

SOLOMON POOLS

The Instrumentalization of
Cultural Heritage within Israel's
Settlement Expansion in
Southern Bethlehem Report





Solomon Pools: The Instrumentalization of Cultural Heritage within Israel's Settlement Expansion in Southern Bethlehem

July 14, 2026

I. Introduction

Solomon's Pools retain a distinctive place in Palestine's historical and water landscape, representing an ancient and sophisticated system of water management that operated for centuries. They remained an integral part of the infrastructure extending from southern Bethlehem to Jerusalem, serving as a vital component of a life-sustaining water network linking communities. In recent years, however, their significance has extended beyond their historical value. The site has increasingly become the target of Israeli colonial practices that instrumentalize archaeology, tourism, and religious narratives to reshape the surrounding geographical and political reality, in clear violation of international humanitarian law, international human rights law, and international conventions governing the protection of cultural property.

The report further highlights Solomon's Pools as a living cultural and geographical space that constitutes a point of social and geographic connectivity stretching across southern Bethlehem toward Jerusalem. Any infringement upon the site therefore constitutes a direct assault on Palestinian collective memory and on the geographic and social continuity linking Palestinian towns and communities.

Against this backdrop, the report examines both the legal status and the realities on the ground by tracing existing patterns of intervention and analyzing their settlement-related, cultural, and legal dimensions. It further interrogates the frameworks through which this

space is being reshaped and concludes by proposing avenues for international protection and accountability.

II. Historical background and spatial context

A. The Historical Development of the Site

Multiple accounts exist regarding the origins of Solomon's Pools and its associated water system, and the dating of some of its components remains the subject of archaeological debate due to the absence of comprehensive surveys of the entire site. Some interpretations associate parts of the system with Canaanite and early Roman periods, while other studies suggest that its initial development dates back to the Hasmonean period or the reign of Herod the Great (37 BCE–4 CE), with subsequent phases of expansion and maintenance occurring throughout later historical periods.¹

Findings from recent archaeological surveys, including surveys conducted in 2018, indicate that specific parts of the system, particularly the Lower Pool, may date back to the Roman period, specifically the second century CE.² Other hypotheses suggest that additional interventions took place during the Late Roman period to further develop the water channels associated with water management. This diversity of archaeological interpretations reflects the complex and layered nature of the site as a water infrastructure that evolved through successive historical periods rather than as a structure belonging to a single era.³

The Roman–Jewish historian Flavius Josephus referred to “Solomon's Pool” in the singular form in his work *The Jewish War* around 75 CE, representing one of the earliest known textual references to the site.⁴ In the tenth century CE, the Arab geographer al-Muqaddasi described the existence of two pools in the area in 985 CE, while the Persian traveler Nasir Khusraw mentioned one of the pools in the eleventh century and linked it to popular traditions attributing its construction to the Prophet Solomon. In the fourteenth century, the historian Mujir al-Din al-‘Ulaymi documented the existence of two pools during the reign of Sultan Muhammad ibn Qalawun in 1327, reflecting the continued presence of the site in Islamic geographical and historical writings.⁵

¹ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

² Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

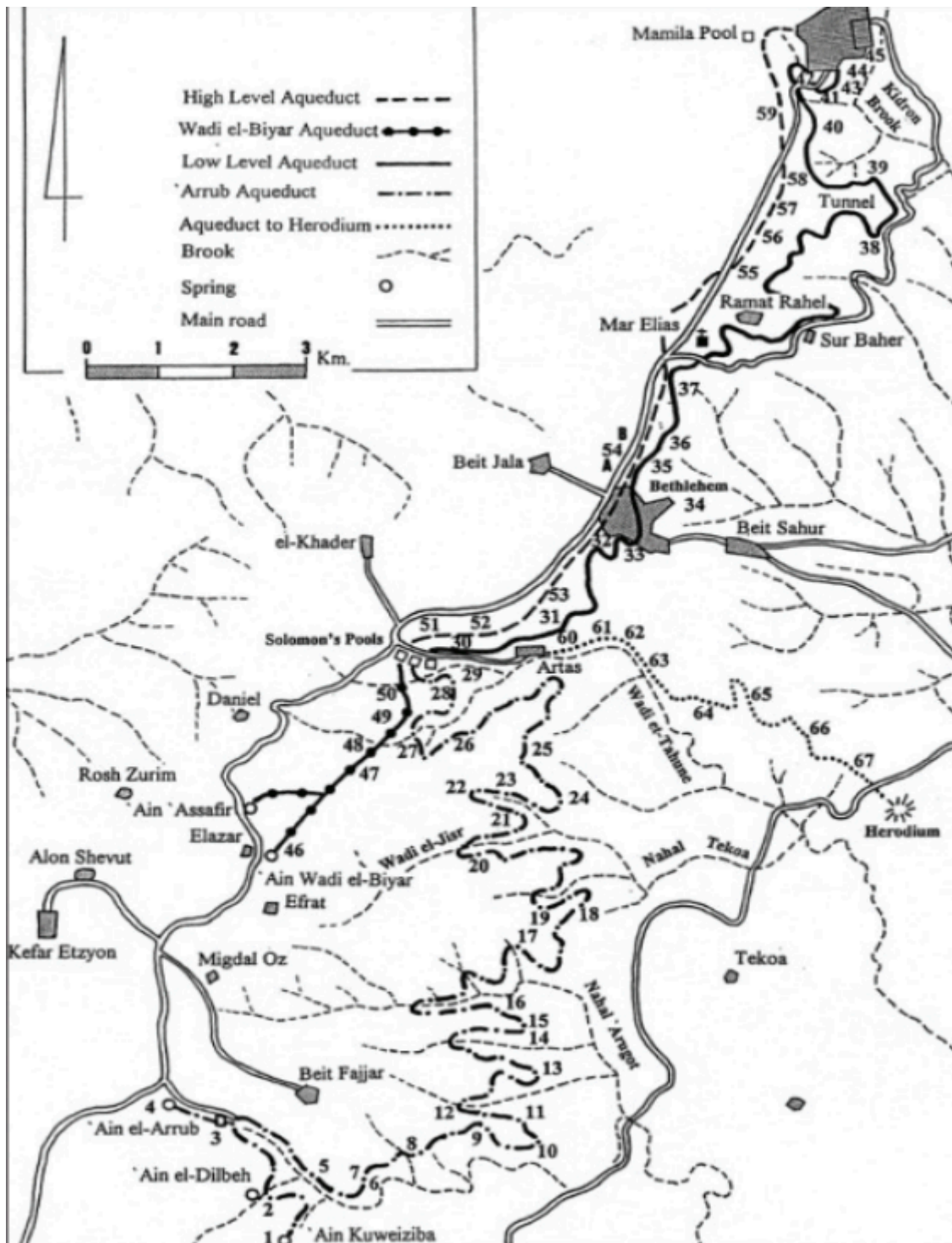
³ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

