



© HAZEM BADER / AFP - The Palestinian villagers were forcibly displaced from their village, Khibet Susiyā, so that the Israeli settlers of Susya could convert the archaeological site into a tourist attraction.

## **TOURISM AND ARCHAEOLOGY: TWO TOOLS FOR LEGITIMISING ILLEGAL ISRAELI SETTLEMENTS IN THE OCCUPIED PALESTINIAN TERRITORIES**

This document, intended for activists and supporters of Amnesty International France, is part of the project «Archaeology in the OPT serving the expansion of Israel's illegal settlements». This project contributes to the ongoing work being done by Amnesty based on its report «Destination: Occupation. Digital tourism and Israel's illegal settlements in the Occupied Palestinian Territories».

This document aims to shed light on the role of tourism and archaeology in supporting and legitimising Israel's illegal housing unit settlements in the West Bank, and on the resulting abuse of Palestinians' fundamental rights.

## A.

# Context

Since 1967, Israel has been militarily occupying and settling the West Bank, including East Jerusalem, despite numerous UN resolutions calling on Israel to withdraw its armed forces from the Occupied Palestinian Territories (OPT).

The situation in the Occupied Palestinian Territories comes mainly under two international legal regimes:

// International humanitarian law and specifically the rules of the law of occupation (the Hague Regulations of 1907, the Fourth Geneva Convention, the Rome Statute of the International Criminal Court).

// International human rights law, such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) or the International Covenant on Civil and Political Rights (ICCPR).

Israel's policy of settling its civilians in Occupied Palestinian Territories, and of displacing the local population, is a violation of the fundamental principles of international humanitarian law and could amount to war crimes. Yet all States party to the Fourth Geneva Convention - including Israel, the United States and the countries of Europe - are obliged to respect and enforce respect for its provisions.

**All these States are bound by international law not to favour an unlawful situation. Today the settling of the West Bank has led to Israel's confiscation of more than 200,000 hectares of Palestinian land and the establishment of 250 settlements of housing units occupied by 600,000 Israeli settlers.**

## What are the violations of Palestinians' human rights in the West Bank as a result of these settlements?

// Drastically reduced freedom of movement even within Palestinian territories through the restrictive and discriminatory granting of permits.

// Diversion of Palestinian natural resources in favour of the settlements.

// Use of land and natural resources belonging to Palestinians.

// Eviction of Palestinians from their homes and agricultural land.

// Forced transfer of populations.

The building of settlements also leads to many daily restrictions for Palestinians: numerous checkpoints, roads reserved for settlers only, walls, fences, bypasses. All these restrictions seriously hamper local people's movements and curb access to employment, education and healthcare.

In addition, two separate legal systems operate in the same territory: Palestinians come under Israeli military orders and can therefore be tried by military courts while the settlers come under Israeli civil law.

## What are Amnesty's demands?

Amnesty International is calling on Israel to put an immediate stop to settlements. Israel must dismantle all Israeli settlements and related infrastructure in the Occupied Palestinian Territories and relocate Israeli civilians living in these settlements to places outside of the OPT.

## B.

# Pillars of the maintenance and development of Israel's illegal settlements:

Several entities help to sustain the illegal settlement situation. From commercial companies to tourist and archaeological sites, these bodies or business sectors have their share of responsibility in maintaining a situation that leads to serious violations of Palestinians' rights.

### 1. National and international companies

Israeli companies and multinationals profit directly or indirectly from the settlements.

Several companies, including French ones, have been accused of contributing directly or indirectly to human rights violations. These companies are therefore at risk of being charged with involvement in a war crime.

Some have been involved in a multitude of human rights abuses against Palestinians in the Occupied Palestinian Territories by supplying equipment and materials used for the abuse of Palestinians' rights.

### 2. International trade

Europe is the prime destination for Israel's exports. A considerable proportion is produced in the settlements.

Israel benefits from an ambiguous interpretation of national legislations whereby it can stamp its products without clearly specifying whether they are produced in Israel or in the Occupied Palestinian Territories.

### 3. Tourism:

#### **A BOOMING INDUSTRY:**

Israel's development policy for the tourism industry focusses on and around the settlements. This growth has brought financial benefits both to Israel and to the settlements' economy.

Many prime tourist destinations are located in the Occupied Palestinian Territories. The wealth generated by a growing tourism industry within the settlements is diverted for the sole benefit of Israel.

#### **INCREASED SUPPORT FROM THE ISRAELI GOVERNMENT TO TOURISM BUSINESSES IN THE SETTLEMENTS**

Considerable financial resources are allocated to the development of tourism-based activities and infrastructure in occupied territory, primarily to protect and develop visitor infrastructure and historic sites that are deemed to reflect «the national heritage of the Jewish people» in Israel and the OPT.

