



Yesh Din

Volunteers for Human Rights

GOI Decision to Renew the Land Rights Registration Process in the West Bank is a Breach of International Law, Reflects Israeli Sovereignty Over the Territory and Will Lead to Mass Violation of Palestinians' Rights

The government of Israel decided yesterday (Sunday, February 15) to resume land title settlements (land registry) in the West Bank, which have been frozen since 1968. Land registration is a final and irreversible measure with profound implications, designed to establish land rights in the occupied territory. **This is one of the most consequential steps Israel has taken in recent decades, aimed at imposing Israeli sovereignty over the West Bank while dispossessing Palestinians of their property rights.**

- Displacement and dispossession of Palestinians with longstanding history and ties to land in the West Bank, causing severe harm to their property rights.
- Denial and blatant violation of multiple provisions and principles required under the international law of occupation, foremost among them: the principle of temporariness, the duty to act as a trustee and protect the interests of the protected population, the prohibition on establishing settlements in occupied territory, and the obligation to safeguard the property of protected residents.
- Deepening of discrimination and the apartheid system in the West Bank, through the establishment of a mechanism that systematically and clearly prioritizes the registration and allocation of land to advance the settlement enterprise over the rights of Palestinian residents of the West Bank.
- Empowering an Israeli government ministry, rather than the military authority in the West Bank, to carry out the land rights registration process, is a continuation of the recent transfer of administrative powers over the OPT to Israeli civil authorities, as a means to secure legal annexation.

This step compounds last week's [cabinet decision](#) and other annexationist policies pursued by the government.

The renewal of land title settlements is thus a manifestation of Israeli sovereignty and constitutes yet another layer of the illegal annexation process Israel has carried out in recent years.

[Read the Full Government Decision \(translated by Yesh Din\)](#)

Key points of the GOI decision

1. Official resumption of land settlement in Area C and legislative changes

The government instructs the Military Commander in the West Bank to authorize the Authority for Registration and Settlement of Land Rights in the Ministry of Justice to conduct a full land settlement process in Area C of the West Bank.

This officially lifts the freeze on land registration imposed by a 1968 military order, and applies a comprehensive mechanism for the registration and determination of property rights across the area.

The IDF Commander in the West Bank is required to:

- Repeal the 1968 freeze order (Military Order No. 291); and
- Amend the domestic (West Bank) legislation so as to enable the full implementation of the land settlement of title process under the 1952 Jordanian Land and Water Settlement Law, with the necessary adaptations.

These changes are expected to fundamentally transform the land regime in the West Bank through military orders. Moreover, the decision nullifies the independent discretion of the military commander. By instructing the Military Commander to take action to resume the land settlement procedure, the GOI effectively removes the military commander's authority as the temporary administrator of the occupied territory.

2. Establishment of a dedicated government–military mechanism

An inter-ministerial framework will be established to manage the land settlement process, led by the **Land Registration Administration**, which is to be administered by the Land Registration and Land Rights Settlement Authority in the Ministry of Justice, in cooperation with:

- Survey of Israel (the national Israeli center for mapping)
- The Civil Administration
- The Legal Adviser to the Defense Establishment
- The Israeli Military

Regional land-settlement offices will be established, along with information systems, land surveying teams, and a dedicated legal component.

Allocation of powers of the land registration authority to the Israeli Land Registration office, which operates within the Ministry of Justice, is another manifestation of the annexation process Israel has been carrying out in recent years, erasing the administrative power separation between sovereign Israel and the OPT, and establishing sovereignty rights over the occupied territory.

3. A target of registration of 15% of all unregistered land by 2030

The GOI has set a target whereby at least 15% of all unregistered land in Area C will be registered through the land settlement process by the end of 2030.

Given the official estimate that the entire process will take approximately 30 years, this amounts to the establishment of an **accelerated government track for large-scale land registration in the first 4 years.**

The establishment phase of the land registration mechanism is expected to last **a year and a half**. However, the explanatory section notes that land settlement work can begin in this period, hence the need to allocate funding for the operational phase **as early as 2026**.

Significantly, the GOI has adopted a decision with a 30-year implementation horizon under a supposedly temporary regime. Combined with the decision's permanent effects, it is a clear expression of the gap between the appearance of compliance with the law of occupation and the policy in practice.

