

18.5.2026

Knesset Committee Finalising Annexationist Antiquities Bill Ahead of Final Vote

The Knesset's Education, Culture and Sports Committee is working to finalise the bill that will establish a civilian authority under the Ministry of Heritage to govern antiquities in the West Bank. The committee sessions taking place today (May 18th), tomorrow and Wednesday, follow the bill's first reading, which [passed](#) in the Knesset Plenum last week. Once the committee completes its deliberations, the bill will return to the Knesset plenum for its second and third (final) votes.

The following is a translation of the position paper that we have submitted to the committee ahead of today's discussion:

17/05/2026

Submitted to the Knesset Education, Culture and Sports Committee:

(Emek Shaveh's) Position Paper: Ahead of the First Vote on the Proposed Heritage Authority in Judea and Samaria Law, 5786–2026 and ahead of the discussion in the Knesset's Education, Culture and Sports Committee on 18/05/2026 regarding preparation of the bill for second and third readings.

This position paper joins previous papers submitted to the Knesset Education, Culture and Sports Committee and is submitted following the first-reading vote (11/05/2026) on this law. We wish to express our strong reservations and opposition to the continued advancement of legislation that turns antiquities and heritage into a political weapon directed against the local Palestinian population and used to promote the annexation of the West Bank. All this is being done with full awareness that the legislation is being advanced through a dismal, flawed, erroneous (and even deceptive) and unprofessional decision-making process, contrary to the position of the overwhelming majority of professional in the field.

1. Changing the Status of the Territory and Implementing Annexation of the West Bank: This law advances the annexation of the West Bank by removing the Staff Officer for Archaeology Unit from the Civil Administration and establishing a new civilian authority under the Ministry of Heritage to oversee antiquities in the area. This constitutes a violation of the principle of the temporary nature of occupation and eliminates the necessary separation between the administration of the West Bank and the governmental system of the State of Israel. Although this does not formally bind the committee, the move contradicts decisions of the Ministerial Committee for Legislation Nos. 3895/2026 and 2031/2024.

2. Undermining Political Agreements and Israel's International Commitments: This move nullifies Israel's recognition of the administrative autonomy of the Palestinian Authority as established in previous agreements. Since 1995, when the State of Israel and the Palestinian Authority signed the Oslo II Interim Agreement on the West Bank and Gaza Strip, responsibility for antiquities in the West Bank and Gaza has been divided between the Staff Officer for Archaeology in Area C and the Palestinian Authority's Department of Antiquities in Areas A and B and the Gaza Strip. Israel has already violated this separation through cabinet decisions in summer 2024 and again in February 2026, which expanded the Staff Officer's authority into Areas A and B. Completion of this legislation would effectively nullify the Oslo Accords.

3. Violation of International Law Regarding the Protection of Cultural Property During Armed Conflict: Alongside the provisions of the Hague Regulations of 1907 and the four Geneva Conventions of 1949 and their protocols, there exists the specific convention governing cultural property: the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its protocols. Israel signed and ratified the Convention in 1954 and 1957 respectively. The Convention defines cultural property and the obligations imposed upon states regarding the safeguarding, protection and marking of such property during armed conflict, especially in situations of occupation. The Convention is considered binding customary international law and therefore also binds non-signatories. The application of Israeli civil law to antiquities in the West Bank and Gaza Strip stands in complete contradiction to the 1954 Hague

Convention and to international legal provisions governing the obligations of an occupying power. According to the Convention, the occupying power must manage antiquities as a “trustee” on behalf of the protected local population. Instead, the proposed law transfers management of the sites to the settler population – a group whose presence in the territory is illegal under international law.

4. Violation of International Law Concerning Conventions Anchoring Economic, Social, Political and Cultural Rights: The two principal international human rights conventions, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both ratified by Israel, also apply to territories outside the sovereign territory of the State of Israel that remain under its control. These conventions establish the principle of permanent sovereignty over natural resources and cultural assets. They stipulate that the natural resources of every people are intended for their economic, social and cultural development, and impose upon states administering territories in trust, including occupied territories, the obligation to promote realization of the right to self-determination in the management and control of these resources. States holding territory under occupation are therefore obligated to enable the peoples living there to develop and preserve their culture, whose roots are also found in historical sites and cultural treasures within their territory. Removing cultural resources from occupied territory deprives those peoples of the ability to benefit from these cultural assets and prevents them from shaping their cultural present and future within the framework of self-determination.

5. Violation of the Advisory Opinion of the International Court of Justice (ICJ): In July 2024, the ICJ published its advisory opinion concerning “the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.” The Court reaffirmed that the Hague Regulations of 1907, the Fourth Geneva Convention (1949), and additional provisions of International Humanitarian Law apply to the occupied Palestinian territory, including East Jerusalem, and are therefore binding on Israel. The Court found that Israel’s policies and practices, including its settlement policy and the de facto or de jure annexation of large parts of the occupied territory, violate international law and obstruct the Palestinian people’s right to self-

determination. The advisory opinion explicitly states that an occupying power is merely an “administrator and usufructuary” of natural resources in occupied territory and must preserve the “capital of these resources” for the benefit of the local population. Although stated in the context of natural resources, this principle is equally relevant to archaeological remains, which constitute an essential and finite cultural resource belonging to the heritage of the local people.