⁴ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

⁵ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

During the Ottoman period, which represents the most extensively documented phase in the history of Solomon's Pools, the site underwent significant restoration and reorganization. These works were associated with reforms attributed to the reign of Sultan Suleiman the Magnificent within an Islamic waqf framework for water management. In 1622 CE, Murad Castle (Qal'at Murad) was constructed opposite the pools during the reign of Sultan Murad IV, with the aim of protecting the water system and securing the channels that supplied Bethlehem and later Jerusalem with water, as well as safeguarding pilgrimage routes. The castle included military facilities, including soldiers' quarters, a mosque, and defensive towers, reflecting the incorporation of the site into a broader administrative and security framework during the Ottoman period.⁶

⁶ [بيت لحم: "برك سليمان". الرواية الرومانسية التاريخية لسبب بنائها](#)



(Map of the aqueduct system to Jerusalem, with Solomon's Pools location. T Photo from Amihai Mazar, "A Survey of the Aqueducts to Jerusalem," in *The Aqueducts of Israel*, ed. David Amit, Joseph Patrich, and Yizhar Hirschfeld (Cambridge: Journal of Roman Archaeology, Supplementary Series 46, 2002)).

Solomon's Pools continued to supply Jerusalem with water through the associated channel system until the early years of the British Mandate, when parts of the system were

modernized in 1919 through the replacement of traditional ceramic channels with metal pipes and pumps.

B. Solomon's Pools within Palestine's Historical Water Landscape

Solomon's Pools are located southwest of Bethlehem, between the towns of Artas and Al-Khader, along the historic route connecting Jerusalem and Hebron.⁷ The site holds particular geographical and strategic significance due to its location within a historic water system known as the "Qanat al-Sabil," which formed an integrated network connecting water sources in the southern Bethlehem area with the city of Jerusalem through channels extending for tens of kilometers. This system includes several main channels, most notably the Artas (al-‘Arrub) Aqueduct and the Lower Aqueduct, in addition to secondary channels such as the al-Biyyar channel. Some studies estimate the total length of this network at approximately 68 kilometers, while other estimates suggest that it extended up to 80 kilometers toward Jerusalem and its surrounding areas.⁸



(Aerial photograph from Solomon's Pools looking from west to east, G. Eric and Edith Matson Photograph Collection, Library of Congress, Prints and Photographs Division, Washington, DC, online at hdl.loc.gov/loc.pnp/matpc.22868).

⁷ [برك سليمان | موسوعة القرى الفلسطينية](#)

⁸ [برك سليمان | موسوعة القرى الفلسطينية](#)

Solomon's Pools represented an advanced historical model of water management, based on sophisticated hydraulic engineering that utilized the natural gradient of the landscape to transport water from the mountains without the need for modern pumping systems. The system relied on the collection of rainwater during the winter season, in addition to water flowing from local springs, including 'Ayn al-'Arrub, 'Ayn al-Biyyar, and 'Ayn 'Attan, located near the end of the third pool. The physical structure of the site reflects accumulated engineering development over successive periods, with parts of the pools carved into natural rock, while other sections were constructed using large stones secured with traditional building materials, within an ecological landscape surrounded by cypress and pine trees.⁹

C. Solomon's Pools as a Living Social and Cultural Landscape

Solomon's Pools were not merely a water infrastructure system; for centuries, they constituted a social and cultural space deeply connected to the local community, particularly the residents of Artas. A reciprocal relationship developed between the site and the surrounding community, with residents playing traditional roles in protecting the site and maintaining parts of the associated water system during different historical periods. According to historical accounts, the residents of Artas served as the official "guardians" of the site after being assigned this responsibility during the reign of Sultan Suleiman the Magnificent in the sixteenth century, including the protection and maintenance of the pools and the connected water channels of Qanat al-Sabil.¹⁰

