



MIFTAH Policy Paper, February 25th, 2026

## ***Legalizing Occupation: New Israeli Measures in the West Bank***

On February 15, the government of Israel approved a process to register land in the occupied West Bank as Israeli “state property.” The decision builds on a cabinet resolution introduced in May of 2025 that established the framework for renewed land settlement proceedings on Palestinian land. Implemented for the first time since Israel’s occupation of the West Bank in 1967, this process enables Israeli authorities to declare land ‘state property’ when Palestinian ownership cannot be formally proven; a standard difficult for many Palestinians to meet. Even when landownership can be met, expropriative policies such as the Absentee Property Law allows Israel to confiscate Palestinian property and sell it to Israelis. A total of NIS 244.1 million has been allocated for this program, which has been stated to continue for decades. Israeli Government Resolution No. 3559 sets a first-phase objective of registering 15% of previously unregulated land within five years.[1]

This development follows the Israeli cabinet’s February 8th approval of a series of measures that expand Israeli control over land administration and acquisition in the West Bank, undermining the Palestinian Authority (PA) and amounting to de facto annexation. The details of the measures have not been released to the public, only communicated through a press release by government ministers.

### **The approved measures include:**

- **Repeal of a Jordanian-era restriction on land sales to non-Arabs.** The change would also make land registry records, kept confidential since Ottoman rule, publicly accessible. This measure would expose Palestinian landowners, allowing for targeted acquisition efforts by illegal settlers.
- **Expanded Israeli jurisdiction in Areas A and B.** Israeli authorities would gain broader powers to act against what they define as unlicensed Palestinian structures, including residential buildings and sites of cultural or archaeological significance. The measures also allow the Israeli government to excavate or demolish Palestinian construction when it is deemed to conflict with heritage preservation, environmental protection, or water resource management.
- **Transfer of Palestinian planning and construction authority to Israel.** Administrative control over planning, licensing, and building in Hebron would shift from the Palestinian municipality to the Israeli military’s Civil Administration. This change extends to areas surrounding the Ibrahimi Mosque. Rachel’s Tomb in Bethlehem will also be removed from the jurisdiction of the Bethlehem municipality and placed under direct Israeli administration.[2]

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[1] Government of Israel. Government Decision on Land Registration in Area C, 15 Feb. 2026

[2] Peace Now. (2026, February 8). The Cabinet approves a series of decisions to take control of land and strip powers from the Palestinian Authority. Peace Now.

Taken together, these measures reflect a coordinated, decades-long effort by Israel to consolidate control over the West Bank through administrative and legal mechanisms. As in the Gaza Strip, the policies aim to dispossess Palestinians and displace them from their land while enabling the expansion of Israeli settlements. In practice, they reshape conditions on the ground through forced displacement and territorial consolidation.

## **Key Issues:**

### **1. Codifies the End to the Two-State Solution**

The recent measures represent another major step toward dismantling the two-state solution, which was long considered the framework by which Israel should abide by. By transferring Areas A and B, which were under full or partial Palestinian Authority (PA) control, into direct Israeli jurisdiction, Israel is effectively nullifying Palestinian administrative authority and with it the Oslo Accords. By undermining the PA's ability to operate as a governing body, Israel is weakening the institutional foundations of Palestinian statehood.

Even before these measures, the West Bank has been fragmented into disconnected areas, with severe restrictions on Palestinian movement and development, with nearly 900 illegal Israeli checkpoints. These legal and administrative changes will further entrench fragmentation, making a contiguous, sovereign Palestinian state impossible.

Beyond policy, Israeli leadership has consistently signaled its opposition to Palestinian sovereignty and statehood. Public statements from Prime Minister Netanyahu and Finance Minister Bezalel Smotrich demonstrate that these policies are not only administrative but ideologically driven, intended to preclude the possibility of Palestinian self-determination regardless of international consensus and international legal proceedings.

*"It's not going to happen. There will be no Palestinian state..we have doubled the Jewish settlement in Judea and Samaria, and we will continue on this path."* Israeli PM Benjamin Netanyahu, September 21st, 2025

*"We will continue to kill the idea of a Palestinian state,"* Israeli Finance Minister Bezalel Smotrich, February 8th, 2026

## 2. Paving the Way for Accelerated Settlement Expansion

The measures are designed to facilitate rapid settlement growth in the West Bank, consolidating Israeli control and altering demographics on the ground. Already, illegal state-backed settlement expansion has taken huge swaths of Palestinian land. There are currently over 400 illegal Israeli settlements and outposts across the West Bank[4]. What's more, Israeli planning policies in Area C of the West Bank have systematically denied Palestinian development while facilitating illegal settlement expansion. Between 2009 and 2020, only 66 building permits were issued to Palestinians, compared with 22,000 to Israeli settlers[5]. The current legal framework ensures this imbalance will widen further.