6. Deepening the Apartheid Regime and Institutionalized Discrimination in Cooperation with Local Authorities: Section 5 of the proposed law (“Assistance by a Local Authority or Corporation”) exposes the discriminatory and racist nature of both the proposer and the law itself. Within the framework of Israeli legislation, the term “local authority” refers exclusively to Israeli authorities (settlements), entirely excluding Palestinian municipalities and councils. Granting management and maintenance powers to settlements or ideological organizations acting on their behalf transforms antiquities sites into forward outposts of annexation. This constitutes the exploitation of cultural assets for the physical, historical and symbolic displacement of Palestinian communities from the region in which they have lived for centuries. Creating a system in which an antiquities site is managed by a settler authority, for settlers, while denying access or partnership to neighboring Palestinians on whose land or adjacent to whose land the site is located, is a clear expression of an unequal regime of separation.

7. Politicization of Science and Complete Political Control Over the Authority’s Activities: One of the most dangerous flaws in the proposal is the sweeping and draconian powers granted to the Minister of Heritage. Unlike the Israel Antiquities Authority, which is supposed to function as an independent professional body guided by scientific considerations, the proposed law turns the Heritage Authority into a political executive arm.

8. Multiple Professional and Ethical Failures:

8.1 Ignoring the Local Community: Modern and ethical archaeology requires the participation of local communities in decision-making processes, not merely active participation in excavations. This law does the exact opposite: it erases the Palestinians’ connection to their heritage and defines the space and its heritage

as exclusively Israeli and belonging solely to the Jewish people.

8.2 Use of Vague Concepts to Expand Powers and Territorial Control: The use of the term “heritage” instead of “antiquities” is intended to allow the new authority to engage in ideological content unrelated to archaeological findings on the ground, thereby blurring the boundary between science, religion and nationalism.

8.3 The Argument of “Antiquities Theft” and Allegedly “Directed” and “Organized” Site Destruction by the Palestinian Authority is flawed and unsupported by systematic data or research. The proposer justifies the need for the law by citing the allegedly “dire condition” of the sites and antiquities theft (“the lost decade,” according to the Staff Officer). A professional analysis of the situation, as well as statements made during committee discussions, demonstrate that:

8.3.1 Throughout the discussions it was repeatedly clarified that the principal failure in preventing antiquities theft in the West Bank stems from the criminal neglect of resources by the political echelon over decades.

8.3.2 Damage to antiquities is a direct result of violent conflict, poverty and the absence of a political horizon. The solution lies in strengthening existing professional policing mechanisms and cooperation with local communities and the Palestinian Department of Antiquities, something this law actively prevents.

8.3.3 Selective Enforcement: A review of settler activity throughout the territories shows that destruction of antiquities resulting from settler activity is not enforced with the same severity, if at all, and is sometimes even facilitated by the same bodies that complain about “heritage destruction.”

8.3.4 Legitimization of the Antiquities Trade: Antiquities looting is primarily economically motivated. When this motivation meets Israeli law, one of the few legal systems in the world that permits the antiquities trade - a channel is created to supply demand. Numerous studies on the illegal trade in cultural property have shown that Israeli law not only enables the “laundering” of looted antiquities from across the Middle East, but also incentivizes it.

In light of the above, these are our recommendations for promoting the

protection of antiquities in the West Bank:

1. Reject the current bill and avoid any move that expands the application of Israeli law or creates an Israeli civilian mechanism operating in the West Bank by virtue of Israeli legislation.
2. Return to the principles of international law and the obligations arising from them, including preserving the separation between the Israel Antiquities Authority within the sovereign territory of Israel and the Staff Officer for Archaeology unit in the West Bank.
3. Ensure full transparency regarding archaeological activity in the West Bank by the Staff Officer for Archaeology and academic institutions.
4. Develop mechanisms for cooperation with Palestinian authorities and with local and international academic institutions.
5. Impose a comprehensive ban on the antiquities trade in Israel in order to reduce the economic incentive for looting and trafficking in antiquities.

In conclusion, if the government seeks to advance annexation, it should say so explicitly. Anyone who truly wishes to protect antiquities should invest in preventing looting, cooperating with local communities and professional institutions, and implementing the most effective step for reducing destruction: a total ban on the antiquities trade and the dismantling of the economic incentive that fuels it.

We call upon the members of the committee to halt the advancement of this legislation and leave responsibility for antiquities in the hands of professional bodies operating within the limits of international law and with respect for the region's multicultural heritage.

Sincerely,

Alon Arad
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Emek Shaveh's Statement: This is a deeply harmful piece of legislation whose entire purpose is to advance the annexation of the Occupied Palestinian Territories. No wonder the Committee Chairman, Zvi Sukkot (Religious Zionism), is in a rush to have the bill passed into law before the Knesset disperses.

There is no support for this move among professional bodies in Israel. On the contrary, there is broad consensus that the law will damage both the standing of Israeli archaeology and that of the State of Israel by violating international law, especially agreements to which Israel is a signatory.

Emek Shaveh wishes to emphasize that the primary victims of this law will be the Palestinian people. The legislation will deepen the use of antiquities as a tool for land expropriation and for the dispossession of the Palestinians from their cultural heritage.