

# ISRAELI APPROPRIATION + EXPLOITATION IN PALESTINE USING MEDJOUL DATES



**JUST PEACE ADVOCATES**  
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Defending Human Rights



# INTRODUCTION

## An Introduction to Date Palms in Palestine and Beyond

Date palms are referenced in ancient Palestinian writings and are one of the oldest fruit crops cultivated in the South West Asia and North Africa (SWANA) region for over 5,000 years.<sup>1</sup> While date palms “have been traditionally grown in the Jordan valley area from antiquity, after the 1967 Israeli occupation of the West Bank and Gaza strip, however, considerable areas of the Jordan valley were confiscated by Israel and new high quality varieties of date palm trees, mainly Medjoul, were introduced.”<sup>2</sup> Since the 1990s, there has been significant economic growth in the Palestinian date palm sector.<sup>3</sup> Between 2017 and 2023, Palestinian date palm exports grew from \$28.8 million to \$69 million USD.<sup>4</sup>

However, Palestinian date farmers face obstacles — namely Israel’s settler colonial apartheid regime and illegal occupation. It is crucial to name this. For instance, the Food and Agriculture Organization of the United Nations (FAO) names “key challenges” for the Palestinian date palm sector as: water scarcity, high production and transaction costs, skilled labour shortages, inefficient practices (small holders), and competition from Israeli products.<sup>5</sup> Every single one of these “challenges” is rather a roadblock imposed by the Israeli state in order to suffocate Palestinians, prevent Palestinian self-determination, and continue its settler colonial project.



The material impacts of the occupation and apartheid are clear when considering the difference between the value of date exports from Israel versus Palestine. Between 1967 and 2024, Israel made 8.34 times more from date exports than Palestine.<sup>6</sup> In other words, while Palestinian date exports totalled just over \$400 million, Israeli date exports totalled over \$3.3 billion. Between 1994 and 2009, Israel made anywhere from 60—670 times more from date exports than Palestine.

Israel is only able to profit from dates because of its occupation, apartheid, and genocide. Meanwhile, between 1961 and 2024, Canada imported nearly \$1.5 billion worth of dates. While we are unable to confirm the breakdown of date imports by country, we note:

- In 2023, Palestinian exports to Canada totalled only \$2.26 million, with the majority being “edible fruits, nuts, peel of citrus fruit, melons” (\$1.3 million).<sup>7</sup>
- In comparison, in 2024, Israel’s total exports to Canada were \$554 million with \$31.33 million worth of “edible fruits, nuts, peel of citrus fruit, melons”.<sup>8</sup>

In interviews, settler farmers have “identified the Medjool date economy as the most profitable in the Jordan Valley, and the one that has made the settlements there ‘successful.’”<sup>9</sup> “Jewish rural communities, principally the kibbutz and moshav, dominate agricultural production...”<sup>10</sup>

## A Brief History of How Medjool Made it to Palestine



Medjool dates specifically are traced back to the Arabian Maghreb. They were brought to the United States (US) in 1927 with the help of the US Department of Agriculture (USDA). Walter Swingle, a USDA biologist brought 11 Medjool offshoots back to the US from a visit to Morocco.<sup>11</sup>

However, due to labelling confusion, they were named “unknown” which translated to Medjoul (or Mejhool) in Arabic.<sup>12</sup> The dates were grown by a Chemehuevi farmer, named Johnson, and his wife on the Fort Mojave Indian Reservation for several years.<sup>13</sup> Then, in 1935 after being released from USDA quarantine, they were transplanted to Indio, California.<sup>14</sup> Nearly 40 years later, the Medjoul were propagated and brought by settlers to the occupied Jordan Valley for cultivation, with support from the Jewish Agency for Israel.<sup>15</sup>

# PALESTINIAN PRODUCTS

## Al-Rwad

Al-Rwad Company for Agricultural Investment (Al-Rwad) was established in 2010, in Al-Auja Town, Jericho, Palestine.<sup>16</sup> “The company has continually worked since its establishment to enable Palestinian farmers through working on rising the quality of the Palestinian product to be a competitor in the global markets....[this supports] the Palestinian farmer towards enabling them in their land and maintain[ing] it.”<sup>17</sup>

“

**The Palestinian farm is a family farm, as it is inherited from one generation to the next. Not only the land is inherited, but the experience as well, and with each new generation, this experience increases more and more.**

— Al Rwad <sup>20</sup>

Depending on the season, Al-Rwad employs between 50 and 200 Palestinians. The company is present in 33 countries, including Canada. In 2026, the dates are being sold under two brand names in Canada: Palestine Just Trade<sup>18</sup> and Nabet.<sup>19</sup>



Source: [Al-Rwad](#)

## Palestine Gardens

Palestine Gardens is a subsidiary of the Sinokrot Holding company, a family-owned

business in Palestine.<sup>21</sup> It was established in 2009 and produces five tonnes of agricultural products a year. Palestine Gardens has 300 greenhouses on 300 dunums of land — which they hold in partnership with local farmers in the Auja-Jericho and Tubas areas.<sup>22</sup> They ship to more than 20 countries, including Canada. In 2026, the dates are being sold in Canada under the brand name Lara.<sup>23</sup>

## **QITAF Company for Agricultural Marketing and Investment**

QITAF was founded in 2013 in Jericho, Palestine. They sell Premium and Choice Medjoul dates, including in Canada. In 2026, the dates are currently being sold under the brand name Jericho Delights by BuycottPalestine.<sup>24</sup>

“

**It is the product of fatigue, effort, and struggle of an administration and workers who believed in it, and stayed awake and tired for its growth and survival, so it grew and gave, and remained a witness to a Palestinian agricultural economic clarity that we cherish, which continues to expand in the Arab and international markets.**

— QITAF <sup>25</sup>

These three companies are not the only Palestinian companies producing Medjoul dates. However, these are the three we have been able to independently verify are available in Canada. Other Palestinian companies that have previously, but are not to our knowledge exporting Medjoul to Canada in 2026, include but are not limited to Nakheel Palestine and Al'Ard.<sup>26</sup>



