



Yesh Din

Volunteers for Human Rights

**Updates from the past week in the illegal outpost
Homesh:**

Israel Promotes the Renewal of the Homesh Settlement Amid State-Backed Settler Violence

May 25, 2023

Israel is swiftly promoting the renewal of the settlement in Homesh in violation of international law and commitments to the international community. On top of rewarding the violent criminals in Homesh, this policy will cement the violation of the property rights of the Palestinians in the area.

Since last Thursday, May 18, Israel's Military Commander has issued orders lifting the prohibition on Israelis from entering the area of the evacuated settlement Homesh, situated on private Palestinian land, and has allocated two plots of state land in the area to the jurisdiction of the Samaria Regional Council. Last night, May 24, following a solidarity visit by diplomats from EU

and like-minded states with the rightful Palestinian landowners and village council of Burqa, tens of settlers, accompanied by soldiers, invaded the village and burned homes and other structures; several Palestinians were injured, including by live fire. This morning, May 25, the residents of Burqa documented large-scale construction taking place in the illegal outpost, reportedly with the approval of Ministers Galant and Smotrich and against the law.



Footage taken by residents of Burqa today shows settlers in Homesh conducting excavation work without permits.

May 18

After the Knesset [repealed a number of sections of the Disengagement Law](#) in March, these changes had to be expressed through military legislation in order to take effect. Accordingly, on May 18, the military commander of the West Bank signed a new order canceling the ban on Israeli presence in the area and the ban on Israelis residing in the area. In addition, the military commander signed another order stating that the jurisdiction of Homesh will be

included in the municipal jurisdiction area of the Samaria Regional Council in the West Bank.

These steps leave no doubt that the political echelon, in cooperation with the military commander of the West Bank, are actively working to promote the retroactive regulation of the yeshiva/outpost in Homesh, and to renew the settlement there.

It further appears that the so-called 'regularization' of the outpost will be carried out by transferring the yeshiva, which has been situated on privately owned Palestinian lands for many years, to two small non-contiguous plots, registered as state lands (public lands).

This move will prevent any entry, passage or use of these lands by Palestinians, due to the prohibition on entry of Palestinians into areas under the jurisdiction of Israeli Regional Councils. This means that even after the yeshiva is removed from the privately owned lands to the adjacent plots registered as state lands, the Palestinian landowners will not be able to access their property freely and safely. In practice, this will lead to cementing the continuous violation of the property rights and permanent dispossession of the landowners, in violation of international law.

May 24

Yesh Din and Peace Now led a group of diplomats from the EU and like-minded states on a solidarity visit to the Burqa village council to hear about the ongoing rights-violations they suffer, including indiscriminate violence, largely stemming from the settlers of Homesh. A few hours after the tour, tens of settlers – accompanied by soldiers – [invaded the town, burning a number of homes and other property,](#) resulting in the injury of at least six Palestinians, including by live fire.



The aftermath of the settler attack - a burned barn in Burqa on the morning of May 25. Photo by a Burqa resident.

May 25

This morning, residents of Burqa documented large-scale construction being undertaken in the area of the outpost, including work to level the ground, seemingly preparing it for construction. This construction is being undertaken without permits and against Israeli law. [Haaretz reported](#) that soldiers initially intervened to prevent the construction, but soon after received instructions from Ministers Yoav Gallant and Bezalel Smotrich to allow the excavation work to continue, without the necessary permits.

In response, Yesh Din sent urgent correspondence to the Military Commander of the West Bank, Yehuda Fuchs, detailing the aforementioned and demanding the illegal construction in the outpost be halted immediately. The letter emphasized that the work is being undertaken without the knowledge or consent of the rightful landowners from Burqa and in abject violation to Israeli law, international law, Israeli High court rulings, and to the commitments Israel has made to the international community, including commitments made to the United States [just earlier this week](#).

Upcoming High Court hearing:

On June 27, a seventh hearing is expected in the [High Court petition](#) filed by Yesh Din and the rightful Palestinian landowners. Prior to hearing, on June 6, the state is expected to submit its response to the petition and the order nisi issued by the HCJ, ordering it to explain why it has not acted to remove the illegal construction in Homesh and why it does not take all the necessary actions to ensure the free access of the landowners to their lands.



Yesh Din attorneys Shlomy Zachary and Fadia Qawasmi with some of the petitioners from Burqa during our last High Court hearing in January 2023.

Yesh Din calls on the international community urgently to demand accountability from Israeli authorities, the settlers in Homesh, and that the rule of law be upheld to protect the rights of the rightful Palestinian owners of the land

living under prolonged military occupation and apartheid. While Yesh Din welcomes the condemnations issued by the [United States and France](#), only coordinated and resolute action by third states will prevent Israel from permanently dispossessing the rightful landowners and rewarding the settlers who have been leading violent onslaughts against the residents of Burqa with impunity for years.

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