4. An unprecedented budget, a multi-year implementation mechanism and allocation of staff positions

The state is allocating NIS 35.5 million in 2026 and additional NIS 208.6 million for 2027–2030. That is, approximately NIS 244 million over four years for the implementation of the land settlement process.

In 2026, the following positions will be allocated:

- 25 positions for the Land Registration and Settlement Authority (Ministry of Justice)
- 3 positions for the Survey of Israel
- 2 positions for the Legal Adviser to the Defense Establishment
- 5 positions for the Civil Administration

This amounts to the establishment of a permanent government–bureaucratic apparatus for managing land registry in occupied territory.

The explanatory notes section states that since the [Cabinet decision](#) from May 2025 , comprehensive staff work has been carried out under

the leadership of the Land Registration and Land Rights Settlement Authority at the Ministry of Justice. This included establishing four sub-teams – legal, logistics, information systems, and mapping & surveying – each preparing recommendations and requirements within its domain. All recommendations were consolidated into a summary document outlining the needs and resources required to resume land settlement procedures, including relevant legal considerations.

Ramifications

1. Expression of sovereignty

The renewal of the land settlement constitutes a governmental-sovereign action, hence a manifestation of sovereignty.

2. Permanent and irreversible changes

Resuming land settlement procedures is contrary to international humanitarian law, since it is a permanent, final, and conclusive process reflecting the exercise of sovereign powers. Israeli interests and considerations are in conflict with the interests and rights of the protected population, and thus carrying out such a process by an Israeli public authority that is committed to the Israeli interests is both a violation of the duty to act as a temporary trustee of the occupied territory and the duty not to take any action that is long term.

3. Nullification of the independent discretion of the Military Commander in the West Bank

The government instructs the military commander to resume the land settlement and lift the freeze order. In effect, this binds the discretion of

the Military Commander, who serves as the sovereign's temporary substitute, removing his ability to exercise the independent judgment required by his position.

4. Violating rights of absentees

After the 1967 war, hundreds of thousands of West Bank residents fled the area and were never allowed to return. The property they left behind has been considered “abandoned property” or “absentee property” ever since (even though the absence in question does not meet the definition included in the Absentees' Property Law – 1950 which applies only in Israel and east Jerusalem). These absentees are not physically present in the area and cannot protect their property or ask to have it registered in the land registry (over the many years since the occupation began, they have also been prevented from cultivating their lands, a fact which plays a key role in securing property rights). Any irreversible act affecting their land will hurt them and their property rights and constitute a breach of the duties imposed by international law with respect to private land.

5. Deepening discrimination

Unlike ordinary land registration, which is a neutral administrative procedure, this initiative serves a political agenda: the expansion of Israeli settlements and mass land-grab of land in Area C. Furthermore, assigning the execution of the land title settlement process to Israeli authorities, without involving the Palestinian public or their representatives in this settlement process, further entrenches existing structural discrimination in the area. This is particularly concerning given that the purpose of the decision is to expand Jewish settlement in the area and to apply sovereignty. Such discriminatory goals were declared by the Defense Minister Katz, Finance Minister Smotrich (who

is in charge of this initiative) as well as Justice Minister Levin. The discriminatory nature of the decision contradicts its portrayal as a necessary measure for effective land administration, orderly registration of rights, and the prevention of disputes.

6. Relying on incomplete information

The databases held by Israel (through the Civil Administration) regarding land registration in the West Bank are incomplete, lacking information on land registrations carried out to date (parts of the documentation are in Turkey and in Jordan). In the [High Court rulings](#) on petitions against the “[Regularization Law](#),” in which the Court struck down the law as unconstitutional and in breach of international law, the justices noted the significant difficulty in proving property rights in the absence of documentation regarding the chain of ownership, and the harm to Palestinians’ rights that could result from attempts to regulate ownership based on such a deficient and incomplete database.

The GOI decision was passed shortly after Yesh Din's petition was dismissed on the grounds that it was premature

The explanatory notes section of the GOI decision mentions the petition filed by Yesh Din and others against the National Security Cabinet’s decision from May 2025 to renew the land registry. On September 11, 2025, *Yesh Din*, *Bimkom – Planners for Human Rights*, *The Association for Civil Rights in Israel* and *HaMoked: Center for the Defence of the Individual* [petitioned the High Court of Justice](#) demanding that the cabinet resolution to renew land settlement proceedings in the West Bank be revoked.