Source: QITAF

# ISRAELI APARTHEID

## Looking at the Whole of Occupied Palestine

The production and sale of Medjoul dates by Israeli companies is exploitation. It is rooted in the historic and ongoing genocide of Palestinians. This is not isolated to the West Bank, including East Jerusalem or Gaza Strip. While Medjoul are being more frequently planted along the Jordan Valley, in the Green Line, the entire industry is complicit in Israel's crimes. For instance, Kvutzat Kinneret (or Kibbutz Kinneret) and Moshavat Kinneret are Israeli settlements, established between 1908 and 1913.<sup>27</sup> Both Kinneret settlements sit on the edge of the Sea of Galilee, surrounded by the remains of Palestinian villages. This includes al-Manshiyya, al-'Ubaydiyya<sup>28</sup>, Samakh<sup>29</sup>, and al-Manara.<sup>30</sup> All four of these towns were destroyed by settlers during the Nakba of 1948 (the indigenous Palestinian population forcibly transferred out and systematically denied their right of return, and their lands and properties appropriated and transferred to Israeli Jewish ownership).<sup>31</sup>



Samakh 1948



Samakh 1948



al-'Ubaydiyya 1920

Source: [Palestine Remembered](#)

Now, they not only grow and sell Medjoul dates, Kibbutz Kinneret advertises and profits from tourism,<sup>32</sup> while Moshavat Kinneret profits from the “Zemach Tissue Culture Laboratory” — a “plant tissue culture company” that provides “cultured date palms”, allowing other companies to expand.<sup>33</sup>



**Discover the story behind the date palm groves at Kibbutz Kinneret, where pioneers revived the ancient tradition of cultivation date in the Land of Israel...The date palm, a renewed symbol of the country, compromises here thanks to the determination of the pioneers.**

— Eretz Kinneret <sup>34</sup>

Kinneret has long been connected to date palms. That is because Ben Zion Israel, born Benzion Chernomorsky in Ukraine, one of the founders of Kibbutz Kinneret is also responsible for the importation of thousands of date palms into Palestine.<sup>35</sup> He is considered “one of the founding fathers of the Israeli date industry.”<sup>36</sup> This set the stage for the success of Medjoul dates, that would later be brought from the US. But Kinneret is not only the source of agricultural expansion, it is also the source of one founder of the Israeli intelligence and military community — Shaul Avigur. Avigur was born in Dvinsk (now Latvia, then under Russian rule) and later a member of Kibbutz Kinneret.<sup>37</sup> He “was the founder and head of the Haganah’s intelligence department, which later became the Mossad.” He also was a “leader of the Jewish illegal immigration into Palestine, head of the arms purchasing adventures that brought arms to the Haganah in pre-State days and later Deputy Minister of Defense and David Ben-Gurion’s right hand.”<sup>38</sup>

The settlement of Palestine is the result of continuing criminal acts on both sides of the Green Line. The produce that is grown and sold is a result of continued land appropriations, pillage of natural resources, and continued forced displacement of Palestinian landowners from the lands and properties.<sup>39</sup> Regardless of which side of the Green Line products come from, these products rely on the entrenchment of Israeli occupation and discriminatory policies and practices of apartheid.<sup>40</sup>

## **The supply chain: From Israel to Canada**

Generally, ‘Israeli’ dates arrive in Canada through direct importation from Israeli producers, or through indirect routes such as US distributors. For example, Galil Brands, a US company, sells ‘Israeli’ Medjoul under their own brand names (LiOR

and Galil) as well as MedjoolPlus.<sup>41</sup> While they are a US company, they sell and ship their products to Canada.<sup>42</sup> Over the years, Hadiklaim and Mehadrin have been the main two brands directly imported to Canada.<sup>43</sup>

## ***Hadiklaim***

“Hadiklaim, the Israeli date growers' co-operative, has been credited by business analysts Bloomberg Credit with rebranding dates as a must-have recipe ingredient.”<sup>44</sup> They are Israel’s “largest date producer and exporter of organic and non-organic dates and date products.”<sup>45</sup> As a co-operative, they work with many farmers and date farms. They sell their dates under several brand names including: Jordan River, La Palma, Bomaja Blue, King Solomon, and Myjool.

As of 2022, Hadiklaim had a packing house in the illegal settlement of Beit Ha’Arava in the occupied West Bank. We have not been able to confirm whether or not Hadiklaim continue to operate this packing plant in 2026. However, they do continue to export the dates as “Produce of Israel.” In 2025, the UN Database on Businesses Active in the Settlements, listed Hadiklaim Israel Date Growers Cooperative Ltd as amongst the “business enterprises no longer involved in listed activities”.<sup>46</sup>

However, as of February 5, 2026 we identified Hadiklaim Medjool dates in Canada being sold under their King Solomon brand. These dates, at multiple stores (Fiesta Foods and The Big Carrot), are labelled as “Produce of Israel” and the grower is listed as “Nativ Hagdud”. Nativ (or Netiv) Hagdud is an illegal settlement north of al-Auja, Jericho and southeast of Al Mughayyir, Ramallah.<sup>47</sup> The settlers there are living on 215 dunums of Palestinian land unlawfully appropriated from Fasayi and 993 dunums of Palestinian land unlawfully appropriated from Al-Auja.<sup>48</sup> Moshav Netiv HaGdud partners with the Oren Farm to grow organic Medjool dates.<sup>49</sup>





