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## Unprecedented Annexation Move: Knesset Committee Votes to Establish a Civilian Authority to Govern Antiquities in the West Bank

**This alert is submitted jointly on behalf of Peace Now, Emek Shaveh, and the Geneva Initiative:**

### **Executive Summary**

On February 3, 2026, the Knesset's Education, Culture, and Sports Committee, chaired by MK Zvi Sukkot, voted to advance legislation establishing a new civilian Israeli statutory authority under the Ministry of Heritage. This body is designed to replace the military-led Civil Administration's Staff Officer for Archaeology (SOA) in governing antiquities within the West Bank.

### **Key Provisions:**

**Annexation:** The bill marks the first time the Knesset has sought to apply Israeli civilian legislation directly to territory in the West Bank rather than to persons (settlers). Legal advisors and professional bodies warn this constitutes an unequivocal act of annexation.

**Jurisdictional Expansion:** While the current draft postpones a final definition of "the Area," previous versions included Areas B, A as well as C, and an explicit future intention to apply the law to the Gaza Strip. In any case, the authority would be empowered to operate in Area B as well as C pursuant to a June 2024 cabinet decision.

**Ministerial Powers:** The Minister of Heritage (currently Amihai Eliyahu) is granted sweeping authority to appoint the governing council, declare antiquity sites, and expropriate land and antiquities.

### **Core Concerns & Implications**

**Territorial Control:** With over 6,000 antiquity sites in the West Bank, many situated within or near Palestinian towns, the power to declare sites and expropriate land provides a legal pretext for establishing Israeli control deep within Palestinian population centers.

**Violation of International Law:** The bill violates the 1954 Hague Convention and the Fourth Geneva Convention, which prohibit an occupying power from making permanent institutional changes or exercising sovereign rights.

**Collapse of the Oslo Framework for a Two-State Solution:** Applying Israeli authority to Areas A and B would effectively dismantle the Oslo II Accord, which assigned civilian responsibility for antiquities to the Palestinian Authority.

**Academic Isolation:** Major Israeli archaeological and scientific institutions (including the Israel Antiquities Authority and the Academy of Sciences) oppose the bill, warning it will lead to international boycotts of Israeli researchers and bureaucratic chaos.

**Ideological Context:** Proponents of the bill, including MK Halevi and Minister Eliyahu, have explicitly stated that the objective is the application of Israeli sovereignty. Chairman Zvi Sukkot stated during the session, "There is no such thing as Palestinian heritage... it is our duty to protect [Jewish heritage]."

**Current Status & Timeline:** The bill will now move to the Ministerial Committee for Legislation, followed by a first vote in the Knesset plenum, which the initiator of the vote, MK Amit Halevi (Likud) hopes will be held as early as next week (mid-February 2026).

**Conclusion:** This legislation represents a structural shift from military to civilian governance in the West Bank. By hollowing out the legal and territorial foundations of the Palestinian Authority, it poses a threat to the two-state solution and exposes Israel to significant international legal and academic censure.

## Full Analysis of the Legislation

Yesterday, Tuesday, February 3rd 2026, the Knesset's Education, Culture and Sports Committee chaired by MK Zvi Sukkot (Religious Zionism) voted in favor of advancing legislation to set up a civilian Israeli statutory authority under the Ministry of Heritage to govern antiquities sites in the West Bank in a move that circumvents military governance.

**In essence, the law assigns responsibility to the State of Israel for antiquities and heritage sites in the West Bank. If passed into law it would constitute annexation.**

MK Halevi (Likud) who initiated the bill and the Minister of Heritage, Amihai Eliyahu (Jewish Power), have made it clear throughout the discussions that the objective of the law is to apply Israeli sovereignty. The first paragraph clearly states that the:

*“purpose of the law is to establish the direct responsibility of the State of Israel for the management of antiquities and heritage and archaeological sites in Judea and Samaria, and for the enforcement of legislative provisions intended to prevent and reduce harm to them, including the protection, conservation, development, accessibility, and salvage of antiquities and sites, taking into account the unique characteristics of these sites in Judea and Samaria.”*

Following the vote yesterday, Sukkot said:

