

Field Focus: Strategic Land Theft and Forced Displacement in Al-Makhrou – UNESCO Site Under Threat

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On World Heritage Day, April 18, we highlight Israel's continued targeting of Palestinian culture and heritage. Amidst its increasing colonial violence and ongoing genocide against the Palestinian people, Israel has been targeting several heritage sites, including those placed on the UNESCO World Heritage list, such as [Hebron Old town](#) (Al-Khalil), Battir's [Land of Olives and Vines](#), the [Old City of Jerusalem and its Walls](#), and [Saint Hilarion Monastery](#)/Tell Umm Amer in Gaza. Since 2023, three Palestinians have been killed by the Israeli Occupying Forces (IOF) in Hebron Old town, five in the Old City of Jerusalem, including a Turkish citizen, and one in Battir.

Al-Makhrou, an area west of Beit Jala city in northern Bethlehem governorate, located between the villages and towns of Husan, Battir, Al-Walajah, Beit Jala and Al-Khader, is one of the listed sites inscribed on the [UNESCO](#) list of World Heritage sites and World Heritage in Danger in 2014. Al-Makhrou is facing increasing threats of land grab. For generations, Palestinians have [farmed](#) the landmark ancient terraced slopes of the Al-Makhrou and Battir area with vegetables, fruit trees, olives and vines, an area marked out for its unique cultural and agricultural landscape, irrigation system, and archaeological remains. With the construction and expansion of illegal settlements and related infrastructure in Al-Makhrou, Israel's settlement enterprise has been [disrupting](#) the area's biodiversity and incredible potential as one of the few [remaining](#) farming areas for Palestinians, sustaining Palestinian life.

1. The Qaisiyeh Family's Story

Alice Ramzi Nakhleh Qaisiyeh's family owns land in Wadi Al-Makhrou area. Alice and her family have been subjected to repeated demolitions along with settler violence carried out with the support of the IOF in an effort to forcibly displace them from their land. Alice relayed to Al-Haq:

"I live with my family in the Makhrou area. My grandparents were born and lived here before 1967, after being displaced in 1948. My mother, Michelle Luvelle Qaisiyeh, is from the village of Ein Karem in Jerusalem, whose residents were displaced in 1948. The land my family owns falls within Area C and is also a UNESCO World Heritage Site, since it is a nature reserve and contains Roman remains."

Since 2005, Alice and her family have [endured](#) state-backed settler violence. In 2012, Israeli authorities demolished Alice's family's restaurant, under the pretext that it was built without a valid permit. The Qaisiyeh family rebuilt their restaurant, but Israel repeatedly [rejected](#) their permit application, and their restaurant was demolished several times in 2013, 2015, and 2019. Israeli authorities have further demolished 15 tents erected by Alice's family between 2019 and 2023.¹ Against these violations, Alice stressed: *"There is no dispute over the ownership of the land, as my family possesses property registration documents from the Civil Administration."*

¹ Al-Haq Affidavit 2024-08-060-BL-F-A1-IL-SET, taken from Alice Ramzi Nakhleh Qaisiyeh, 30, resident of Al-Makhrou, on 28 August 2024.

The Qaisiyeh family engaged in a lengthy legal battle before the Israeli courts against the Jewish National Fund's (JNF) subsidiary, Himanuta, which alleged that it had bought the land in 1969, invoking the existence of a sales contract for the land, which was never proven in court and was denied by the family. Despite this, the court ruled in favor of Himanuta and issued a restraining order against the family in [May 2023](#).

