078/310

Plan 170/5 – Revava
Date of official approval (notice published): 24/01/2024
Objective: Expand the settlement with new neighborhoods on previously agricultural land.
Number of Housing Units: 381
Link: https://mavat.iplan.gov.il/SV4/1/7005043156/310

Plan 125/25 – Elkana
Date of official approval (notice published): 16/04/2024
Objective: Rezoning agricultural land to residential areas, roads, public buildings, and open spaces.
Number of Housing Units: 350
Link: https://mavat.iplan.gov.il/SV4/1/7000964023/310

Plan 410/5/7 – Efrat
Date of official approval (notice published): 05/06/2024
Objective: Rezoning from future planning to residential, public open space, commerce, roads, and public buildings. A new neighborhood.
Number of Housing Units: 974
Link: https://mavat.iplan.gov.il/SV4/1/7000998713/310

Plan 144/2/1 – Hermesh

Date of official approval (notice published): 15/07/2024
Objective: Rezoning from agricultural and public open space to residential.
Number of Housing Units: 7
Link: https://mavat.iplan.gov.il/SV4/1/7000947503/310

Plan 208/1/13/8 – Ganei Modi'in
Date of official approval (notice published): 15/09/2024
Objective: Change 23 single-family homes to duplexes.
Number of Housing Units: 23
Link: https://mavat.iplan.gov.il/SV4/1/7000337017/310

120/13 – Emmanuel
Date of official approval (notice published): 20/09/2024
Objective: Rezoning from agricultural and open areas to residential development.
Number of housing units: 96
Link: https://mavat.iplan.gov.il/SV4/1/7005153562/310

426/7/B/16 – Beitar Illit
Date of official approval (notice published): 23/09/2024
Objective: Rezoning urban area for residential and commercial use.
Number of housing units: 46
Link: https://mavat.iplan.gov.il/SV4/1/7005243808/310

426/7/B/17 – Beitar Illit
Date of official approval (notice published): 23/09/2024
Objective: Rezoning urban area for residential and commercial use.
Number of housing units: 68
Link: https://mavat.iplan.gov.il/SV4/1/7005249582/310

414/2/5 – Metzad
Date of official approval (notice published): 05/09/2024
Objective: Rezoning agricultural land to residential and roads.
Number of housing units: 6
Link: https://mavat.iplan.gov.il/SV4/1/7005140158/310

426/1/3/21 – Beitar Illit
Date of official approval (notice published): 23/09/2024
Objective: Rezoning for additional residential area.
Number of housing units: 184
Link: https://mavat.iplan.gov.il/SV4/1/7005273746/310

510/14/3 – Kiryat Arba
Date of official approval (notice published): 03/07/2024
Objective: Rezoning for residential, public buildings, and open spaces.
Number of housing units: 140
Link: https://mavat.iplan.gov.il/SV4/1/7005190298/310

237/8 – Eli
Date of official approval (notice published): 24/09/2024
Objective: Rezoning of land for residential areas, with 24 additional units.
Number of housing units: 24
Link: https://mavat.iplan.gov.il/SV4/1/7005098314/310

510/22/3 – Kiryat Arba
Date of official approval (notice published): 24/09/2024
Objective: Rezoning for residential, public buildings, and open spaces.
Number of housing units: 24
Link: https://mavat.iplan.gov.il/SV4/1/7000370595/310

120/1/4 – Emmanuel
Date of official approval (notice published): 15/09/2024
Objective: Addition of 170 housing units.
Number of housing units: 170
Link: https://mavat.iplan.gov.il/SV4/1/7001030771/310

220/28 – Giv'at Ze'ev
Date of official approval (notice published): 01/10/2024
Objective: Rezoning from agricultural land to residential, commercial, and public spaces.
Number of housing units: 228
Link: https://mavat.iplan.gov.il/SV4/1/7005215824/310

226/2/1/2 – Almon
Date of official approval (notice published): 10/10/2024
Objective: Rezoning from residential, commercial, agricultural, and open space use to higher-density residential, public, commercial, and tourism use.
Number of housing units: 91
Link: https://mavat.iplan.gov.il/SV4/1/7000945673/310

228/5 – Mitzpe Yeriho
Date of official approval (notice published): 10/10/2024
Objective: Rezoning from agricultural, public buildings, open spaces, and future planning areas to residential, public buildings, open spaces, parks, pathways, and roads.

Number of housing units: 365
Link: https://mavat.iplan.gov.il/SV4/1/7005198586/310

107/8/1 – Elon Moreh
Date of official approval (notice published): 10/10/2024
Objective: expansion of residential neighbourhood.
Number of housing units: 186
Link: https://mavat.iplan.gov.il/SV4/1/7005280172/310

ב/521/1 – Negohot
Date of official approval (notice published): 03/07/2024
Objective: Rezoning for residential, commercial, and public spaces.
Number of housing units: 158
Link: https://mavat.iplan.gov.il/SV4/1/7005114478/310

414/2/1/1 – Metzad
Date of official approval (notice published): 22/12/2024
Objective: Rezoning from public open space to residential.
Number of housing units: 27
Link: https://mavat.iplan.gov.il/SV4/1/7005229494/310

220/10/11/1 – Giv'at Ze'ev
Date of official approval (notice published): 13/01/2025
Objective: Small-scale residential development.
Number of housing units: 5
Link: https://mavat.iplan.gov.il/SV4/1/7005201302/310

220/10/17/1 – Giv'at Ze'ev
Date of official approval (notice published): 13/01/2025
Objective: Increase in housing units by splitting existing units.
Number of housing units: 5
Link: https://mavat.iplan.gov.il/SV4/1/7005344594/310

501/1/1 – Telem
Date of official approval (notice published): 28/01/2025
Objective: Expansion of a residential neighborhood.
Number of housing units: 196
Link: https://mavat.iplan.gov.il/SV4/1/7005245518/310

Plan 224/2 - Rimonim
Date of committee's decision to approve, subject to minor conditions: 19/02/2025
Objective: Rezoning to residential, public buildings, public open space, mixed-use.
Number of Housing Units: 90
Link: https://mavat.iplan.gov.il/SV4/1/7000339413/310