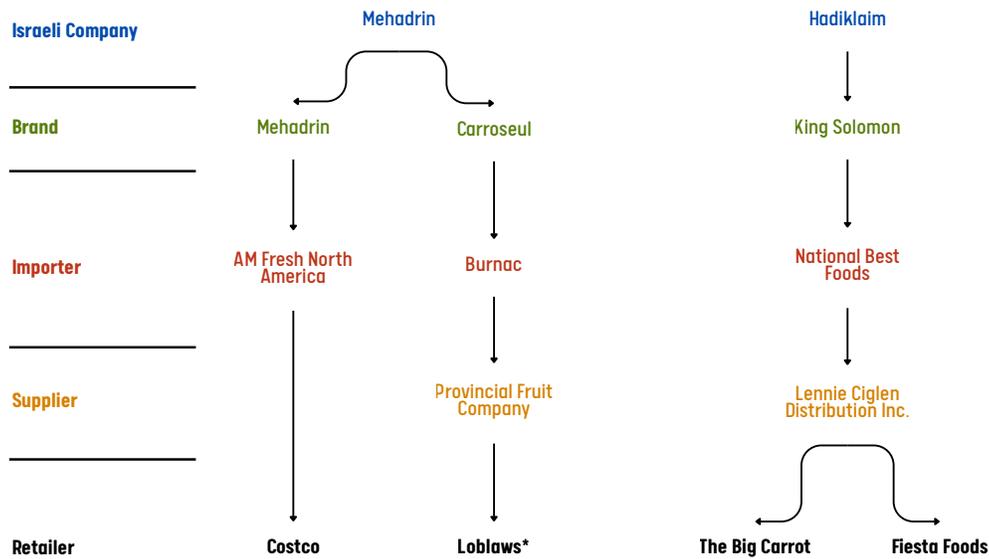
## ***Mehadrin***

Mehadrin "is Israel's largest grower and exporter of citrus, avocado, dates, and other fruits and vegetables."<sup>52</sup> It markets agricultural products from illegal settlements, owns grapefruit plantations in the Jordan Valley,<sup>53</sup> and exports dates grown in illegal settlements.<sup>54</sup> Mehadrin also "employs hundreds of Palestinian harvest workers from the occupied West Bank. According to the company's annual report, they cost the company less than Israeli workers, who receive a higher salary."<sup>55</sup>

To date in 2026, we have identified Mehadrin products at Costco and various Loblaws branded stores. The dates are being sold under the Mehadrin brand name at Costco and under the Carroseul brand name by Loblaws.

## ***Other Brands and Suppliers***

In addition to the above brands, we have also identified Prana and President's Choice branded Medjoul dates labelled "Produce of Israel". While we have been unable to clarify the source of these two brands, we have uncovered the suppliers for the remaining products.<sup>56</sup>



## The Role of the Canadian Food Inspection Agency (CFIA)

The Canadian Food Inspection Agency (CFIA) requires fresh produce to be labelled with the Country of Origin.<sup>57</sup> Medjoul dates are considered a fresh fruit, that is part of what makes them unique.<sup>58</sup> This is because they do not go through a drying or treatment processes. Rather they are picked, washed, and packaged. They are generally chilled for transport and during storage. CFIA defines processed fruit as one that is “in a hermetically sealed package and is commercially sterile or that has been cooked, frozen, concentrated, pickled or otherwise prepared to assure its preservation.”<sup>59</sup> Based on this, the Canadian BDS Coalition and International BDS Allies sent a letter to the CFIA in 2019, highlighting packaging that indicated products from Israel which in fact were from illegal settlements in the occupied Palestinian territory (OPT) and products without a country of origin.<sup>60</sup> The CFIA responded in April 2020 stating that Medjoul are considered “dried” and therefore do not require a country of origin.<sup>61</sup> This appears to directly contradict CFIA’s own policy.

# IMPACT ON PALESTINIANS

*“Control over land and water can be seen not as for agriculture but occurring through agriculture.”<sup>62</sup>*

## Land Appropriation

Despite the OPT being held under a de facto unlawful military occupation, the Israeli government has subverted the role of the military commander and has become central to the operation of the agricultural sector.<sup>63</sup> Interestingly, Israel’s Ministry of Agriculture and Rural Development considers the Jordan Valley, in the West Bank, in the OPT to be within its jurisdiction.<sup>64</sup> “[S]ettler-farmers play an important role in maintaining access to land for the Israeli state by physically occupying and utilising large tracts of land, creating 'facts on the ground' asserting Israeli presence.”<sup>65</sup> The area between the Jordan Valley and Jordan is also considered a “closed military zone”<sup>66</sup> under Military Order 151 (November 1967).<sup>67</sup> The majority of this area is Palestinian land that had been farmed until 1967.<sup>68</sup> Yet, significant amounts of this land has been transferred by Israel to Israeli settlers — as of 2013, approximately 8,560 dunums of the total 167,000 was being cultivated by settlers.<sup>69</sup> Meanwhile, Palestinians are forcibly cut off from their indigenous lands and natural resources.<sup>70</sup>

In occupied territory, the belligerent occupant as a temporary administrator is not the sovereign, and therefore cannot alienate land or alter the title to the land in any way. Private land cannot be confiscated and public land can only narrowly be used temporarily under the rules of usufruct, which preserves the capital of the property intact for the returning sovereign.<sup>71</sup> As such, land in the occupied West Bank cannot technically be owned by Israel. Despite this, Israel has unlawfully appropriated Palestinian land designating it as “Israel State” land, and transferring it for the long-term use of Jewish-settlers through the IDF Civil Administration and World Zionist Organization.<sup>72</sup> These acts “amount to annexation of large parts of the Occupied Palestinian Territory”.<sup>73</sup> A research study carried out in 2013, which interviewed Jewish settler-farmers in the Jordan Valley, found that the majority were not

required to pay anything for their land. The facilitation of settlement through land allocation has been “crucial to the success of agricultural enterprises in the settlements.”<sup>74</sup> Another method of access to land is through land sharing between settler-farmers.<sup>75</sup>



A young date orchard (planted in 2009) beyond the border fence line that was closed by Military Order 151. The sign on the gate notes that entrance is permitted only to those with special permits.

Source: [Dror Etkes](#)

## Exploitation of Palestinian Labour

Palestinian labour is exploited within and outside the Green Line. This is because Palestinian labour, under Israel’s Zionist settler colonial apartheid regime, is inextricably linked to “its logic of dispossession.”<sup>76</sup> “[C]ontrolling Palestinian labour meant that Zionists held sway over Palestinian livelihood, sustainability, and presence on the land.”<sup>77</sup> After the Nakba in 1948, where Israel expelled over 700,000 Palestinians, Palestinian workers were no longer a demographic threat, and

therefore were a useful, low-wage, labour force.<sup>78</sup> Palestinians working in 'Israel' earn approximately \$81/day. As Who Profits describes it, Palestinians have "a choice of no choice: [they're] pushed to work for Israeli employers."<sup>79</sup> In contrast, those working within the West Bank earn \$31/day.<sup>80</sup> Previously, Israel has used work permits, which allowed Palestinians in Gaza and the West Bank to work within the Green Line, to "thwart mounting popular resistance",<sup>81</sup> which the Israeli leadership has identified as "a key threat to the settler-colonial state's stability."<sup>82</sup> The result is more restrictions on movement, surveillance, and punitive economic measures.<sup>83</sup>



