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Press release – for immediate release

## **HCJ issues conditional order: the State must explain why not to enforce the demolition orders on an illegal outpost**

**HCJ Justices Beinish, Rivlin and Rubinstein order the State to explain within 90 days "why the State is not enforcing the demolition orders issued for the Amona outpost"**

The Israeli High Court of Justice (HCJ) issued today (Wednesday) an interlocutory order, asking the State to explain why it is refraining from enforcing the demolition orders issued for the buildings of the illegal outpost "Amona" in the West Bank.

HCJ Justices Dorit Beinish, Eliezer Rivlin and Elyakim Rubinstein issued the order in a hearing held this morning in the petition filed by 10 Palestinian land owners with assistance by human rights group Yesh Din. The judges ordered the state "to explain within 90 days why the State will not enforce the demolition orders issued for the compound in question".

The order will entail that the State issue an affidavit in which it will explain why it believes the HCJ should refrain from issuing a binding order for the demolition of the outpost.

"It is clear that the State and the settlers will use any and every excuse to delay the return of these lands to their Palestinian owners - but Yesh Din will stand by the complainants until their property is given back", says Yesh Din in light of the ruling today.

In the State's reply to the petition, it acknowledged the fact that the outpost was illegally-built on privately-owned Palestinian land, but added nonetheless that the petition should be rejected as its enforcement of the current "Settlement freeze" does not allow it to enforce previous demolition orders.

### **Background information:**

On November 25th, 2008, 10 Palestinians filed a petition with the HCJ through Yesh Din, demanding that the illegal outpost Amona, built on their private lands, be evacuated. The petition, filed against the Defense Minister and the Head of OC Central Command, among others, demands that Amona be evacuated, and that the

fencing which encloses parts of it, restricting the owners' access to their lands, be removed.

Nearly five years ago, in a one-time occurrence, demolition orders issued against nine permanent buildings in Amona were implemented. This law enforcement procedure in the West Bank was made possible only after Peace Now filed a petition with the HCJ. However, law infringement continued, with the outpost residents continuing to reside there and even constructing new illegal buildings all on the private land of the petitioners. "Well, this is the sad picture: the respondents are well aware of the factual and legal situation, they do not deny the illegality and the enormous scope of the law infringement," the petition says, "they are simply not interested in confronting the perpetrators."

[Click here](#) to read the petition (Hebrew PDF).

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