



## Yesh Din

Volunteers for Human Rights

Following the 'repeal' of the Disengagement Law, which passed last night in the 2nd and 3rd Knesset readings, the misinformation surrounding Homesh must be corrected.

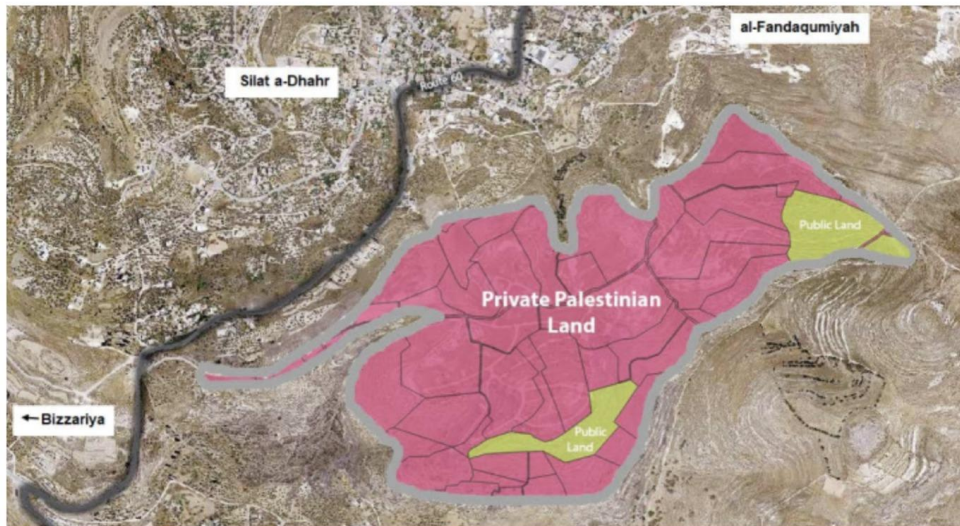
Following are five indisputable facts about the changes to the Disengagement Law and the Homesh outpost:

1. The lands upon which the outpost Homesh sits are **registered private lands of Palestinians** from the nearby villages of Burqa and Silat a-Dhahr, which settlers have unlawfully invaded and built on.
2. The "repeal" of the Law of Disengagement revoked several clauses of the law, cancelling the prohibition on Israelis from entering the area. However, **it did not change the status of the land which remains private Palestinian property.**

3. The repeal of the law **did not legalize the outpost** in Homesh and its continued presence there still constitutes the criminal offense of trespassing – this criminal offense is no different than if someone invaded an apartment that does not belong to them in Tel Aviv.

4. For over a decade, **the rightful landowners from Burqa have been engaged in a legal battle, together with Yesh Din**, demanding that the illegal outpost be evacuated and that they be granted free and safe access to their lands. The petition, filed in 2019, is still pending following an order nisi issued in January 2023.

5. **Even following the changes to the Disengagement Law, there is no legal option for legalizing the outpost.** These are private lands which cannot be expropriated and doing so would constitute the commission of a war crime. According to a High Court ruling, it is not possible to seize private land via military seizure order for the purpose of retroactively authorizing or establishing a new settlement.



**Area of the evacuated Israeli settelment Homesh**

● Public land (state land) ● Private Palestinian land

**Background:** The Disengagement Law of 2005 stipulated the withdrawal of Israeli settlements from the Gaza Strip as well as the evacuation of four Israeli settlements in the northern West Bank: Homesh, Sa-Nur, Ganim and Kadim. State-led efforts to ‘regularize’ the illegal Homesh outpost were solidified in the coalition agreements, which include commitments to re-establish the evacuated settlement. Aside from the fact that the outpost sits on private Palestinian land which the GOI has no justification for expropriating, it is also a major source of settler violence, particularly against the rightful Palestinian landowners from Burqa.

[Click for details on the ongoing petition to evacuate the outpost](#)

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