Source: [APA / Al-Shabaka](#)

The expansion of checkpoints across the West Bank "have forced Palestinian workers to take life-threatening risks to cross the Green Line in search of what Palestinians call Luqmet Al-A'ysh, or livelihood."<sup>84</sup> Since 7 October 2023, Israel has revoked the work permits of Palestinians working inside the Green Line, causing nearly 400,000 Palestinians to lose their jobs.<sup>85</sup> Further, Israel immediately after 7 October 2023, arbitrarily arrested approximately 10,300 workers from Gaza. Between January 2023 and May 2025, Israel killed at least ten workers who were attempting to cross the annexation wall to attend their jobs.<sup>86</sup>

Palestinian labour is also exploited within the West Bank including East Jerusalem, through Israel's "unlawful settlement enterprise."<sup>87</sup> This is intentional. "Since 1948, Israel has de-developed the Palestinian economy, and the continuing Nakba has forced internally displaced and vulnerable Palestinians to seek employment in the illegal settlements."<sup>88</sup> Of the settler-farmers Elaydi interviewed, the majority employed mostly or all Palestinian workers. While one farmer stated that she employed "only Jewish-Israeli workers for Zionist-ideological reasons."<sup>89</sup> However, this requires greater financial output as Palestinians can be hired (and exploited) for lower wages. While settler farmers have hired some foreign workers, Elaydi found that Palestinian workers were preferred. This was, in large, because hiring Palestinians is cheaper and requires less consideration of working conditions and standards,<sup>90</sup> amounting to large scale corporate capture.

# Exploitation of Natural Resources

Israel has not only appropriated and annexed Palestinian land, it has also extracted and pillaged Palestinian water resources for the benefit of unlawfully transferred settler communities.<sup>91</sup> "High quality freshwater used for irrigation within the Jordan Valley comes exclusively from the Eastern Aquifer, which is situated almost entirely under the West Bank."<sup>92</sup> Mekorot is the State of Israel's water company, and is listed on the UN Database of companies operating illegally in the settlements.<sup>93</sup> It allocates a certain amount of freshwater for each settlement — who then is responsible for dividing it among the community, including for agricultural use. However, the Israeli government notes that "the water sector will adapt...to the needs of the agricultural sector."<sup>94</sup> Interestingly, date palms do not rely on solely freshwater as they can tolerate lower quality water.<sup>95</sup>

Beginning around 2000, the State of Israel began to ensure that settlers in the Jordan Valley had access to alternative water sources, such as marginal water (treated waste water mixed with surface water or saline water).<sup>96</sup> Marginal water allocation is controlled by a Jordan Valley water society, comprised of one representative from each illegal settlement. The water is procured through one of several private companies.<sup>97</sup> As of 2013, 90-95% of date plantations in illegal settlements had access to mixed marginal water pipelines.<sup>98</sup> These pipelines were constructed once date plantations became a profitable export crop in the Jordan Valley.<sup>99</sup> The Jordan Valley Agricultural Research and Development Station, a settlement enterprise<sup>100</sup> reported that "approximately 98% of the mixed marginal water supplied to the Jordan Valley is used for date plantations, which is one of, if not the most, profitable crops in the region."<sup>101</sup>



Jewish settlers cultivating Palestinian land in the 1920s and 1930s

# Entrenchment of Israeli Occupation and Apartheid

Israeli settlers are given preferential treatment, access to resources, and freedom of movement. Not only are they free to move for the purposes of work and life, tourism is encouraged. In the Jordan Valley, settlers have been trying to attract local Israeli and international tourism. For example, the website of the Jordan Valley Regional Council—a settlement council—advertises tours to the date orchards of Zorganica, which include “hundreds of dunam[s] to the northeast of al-Jiftlik in the closed military area.”<sup>102</sup>

Such agricultural settlement practices are not isolated to occupied Palestine, they also occur in the occupied Syrian Golan. There, Israel’s Ministry of Tourism favours Jewish-owned hotels and prioritizes monthly vouchers for military personnel and veterans with disabilities.<sup>103</sup>

Institutional collaboration and funding are also essential for the maintenance and expansion of the Israeli agricultural sector in the largely annexed West Bank. For instance, the settler Jordan Valley Agricultural Research and Development Station is supported not only by the Ministry of Agriculture, but also by the Jewish National Fund (JNF) and the World Zionist Organization (WZO).<sup>104</sup> Both organizations receive funding from Canadian charities including the United Israel Appeal of Canada (UIAC) and JNF Canada (now Friends of JNF Canada).<sup>105</sup> Collaboration and funding for research institutions / universities also supports the expansion of and therefore profit from the ‘Israeli’ settler agricultural sector. Canadian universities are not exempt. For example, Canadian Friends of Hebrew University of Jerusalem claims that collaborations between the Hebrew University and Canadian institutions have “led to countless breakthroughs in a number of areas including medicine, agriculture, science, law and business.”<sup>106</sup> The Centre for Israel and Jewish Affairs (CIJA) also claims to have “facilitated collaborations leading to groundbreaking research in agriculture technology...and many other areas.”<sup>107</sup>

“

**Farmers’ commitment and their close collaboration with the research and extension institutions, together with a thriving industry, have driven the development of intensive and highly technified agricultural production, capable of responding to new challenges and the demands of both domestic and export markets.”**

— Israel’s Agency for International Development Corporation <sup>108</sup>

# Genocide in Gaza

While Medjoul dates do not typically grow in Gaza, other date palms do — or did, before Israel obliterated more than 95% of Palestinian agricultural land in Gaza.<sup>109</sup> Like in the rest of occupied Palestine, the escalation of the genocide in 2023 was not the start of Israel's destruction of Gaza's agricultural sector. Rather, this practice has been ongoing since the institution of the apartheid regime in 1948, and further aggravated by Israel's occupation since 1967.<sup>110</sup> In the late 1960's, Israel's then Prime Minister Levi Eshkol "proposed drying up water in the Strip to create a humanitarian strain and destroy what was left of the already limited agricultural sector to create suffocating conditions that would force part of the population to migrate to other countries."<sup>111</sup> The practice is also evident in the decades long blockade of the Gaza Strip. Since October 2023, Israel has directly targeted agricultural land and resources. Through aerial and ground bombardment Israel has levelled thousands of dunums of land, sprayed hazardous chemicals to destroy soil and crops, targeted irrigation networks, greenhouses, and water wells, and prevented entry of seed and fertilizers,<sup>112</sup> in acts of destruction to prevent the survival of the population, that amounts to genocide.