Plan 413/4/2 - Ma'ale Amos
Date: 23/04/2025
Objective: Rezoning to residential, public buildings, open spaces.
Number of Housing Units: 76
Link: https://mavat.iplan.gov.il/SV4/1/7005205622/310

Plan 413/5/1 - Ma'ale Amos
Date of committee's decision to approve, subject to minor conditions: 19/03/2025
Objective: Re-designation to residential, commercial, public institutions, parks, roads.
Number of Housing Units: 409
Link: https://mavat.iplan.gov.il/SV4/1/7005096024/310

Plan 131/6 - Kfar Tapuach
Date of committee's decision to approve, subject to minor conditions: 23/04/2025
Objective: Residential neighborhood planning and increasing density.
Number of Housing Units: 105
Link: https://mavat.iplan.gov.il/SV4/1/7000419189/310

Plan 126/6 - Etz Efraim
Date: 19/03/2025
Objective: Rezoning from roads, open spaces, and future residential to residential and public zones and others.
Number of Housing Units: 252
Link: https://mavat.iplan.gov.il/SV4/1/7005205608/310

Plan 413/5/1/1 - Ma'ale Amos
Date: 19/03/2025
Objective: Rezoning from future development area to residential.
Number of Housing Units: 152
Link: https://mavat.iplan.gov.il/SV4/1/7005307368/310

Plan 420/1/7/59/1 - Ma'ale Adumim
Date of committee's decision to approve, subject to minor conditions: 26/03/2025
Objective: Expansion of Residential Neighborhood.
Number of Housing Units: 1,113
Link: https://mavat.iplan.gov.il/SV4/1/7005220740/310

Plan 420/1/7/59/2 - Ma'ale Adumim
Date of committee's decision to approve, subject to minor conditions: 02/04/2025
Objective: Rezoning from urban, public, forestry, and logistical areas to residential, commercial, public buildings, open spaces, and roads.
Number of Housing Units: 1,294
Link: https://mavat.iplan.gov.il/SV4/1/7005220716/310

Plan 420/1/7/59/3 - Ma'ale Adumim
Date of committee's decision to approve, subject to minor conditions: 02/04/2025
Objective: Rezoning from industry, open public space, forestry and separation areas, and road to residential, commercial and employment, public buildings, open areas, road, parking, and others.
Number of Housing Units: 1,108
Link: https://mavat.iplan.gov.il/SV4/1/7005220728/310

Plan 122/7 - Sha'arei Tikva
Date of approval: 26/02/2025
Objective: 5 housing units.
Number of Housing Units: 5
Link: https://mavat.iplan.gov.il/SV4/1/7005071482/310

Plan 220/10/8 - Giv'at Ze'ev
Date: 23/04/2025
Objective: Addition of 12 housing units.
Number of Housing Units: 12
Link: https://mavat.iplan.gov.il/SV4/1/7005071284/310

Plan 2/2/א/426/7 - Betar Illit
Date: 02/04/2025
Objective: Rezoning from municipal institutions and road to residential, commercial, and road.
Number of Housing Units: 143
Link: https://mavat.iplan.gov.il/SV4/1/7005363364/310

Annex E: Tenders

Approved Tenders

Tender Number	Settlement	Publication Date	Approval Date	Number of Housing Units	Link
136/2023	Ma'ale Efrayim	27/04/2023	18/12/2023	44	Link
135/2023	Geva Binyamin	27/04/2023	18/12/2023	60	Link
88/2023	Efrat	22/03/2023	25/12/2023	83	Link
138/2023	Karnei Shomron	02/05/2023	31/12/2023	48	Link
164/2023	Elkana	31/05/2023	11/02/2024	10	Link
2/2021	Beit Aryeh-Ofarim	18/01/2021	20/05/2024	159	Link
47/2024	Efrat	04/02/2024	24/06/2024	62	Link
41/2024	Ma'ale Efrayim	28/01/2024	22/07/2024	44	Link
64/2024	Karnei Shomron	08/02/2024	19/08/2024	48	Link
259/2024	Geva Binyamin	07/08/2024	19/03/2025	60	Link

Published Tenders (pending)

Tender Number	Settlement	Publication Date	Approval Date	Number of Housing Units	Link
89/2023	Beitar Illit	22/03/2023	Tender not yet open.	20	Link
90/2023	Efrat	22/03/2023	Tender not yet open.	110	Link
92/2023	Beitar Illit	22/03/2023	Tender not yet open.	727	Link
134/2023	Kiryat Arba	27/04/2023	A pending tender, for which no applications have been received.	156	Link
37/2024	Geva Binyamin	28/01/2024	Tender not	60	Link

