



Update on Haqel's Petition to the High Court of Justice

On May 2nd, High Court Justices Amit, Wilner and Grosskopf, issued a *nisi order* in response to Haqel's submission of a petition to the High Court of Justice on behalf of 6 villages in the South Hebron Hills in November 2023 against the forced displacement of communities from their homes and villages. Following the events of October 7th, 18 communities in the West Bank were forced to abandon their dwellings as a result of extreme violence by settlers and soldiers. Villagers were violently attacked, given an ultimatum to vacate their homes, and were threatened with further harm or even death. Homes and property were vandalized and destroyed.

The issuing of the order follows a hearing on January 3rd and an additional hearing on May 1st. Haqel's immediate action in response to the forced transfer of communities, prompted the court to call for official accountability, a crucial step towards addressing the safety concerns of Palestinian residents.

In its response to the court following the January hearing, instead of allocating additional resources and expanding the system of protection for Palestinian residents of the West Bank, including the establishment of a hotline for complainants, the State's response reinforces the current flawed system of investigation and denies the systemic failures clearly demonstrated in the petitions. The response shockingly points an accusing finger at the victims of violence. The State contended that the villagers of Zanuta voluntarily left their villages for agricultural purposes.

The court requested an additional hearing in which Adv. Dr. Quamar Mishirqi-Assad, Haqel's Co-Director, provided further evidence of the lack of protection and ongoing challenges faced by the affected communities. The judges did not appear to be satisfied with the State's responses and issued a *nisi order* (a *nisi order* is a court order that will become final unless the State shows the court why it should be changed).

In this unprecedented decision, the Justices demanded:

- An outline of all measures planned to ensure the safe return of residents to the villages of Zanuta and Um Darith, focusing on their security and the protection of their property and livestock. This also applies to the petitioners in an additional petition heard jointly with Haqel's petition.
- The State justify the absence of a dedicated emergency contact center for the petitioners or their representatives.
- An explanation of the absence of police response to incidents following complaints by petitioners and the lack of evidence collection.



The remains of a home in Zanuta.

This decision sets an important precedent for cases involving the protection of communities at risk of forced displacement and for those communities who were expelled from their homes and villages. Haqel will closely evaluate the actions of the State on the ground and the means in which they plan to ensure the return of the villagers to their homes.