Following the ruling, Alice explained:

*“On 31 July 2023, a representative of the Civil Administration, accompanied by the head of the Gush Etzion Regional Council, Yaron Rosenthal, the IOF and ten other settlers, arrived at Al-Makhroul claiming that the JNF leased the land to settler **Lior Tal** of Argentinian origin. They threw out our belongings and expelled us from our land. We then decided to set up a protest tent outside on Al-Makhroul lands. The IOF had issued a decision preventing us from being present on the site for 24 hours. Due to our repeated return to the site, on 3 August 2024, the Israeli military commander in the southern region issued a decision declaring the area a closed military zone [thus] preventing my family and I from accessing our land.”*

On 8 August 2024, members of Alice's family, along with other participants embarked on a peaceful march in protest of their land theft, and were attacked and beaten by the IOF, with use of sound bombs. Protests continued in the following days, as did attacks by armed settlers. Alice explained:

“On 22 August 2024, a settler dog bit one of the solidarity activists and a French journalist. The dog also attacked my mother, and one settler threatened us with his weapon. On 25 August 2024, in the afternoon, two Israeli police officers arrested my mother and I even though they did not present any legal documents permitting the arrest or detention. They took us to the Beitar Illit police station for interrogation.”

Upon their release, Alice's mother was subjected to a 15-day restraining order on charges of violating the military closure order. Alice was detained overnight and interrogated for an hour, then put on trial the next day in the Jerusalem Magistrate Court. She was released on the condition of a restraining order until 2 September 2024, with bail of 500 NIS and on the condition that she had no contact with anyone who may be investigated in the case except her family. Notwithstanding the court's decision and Alice's compliance with these conditions, she was detained for five more hours after the hearing at *Al-Moscobiye* interrogation center in Jerusalem.

Speaking to Al-Haq, from their protest tent near their land, Alice emphasized that settler attacks have persisted: *“The settlers' provocations continue to this moment while we are in the protest tent. Activities and events calling for solidarity will continue.”* Alice also warned that:

“Several underage settlers reside on [our] land. We learned from them that they came through the Jewish National Fund from reformatories for the rehabilitation of minors whose families are unknown. There is [also] an old well on the land, which the settlers go down to and bathe in, and they are constantly present on the land.”

A few days later, in early September 2024, the IOF [destroyed](#) their protest tent. It was later replaced by a makeshift church built by the family on 29 September, as a reminder that Al-Makhroun area was historically populated by Christians.

Two days later, an Israeli military closure order denying them access to their land, which expired on 1 October, was [renewed](#), and the church was destroyed, while settlers were allowed to remain on the land. This forced Alice's family to leave the area. They now [reside](#) in Al-Walajah village, northwestern Bethlehem.

2. General Context

Through the appropriation of the Qaisiyeh family's land, Israel aims to connect illegal settlements by seizing and fragmenting Palestinian territory. As Alice articulates in her affidavit to Al-Haq:

“We know that the future goal of the current settlement activity in Wadi Al-Makhroun is to establish an outpost connecting the settlements of Har Gilo, Beitar Illit, and Gush Etzion, thus linking them with the settlements south of Jerusalem, closing the road and isolating the western part of the Bethlehem Governorate from its center and eastern part.”

Wadi Al-Makhroun is strategically [situated](#) at the centre of five Palestinian villages, Husan, Battir, Al-Walajah, Wadi Fukhin, Nahalin, where approximately 25,000 Palestinians reside. Israel has been utilizing its settlement enterprise, including settler violence and support for illegal outposts, and discriminatory planning and zoning regime, which systemically denies Palestinians building permits, particularly in Area C of the West Bank, to sever these villages from Bethlehem and impede Palestinian territorial contiguity. The Qaisiyeh family's experience further demonstrates the participation of Israel's executive and judicial bodies in the Israeli state-backed settler land grab. This includes the Israeli Civil Administration, IOF, judicial system and parastatal organisations, such as the JNF.²

The appropriation of the Qaisiyeh family's is taking place as part of a broader and drastic [expansion](#) of Israeli settlements, alongside increased declarations of state lands and settler violence in the West Bank. In 2019, settlers, led by Lior Tal, [erected](#) the so-called 'Neve Uri' outpost only 70 meters away from Qaisiyeh's home in Al-Makhroun. In 2018, [2022](#) and 2023, settlers established another outpost, at a distance of 1 km from 'Neve Uri' outpost. To further advance settlement expansion, Israel's Security Cabinet [legalised](#) five settlement outposts on 27 June 2024, including 'Neve Uri'. Another settlement, Nahal Heletz, is planned for construction in the Battir World Heritage site, for which a jurisdiction area has been [designated](#). This is in line with Israel's Finance Minister Bezalel Smotrich's [plan](#) to increase the settler population in the West Bank by 500,000, alongside plans for improved infrastructure in the settlements and illegal outposts.