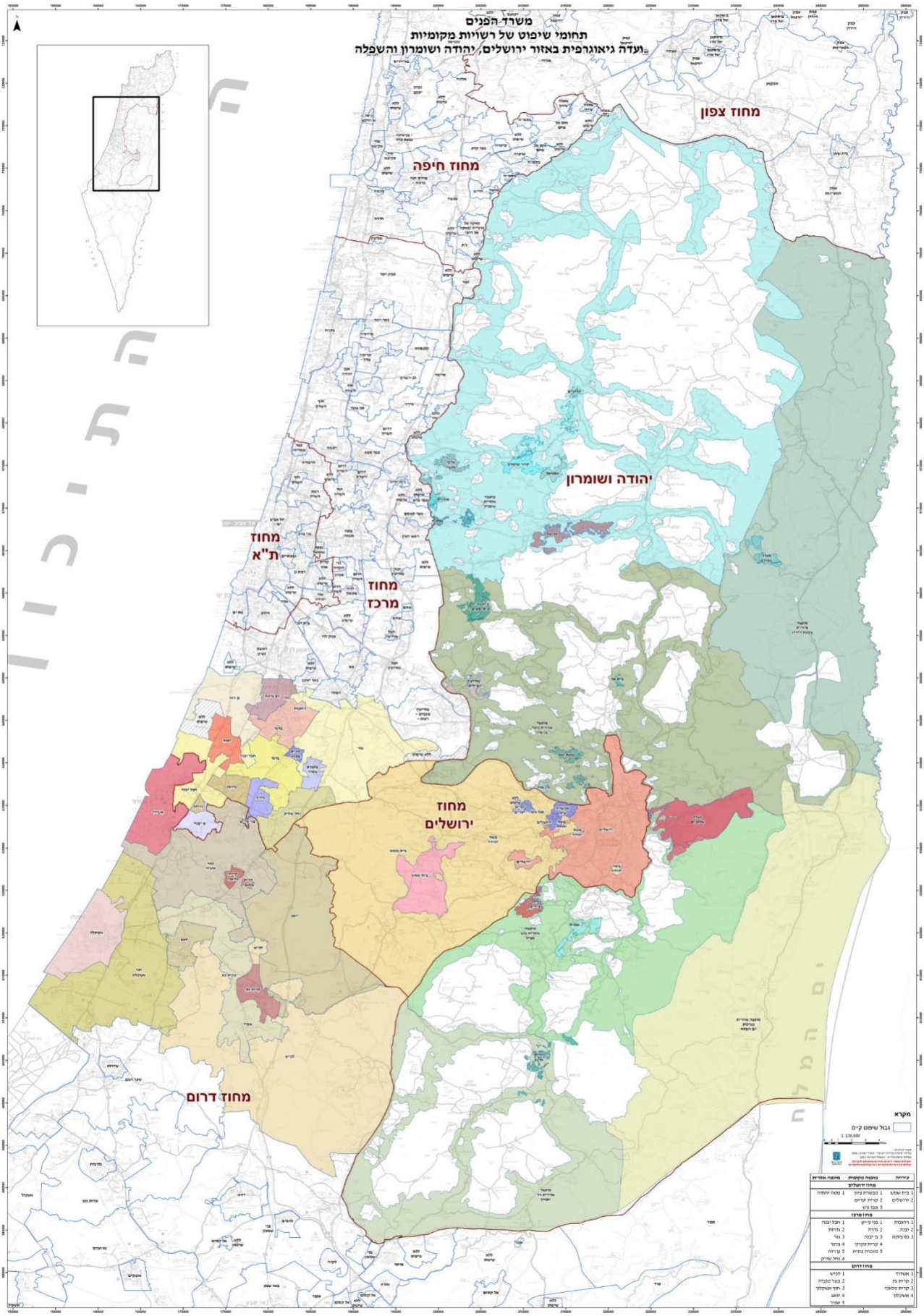
			yet open.		
61/2024	Kiryat Arba	08/02/2024	Tender not yet open.	1	Link
51/2024	Ari'el	08/02/2024	Tender not yet open.	12	Link
49/2024	Geva Binyamin	08/02/2024	Tender not yet open.	12	Link
52/2024	Ari'el	08/02/2024	Tender not yet open.	39	Link
53/2024	Beitar Illit	08/02/2024	Tender not yet open.	Commerce	Link
65/2024	Karnei Shomron	08/02/2024	Tender not yet open.	Commerce and/or offices	Link
66/2024	Har Gilo	08/02/2024	Open for offers.	Commerce and/or offices	Link
57/2024	Matityahu	08/02/2024	Tender not yet open.	Gas station	Link
58/2024	Dolev	08/02/2024	Tender not yet open.	Gas station	Link
59/2024	Kohav HaShahar	08/02/2024	Tender not yet open.	Gas station	Link
63/2024	Adora	11/02/2024	Tender not yet open.	Gas station	Link
56/2024	Karnei Shomron	11/02/2024	Tender not yet open.	82	Link
55/2024	Kokhav Ya'akov	11/02/2024	Tender not yet open.	160	Link
54/2024	Rehelim	11/02/2024	Tender not yet open.	Commerce	Link
50/2024	Giv'at Ze'ev	14/02/2024	Tender not yet open.	3	Link
111/2024	Ma'ale Adumim	16/06/2024	Tender not yet open.	Industrial	Link
220/2024	Beit Aryeh-Ofarim	08/07/2024	Tender not yet open.	110	Link
261/2024	Alon Shvut	08/08/2024	Tender not yet open.	40	Link