*“There is no such thing as Palestinian heritage. There is such a thing as Jewish heritage thousands of years old and it is our duty to protect it.”*

The committee's legal advisor, Att. Tami Sela said at yesterday's session that:

*“This is legislation that deviates from the principle of territorial sovereignty and is highly exceptional. There is concern that the proposed bill will be perceived as a step that advances de facto annexation, and that it entails the de facto application of Israeli law in Judea and Samaria, without a comprehensive examination of the issue in all its aspects and of the implications that such a move would have.”*

The bill essentially transfers powers currently held by the Civil Administration's Staff Officer for Archaeology (SOA) to a new Israeli civilian statutory authority under the Minister of Heritage operating pursuant to Israeli law in the West Bank. Under these powers the new authority will be authorized to carry out archaeological actions and enforcement activities in Area B as well as C as per a [cabinet decision](#) from June 2024.

Previous versions of the bill explicitly noted the intention to include within the Authority's jurisdiction antiquity sites in Areas A as well as B and C and even stated intention to extend the Authority's jurisdiction to Gaza. In the current version of the bill however, following a closed-door session, references to Areas A, B, C and Gaza were removed and the intention to define “the Area” has been postponed to the committee session due to take place prior to the second plenary vote.

In addition, the bill grants the Minister of Heritage and the new authority the powers to declare antiquity sites and to expropriate land. The significance cannot be overestimated. There are 6000 antiquity sites in the West Bank. Due to cultural continuity over the centuries, almost every Palestinian town or village is either situated on or near an archaeological site. **Under the pretext of caring for antiquities the minister will be given sweeping powers to declare sites and expropriate land thereby establishing**

Israeli control deep within Palestinian towns and villages. The devastating potential cannot be overstated.

Equally important and unprecedented is the fact that, if passed into law, this would be the first time the Knesset would apply Israeli civilian legislation to territory rather than to persons.

The bill will now be submitted for approval to the Ministerial Committee for legislation and then to the Knesset plenum for a first vote. Halevi said that he hopes to submit the bill for a first vote in the Knesset plenum next week.

#### Further background:

The bill was first submitted in February 2023 and it is important to note that the Ministerial Committee which had initially approved the bill's submission for a preliminary vote ([decision 2031 from July 2024](#)) explicitly stipulated that: *"Following the preliminary reading, the bill's wording shall be amended so as not to imply a change in the status of the 'Territory,' and it shall be advanced subject to Israel's international obligations."*

Following the preliminary vote in the Knesset plenum on [24 July 2024](#) it was first discussed in the Knesset Education, Culture and Sports Committee on [27 November 2024](#). Additional committee discussions took place on [11 February 2025](#), [18 March 2025](#), [31 December 2025](#), [6 January 2026](#), and again on 13 January 2026, 26 January 2026 and finally 3 February 2026..

In its original formulation, the proposed legislation intended to replace the authority of the Civil Administration's Staff Officer for Archaeology with that of the Israel Antiquities Authority. However, during the initial committee hearings, all major Israeli professional bodies [opposed](#) the bill warning that applying Israeli civilian law to occupied territory could clash with Israel's international commitments under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and undermine international academic cooperation by exposing Israeli institutions and individual researchers to censure and boycotts.

Rather than abandoning the initiative, in early 2025, MK Halevi and the Ministry of Heritage advanced a revised proposal whereby the bill would no longer extend the jurisdiction of the Israel Antiquities Authority but instead would establish a new statutory authority, subordinate to the Ministry of Heritage, with exclusive responsibility for antiquities and heritage sites in the West Bank.

**Despite the formal change in institutional structure, both iterations of the legislation seek to apply Israeli civilian law extraterritorially to the West Bank. The very act of Knesset legislation applying directly to territory in the West Bank, as opposed, for example, to legislation applying to Israeli settlers residing there, is itself an act of annexation.**

The same concern applies to the change introduced in the latest version of the bill. Whereas earlier drafts stipulated that the new Authority would operate under the Israeli Antiquities Law (1978) and the Israel Antiquities Authority Law (1989), the current version purports to retain the 1966 Jordanian Antiquities Law, by virtue of legislation enacted pursuant to the security powers of the military commander. At the same time, the bill provides that in any case of inconsistency between the new law and legislation enacted by the military commander, the new law shall prevail.