Site information and visitor maps provided by the Israel Nature and Parks Authority and Israel's Ministry of Tourism do not mention the West Bank. The territory is marked in biblical terms as «Judea» and «Samaria», a fact which clearly reveals a deliberate attempt to conceal from tourists that these places are in the OPT.

The Israeli government designates certain locations as tourist sites to justify the takeover of Palestinian land and homes. The reserves in Area C (about 60% of the West Bank) are protected by military order, which prevents Palestinians from farming their land, grazing their herds, building or expanding farm buildings, and which leads to many forced evictions.

## ARCHAEOLOGICAL SITES AS «TOURIST BAIT» AND THE DELIBERATE INTENT TO REWRITE HISTORY:

Most foreign visitors head mainly for the Occupied Palestinian Territories where they visit top archaeological sites converted into tourist attractions, a fact which severely restricts Palestinians' ability to build or expand their homes. This situation means that their homes risk demolition.

**Palestinian communities living next to archaeological sites like Susya or Shiloh - managed by settler regional councils - have been evicted from their homes and are banned from re-entering their land.**

The Israeli government supports settler groups who are intent on emphasising the Jewish people's historic connections to the region. The government minimises or refrains from acknowledging the importance of non-Jewish periods of history in archaeological and historic sites. Rewriting history in this way minimises the Palestinian people's historic links with the region.

Many of the settlements have been built close to archaeological sites to make the link between the modern State of Israel and its Jewish history

explicit. This is part of an active campaign to normalise and legitimise Israel's increasing control of the OPT.

Everything is done to conceal from tourists that the archaeological sites they are visiting are located in the Occupied Palestinian Territories.



© Amnesty International - The archaeological site of Shiloh, in the north of the West Bank, is a popular attraction managed by Israeli settlers.

## A CASE STUDY: SILWAN/THE CITY OF DAVID

### **Reminder: Status of East Jerusalem and Israel's annexation of East Jerusalem**

The 1947 partition plan for Palestine and Israel placed East Jerusalem under UN control. Israel nevertheless conquered West Jerusalem in 1948 and then occupied the West Bank and East Jerusalem. In 1967 Israel annexed East Jerusalem, despite its being recognised as an integral part of the West Bank by the international community. The UN Security Council has repeatedly condemned this annexation in fact and in law.

### **Settlements and the development of tourism through the use of the archaeological site:**

The Palestinian neighbourhood of Silwan is located close to the Old City and holy sites. 33,000 Palestinians live there.

Several hundred settlers have been housed there since the 1980's in settlement blocks under strict surveillance.

This situation had led to a great number of human rights violations, including forced evictions and displacement of local people.

The Israeli government favours the expansion of settlements in Silwan by providing considerable support over many years to Elad, a settler organisation created in 1986, which funds archaeological digs in the very heart of the Silwan district thanks to generous contributions from American Jews and public and private Israeli organisations.

Since 1997, Elad has not only acquired homes belonging to Palestinians in Silwan and placed Jewish settlers there, but it also manages a major archaeological site, the City of David National Park. Elad's management of the site was granted by the Municipality of Jerusalem, the site being located for a large part in Silwan. The government has provided millions of dollars for the purpose of undertaking archaeological digs and expanding the site.

Elad promotes the site through a deformed historical narrative, exaggerating the Jewish people's rooting in the area while excluding that of the Palestinians. On its website, one can read that it is «the only place on Earth where the only visitor guide you need is the Bible itself». The title of its home page is «Welcome to the place where it all began».

This site is being excavated by Israeli archaeologists including Eilat Mezar, who announced the discovery of the walls of King David's Palace, a claim contested by numerous other archaeologists.

All the visitor guides and leaflets hosted on the website present the various periods described as belonging to Jewish history, ignoring the history of Jerusalem, other cultures, other religions and other archaeological remains.

The Israeli government and the Elad organisation have ambitious plans, widely criticised by the archaeological community, to build a huge tourist complex and a cable car station in Silwan whose purpose is to transport millions of tourists from West to East.

The City of David National Park is already one of the top tourists attractions in Israel/Occupied Palestinian Territories, drawing millions of foreign tourists and hundreds of thousands of Israelis, including children, soldiers and school groups - another way of reinforcing settler presence in the area.