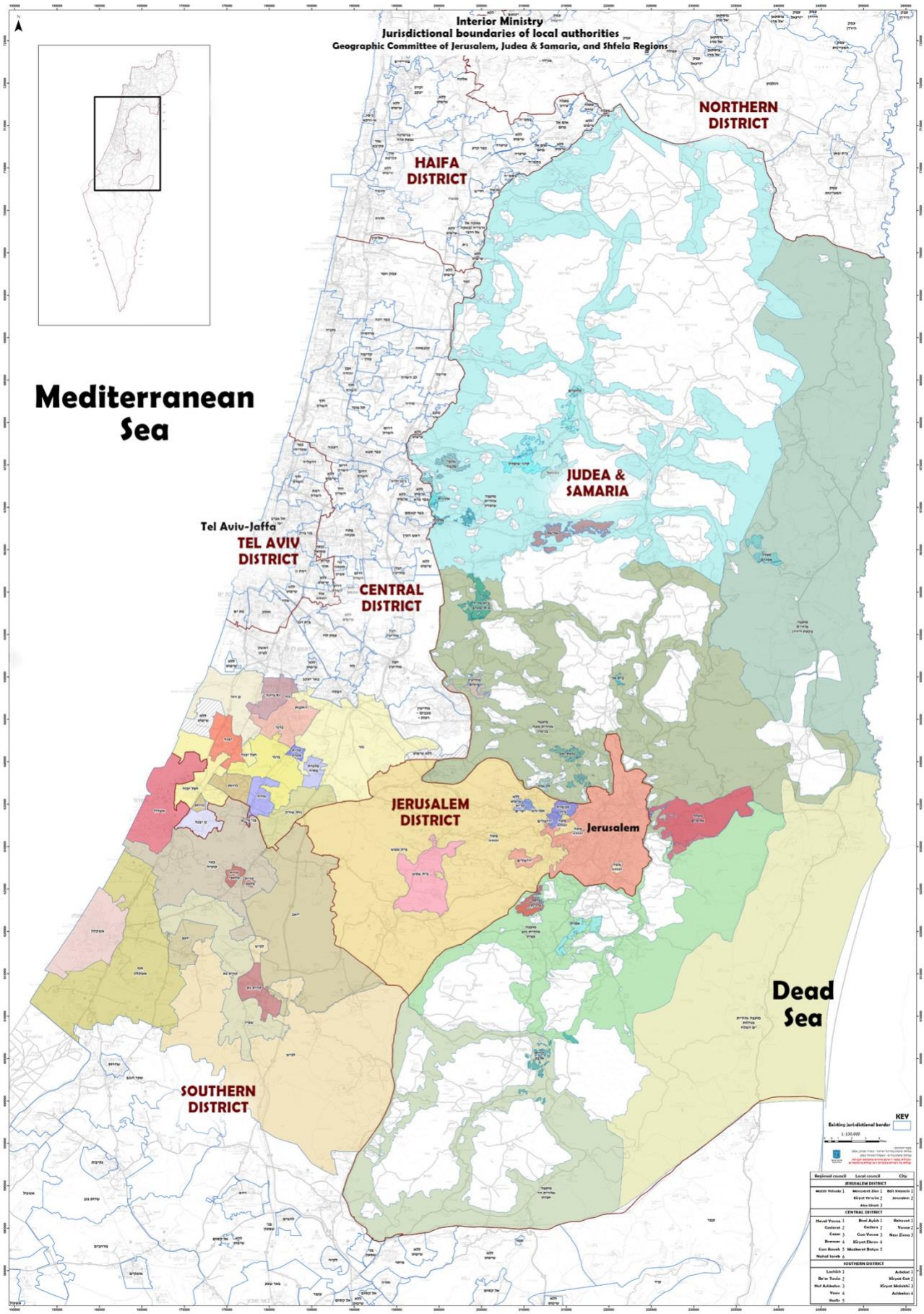
252/2024	Dolev	08/08/2024	Tender not yet open.	Employment facilities	Link
254/2024	Dolev	08/08/2024	Tender not yet open.	Tourism	Link
260/2024	Emmanuel	12/08/2024	Tender not yet open.	96	Link
301/2024	Ma'ale Efrayim	27/08/2024	Tender not yet open.	Commerce	Link
300/2024	Emmanuel	03/11/2024	Tender not yet open.	Industrial	Link
390/2024	Ma'ale Adumim	07/11/2024	Tender not yet open.	Industrial	Link
398/2024	Ma'ale Adumim	10/11/2024	Tender not yet open.	Industrial	Link
471/2024	Beitar Illit	30/12/2024	Tender not yet open.	300 and commerce	Link
38/2025	Efrat	12/02/2025	Tender not yet open.	694	Link
39/2025	Efrat	12/02/2025	Tender not yet open.	280	Link

Annex F: Maps and Diagrams

1. **Jurisdictional Areas According to the Geographic Committee**:

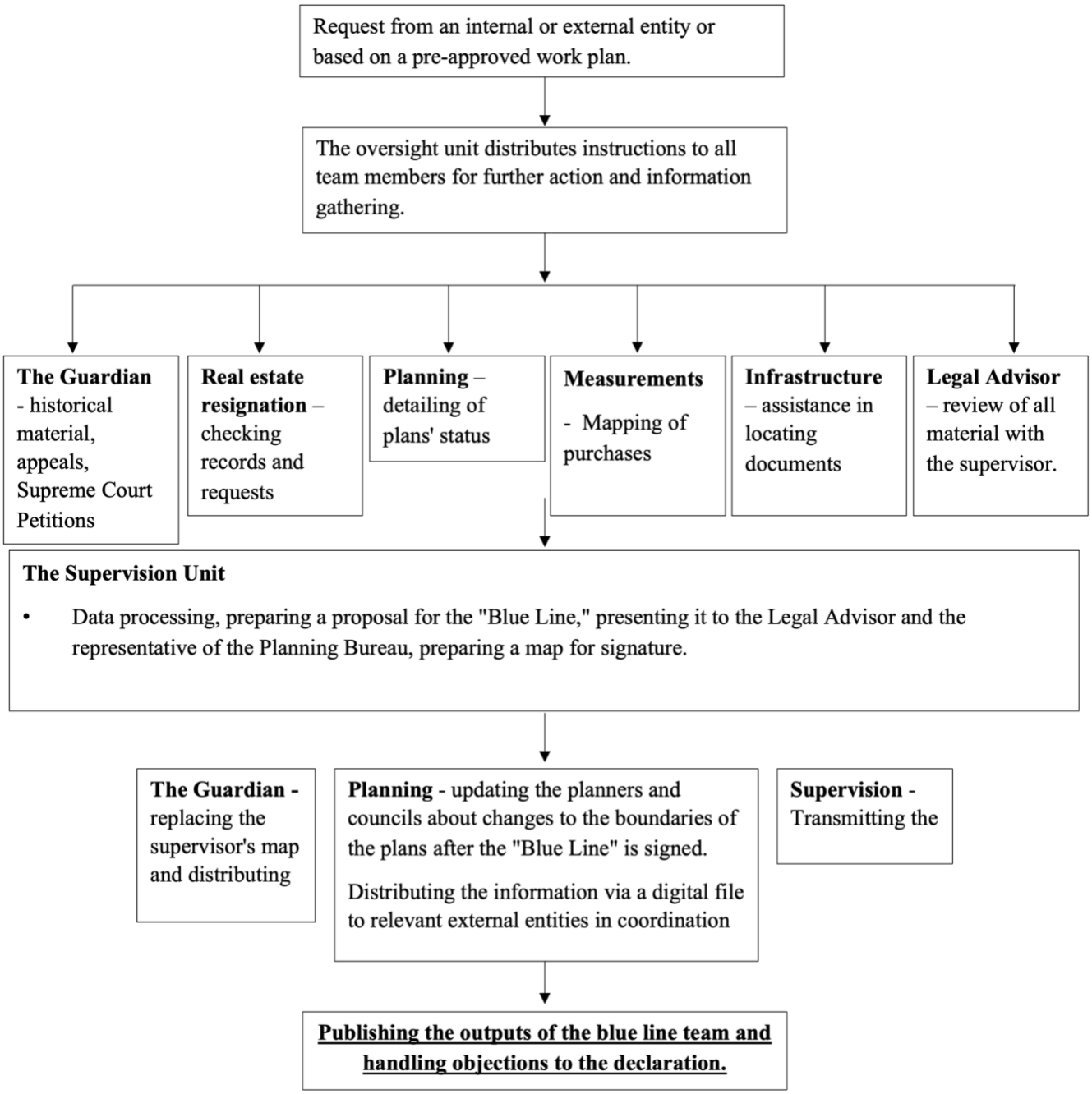
Map outlining the defined jurisdictional boundaries as determined by the Geographic Committee (Hebrew original). The second map is an unofficial translation of this map to English.