According to data from the Institute for Palestine Studies, the genocide has "led to a near-total collapse of agricultural productive capacity in the Gaza Strip, with deep and long-term economic repercussions."<sup>113</sup> Before 2023, an estimated 90% of Gaza's date trees were Hayani with another 10% of other variants.<sup>114</sup> It is safe to say, most, if not all, of Gaza's date palms have been systematically destroyed as part of an intentional campaign.<sup>115</sup>



Source: Al-Haq

# LEGAL CONTEXT

## The War Crime of Pillage

Applicable law: *Fourth Geneva Convention, Rome Statute, Geneva Conventions Act, Crimes Against Humanity and War Crimes Act (CAHWCA)*

Pillage is defined as a war crime according to the *Fourth Geneva Convention, Rome Statute*, and the *Geneva Conventions Act*.<sup>116</sup> According to the ICC Elements of Crimes, the core elements of pillage are:

1. The perpetrator appropriated certain property.
2. The perpetrator intended to deprive the owner of the property and to appropriate it for private or personal use.
3. The appropriation was without the consent of the owner.<sup>117</sup>

Therefore, pillage occurs, for example, when property (resources) are taken by the Occupying Power itself, citizens of the Occupying Power, or portions of the population that the Occupying Power has transferred into the occupied territory. In this case, the water, trees and fruits appropriated for date farms constitute pillage when the protected population of the occupied territory are intentionally deprived of their use. Further the use of the date farms for commercial use, amounts to a private or personal use of the resources. In addition, there has been no consent by the protected Palestinian population, for their lands and resources to be exploited by Israel's settlement enterprise. Based on the evidence provided, it is clear that the elements of the crime are met.

The *CAHWCA*, holds "every person who conspires or attempts to commit, is an accessory after the fact in relation to, or counsels in relation to, an offence referred to in subsection (1) is guilty of an indictable offence."<sup>118</sup> This applies both to the respective government agencies and every member of the supply chain. Those involved in the supply chain include representatives of the Israeli companies, shipping companies, Canadian importers, distributors, and retailers. Government

agencies like CFIA, Canada Border Services Agency (CBSA), and Global Affairs Canada (GAC) must also be held liable for allowing and facilitating the importation of these products. All parties who can be, should be held fully accountable. This applies not only to the crime of pillage, but all war crimes and crimes against humanity detailed below.



"Israeli occupation bulldozers destroy large areas and uproot hundreds of fruit-bearing trees in the plains of the town of Turmus Ayya, north of Ramallah."

Source: [Quds News Network](#)



"Israeli settlers cut down fruitful trees after raiding and ransacking a Palestinian-owned ranch near the town of Salfit in the occupied West Bank."

Source: [Quds News Network](#)

## **Failing to Differentiate Goods From Occupied Territory in the Canada-Israel Free Trade Agreement (CIFTA)**

Applicable binding international resolutions: UNSC Resolution 2234 (2016) and 465 (1980), *July 2024 Palestine Advisory Opinion*

UNSC Resolution 2334 requires States to "distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967."<sup>119</sup> Additionally, UNSC Resolution 465 calls upon states "not to provide Israel with any assistance to be used specifically in connection with settlements in the occupied territories."<sup>120</sup> UNSC resolutions are binding on member states, in this case Canada. Therefore, this applies to all federal agencies (CFIA, CBSA, GAC). In the *July 2024 Palestine Advisory Opinion*, the Court was clear that neither the Oslo Accords–nor "any agreement"–gives a 'free pass' against customary international law-derived responsibilities afforded to an occupied population, particularly under

the *Fourth Geneva Convention*.<sup>121</sup> As former Special Rapporteur Michael Lynk clearly articulated: Canada's public policy stance defers to the *Fourth Geneva Convention* but it enacts economic policy that directly contravenes customary international law and domestic law.<sup>122</sup>



**Through the adoption of [CIFTA], the Canadian government enables the unlawful appropriation of Palestinian resources, including land, water and minerals, to produce goods that are exported and sold for private profit. In doing so, it fails to meet obligation under international law not to recognize as lawful an illegal situation and to not assist its maintenance.**

— Michael Lynk <sup>123</sup>

## Land Appropriation

Applicable law: *July 2024 Palestine Advisory Opinion, Fourth Geneva Convention, Geneva Conventions Act, Rome Statute*

Article 147 of the *Fourth Geneva Convention* affirms that the "extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly," is a grave breach of international law and prosecutable as a war crime.<sup>124</sup> The destruction of public and private property is also a violation of Article 53 of the *Fourth Geneva Convention*, and the confiscation of private property is illegal under Article 46 of the *Hague Regulations*.<sup>125</sup>

Importantly, the Occupying Power's administration of public immovable property, is strictly regulated by the rules of usufruct, which limits how the Occupying Power can use public property, prohibiting for example, the exploitation of resources for the benefit of the domestic economy of the Occupying State.<sup>126</sup> The exploitation of public and private resources of the occupied territory beyond permissible requisitions<sup>127</sup> and usufruct amounts to pillage, a war crime prosecutable under the *Rome Statute*.<sup>128</sup>

There is ample evidence of land appropriation and extensive destruction of property in the OPT and occupied Syrian Golan. Legal and human rights organizations like Al-Haq have and continue to document these war crimes.<sup>129</sup> By importing Medjoul dates, grown on land appropriated from the occupied Palestinian population, Canadian federal agencies, importers, and retailers are complicit in aiding and

abetting the commission of war crimes, including the appropriation and pillage of land.



"19 Countries, Arab League and OIC Condemn Israeli Expansion in Occupied West Bank...including land reclassification and accelerated settlement construction"

Source: [Quds News Network](#)



"Israeli occupation forces continue bulldozing Palestinian lands near the town of Tammun, south of Tubas, to establish a new settlement outpost."

