



Yesh Din

Volunteers for Human Rights

**Upcoming High Court Hearing in Petition
Demanding Palestinian Landowners be Granted
Access to Lands Upon Which Outpost Homesh is
Located**

On behalf of the residents of Burqa, Yesh Din invites you to attend the upcoming hearing in [HCJ 2821/19](#) Iman Fawzi Abd a-Rahman Saif et al. v. IDF Commander in the West Bank et al.

**The hearing will take place in the High Court of Justice in Jerusalem
Thursday, June 2, 11:00**

**Please reply to this mail to coordinate attendance in the
hearing.**

This will be the fourth hearing in the [third petition Yesh Din has filed on behalf of residents of Burqa](#) on this matter. **The petition demands that the rightful landowners be granted unrestricted access to their land in the former settlement of Homesh, which was evacuated as part of the Disengagement, and that the illegal outpost be evacuated.** Following the first hearing in October 2019, the Military Commander of the West Bank amended the demarcation order in place over the land, granting Palestinians *de jure* free access to the land while barring Israelis from entering. Israelis are also prohibited from entering the area according to Israeli law legislated as part of the Disengagement Plan in 2005.

However, despite the legal barriers in place preventing Israelis from accessing the land, the permanent presence of violent settlers in the outpost and the failure of Israeli law enforcement to deter or remove them, have created an unbearable

situation in which the rightful landowners have been unable to access and use their land since it was seized from them nearly 45 years ago.

In recent months, the Israeli far-right has focused its efforts on renewing permanent Israeli presence in Homesh, in particular after the [killing of Yehuda Dimentman](#). On December 23, [10,000 Israelis](#), **including MKs Avi Maoz, Orit Strock, Bezalel Smotrich and Moshe Arbel, marched to Homesh under close guard of the Israeli military**. The village of Burqa, including the rightful landowners, was put under military closure for days, and about [250 Palestinians were injured](#) the day of the illegal march.

Following the previous High Court hearing in October 2021, the State committed to increase effective law enforcement on the Israelis squatting in the outpost, but this promise has not come to fruition. In the past three weeks alone (Since May 4) Yesh Din has documented six incidents of Israeli settler invasions of the land, including a [visit conducted by 10 Israeli MKs](#) on May 22nd.

The desire to expropriate the location of the illegal outpost from its rightful landowners has also **renewed attempts to repeal the 2005 Disengagement Law**, according to which the former settlement of Homesh was evacuated.



Members of Yesh Din together with petitioners from Burqa in HCJ 2821/19 at a High Court hearing in 2019. Yesh Din photo.

Yesh Din encourages the international community to seize this moment to support the residents of Burqa in their struggle for justice. Despite the potential for a favorable decision of the High Court, the State of Israel has shown no willingness to uphold the law and allow the rightful landowners to return to their lands, or to protect them from those who have stolen it. The response of the international community is a crucial factor at this stage – the State of Israel must be made aware that all eyes are upon it as it blatantly violates its own laws at the expense of the human rights of Palestinians whom it is obligated to protect.

[Click for more details on HCJ 2821/19 and the ongoing legal struggle](#)

For more background, click to read 'A world turned upside-down: The residents of Burqa's struggle to return to their land, where the evacuated Israeli settlement Homesh once stood.'

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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.