Within this context, the pools and surrounding springs formed part of an integrated socio-ecological system upon which local agriculture depended and which contributed to shaping the daily lives of Artas residents. The area also became a space for social gatherings and community interaction, while remaining connected to a local cultural memory transmitted across generations. As part of this collective memory, local communities have historically associated Wadi Artas with the "Gardens of King Solomon," reflecting the site's significance within local cultural and religious narratives.¹¹

The relationship between the local community and Solomon's Pools also reflects dimensions extending beyond the economic function of water, as the site was historically linked to systems of spatial protection and security. Historical accounts indicate that, during periods of

⁹ [برك سليمان | موسوعة القرى الفلسطينية](#)

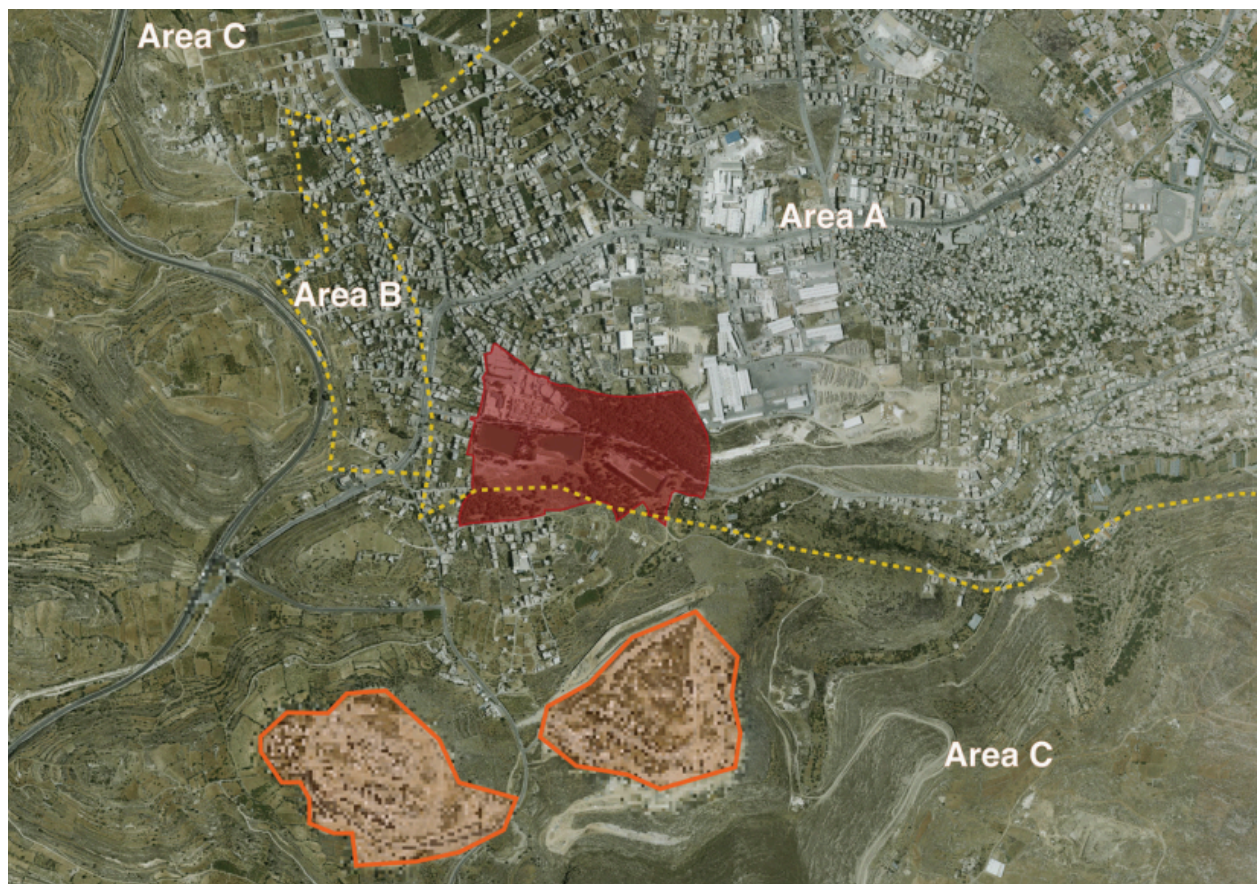
¹⁰ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

¹¹ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

regional instability in the early nineteenth century, residents of Artas sought refuge in the nearby Murad Castle, demonstrating the depth of the connection between the local community and the historical infrastructure of the site.¹²

III. The Contemporary Geopolitical Context

Today, Solomon's Pools are located within Area A, which falls under the Palestinian Authority's civil administration pursuant to the Oslo Accords.¹³ However, the site is geographically surrounded by Area C and an expanding settlement bloc, most notably the settlement of "Efrat" and the "Gush Etzion" settlement bloc.¹⁴ This setting places the site within a highly fragile geopolitical environment, where overlapping administrative jurisdictions intersect with the realities imposed by Israel's occupation and settlement regime, directly affecting the Palestinian management of the site, access to it, and the preservation of its spatial and cultural integrity.



