

## Resource on Israeli Supreme Court's Approval of Eviction of Residents in Masafer Yatta ("Firing Zone 918")



Last week on Wednesday May 4, on the eve of Israeli Independence Day (a national holiday), Israel's High Court of Justice finally ruled in a 22-year-old case. The ruling regards the fate of 8 villages (out of 12 located in the area) that are home to 1,300 people. These villages are located in a remote area of the West Bank south of Hebron called Masafer Yatta where agricultural and shepherding communities have lived for generations. **The court rejected the resident's petitions and greenlighted their eviction from their homes and the repurposing of their land for military use, contrary to international law.**

In the early 1980s, the IDF declared these communities' 30,000 dunams "Firing Zone 918." This is now known to have been part of an effort to displace Palestinians from their homes and strengthen Israeli settlements in the area. The [Akevot Institute](#) recently uncovered that, in 1981, then Agricultural Minister, soon-to-be Defense Minister, and eventual Prime Minister Ariel Sharon said explicitly that he wanted to declare this area a "firing zone" in order to curb Palestinian population growth. Across Area C in the West Bank, the IDF uses firing zones as a tool to expropriate Palestinian land; at least 18% of the land in area C of the West Bank, where Israel has full control and where all of Israeli settlements are located, [has been declared](#) a "firing zone". Of that, only 12% is regularly utilized for military training purposes.

In 1999, the IDF issued eviction orders for those living in the firing zone, claiming that these Palestinians who had lived there for decades were not “permanent residents.” The army loaded residents onto trucks and transferred them out of their villages. This, despite the fact that Israel has many other, vast training areas for the military.

In 2000, *The Association for Civil Rights in Israel* (ACRI), NIF’s flagship grantee, took up the case and secured an interim court order on behalf of the residents that allowed them to return to their homes until the court reached a final decision. This ruling *is* that final decision. It re-opens the army’s ability to evict the residents at any time. Should this eviction be carried out, it will be one of the largest expulsions carried out by the State of Israel in recent decades.

The petitioners have consistently insisted that they should not be forcibly removed from their homes, and that they have been permanent residents since before the firing zone was declared in 1981.

While International law expressly prohibits both the expropriation of occupied land for purposes that do not benefit the people living there (i.e. military training) and the forcible transfer of population<sup>1</sup> (both of which are being committed here), Israel’s High Court rejected the claim that international law applies. The court explicitly said that when international law contradicts Israeli law, the latter prevails; Justice Mintz ruled that international law in this case functions as a “treaty norm,” i.e., that it expresses agreements between states but is not enforceable in a domestic court.

Attorney Michael Sfard [argued](#) that this rationale is a “serious legal error,” as the prohibition of forced transfer is one of the oldest in modern warfare. It has legal roots in the American Civil War, and was most recently defined as a war crime at the Nuremberg Military Court after WWII and as a crime against humanity by the Rome Statute, the treaty that established the International Criminal Court. Sfard noted that, “The world we live in is a world where slavery is forbidden, the murder of civilians is forbidden and deportation is forbidden. These are intuitive moral principles today.”

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<sup>1</sup>See Articles 46 and 52 of the Hague Regulations and Article 49 of the Geneva Convention, treaties to which Israel is party.

## CIVIL SOCIETY RESPONSES:

ACRI has accompanied the residents of these villages on their legal journey for over twenty years.

- ACRI's campaign to [Stop the Eviction](#).
- ACRI's [statement on Twitter](#) following the High Court decision.
- ACRI's short [backgrounder](#) on the issue.

### Breaking the Silence

- [Breaking the Silence's tweet thread](#) following the High Court decision.
- Video explainer: [“How Would You Feel if the Military were to Train in Your Backyard?”](#)
- 45-second campaign video to [#SaveMasaferYatta](#)
- Live tweeting of the March 15 hearing [in English](#) and [Hebrew](#).
- [History of military exercises in Firing Zone 918](#)

### B'Tselem:

- [B'Tselem's tweet thread](#) following the High Court decision.
- Video explainer: [“Firing Zone 918: An Exercise in War Crimes”](#)
- Report: [Means of Expulsion: Violence Harassment and Lawlessness against Palestinians in the South Hebron Hills](#)
- Report: [Expulsion of Residents from the South Mt. Hebron Area, October-November 1999](#)
- Explainer: [Masafer Yatta communities whose land was declared a “firing zone”](#)

Info-sheet prepared with information from the *Association for Civil Rights in Israel*, *Breaking the Silence*, *Haqel*, *Kerem Navot*, and *Rabbis for Human Rights*: [The 12 Villages of Masafer Yatta \(Firing Zone 918\) in the South Hebron Hills](#)