The petition argued that the cabinet resolution is clearly designed to annex the occupied territory to Israel in defiance of Israel's obligations under the law of occupation and international humanitarian law. On January 27, 2026, the High Court ruled on dismissal of the petition on the grounds that it was premature, holding that the cabinet resolution constitutes only a preliminary stage and that no steps have yet been taken that would result in irreversible harm.

[Read about Yesh Din's Petition Against the Cabinet Resolution](#)

The Precedent of East Jerusalem

The denial of Palestinian rights through the renewal of the land settlement process is not a merely theoretical concern, and has been clearly illustrated following the renewal of the land settlement process in East Jerusalem in 2018. While under Israeli law, the legal status of East Jerusalem differs from that of other West Bank areas—due to its formal annexation by Israel and the application of Israeli law - an annexation that constitutes a violation of international law and has never been recognized by the international community- the way land registration is implemented in the city foreshadows what can be expected in the West Bank.

As of 2024, the land settlement process in East Jerusalem has been completed over approximately 2,000 dunams (44 blocks), and registration procedures have been carried out on an additional approximately 6,000 dunams (184 blocks). A joint report by the organizations [Bimkom and Ir Amim](#) found that the vast majority of the

land where the settlement process has been completed serves the interests of the state and/or the settlement enterprise in the city. After four and a half years of the settlement of land title process in East Jerusalem, in 2022 *Ir Amim* concluded that the land settlement process as it is implemented serves as a central tool for Israel to take control of land in East Jerusalem.

Background on Settlement of Title

Settlement of title is a process in which property rights, including title to land, is determined and registered under the lawful owners' name in the land registry (known as "*Tabu*") in a definitive and binding manner. It is a comprehensive process that entails examining the historical chain of land rights, investigating ownership and usufruct, and determining boundaries by surveying and dividing land into blocks and plots. Once concluded, the process of registration is rarely reversible.

Settlement of title proceedings in historical Palestine were conducted in full force under the British Mandate, which applied new scientific methods for surveying and registering land. The Jordanian Kingdom continued settlement of title in the West Bank as of 1948. By June 1967, settlement of title had been completed for approximately 34% of West Bank land.

After Israel occupied the West Bank in 1967, Israel's Military Commander of the Area immediately suspended settlement of title proceedings. An official order was issued to this effect, directed by the the Military Advocate General at the time. The decision to suspend settlement of title was based on Israel's obligations as an occupying

force under international law, which determines that occupation is a temporary situation. Settlement of title proceedings are the act of a permanent sovereign because they create and determine absolute rights in perpetuity. Therefore, a regime of occupation, which is temporary by definition, must refrain from engaging in acts that characterize a permanent regime. All of these reasons, as well as others not mentioned here, are still valid today.

[Read more about the Settlement of Land Title in Yesh Din's 2021 Position Paper](#)

Join Our WhatsApp Group for Diplomatic Updates

We invite you to join our WhatsApp group for diplomatic updates, in which we send periodic updates on important developments in the West Bank easily and conveniently. It is a 'silent' group, meaning only the administrators can post messages, and there are no conversations or debates. You are welcome to join and share the link with colleagues.

[Join Yesh Din's new WhatsApp group](#)

[Follow Yesh Din on Twitter](#)

For more information contact: Shira Livne at Shiral@yesh-din.org

For media inquiries contact: Uri Cirlin at +972 54-559-6178

Yesh Din is required by law to make the following statement:

Yesh Din is mostly funded by foreign governmental entities - through grants devoted to the provision of humanitarian assistance and the promotion of human rights. A list of our donors is available on the Israeli Associations Register's website and on Yesh Din's website.

Yesh Din is proud to be funded by States that are committed to the rule of law, that believe the occupation is not an internal Israeli matter, and that support the defense of international humanitarian law and human rights.



Copyright © 2026 Yesh Din, All rights reserved.

You are receiving this email because you signed up through our website

Our mailing address is:

Yesh Din
PO Box 50304
Tel Aviv 6150201
Israel

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#)