משרד הפנים
תחומי שיפוט של רשויות מקומיות
ועדה גיאוגרפית באזור ירושלים/ יהודה ושומרון והשפלה
מחוז צפון
מחוז חיפה
יהודה ושומרון
מחוז ת"א
מחוז מרכז
מחוז ירושלים
מחוז דרום
מקרא
גבול שיפוט קיים
1:130,000
עזרייה
מועצה מקומית
מועצה אזורית
מחוז ירושלים
1 בית שמש
2 ירושלים
1 משגיאת ניצן
2 קריית יערים
3 אבו גוש
1 מטה יהודה
מחוז מרכז
1 רחובות
2 יבנה
3 מזכרת בתיה
4 קריית עקרון
5 גן רווה
6 נחל שורק
1 בני עייש
2 מרחיב
3 נהר
4 בורר
1 רעות
2 יבנה
3 כפר ביל"ו
מחוז דרום
1 אופקים
2 קריית גת
3 שדרות
4 נתיבות
5 עומר
1 לכיש
2 באר טוביה
3 רמת נגב
4 יואב
5 שדות נגב
1 אשדוד
2 קריית מלאכי
3 אשקלון
4 אשכול


Interior Ministry
Jurisdictional boundaries of local authorities
Geographic Committee of Jerusalem, Judea & Samaria, and Shfela Regions
NORTHERN DISTRICT
HAIFA DISTRICT
JUDEA & SAMARIA
Mediterranean Sea
Tel Aviv-Jaffa
TEL AVIV DISTRICT
CENTRAL DISTRICT
JERUSALEM DISTRICT
Jerusalem
Dead Sea
SOUTHERN DISTRICT
KEY
Existing jurisdictional border
1:130,000
Regional council
Local council
City
JERUSALEM DISTRICT
Mate Yehuda 1
Mevaseret Zion 1
Beit Shemesh 1
Kiryat Ye'arim 2
Jerusalem 2
Abu Ghosh 3
CENTRAL DISTRICT
Hevel Yavne 1
Bnei Ayish 1
Rehovot 1
Gedera 2
Gedera 2
Yavne 2
Gezer 3
Gan Yavne 3
Ness Ziona 3
Brenner 4
Kiryat Ekron 4
Gan Raveh 5
Moadonet Batya 5
Nahal Iorde 6
SOUTHERN DISTRICT
Lachish 1
Ashdod 1
Be'er Tuvia 2
Kiryat Gat 2
Hof Ashkelon 3
Kiryat Malakhi 3
Yoav 4
Ashkelon 4
Shafir 5

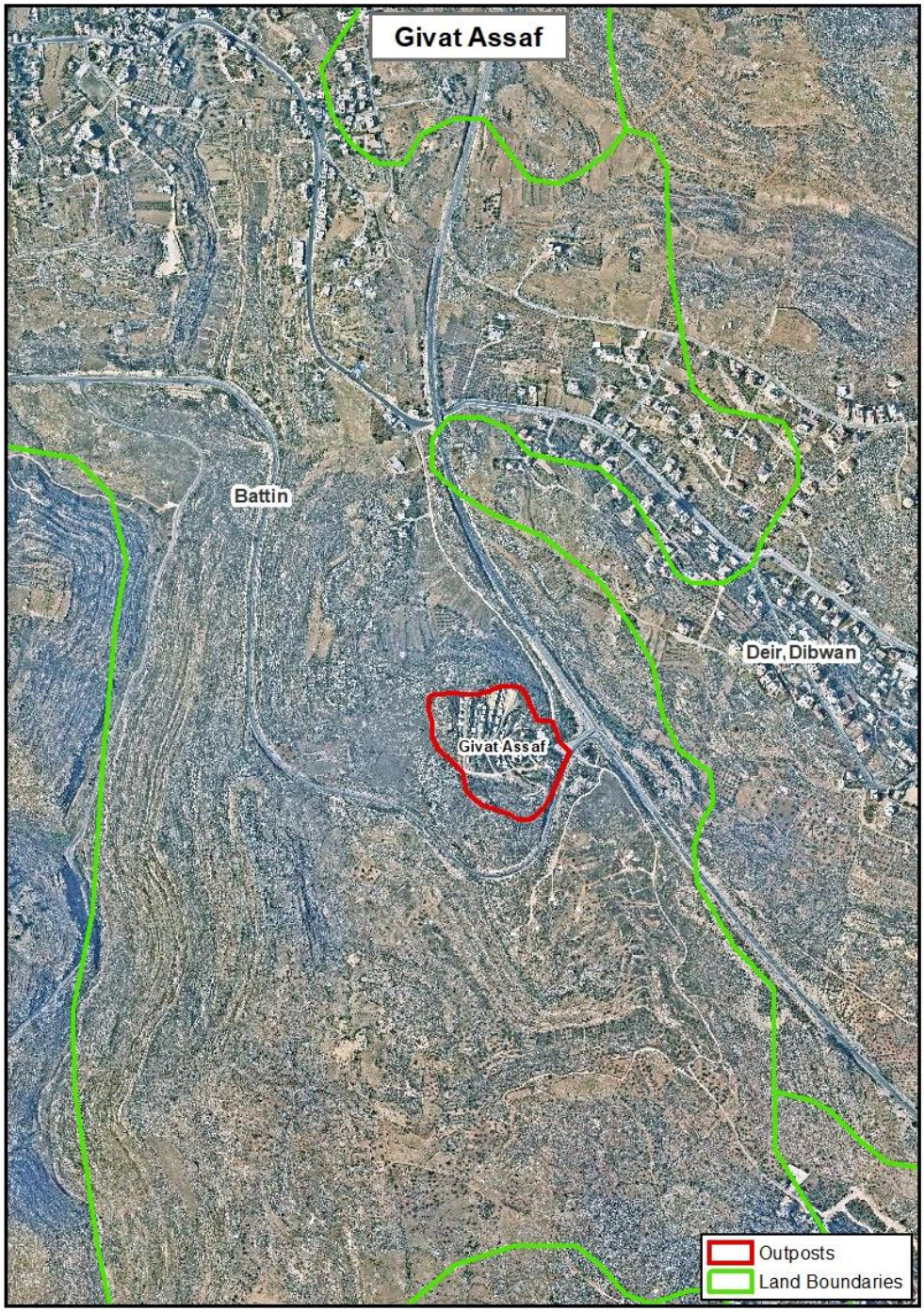
2. **Diagram: Workflow of the "Blue Team", regarding Declarations on State Land**

