



Yesh Din

Volunteers for Human Rights

Israeli Cabinet Decision to Retroactively Authorize 10 Illegal Outposts in the West Bank

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Yesterday Israel's Cabinet voted to promote the 'regularization' of ten West Bank outposts: Avigail, Beit Hogla, Givat Harel, Givat Haroeh, Givat Arnon, Mitzpe Yehuda, Malachei Hashalom, Asahel, Sde Boaz and Shacharit. These outposts are scattered throughout the West Bank, and likely serve strategic importance.

Some of the outposts are located on public/state land and some are located both on State and private land. All of the outposts contain unauthorized structures for which the Civil Administration has issued demolition orders that were never enforced, and several of them are significant sources of settler violence.

The cabinet decision does not automatically legalize the outposts but

is a first and crucial step towards fast-tracking their legalization.

The next steps for their regularization include:

1. Regularization must be approved by a government decision (not by the Knesset).
2. Legal obstacles to regularization vary from location to location; each outpost has its own unique set of obstacles which must be overcome.
3. Each the outpost needs to be either attached/associated to a regional council or to be a new local council by its own right. The municipal area needs to be updated accordingly.
4. Each outpost must have a masterplan approved by the Planning Committee.

The GOI appointed Zandberg Committee report (2018) clearly details possible legal obstacles to regularization with specific provisions on how to overcome these obstacles. [Yesh Din's report on the Zandberg Committee](#) lists these obstacles and methods suggested for overcoming them (beginning on pg. 14 of the report).

The committee classified the outposts and neighborhoods whose status is difficult to 'regularize' according to three "archetypes": "**flaws uncovered retrospectively**", "**suspended islands**" and "**existing settlement expansions**".

Example: "**Flaws uncovered retrospectively**"; If an outpost was built on what was erroneously believed to be state land, but after the fact was discovered to be private land, this can be overcome this using market *ouvert principle*, as was recently done in [Mitzpe Kramim](#). More specific examples can be seen in the [report](#).

Since 2017, a designated government task force has developed a comprehensive database of all illegal Israeli structures and outposts the government seeks to 'regularize' and the expected 'regularization' methods. Therefore we expect the regularization to proceed very quickly.

Land status of each outpost:

- Avigail - Mostly state land.
- Beit Hogla - Likely mostly state land.
- Givat Harel – Partly on state land and partly on private Palestinian land.
- Givat Haroeh – Partly on state land and partly on private Palestinian land.
- Givat Arnon - Mostly state land with some isolated islands of private land.
- Asahel - State land.
- Mitzpe Boaz - Mostly private land, part either state land or undeclared.
- Shakharit - Mostly state land.
- Malachei Hashalom - Private land on which a military base was built.
- Mitzpe Yehuda Mostly state land with some small area of private land; surrounded by private land.

[Click for Yesh Din's report on the Zandberg Committee](#)

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