¹² Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

¹³ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

¹⁴ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

(Aerial map of Solomon's Pools site location, in red, in relation to the borders of Area A, Area B, and Area C, shown in yellow dotted lines. The orange areas are the Israeli settlements Givat Hatamar and Givat Hadagan, incorporated into Efrat. 'Artas village is visible in the built-up area in Area A. Map courtesy of the Centre for Cultural Heritage Preservation (CCHP) in Bethlehem, 2018).

This reality extends beyond the site's administrative boundaries to encompass the broader historical water system to which it belongs. As Solomon's Pools constitute an integral component of the historic Qanat al-Sabil water system, Palestinian institutions, particularly the Ministry of Tourism and Antiquities, regard the site's historical and cultural significance as inseparable from this wider hydraulic system, recognizing it as a unified heritage landscape that reflects the historical development of water management in Palestine over successive centuries.¹⁵

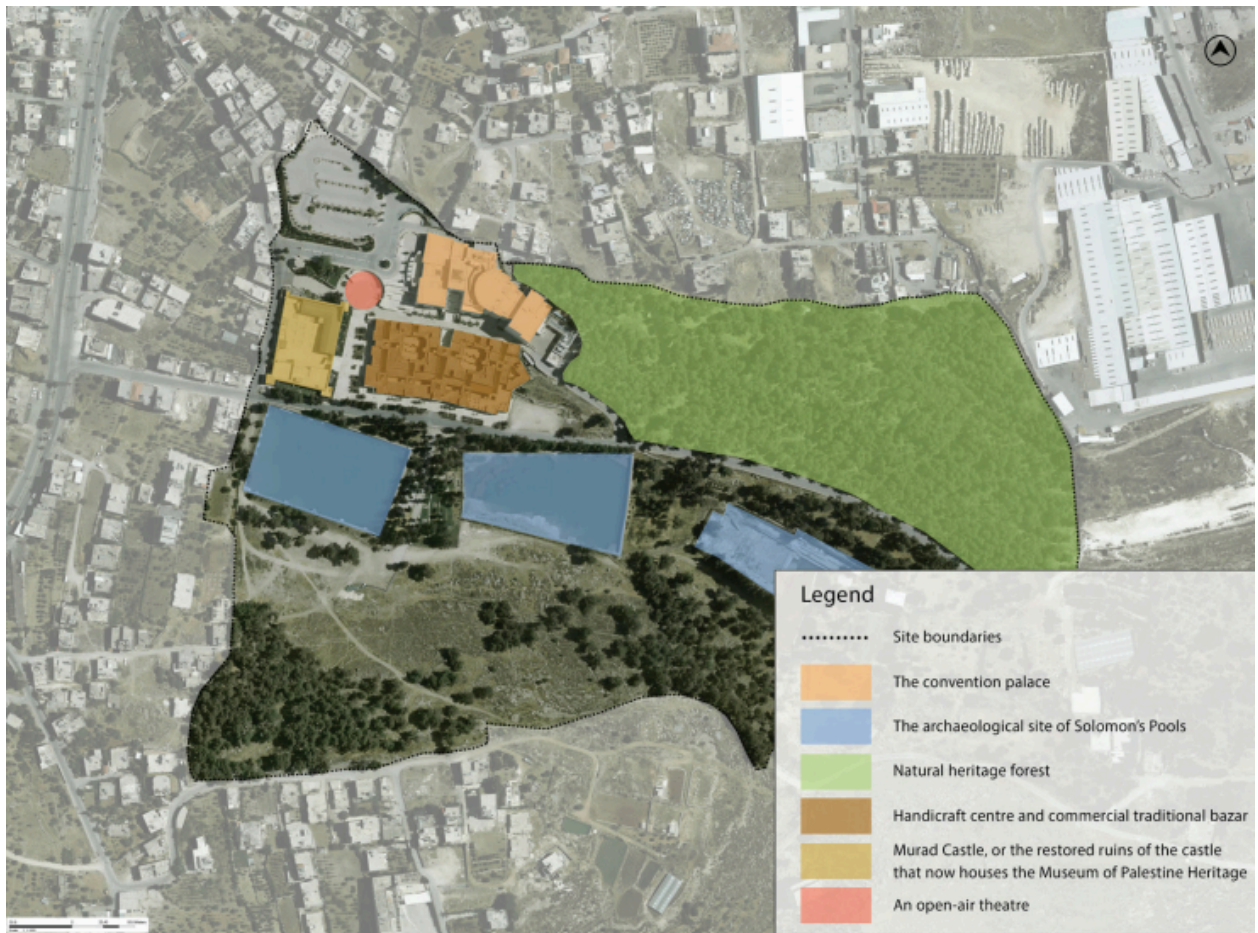
This approach is further reflected in efforts to safeguard the site's cultural heritage. Qanat al-Sabil has been included in the Palestinian national inventory of sites with potential Outstanding Universal Value, based on its significance as an integrated example of historical hydraulic engineering and its role in linking water management with the urban and religious development of Bethlehem and Jerusalem. This understanding also recognizes the site's enduring social and cultural significance, as it forms part of the collective memory of local communities, particularly the residents of Artas, whose relationship with the site has continued across generations.¹⁶

At the administrative level, the Solomon's Pools Preservation and Development Society (SPPD) is responsible for the site's day-to-day management under a fifty-year lease agreement concluded in 1996, operating under the umbrella of the Consolidated Contractors Company (CCC).¹⁷ The Society's responsibilities include managing the site's facilities, regulating visitor access, implementing maintenance and conservation works, and promoting the site as a national and international tourist destination through several rehabilitation projects, some of which have been supported by international funding.