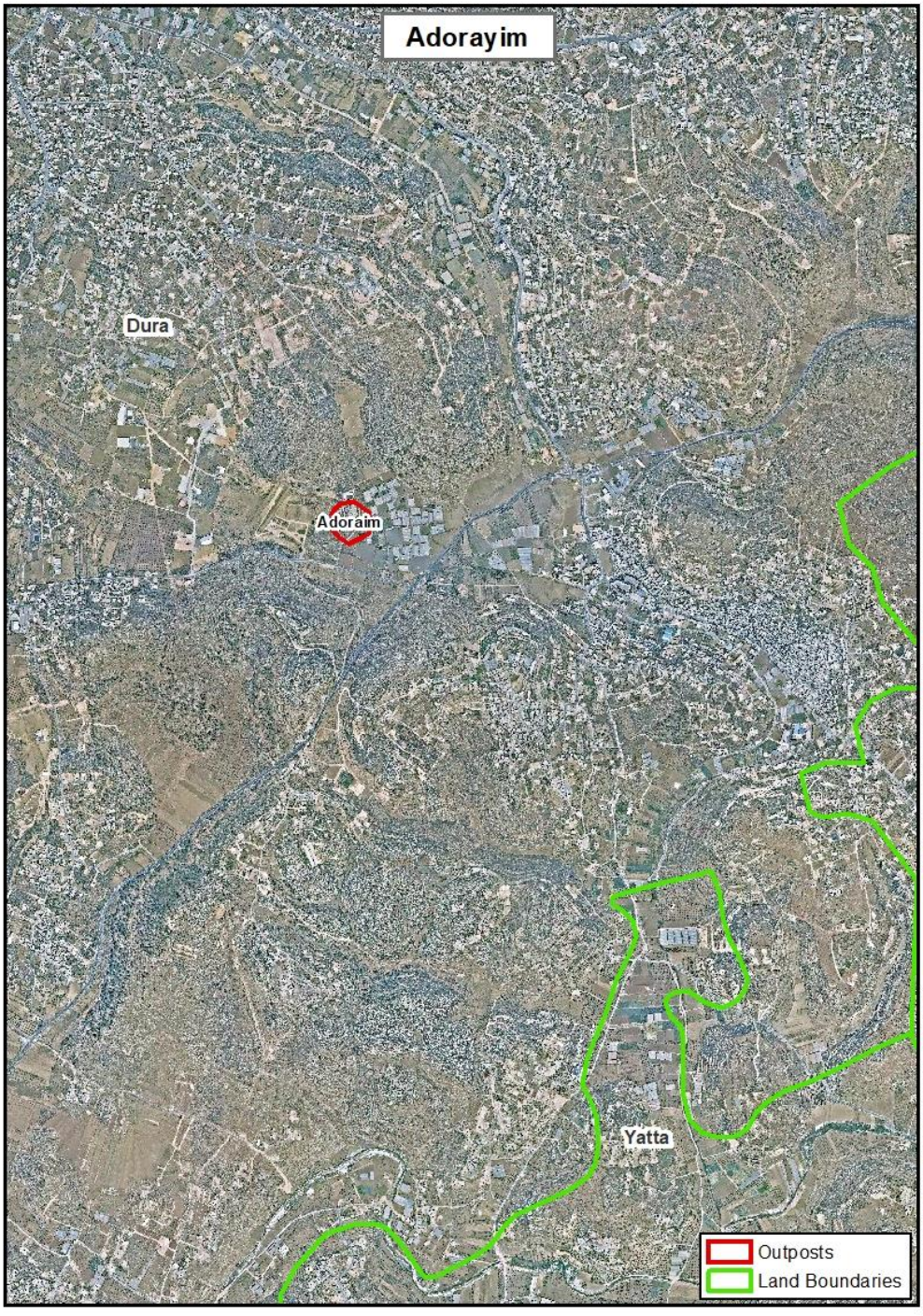
A detailed workflow diagram illustrating the Blue Team's processes related to the declaration of state land (COGAT, June 2016). The diagram below is an unofficial translation to English by Adalah. The original document in Hebrew is available at:
https://www.adalah.org/uploads/uploads/Procedure_Blue_Team_2016.pdf