Elad's big plan is to establish an increasing number of settlers in Silwan and evict an increasing number of Palestinians. The aim is to convert the archaeological site into a huge residential complex for Israeli settlers. Elad, with government support, has released plans to extend a tourist area in order to

create a complex called «King's Garden». This would entail demolishing 88 houses and the eviction of 1,500 people living in al-Bustan, a neighbourhood of Silwan.

This expansion of the City of David threatens the human rights of Palestinians living there. In all, some 7,500 Palestinians are likely to be forcibly evicted. Not only are such evictions contrary to international law, they also oblige those evicted to pay for the cost of demolishing their own homes, under penalty of an even heavier fine.

This constitutes a violation of the right to decent housing. Yet Israel has the obligation, as an occupying power, to respect the right to decent housing and living conditions.

The Israeli government and Elad are using archaeology and tourism to conceal the expulsion of Palestinians in Silwan and the influx of settlers. Lacking the right information, tourists unwittingly participate in the expulsion of Palestinians.

Palestinian residents of Silwan have only very limited - and paid - access to the City of David, thus barring them from areas that are part of their cultural and social life.

Digital tourism companies are promoting and profiting from the site, while participating in the violation of Palestinians' human rights by contributing to the economic expansion of the settlements.



© Amnesty International – The City of David National Park, an archaeological site located in the Palestinian neighbourhood of Silwan, in East Jerusalem. The site is managed by a settler organisation and it is one of the top tourist attractions of the city.

\* January 29, 2014

Visitors tour at the archaeological site known as the City of David, situated just outside the Old City in East Jerusalem, opposite the mostly Arab East Jerusalem neighbourhood of Silwan (L), January 26, 2014. The promotion of archaeological sites on this, and on other disputed land, goes to the heart of the most explosive issues in Israel-Palestinian peace talks being brokered by Washington - building on occupied land, the status of Jerusalem and the future of Israel as a "Jewish state". Picture taken January 26, 2014. To match Feature ISRAEL-PALESTINIANS/ARCHAEOLOGY REUTERS/Ammar Awad (JERUSALEM - Tags: POLITICS TRAVEL SOCIETY)

## C.

### In short:

**Les sites archéologiques situés dans les Territoires palestiniens occupés sont visités par de nombreux touristes israéliens et étrangers. Ces derniers ignorent généralement l'illégalité, vis-à-vis du droit international, dans laquelle ces sites sont gérés. Ceux-ci sont par ailleurs souvent administrés par des colons israéliens.**

Archaeological sites located in the Occupied Palestinian Territories attract a high number of Israeli and foreign tourists. Visitors are in general unaware of the illegal manner, in terms of international law, in which these sites are managed. The sites are indeed often managed by Israeli settlers.

This situation facilitates the establishment of new settlements and settlers. The museums and other means of presenting the historical and archaeological interest of the sites tell a biased story, emphasising the roots of the Jewish people and ignoring those of the Palestinians.

Archaeological sites, converted into tourist destinations for foreigners and Israelis, abuse the human rights of Palestinians.

The Israeli government and settlers are using archaeology, and the related tourism business, to reinforce their control over the Occupied Palestinian Territories.

#### Resources for further information:

Amnesty International report: «Destination: occupation: Digital tourism and Israel's illegal settlements in the occupied territories». <https://www.amnesty.org/download/Documents/MDE1594902019ENGLISH.PDF>

Amnesty International Think Twice report: «Can companies do business with the Israeli settlements in the Occupied Palestinian Territories while respecting human rights?» <https://www.amnesty.org.uk/resources/thinktwice>

FIDH/CCFD report: «la Paix au Rabais»: [https://www.fidh.org/IMG/pdf/trading\\_away\\_peace\\_-\\_embargoed\\_copy\\_of\\_designed\\_report.pdf](https://www.fidh.org/IMG/pdf/trading_away_peace_-_embargoed_copy_of_designed_report.pdf)

-French Ministry of Foreign Affairs website: <https://www.diplomatie.gouv.fr/fr/dossiers-pays/israel-territoires-palestiniens/relations-bilaterales/>

Emek Shaveh website: <http://www.alt-arch.org/en>

### What does Amnesty plan to do?

Since calling on digital tourism companies to stop offering accommodation and attractions in illegal Israeli settlements, and since explaining that they were making themselves accomplices of war crimes, Amnesty will continue to hold them to account for meeting their obligations under international law.

The UN publication on 12 February 2020 of a database of companies involved in illegal activities in the settlements provides additional backing in this fight.

Amnesty will also be addressing Tour Operators - a major source of tourists interested in discovering the big archaeological sites in the Occupied Palestinian Territories - to raise their awareness regarding this specific context and ask them to stop playing a part, through their activities, in violations of Palestinians' fundamental rights.