Source: [Quds News Network](#)

## Transfer of Civilian Population

Applicable law: *Fourth Geneva Convention, Rome Statute, Geneva Conventions Act*

The 2012 UN Fact-Finding Mission established that "business enterprises have, directly and indirectly, enabled, facilitated and profited from the construction and growth of the settlements".<sup>130</sup> Based on the evidence, it is clear that these date farms contribute to the maintenance and expansion of Israel's illegal settlements. The practice of forcible transfer is specifically prohibited during a military occupation. Article 49(6) of the *Fourth Geneva Convention* states that "the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies," whether directly or indirectly.<sup>131</sup> "Indirect support or encouragement may include building roads leading to settlements, providing military security for settlements, supplying electricity or offering tax incentives relative to nationals living in the Occupying Power's own territory."<sup>132</sup> The act of forcible transfer is prosecutable as a war crime and as a crime against humanity, when carried out as part of a widespread and systematic attack against the civilian population, under *Rome Statute* articles 7(d) and 8(2)(b)(viii).

Israel violates these laws both through the forced displacement of Palestinians and

the transfer of its own civilian population into the territory it occupies. In occupied Palestine, Israel forcibly displaces Palestinians to transfer in its own civilian population to colonise Palestinian appropriated lands, thereby expanding illegal settlements.<sup>133</sup>



"[T]he [Israeli] cabinet approved what they described as "dramatic" decisions that change the legal and civilian reality in the West Bank."

Source: [Quds News Network](#)



"The Israeli cabinet announced...a series of sweeping measures aimed at accelerating settlement expansion across the occupied West Bank and deepening Israel's de facto annexation of Palestinian land."

Source: [Quds News Network](#)

## The Crime of Apartheid

Applicable law: CERD Concluding Observations, *July 2024 Palestine Advisory Opinion, International Convention on the Elimination of All Forms of Racial Discrimination (CERD), Geneva Conventions Act*

Israel's regime of racial discrimination and apartheid segregates and fragments the Palestinian group, including Palestinians in the OPT, Palestinian citizens of Israel, and Palestinian refugees and exiles in the diaspora, through discriminatory policies and practices to maintain Israeli-Jewish domination, and prevent the exercise of Palestinian self-determination.<sup>134</sup> The 2019 Concluding Observations of the Committee on the Elimination of Racial Discrimination to Israel recognised Israel's discriminatory apartheid policies and practices on both sides of the Green Line:

“

Recalling its previous concluding observations (CERD/C/ISR/CO/14-16, para. 11), the Committee draws the State party's attention to its general recommendation 19 (1995) on article 3 of the Convention, concerning the prevention, prohibition and eradication of all policies and practices of racial segregation and apartheid, and urges the State party to give full effect to article 3 of the Convention to eradicate all forms of segregation between Jewish and non-Jewish communities and any such policies or practices that severely and disproportionately affect the Palestinian population in Israel proper and in the Occupied Palestinian Territory [emphasis added].

— Committee on the Elimination of Racial Discrimination to Israel <sup>135</sup>

The International Court of Justice (ICJ) highlighted widespread and systemic violations including legislation regarding the limited issuance of residential permits in East Jerusalem<sup>136</sup> restrictive permitting regimes within the West Bank,<sup>137</sup> punitive demolitions of Palestinian property,<sup>138</sup> and systemic restrictions on access to building permits and planning committees.<sup>139</sup> Based on this, the ICJ found that the differentiation of treatment between Palestinians and Jewish residents in the occupied territory “cannot be justified with reference to reasonable and objective criteria nor to a legitimate public aim.”<sup>140</sup>

The ICJ therefore determined that this systemic discrimination amounted to a breach of Article 3 of the *International Convention on the Elimination of All Forms of Racial Discrimination (CERD)*, which requires that: “States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.”<sup>141</sup>

Israeli settlements, whether residential, agricultural, industrial or in the form of tourist sites, have fragmented and altered the demographic composition of the OPT. This undermines Palestinian territorial integrity and impedes the Palestinian people's right to self-determination which encompasses the right to permanent sovereignty over land and natural resources.<sup>142</sup> Due to Israeli-imposed constraints, movement restrictions, and physical obstacles, particularly those associated with the settlement enterprise, Palestinians are often denied access and control over their land and property (both public and private), thus infringing upon their social, economic, and cultural rights. This naturally has negative consequences on Palestinian livelihoods and further contributes to the de-development of the Palestinian economy.

Furthermore, dispossession and displacement of Palestinians are key features to Israel's settlement enterprise, with Palestinian land and property regularly being subject to confiscation and demolition, as part of the wider Israeli discriminatory planning and zoning policies favouring the development of Israeli-Jewish settlements on occupied Palestinian land. Israel's prolonged occupation and colonisation has created a deeply entrenched regime of systemic and institutionalized discrimination, segregation, and fragmentation against Palestinians on both sides of the Green Line, amounting to the crime of apartheid.<sup>143</sup>

By privileging the Israeli-Jewish settler population, the State of Israel has facilitated the expansion and growth of illegal settlements and associated infrastructure, further incentivizing settlers.<sup>144</sup> Settler violence against Palestinians is a feature of Israel's occupation and settlement enterprise, manifested in various forms such as verbal and physical attacks, harassment, forced evictions, destruction, and vandalizing of property – at many times, happening under the guise and protection of the Israeli military, and settler perpetrators who are not held to account.<sup>145</sup>

Further, the Rome Statute lists apartheid as a crime against humanity. As with the various settlement-specific war crimes listed above, crimes against humanity, as enacted under the CAHWCA, are indictable offenses through the Canadian *Criminal Code*. The *Rome Statute* states that apartheid encompasses a variety of "inhumane acts", which include but are not limited to acts of deportation and forced transfers of populations that take place within the context of "an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime."<sup>146</sup>

As described by Human Rights Watch:

“

**Israeli authorities have carried out a range of inhumane acts in the OPT. Those include sweeping restrictions on the movement of 4.7 million Palestinians there; the confiscation of much of their land; the imposition of harsh conditions, including categorical denial of building permits in large parts of the West Bank, which has led thousands of Palestinians to leave their homes under conditions that amount to forcible transfer; the denial of residency rights to hundreds of thousands of Palestinians and their relatives, largely for being abroad when the occupation began in 1967, or for long periods during the first few decades of the occupation, or as a result of the effective freeze on family reunification over the last two decades;**