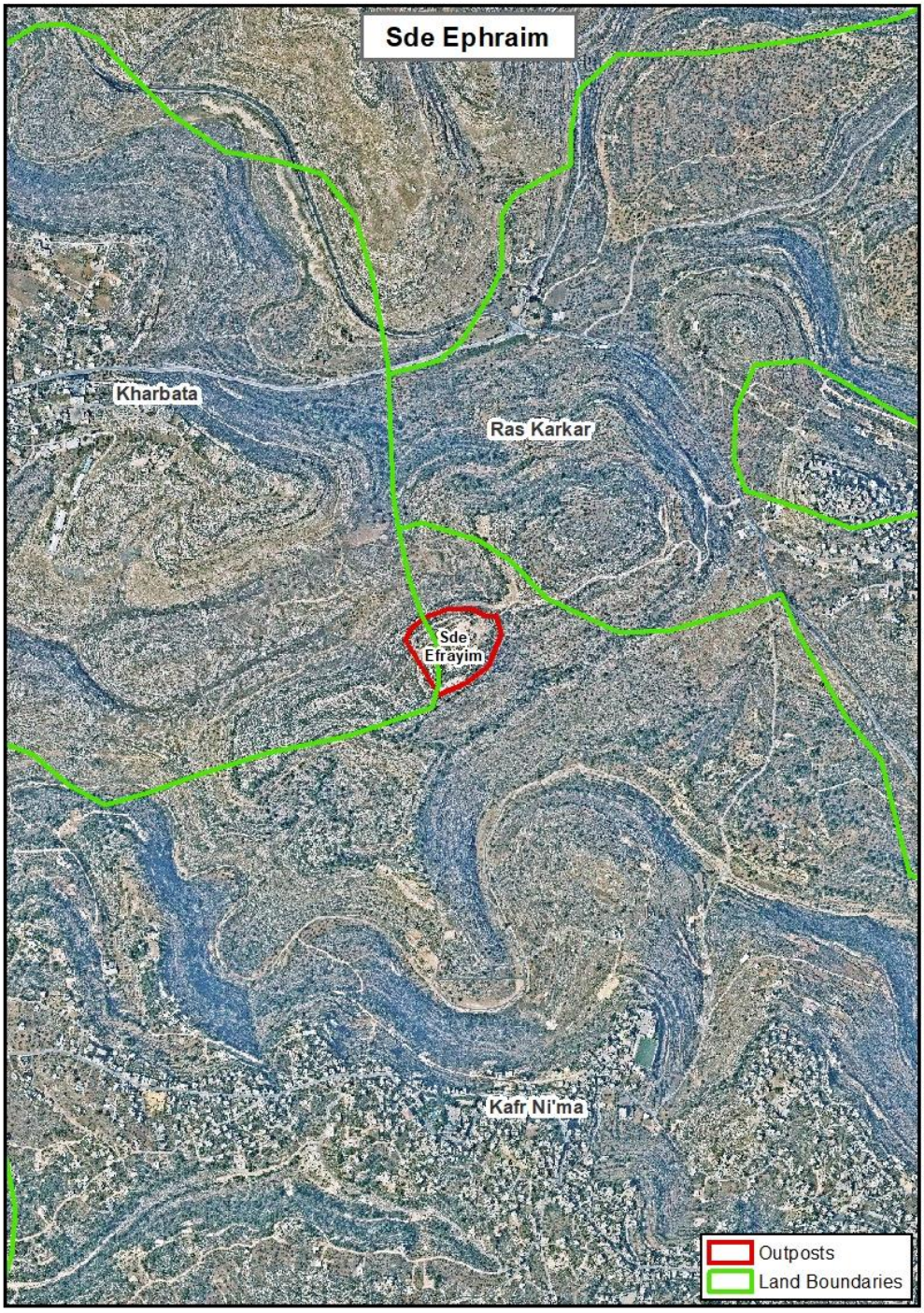


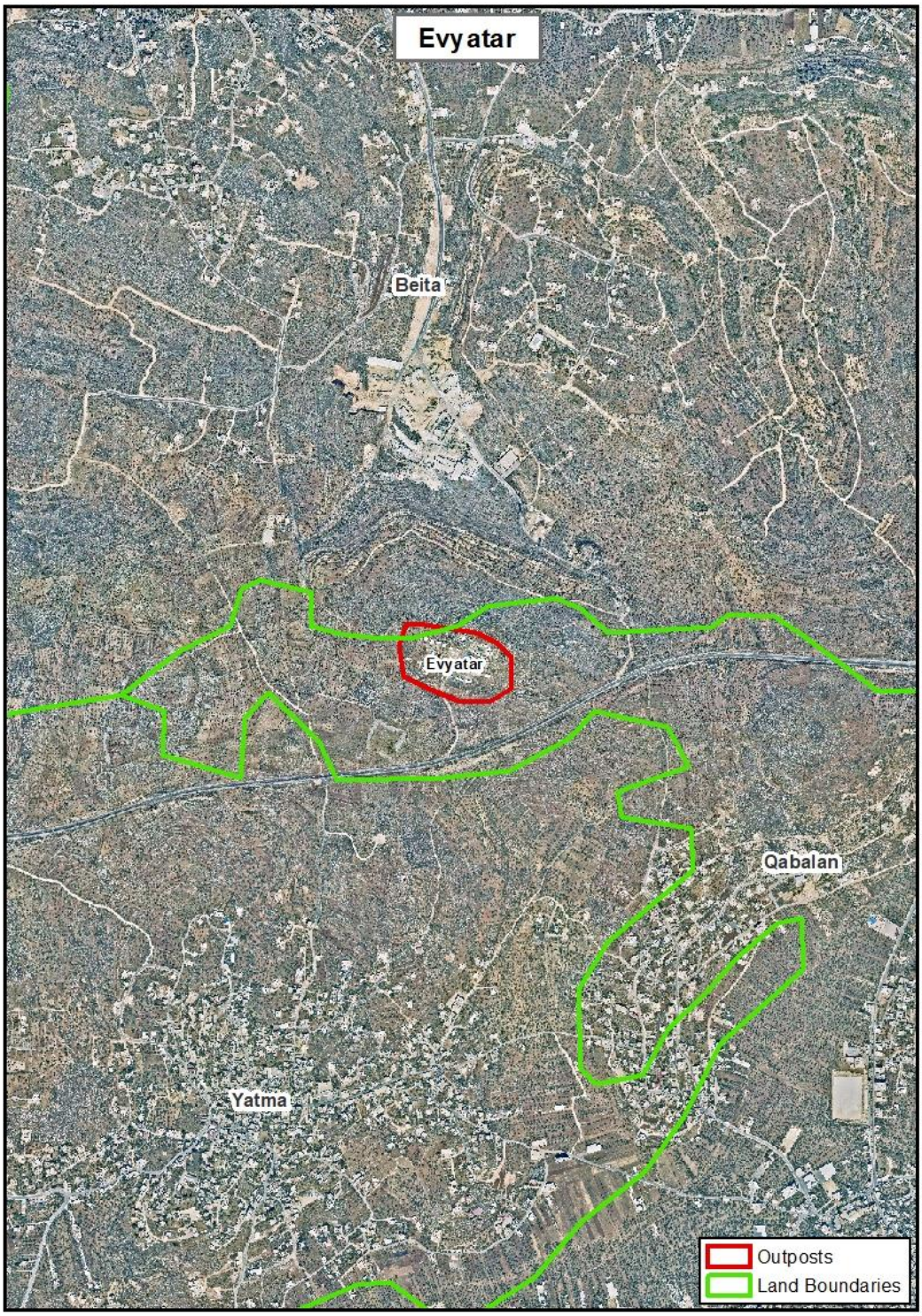
3. **Maps: Regularization of Outposts and Palestinian Local Councils**