**Despite the changes in the current draft of the bill, the fact that an Israeli statutory corporation is being established under Israeli law, and that the purpose clause assigns responsibility to the State of Israel for antiquities and heritage sites in the West Bank in and of itself constitutes annexation.**

The ideological underpinning for the annexationist intent has been made clear throughout the committee discussions:

In the initial preamble to the bill Halevi wrote:

*"This is the inheritance of our Forefathers, which at one time was illicitly conquered, and we, when the opportunity arose, recovered the inheritance of our Fathers."*

Minister of Heritage Amihai Eliyahu said in the committee discussion on [31<sup>st</sup> of December 2025](#):

*"I genuinely think that the heritage areas in Judea and Samaria are the lands of the Jewish people...."*

## Core Issues with the Proposed Law

- **Establishment of a Civilian Authority to Govern Antiquity Sites in oPt**  
The bill creates a new statutory authority under Israel's Ministry of Heritage with full responsibility for antiquities and archaeological sites in the West Bank. This entity is intended to replace the Staff Officer for Archaeology (SOA) currently operating under

the

Civil

Administration.

While the new body would technically also operate under the 1966 Jordanian Antiquities Law, the current legal framework for the management of antiquities in Area C, the bill effectively subordinates it to Israeli law. This shift represents a departure from the current system, where governance is conducted through military orders and not Knesset acts of legislation.

- **An Attempt to Create a Statutory Authority Beyond Israel's Sovereign Borders**

The representatives for the Civil Service Commission explained that there is no precedent for creating a statutory body such as the committee wishes to establish by means of this legislation. Furthermore, they emphasized a significant jurisdictional conflict: it remains unclear how an authority operating under Israeli civilian law could function effectively when all other governance in the region abides by the Emergency Regulations.

- **Potential violation of Oslo Accords in definition of the “Area” the law:**

The bill voted on in the committee does not include a definition of the relevant “Area”. If the final bill will apply the authority’s jurisdiction to Areas A as well as C and B, it would represent the undoing of the Israeli–Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II), particularly Section 2 (Annex 3), which established Palestinian responsibility for civilian matters in these areas, including the handling of antiquities which is currently under the Palestinian Authority’s Department of Archaeology and Cultural Heritage (DACH) governing according to the Palestinian Authority’s 2018 antiquities law (2018 Decree Law no. 11/2018 concerning Tangible Cultural Heritage). It should be reiterated that the SOA was already authorised to carry out enforcement activities at antiquity sites in Area B by a [cabinet decision](#) in 2024. Several of the previous drafts included an explanatory note stating that MK Halevi seeks to apply the same framework to the Gaza Strip.

- **Unprecedented Ministerial Powers**

The bill grants the Minister of Heritage authority to appoint the members of the public council overseeing the work of the Authority. According to the bill the members are not required to be academics, thereby opening the door to political appointments. Decisions of the public council will be subject to the approval of the minister. The committee will select a director general for the Authority based on the minister’s recommendation. The minister also has, according to the current draft, the authority to declare new sites, and to decide on transferring or selling cultural assets. Finally, there is no built-in mechanism to challenge the ministers’ decisions leaving the courts as the only recourse.

- **Sweeping Powers of Expropriation**

The new entity would be granted the authority to acquire and expropriate both real estate and antiquities. Given that the overseeing council is a political body rather than a professional one, these powers could be exercised in an abusive manner, prioritizing ideological agendas over professional archaeological interests. This concern was echoed by the committee's legal advisor, who cautioned that the bill may be perceived as a "step promoting de facto annexation," involving the application of Israeli law in the West Bank without a comprehensive examination of the broader implications. Furthermore, she pointed out that specific provisions within the bill and the sweeping powers granted to the authority and its agents, could infringe upon fundamental rights, including the rights to property, privacy, and liberty, and may ultimately constitute a violation of the principle of equality.

- **The "need" which the proponents of the law claim this bill addresses is based on unsubstantiated claims**

One of the claims repeated by the bill's proponents is that "the Civil Administration lacks the knowledge and the means to properly deal with the scope of the archaeological finds in these areas." However, throughout the discussions it was clarified by the SOA himself, Benny Har-Even, that the reality has changed as a result of additional budgets allocated to the unit in recent years.