¹⁵ [يرك سليمان | موسوعة القرى الفلسطينية](#)

¹⁶ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

¹⁷ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*



(Map courtesy of the Centre for Cultural Heritage Preservation (CCHP) in Bethlehem, 2018).

While these efforts have contributed to the site's conservation, contemporary management practices have also raised several governance and heritage-related concerns. On the one hand, the regulation of public access and the introduction of entrance fees have altered the traditional relationship between the local community and Solomon's Pools, which had remained an integral part of the social and everyday life of the residents of Artas for centuries.¹⁸

On the other hand, differing institutional approaches have emerged regarding the definition of the site and its nomination for international recognition. Whereas the SPPD has pursued the nomination of Solomon's Pools as an independent World Heritage property, the Palestinian Ministry of Tourism and Antiquities maintains that the site's Outstanding Universal Value cannot be separated from the broader Qanat al-Sabil system, which constitutes a single, integrated historical and cultural landscape.¹⁹

¹⁸ [برك سليمان | موسوعة القرى الفلسطينية](#)

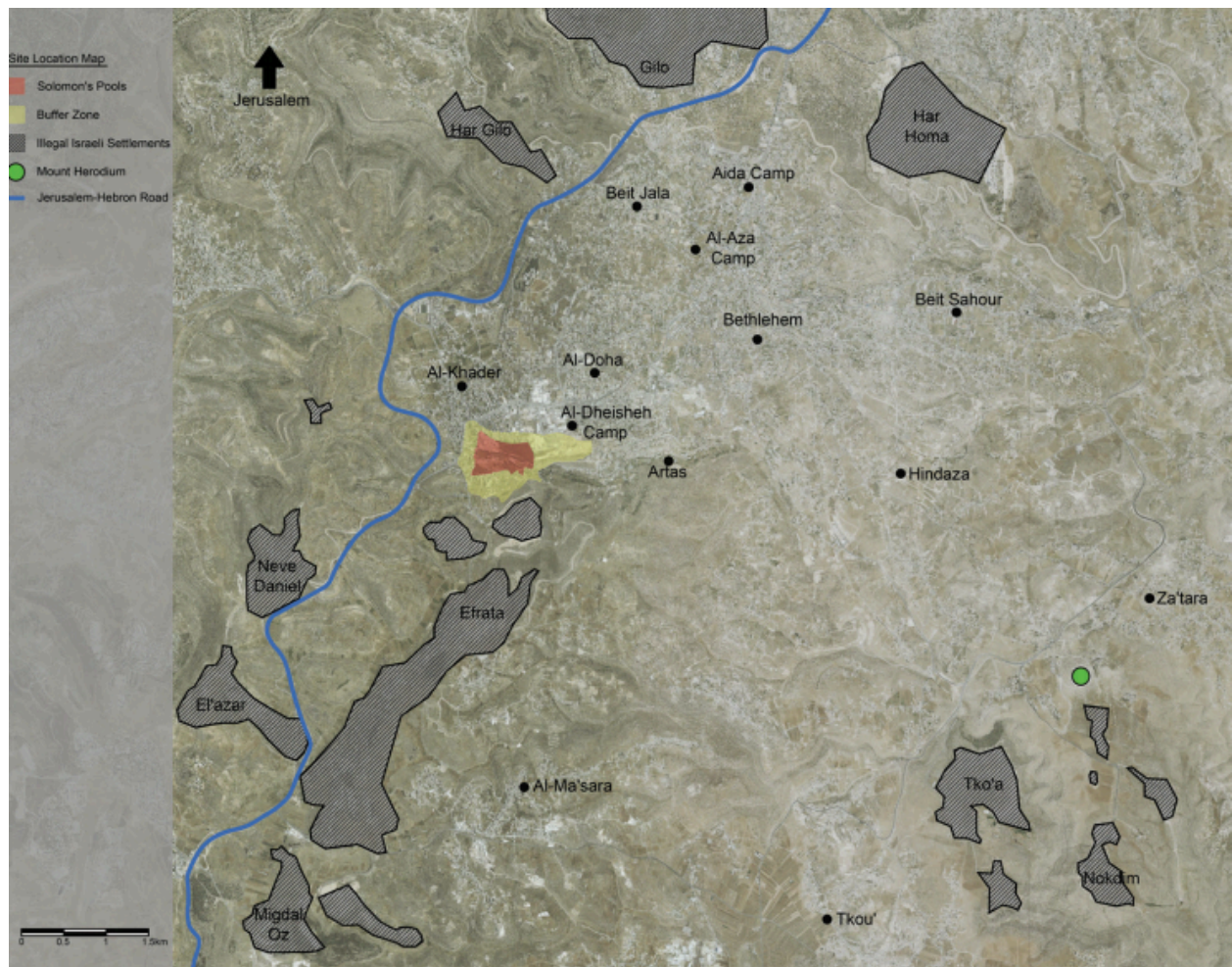
¹⁹ [برك سليمان | موسوعة القرى الفلسطينية](#)

IV. The Surrounding and Expanding Settlement Enterprise

The strategic significance of the site for the settlement project derives primarily from its geographical location rather than solely from its archaeological value. It lies along the corridor connecting the city of Bethlehem, the village of Artas, and the “Gush Etzion” settlement bloc, an area that successive Israeli governments have consistently regarded as one of the principal axes of settlement expansion south of Jerusalem.²⁰ Consequently, efforts to control the area surrounding Solomon's Pools extend beyond security or urban planning considerations and form part of a broader strategy to establish uninterrupted territorial continuity between Jerusalem and the settlements to its south. This process facilitates the de facto annexation of Palestinian land, undermines Palestinian territorial continuity between Bethlehem and Hebron, and targets one of the region's most historically, culturally, and geographically significant landmarks.