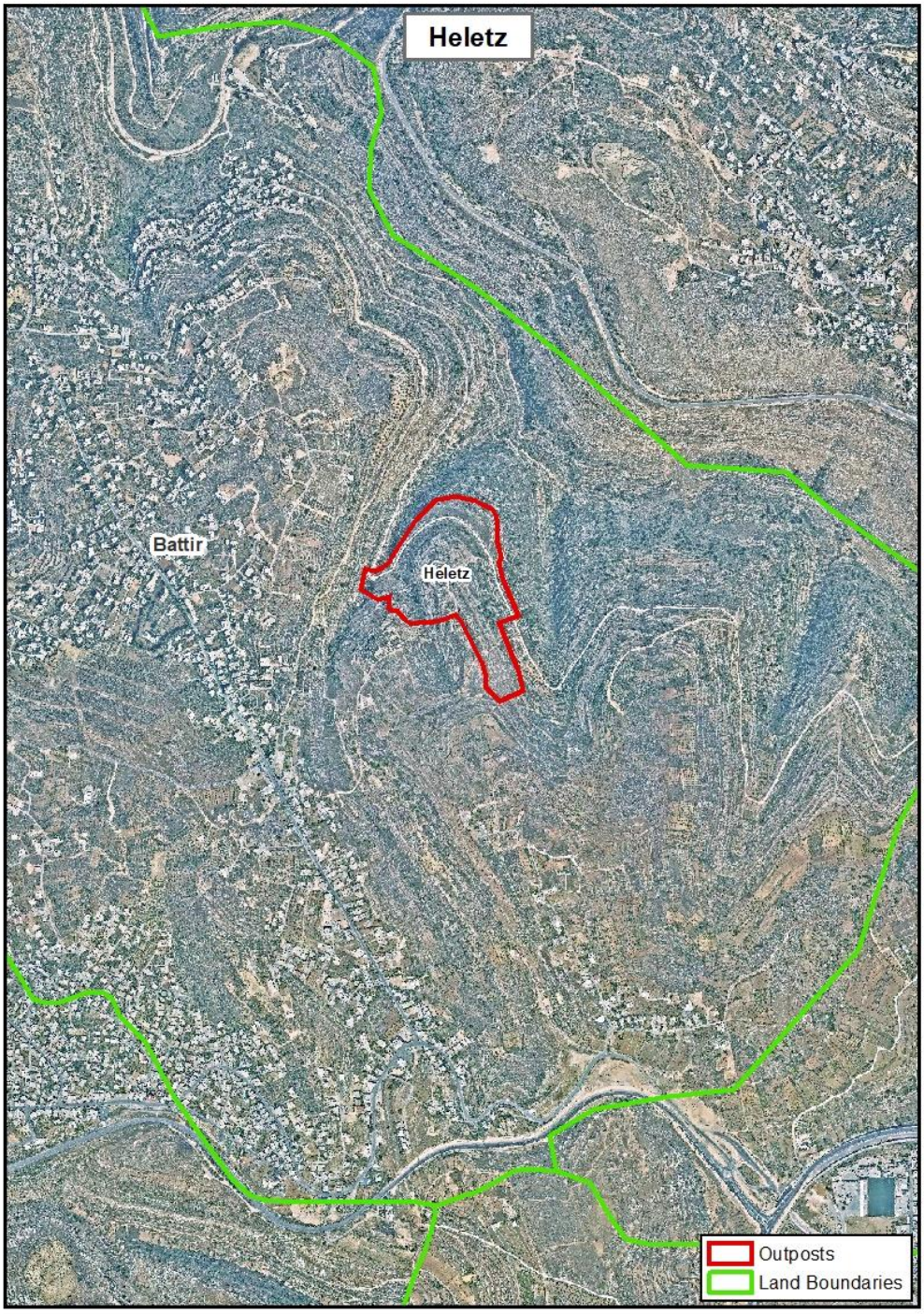
The maps below illustrate the government decisions to regularize outposts from 12 February 2023 to 27 June 2024. They show the regularized outposts and the jurisdictional areas of Palestinian local councils where these settlements are located. See details of outposts regularized and corresponding Palestinian local councils in the text above.




Adorayim
Dura
Adoraim
Yatta
Outposts
Land Boundaries


Sde Ephraim
Kharbata
Ras Karkar
Sde Efrayim
Kafr Ni'ma
Outposts
Land Boundaries


Evyatar
Beita
Evyatar
Qabalan
Yatma
Outposts
Land Boundaries


Heletz
Battir
Heletz
Outposts
Land Boundaries