Second, a claim was reiterated that "entire sites are being damaged by looting for economic or nationalist motives." This claim echoes a campaign by settler organizations that was not supported by factual data. The void in information was compounded by the fact that a High Court petition by Emek Shaveh to disclose information about the SOA's activity was rejected under the claim that such disclosure could "harm to the foreign relations of the State of Israel".

- **Across-the-Board Academic and Professional Opposition to the Bill**

The legislative process drew near unanimous opposition from all the major professional bodies in Israel dealing with antiquities. In addition to Emek Shaveh, these include the Israel Antiquities Authority, the Council of the Israel Antiquities Authority, the Archaeological Council, the Forum of Heads of Archaeological Institutes, the Israel Archaeological Association, and the Israel Academy of Sciences and Humanities. All have warned that the bill would create bureaucratic chaos, further politicize archaeological practice leading to even greater international isolation and boycott of Israeli academics and academic institutions.

- **The Bill Directly Violates the Laws of Occupation**

Israel's conduct in the field of heritage and antiquities in the West Bank has already

been found to violate international conventions to which Israel is a signatory. In its July 2024 advisory opinion, the International Court of Justice (ICJ) reaffirmed that the Hague Regulations of 1907 and the Fourth Geneva Convention (1949) apply in full to the Occupied Palestinian Territory, including East Jerusalem. These instruments establish the law of belligerent occupation, under which Israel is a temporary administrator with no sovereign rights over the territory and is prohibited from making permanent legal or institutional changes. The Court further held that Israel's settlement policy and annexationist practices are unlawful and violate the Palestinian people's right to self-determination, while imposing obligations on third states not to recognize or assist in maintaining the unlawful situation and to distinguish in all dealings between Israel and the occupied territory. These principles are directly relevant to antiquities and cultural heritage, which constitute finite cultural resources belonging to the local population.

These conclusions were reinforced by a [UN Independent International Commission of Inquiry on the Occupied Palestinian Territory](#), which in May 2025 found that Israel's archaeological excavations, site development, and transformation of heritage locations into tourist attractions violate international humanitarian law specifically the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954). The Commission documented how these practices are intertwined with settlement expansion, dispossession, and restrictions on Palestinian access to cultural and religious sites.

#### Emek Shaveh, Peace Now and Geneva Accords in a joint statement:

The West Bank is an area steeped in history and rich in antiquities. There are 6000 known antiquity sites in the area. The Oslo II framework recognized that these ancient sites are the shared heritage of both Israelis and Palestinians and stipulated for the establishment of a [joint Israeli-Palestinian committee for governing antiquities](#) (Annex III, Article 2: Archaeology). The committee never met but the rationale that informed its creation is more relevant than ever.

This bill constitutes annexation of territory through Knesset legislation applied extraterritorially. Rather than safeguarding antiquities, the proposed law marks a game-changing escalation. Its enactment would pave the way for dramatic expansion of the politicisation of the usage of antiquities, without any restriction mechanisms, leading to the annexation of extensive and strategically significant parts of the West Bank, including areas embedded within Palestinian towns and villages.

# PEACE NOW

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Emek Shaveh



The unilateral extension of Israeli civilian law into occupied territory, in clear breach of Israel's binding international commitments, constitutes an unprecedented escalation toward annexation and demands urgent international attention.

Beyond its immediate legal ramifications, the bill directly undermines the two-state framework by entrenching unilateral control over land and heritage sites that are meant to be subject to a negotiated agreement. By hollowing out the territorial, legal, cultural and political foundations of a future Palestinian state, this legislation poses a serious threat to the viability of a negotiated two-state solution.

For more information contact:

Emek Shaveh: Talya Ezrahi, [talya@emekshaveh.org](mailto:talya@emekshaveh.org)

The Geneva Initiative: Tehila Wenger, [tehila@heskem.org.il](mailto:tehila@heskem.org.il)

Peace Now: Nirit Yadin, [Resource Development & External Relations](#) Director, [externalrelations@peacenow.org.il](mailto:externalrelations@peacenow.org.il)