Despite the site's rich historical and archaeological significance, the absence of a comprehensive archaeological investigation of Solomon's Pools, largely due to their prolonged submersion under water, as well as the political constraints surrounding the site, has created a significant knowledge gap. This gap has subsequently been exploited to produce competing narratives regarding the site's identity and historical origins. In recent years, Solomon's Pools have become a contested space where archaeology, tourism, and religious discourse intersect with broader projects of spatial reconfiguration. Settlers from the “Gush Etzion” settlement bloc have increasingly mobilized the language of "heritage" and claims associated with the "Solomonic" narrative to advance a settler-colonial discourse that seeks to redefine the relationship between Palestinians and the site, despite the absence of sufficient historical or archaeological evidence to substantiate these claims.

²⁰ Balasan Initiative for Human Rights, *Efrat Settlement: “Lifeline” for Israel’s E-1 and E-2 Settlement and Annexation Plans Report* (May 21, 2026), [Efrat Settlement: “Lifeline” for Israel’s E-1 and E-2 Settlement and Annexation Plans Report – Balasan Initiative For Human Rights](#)



(Map showing the site area of Solomon's Pools (in red), and Israeli settlements (in dotted grey areas) surrounding the Bethlehem area. Map courtesy of the Centre for Cultural Heritage Preservation (CCHP) in Bethlehem, (2018).

In the case of Solomon's Pools, transforming historic water heritage sites into tourist destinations aligned with the settler-colonial narrative creates a new reality that relies not only on military or territorial control but also on cultivating a routine relationship between visitors and the site through a carefully constructed historical narrative.

More recently, Solomon's Pools have witnessed an increased influx of Israeli settlers, widely documented on social media, alongside visits by Israeli media outlets and journalists.²¹ In a more alarming precedent, Israeli Finance Minister Bezalel Smotrich and hardline Knesset

²¹ [Aline, "We Discovered Solomon's Pools! Exploring Israel with Aline and @RodrigoSilvaArqueologia," March 5, 2026, YouTube video.](#)

member Zvi Sukkot stormed Bethlehem's Solomon's Pools in May, where both went swimming in one of the pools in an act of provocation.²²

These developments indicate that, rather than isolated or sporadic incidents targeting an archaeological site, they form takeover intent, initiated and protected by the highest political echelons in Israel.

The expansion of the "Efrat" settlement clearly illustrates this policy. In February 2025, the Israeli Civil Administration published two tenders for the construction of 974 new settlement housing units within a new settlement neighborhood covering approximately 644 dunums, following approval of the plan in 2024.²³ This marks the transition of the project from the planning phase to implementation and is expected to increase the settlement's population by approximately 40 percent, thereby strengthening the settlement bloc surrounding Solomon's Pools and fundamentally altering the demographic and spatial balance in the area.²⁴

This expansion should not be understood merely as an increase in residential units. Israeli settlements are developed alongside an integrated network of bypass roads, infrastructure, military zones, and Area C lands, gradually creating a contiguous settlement space that restricts the natural growth of Palestinian towns and villages while transforming Palestinian heritage sites into isolated enclaves surrounded by areas under Israeli control.²⁵

These risks are compounded by the fact that Solomon's Pools are not the only heritage site targeted by Israel. Rather, they form part of a broader cultural landscape that includes Al Makhrou, Battir, Qanat al-Sabil, and numerous historical and agricultural sites that have been simultaneously affected by settlement expansion in recent years. Collectively, these developments undermine the outstanding cultural and historical value of one of Palestine's most significant agricultural landscapes.

This situation is further exacerbated by the administrative fragmentation imposed under the Oslo Accords. While Solomon's Pools are located within Area A, most of the site's immediate

²² [Palestinians resist Israel's efforts to take over the West Bank landmark, Solomon's Pools – Mondoweiss](#)

²³ [A Tender for c. 1000 units for a new neighbo... | Peace Now](#)

²⁴ [A Tender for c. 1000 units for a new neighbo... | Peace Now](#)

²⁵ Balasan Initiative for Human Rights, *Efrat Settlement: "Lifeline" for Israel's E-1 and E-2 Settlement and Annexation Plans Report* (May 21, 2026), [Efrat Settlement: "Lifeline" for Israel's E-1 and E-2 Settlement and Annexation Plans Report – Balasan Initiative For Human Rights](#)

surroundings fall within Area C under full Israeli control. This division has severed the site from its natural landscape and significantly limited the ability of Palestinian institutions to plan for the protection of the surrounding cultural landscape or intervene to prevent settlement expansion, thereby creating a gap between their formal legal responsibility for managing the site and their practical capacity to safeguard it.