According to Al-Haq's documentation, Israeli military demolitions of Palestinian structures in Al-Makhroun have continued affecting other families in the area. On 1 October 2024, the Israeli Civil Administration demolished three agricultural rooms, while another facility, Al-'Ezbah restaurant

² See Al-Haq, *Israeli Apartheid, Tool of Zionist Settler Colonialism* (2022), pp. 40, 79: “The JNF was—and remains—chartered with the purpose and primary objective to acquire lands in Palestine exclusively for Jewish persons and to ‘promote the interests of Jews in the prescribed region’.”

was demolished on 29 January 2025. All owners received demolition orders in September 2024.

The strategic fragmentation, forced displacement, and [systematic](#) attempt to eliminate Palestinians' presence from the land is part and parcel of Israel's [settler-colonial apartheid regime](#), which aims to prevent Palestinians from [collectively mobilising](#) to thwart Israel's settler colonial enterprise, and ensure the continuation of the settler colonial enterprise by maintaining Jewish hegemony and domination.

3. Legal Analysis

The construction and expansion of settlements in the occupied Palestinian territory (OPT) amounts to the prohibited transfer of the Occupying Power's own civilians to the occupied territory and forced transfers of the indigenous population protected under international humanitarian law (IHL). Forced transfers of protected persons are legal only to ensure their security or in case of imperative military necessity. None of the exceptions are satisfied in the present case. Moreover, the evacuated persons "shall be transferred back to their homes as soon as hostilities in the area in question have ceased".

The International Court of Justice (ICJ) addressed this issue on 19 July 2024 in its Advisory Opinion on the *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* and found that: "The nature of Israel's acts, including the fact that Israel frequently confiscates land following the demolition of Palestinian property for reallocation to Israeli settlements, indicates that its measures are not temporary in character and therefore cannot be considered as permissible evacuations. In the Court's view, Israel's policies and practices are contrary to the prohibition of forcible transfer of the protected population under the first paragraph of Article 49 of the Fourth Geneva Convention."

As for the transfer of Israel's civilian population into the OPT, the ICJ added that: "Israel regularly legalizes outposts that have been established in contravention of domestic Israeli legislation... For example, in February 2023, Israel announced its decision to legalize ten outposts in Area C of the West Bank... The Court considers that, in pursuing these practices, Israel encourages the transfer of parts of its civilian population to outposts in the West Bank, in breach of the sixth paragraph of Article 49 of the Fourth Geneva Convention."

Furthermore, IHL prohibits extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly, which is also a grave breach. Grave breaches entail the universal jurisdiction of Third States who, in addition to their obligation to ensure respect of IHL, must "[search](#) for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts."

Under international human rights law, these successive destructions amount to an arbitrary and unlawful interference of the Qaisiyeh family property. The destruction of their church further violates their freedom of religion. Further, the arrest and detention of Alice and her mother contravenes their right to liberty and not to be subjected to arbitrary arrest and detention. Notably, policies and practices that effect the institutionalised domination and oppression over a racial people by another people amount to the crime against humanity of apartheid if pursued with the

intent to maintain this regime. Such is the case of the strategic fragmentation of Palestinians. Finally, such Israeli practices also violate the World Heritage Convention, to which Israel is a signatory, which requires states to conserve heritage sites, including by prohibiting construction on the site. Importantly, the inclusion of Palestinian sites on the List of World Heritage in Danger underlines the need for [enhanced](#) protection of the property in light of Israel's continued attacks.