**and the suspension of basic civil rights, such as freedom of assembly and association, depriving Palestinians of the opportunity to have a voice in a wide range of affairs that most affect their daily lives and futures. Many of these abuses, including categorical denials of building permits, mass residency revocations or restrictions, and large-scale land confiscations, have no legitimate security justifications; others, such as the extent of restrictions on movement and civil rights, fail any reasonable balancing test between security concerns and the severity of the underlying rights abuse..**

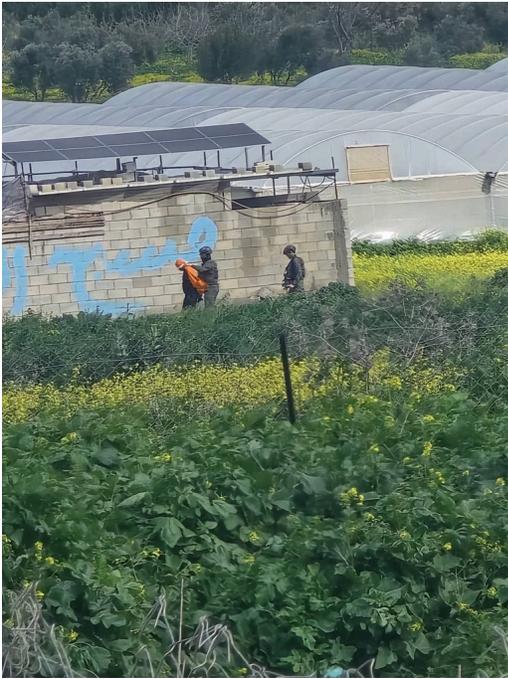
— Human Rights Watch <sup>147</sup>

In January 2026, the Office of the High Commissioner of Human Rights, issued a thematic report on "Israel's discriminatory administration of the occupied West Bank, including East Jerusalem" which it concluded is in violation of international law, including Article 3 of the *International Convention on the Elimination of all Forms of Discrimination (ICERD)* which prohibits racial segregation and apartheid.<sup>148</sup>

## **Aiding and Abetting**

Applicable law: *Criminal Code*

Section 21 of the Canadian *Criminal Code* defines aiding and abetting as such: "[E]veryone is party to an offence who (a) actually commits it, (b) does or omits to do anything for the purpose of aiding any person to commit it or (c) abets any person in committing it." As expressed in *R v Briscoe*,<sup>149</sup> proof of pre-knowledge and intent are central to successful criminal prosecutions of aiding and abetting. Therefore, corporations and individuals who use their expertise toward the development and/or entrenchment of settlement-related infrastructure (e.g., date farms in the occupied West Bank) are aiding and abetting, with no plausible defence against a priori knowledge of secondary liability. This is because both the *July 2024 Palestine Advisory Opinion* of the International Court of Justice and Canadian public policy are clear that settlements in the OPT are illegal. The potential for corporate profit does not excuse violations of international and domestic laws. Some of the relevant criminal acts that could apply—based on the testimonies from Palestinian land owners and farmers—include bodily harm and acts and omissions causing danger to the person (Article 244), assault (Article 264.1), kidnapping, and abduction (Article 279), and theft (Article 322).



"Israeli occupation soldiers abduct and abuse a Palestinian farmer while tending to his own land in the town of Beit Furik, east of Nablus, today."

Source: [Quds News Network](#)



"Israeli occupation bulldozers tear down residential and agricultural facilities in the town of Beit Liqya, west of Ramallah..."

Source: [Quds News Network](#)

## Laundering Proceeds of Crime

*Applicable law: Criminal Code*

Canadian companies (including provincial agencies, private companies, and potentially agents) are deriving profit from settlement-produced goods and services. As mentioned, civilian settlements created by the Occupying Power in occupied territory constitute war crimes and crimes against humanity under the *CAHWCA*. Given that the proceeds of an unlawful civilian settlement—which are the proceeds of war crimes under international and Canadian law—are themselves also unlawful. We maintain that those who profit, benefit or gain by them (through the selling of settlement units, the selling of settlements goods and services, etc.) are trading unlawfully.

We argue that these instances of unlawful trading constitute the criminal offence of 'laundering proceeds of crime'. Section 462.31 (1) of the *Criminal Code* defines laundering the proceeds of crime as such:

Every one commits an offence who uses, transfers the possession of, sends or delivers to any person or place, transports, transmits, alters, disposes of or otherwise deals with, in any manner and by any means, any property or any proceeds of any property with intent to conceal or convert that property or those proceeds, knowing or believing that, or being reckless as to whether, all or a part of that property or of those proceeds was obtained or derived directly or indirectly as a result of

1. the commission in Canada of a designated offence; or
2. an act or omission anywhere that, if it had occurred in Canada, would have constituted a designated offence.

It must be noted that war crimes, while prosecutable under domestic law in Canada, have no specific designation under the *Criminal Code* itself. As such, war crimes are not listed among the dozens of primary and/or secondary designated offences found under Section 752 of the *Criminal Code*, and to which the laundered criminal proceeds must be attached. What is required, rather, is to parse apart the designated offences that have taken place, in Israel, which underwrite settlement-based war criminality. The deportation and/or transfer of indigenous populations out of unlawfully OPT, coupled with the importation of civilian, settler, populations, into unlawfully occupied Palestinian territory, is in fact dependent upon – and is continuously maintained by – numerous, well-documented, acts of violence which are designated offences under the *Criminal Code*. These include using explosives, using firearms in the commission of an offence, pointing firearms, assault, forcible confinement, robbery, attempt to commit murder, and discharging firearms.



"A Palestinian child selling citrus fruits in Jaffa, in today's occupied #Palestine around the year 1930."

Source: [Quds News Network](#)



"Israel deports 32 foreign activists for protecting Palestinian farmers and bans their entry for 99 years."