V. The Instrumentalization of Archaeology and Heritage within the Settlement Project

Solomon's Pools constitute a clear example of the political instrumentalization of cultural heritage. The site, which comprises an integrated historical system of reservoirs and interconnected water channels, does not belong exclusively to a single historical period or civilization. Rather, it reflects successive layers of human interaction with the landscape, spanning ancient periods, the Roman and Islamic eras, the Ottoman period, and the continuous relationship maintained by the local Palestinian community with the site as an integral part of its social and cultural environment.

Nevertheless, certain Israeli governmental and settler narratives seek to reframe the site within a singular historical account centered primarily on King Solomon, transforming this presumed historical association into the basis for asserting an exclusive connection to the site. The issue, however, is not the study of any particular historical or religious interpretation of the site itself, but rather the use of a selective reading of history to generate contemporary political legitimacy for territorial control. Such an approach marginalizes the site's multiple historical layers, particularly the enduring Palestinian relationship with the site.

The relationship between archaeology and the settlement project is reflected in several studies and practices concerning the region's historical water systems. Critical scholarship has argued that certain archaeological surveys examining the ancient aqueduct network cannot be separated from their broader political context, as they became associated with attempts to establish symbolic and geographical connections between historical sites and Israeli settlements south of Jerusalem. One notable example is the archaeological survey conducted by Israeli archaeologist Amihai Mazar in 1969 on the region's ancient water systems. According to critical analyses, the project was not detached from broader efforts to construct

symbolic links between the settlement of Kfar Etzion and Jerusalem through the historic aqueduct network.²⁶

The political use of archaeological knowledge is also reflected in changes made to the titles of scholarly works concerning the site. It has been noted that Amihai Mazar's study, originally published in Hebrew in 1989 under a title referring to the "Ancient Aqueducts of Palestine," later appeared in English under the title "The Aqueducts of Israel." This linguistic shift represents far more than a simple translation choice; it reflects the reframing of the site within a different political identity by relocating it from its Palestinian geographical and historical context into an Israeli national framework.

Beyond shaping historical narratives to restructuring the public's relationship with the site itself, the use of heritage as an instrument of control extends to the concept of "settlement tourism," whereby Palestinian archaeological and natural heritage sites are transformed into profitable mechanisms for establishing a permanent settler presence within the Palestinian landscape, not only through physical construction but also through regulating access to the site, organizing activities within it, and embedding it within a particular political narrative.²⁷

This trajectory could ultimately result in arrangements similar to those imposed on other Palestinian heritage sites, including restrictions on Palestinian access or the introduction of temporal and spatial divisions under religious, archaeological, or security pretexts, for example, its proximity to the Efrat settlement. Under such circumstances, the threat extends beyond the loss of administrative control over the site to encompass the erosion of the social and cultural relationship that connects Palestinians to it.

The case of Solomon's Pools therefore reveals a broader pattern in which cultural heritage is instrumentalized as part of the settler-colonial project. The objective is not merely to control territory, but also to control memory, meaning, and historical narrative. The site thus embodies a conflict between two competing conceptions of heritage: one that views heritage as a multilayered legacy of humanity that must be protected while respecting its enduring relationship with the communities that have preserved it, and another that employs heritage as

²⁶ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage in Palestine*

²⁷ Marjolein Schut, *Solomon's Pools / Burak Sulayman: A Case Study on Mobilizing Heritage, in Palestine*

a vehicle for constructing an exclusive historical narrative that legitimizes territorial domination and settlement.

Accordingly, protecting Solomon's Pools entails more than preserving historic reservoirs or ancient hydraulic infrastructure. It also requires safeguarding the Palestinian community's right to maintain its historical and cultural relationship with the site and preventing the transformation of cultural heritage from a shared repository of human memory into an instrument for re-engineering identity, sovereignty, and control over the land.

VI. The Legal and Analytical Framework

The developments affecting Solomon's Pools must be assessed within the broader legal context of Israel's unlawful prolonged occupation of the Palestinian territory. In its 2024 Advisory Opinion, the International Court of Justice (ICJ) affirmed that Israel's continued presence in the Occupied Palestinian Territory is unlawful, particularly in light of its settlement expansion, annexation policies, and violations of the Palestinian people's right to self-determination.²⁸ Within this context, the transformation of Solomon's Pools and its surrounding landscape cannot be viewed as an isolated heritage issue, but rather as part of broader practices aimed at consolidating control over occupied territory through territorial, cultural, and spatial reconfiguration.

A. The Illegality of Settlement Expansion and the Duty to Preserve the Occupied Territory

Under international humanitarian law, the West Bank, including Bethlehem Governorate, constitutes occupied territory to which the Fourth Geneva Convention of 1949 and the Hague Regulations of 1907 apply. As the occupying power, Israel is prohibited from altering the demographic composition or permanent character of the occupied territory except where strictly justified by military necessity or for the benefit of the protected population.²⁹

Article 49(6) of the Fourth Geneva Convention prohibits the occupying power from transferring parts of its own civilian population into the territory it occupies.³⁰ The continuous

²⁸ [Advisory Opinion of 19 July 2024 | INTERNATIONAL COURT OF JUSTICE](#)

²⁹ [IHL Treaties - Hague Convention \(IV\) on War on Land and its Annexed Regulations, 1907](#)

³⁰ ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-49

expansion of settlements surrounding Solomon's Pools, particularly within the “Gush Etzion” settlement bloc and the expansion of “Efrat”, forms part of a policy repeatedly recognized by the international community as contrary to international law.³¹ These settlement activities extend beyond residential construction to include the development of roads, tourism infrastructure, and administrative arrangements that facilitate long-term territorial control while fragmenting the surrounding Palestinian landscape.