Land ownership registries in the West Bank, historically classified or restricted for reasons including security, privacy, and the prevention of fraudulent transfers, will now become publicly accessible. The disclosure of historical land records exposes Palestinian property and property owners to targeted acquisition efforts by illegal Israeli settlers, who already engage in violent terror attacks to displace Palestinians. In 2025 alone, more than 1,800 incidents of settler terrorism were documented in the occupied West Bank[6]. Providing settlers with direct access to information about Palestinian landowners will enable targeted intimidation and terror campaigns aimed at forcing displacement.

These administrative changes are occurring within a political environment in Israel shaped by governing coalition members that include Israeli settlers and members who have expressed ideological commitments to West Bank annexation. The measures provide legal and administrative mechanisms that incentivize settlement growth while simultaneously suppressing Palestinian construction, planning, and land use. Collectively, these developments facilitate intensified long-term settlement expansion through the institutionalization of unequal planning policies and territorial consolidation by Israel.

## 3. Breaches of International Law

Israel's new measures towards annexation of Palestinian land constitute a clear violation of international law and norms. As affirmed in the International Court of Justice (ICJ) Advisory Opinion of 2024, Israel's presence in the Occupied Palestinian Territory (OPT) violates the international law of self-determination and the prohibition on annexation through force. Any administrative or legal action by Israel attempting to alter land ownership or governance in the West Bank lacks legitimacy under international law. This includes zoning, planning, and registration of land as "state property."

These measures violate peremptory norms (Jus Cogens) of international law, which are binding on all states and cannot be overridden. This includes the prohibition on acquiring territory by force and the protection of a people's right to self-determination. Furthermore, the forced displacement of Palestinians, combined with restrictions on construction, planning, and access to resources, constitutes de facto dispossession and discrimination. Such actions raise concerns under the Geneva Conventions, international human rights treaties, and UN resolutions on the protection of civilians under occupation.

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[4] Peace Now. (2026). Population data: Settlements and outposts in the West Bank.

[5] Baly, L. (2026, February 23). In Area C, faster demolitions clear the way for Jewish expansion. Haaretz.

[6] United Nations Office for the Coordination of Humanitarian Affairs. (2026, January 7). *Humanitarian Situation Update #352 — West Bank*. United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

## Conclusion

These policies of dispossession in the West Bank, ranging from land registration changes and planning authority transfers, to settlement expansion, must be understood as interconnected with broader efforts that simultaneously erase Palestinian presence in the Gaza Strip. Rather than be a series of isolated administrative procedures, these new Israeli measures form part of a broader, coordinated settler-colonial strategy that has existed for decades, and extends all across Palestine.

Understanding the system that underlies Palestinian dispossession is crucial because it highlights the intersection between legal, administrative, and physical mechanisms of settler colonial control, and strengthens the case for comprehensive international accountability. Consequently, states and multilateral bodies can more effectively respond with targeted diplomatic, legal, and economic measures when annexation and settler expansion are framed as a coordinated project rather than as isolated incidents.

## Recommendations to Third States

Third states should take coordinated and effective diplomatic, economic, and legal action to respond to Israel's de facto annexation of the West Bank and to uphold international law and Palestinian aspiration toward sovereignty and self-determination.

### 1. Diplomatic Condemnation

- Publicly condemn Israel's de facto annexation of the West Bank as a violation of international law.
- Emphasize that these measures are part of a coordinated settler-colonial strategy undermining Palestinian self-determination and sovereignty.

### 2. Economic and Military Measures

- Impose a two-way arms embargo on Israel. States must immediately suspend all transfers of military items and associated services and assistance to Israel that cover arms, munitions, military fuel, dual-use items, and related equipment, whether provided directly or indirectly, by state or private actors.
- Review and suspend financial, trade, and investment agreements that directly or indirectly support settlement expansion, including infrastructure, technology, and construction projects in the West Bank.
- Refrain from economic or commercial relations with entities that contribute to the entrenchment of illegal settlements or the occupation of Palestinian territories.

### 3. Accountability and Reparations

- Enforce applicable international accountability mechanisms and support legal prosecution efforts cooperatively before the International Court of Justice, the International Criminal Court, and UN human rights mechanisms.
- Mobilize and support universal jurisdiction efforts.
- Implement targeted sanctions, including travel bans and asset freezes, against individuals and entities responsible for sustaining Israel's unlawful policies in the Occupied Palestinian Territory.