Source: [Quds News Network](#)

# Jurisdiction

All of this rests on the assumption of jurisdiction. Both Canadian and international law are applicable in this situation. As noted above, Canada has ratified various customary international legal frameworks, specifically the *Rome Statute* and the *Fourth Geneva Convention*, into Canadian domestic law. The *CAHWCA* and the *Geneva Conventions Act*, were developed with the express purpose of streamlining domestic legal cooperation in Canada with the International Criminal Court.<sup>150</sup> As articulated above, acts of war criminality therefore are not only transgressions of customary international law but are prosecutable within the Canadian legal system. As Al-Haq and the Canadian Lawyers for International Human Rights (CLAHR) argued in a leave to intervene in *Kattenburg*, "administrative decision-makers must interpret legislation using a presumption that such laws conform with Canada's obligations under conventional and customary international law and the values and principles underlying these sources."<sup>151</sup> While Canada has a dualist legal system, its incorporation of international law into domestic law cannot be relied upon in a way that violates Canada's international obligations. By not only allowing, but facilitating the importation of products from occupied territories, provincial regulators have breached its responsibility.<sup>152</sup>

Further, regarding corporate complicity, Canada is legally bound by the 'doctrine of adoption' which means that barring the presence of conflicting domestic legislation, customary international law is to be adopted into the domestic legal sphere.<sup>153</sup> This applies even in the absence of applicable domestic legislation.<sup>154</sup> In *Bil'in Village Council v. Greenpark*,<sup>155</sup> a case which was central in attempting to apply domestic law against alleged Canadian corporate complicity in Israeli war crimes in the West Bank, ultimately resulted in a dismissal over jurisdiction. Nevertheless, the *Bil'in* decision, also contained two key determinations. First, the Supreme Court of Canada (SCC) made clear that a legal person engaged in a war crime might be found at fault under Canadian civil law.<sup>156</sup> Second, *Bil'in* made clear that determinations of domestic jurisdiction were based upon various and variable factors. That the SCC declined to exercise jurisdiction over Québec-based defendants allegedly engaged in Israeli war crimes was the exception, rather than the rule, with each case to be measured in turn.<sup>157</sup>

Both *Bil'in* and *Hape* informed the SCC landmark ruling in *Nevsun Resources Ltd v Araya*.<sup>158</sup> In *Nevsun*, the SCC affirmed that private corporations may be liable under Canadian domestic law for breaches of customary international law committed

outside of Canada and are not immune from civil suits brought against them by international plaintiffs. Within the sphere of civil law, we interpret *Nevsun* as a warning to Canadian corporations complicit in Israel's illegal occupation that they may be held accountable.

# CONCLUSION

Canada continues to facilitate the import of items from apartheid Israel, despite clear evidence that these imports are the fruits of internationally criminal acts. The importation of Medjoul dates from illegal settlements in the OPT, and labelled as products of "Israel" is both illegal and contradicts Canadian policy. We demand an immediate end to the importation and sale of all Israeli dates, in alignment with international and domestic law.



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Mouvement pour une paix juste

**AL-HAQ**  
Defending Human Rights



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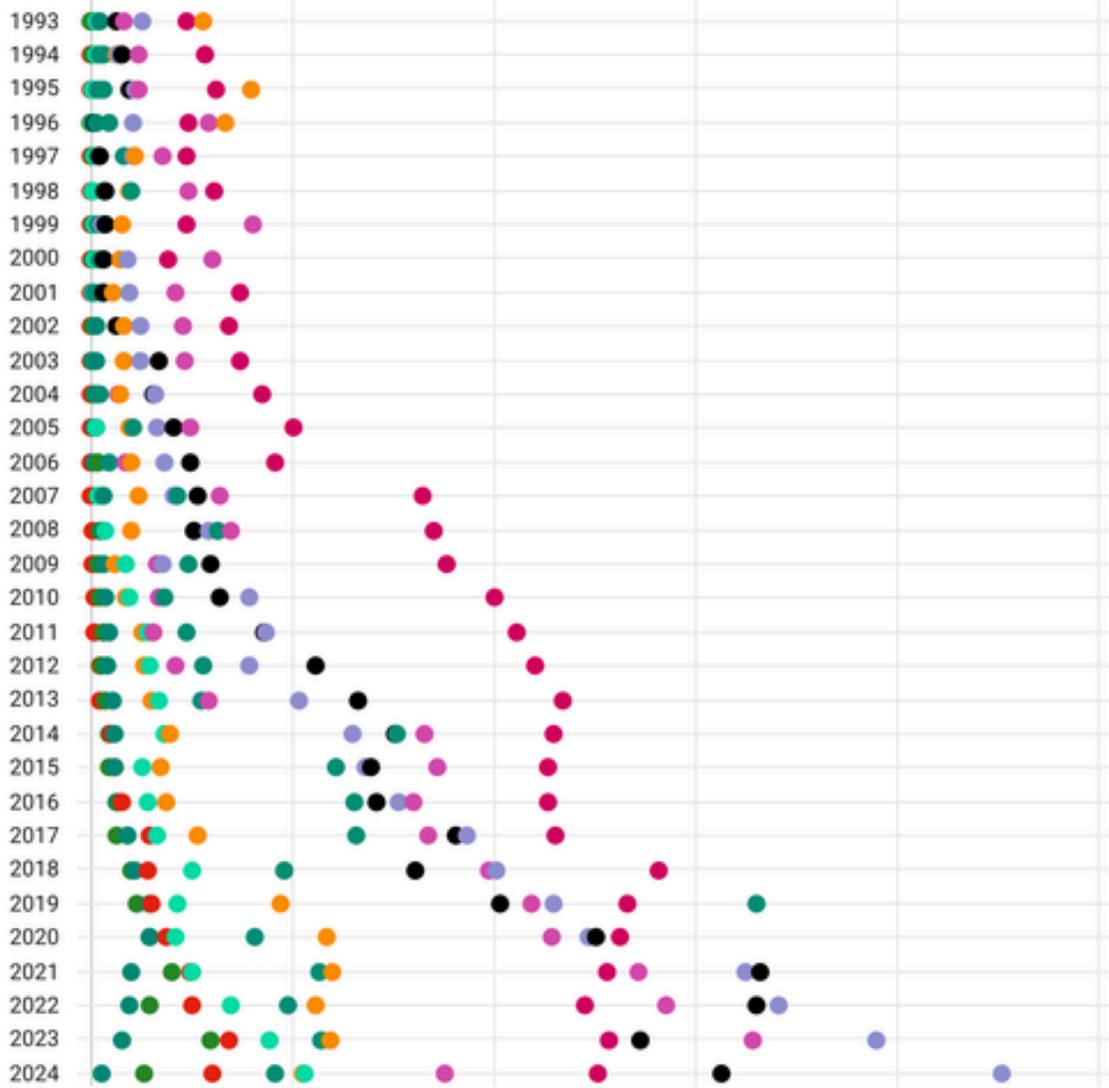


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