B. Protection of Cultural Heritage under International Law

The exploitation of cultural heritage to consolidate political control or reshape the identity of a place constitutes a breach under international humanitarian law. As the occupying power, Israel is obligated under the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict to safeguard cultural property located in occupied territory and refrain from using it in ways that alter its character or serve specific political objectives. The Fourth Geneva Convention of 1949 also prohibits annexation policies and the transfer of the occupying power’s civilian population into occupied territory, principles that are directly linked to settlement expansion and broader efforts to reshape the cultural and demographic landscape.

In the case of Solomon’s Pools, these concerns are reflected in attempts to reframe the site through selective historical and political narratives and to detach it from its broader Palestinian context as part of the Qanat al-Sabil hydraulic system and the surrounding cultural and social landscape. The expansion of settlements around the site, coupled with the use of heritage and tourism narratives to redefine its relationship with its surroundings, affects not only the management of the site and access to it, but also threatens its cultural integrity and historical context.

Similarly, the 1972 UNESCO World Heritage Convention affirms that the value of cultural sites is derived not only from their physical components but also from their relationship with the historical and cultural landscapes in which they developed.³² Accordingly, policies that isolate Solomon’s Pools from its local community or repurpose it within a political project

³¹ Balasan Initiative for Human Rights, *Efrat Settlement: “Lifeline” for Israel’s E-1 and E-2 Settlement and Annexation Plans Report* (May 21, 2026), [Efrat Settlement: “Lifeline” for Israel’s E-1 and E-2 Settlement and Annexation Plans Report – Balasan Initiative For Human Rights](#)

³² [UNESCO World Heritage Centre - Convention Concerning the Protection of the World Cultural and Natural Heritage](#)

seeking to impose a different identity upon the site are inconsistent with the fundamental principles underlying the international protection of cultural heritage.

C. Cultural Heritage, Indigenous Presence, and Human Rights

The instrumentalization of archaeology within occupied territory also raises important concerns under international human rights law. Cultural heritage is closely linked to the rights of individuals and communities to participate in cultural life, preserve their historical identity, and maintain their relationship with places of historical significance.

Article 15 of the International Covenant on Economic, Social and Cultural Rights guarantees the right of everyone to take part in cultural life, while Article 27 of the Universal Declaration of Human Rights similarly recognizes the right to participate freely in the cultural life of the community.³³ These protections extend beyond access to monuments themselves and encompass the continued relationship between communities and their cultural landscapes.

For generations, the residents of Artas have maintained social, cultural, and historical ties with Solomon's Pools. Restrictions on access, increasing settler incursions, and efforts to redefine the site's historical identity risk eroding this relationship by transforming a shared cultural landscape into a space increasingly associated with the surrounding settlement enterprise. Such developments interfere not only with cultural rights but also with the broader right of occupied populations to preserve their collective memory and historical identity.

D. Archaeology as an Instrument of Settler Colonialism

International law does not prohibit archaeological research or historical inquiry. However, when archaeological interpretation is selectively employed to legitimize territorial acquisition, facilitate settlement expansion, or marginalize the historical relationship of the protected population with the land, it becomes part of a broader system of unlawful appropriation.

³³ [International Covenant on Economic, Social and Cultural Rights | OHCHR](#)

The developments surrounding Solomon's Pools illustrate how archaeology, tourism, and heritage management may function as complementary mechanisms within a settler-colonial project. Rather than relying exclusively on physical confiscation, territorial control may also be consolidated through symbolic domination, historical reinterpretation, and the gradual normalization of an exclusive narrative that privileges the occupying power's political claims while diminishing the historical continuity of the indigenous population.

Viewed collectively, settlement expansion, landscape transformation, heritage appropriation, and the reconfiguration of public access constitute mutually reinforcing practices that alter both the physical and symbolic character of occupied territory. Such measures contribute to the consolidation of an unlawful situation that international law requires States neither to recognize nor to support.

E. International Responsibility and Accountability

The legal implications of these developments extend beyond the obligations of the occupying power. Under the Articles on Responsibility of States for Internationally Wrongful Acts and the findings of the International Court of Justice, third States are under obligations not to recognize as lawful situations created through serious breaches of peremptory norms, not to render aid or assistance in maintaining such situations, and to cooperate in bringing them to an end.³⁴

These obligations are particularly relevant where archaeological, tourism, conservation, or investment initiatives risk contributing, directly or indirectly, to the normalization of settlement activities or to the appropriation of Palestinian cultural heritage. International actors engaged in cultural preservation should therefore ensure that heritage protection remains consistent with international humanitarian law and does not facilitate or legitimize the unlawful transformation of occupied territory.

Accordingly, the case of Solomon's Pools demonstrates that the protection of cultural heritage in occupied territory cannot be separated from the protection of the rights of the protected population or from the broader prohibition on acquisition of territory by force. Safeguarding the site requires preserving not only its physical structures but also its historical landscape, its

³⁴ [Articles on Responsibility of States for Internationally Wrongful Acts](#)

authenticity, and the enduring relationship between the site and the Palestinian communities that have shaped and maintained it across successive generations.

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