
Urgent Appeal to UN Special Procedures on the Immediate International Action Required to Halt the Establishment of a New Israeli Settlement in Beit Sahour for Aggravated Impacts on the Remaining Palestinian Christian Presence in the Occupied Palestinian Territory



Submitted by:

The Balasan Initiative for Human Rights – Palestine

For the attention of:

- Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Ms. Francesca Albanese;
- Special Rapporteur on adequate housing as a component of the right to an acceptable standard of living, and on the right to non-discrimination in this context, Mr. Balakrishnan Rajagopal;
- Special Rapporteur on the rights of indigenous peoples, Dr. Albert K. Barume;
- Special Rapporteur on minority issues, Mr. Nicolas Levrat;
- Special Rapporteur on freedom of religion or belief; Ms. Nazila Ghanea
- Special Rapporteur on adequate housing, Mr. Balakrishnan Rajagopal
- Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel.

Date of Submission: 19 February 2026

The Balasan Initiative for Human Rights - Palestine (BIHR) submits this urgent appeal concerning the recent establishment of a new Israeli settlement, known as “Yatziv,” formerly known as the “Shdema outpost” on the hilltop of Ush al-Ghurab, in the Palestinian town of Beit Sahour, east of Bethlehem, in the occupied West Bank.

On 20 January 2025, Israeli Finance Minister Bezalel Smotrich publicly announced the retroactive legalization of the former “Shdema outpost”, officially renaming it the “Yatziv” settlement. This announcement was accompanied by an official ceremony on-site, attended by Israeli officials and settler representatives, marking the administrative and political transformation of the site into a permanent settlement. Approximately 30 settler caravans were installed immediately following the announcement, with further expansion publicly anticipated.¹ The new settlement has been celebrated by Israeli officials and settlers as a great achievement, considering it an overdue ‘return’; “I think that the establishment of the settlement here, right on the outskirts of the city of Bethlehem, reminds us that returning home will only be possible if we return to the city of Bethlehem. From there we were displaced 2,000 years ago, and from there we were displaced 30 years ago.” (Rosenthal, Head of the Gush Etzion Regional Council, 20 January 2025).²

The establishment of the “Yatziv” settlement cannot be treated as yet another illegal settlement expansion; it must be understood in the context of heightened sensitivity and gravity. In addition to marking a flagrant step towards illegal annexation, the presence of the remaining Palestinian Christian communities will be largely threatened as a result of the new settlement. The town of Beit Sahour currently holds the largest Palestinian Christian community in the West Bank, which constitutes one of the most significant and longstanding indigenous Christian communities in the world,³ where Christian presence is historically rooted in land ownership, social life, and collective memory.⁴ Accordingly, the confiscation of land and the imposition of new settlement realities in the vicinity of the town amount to an accelerated **process of emptying an indigenous minority of its historical space and pose a direct threat to the continuity of an indigenous Christian presence in its place of origin**, in a context already marked by the significant, ongoing decline of the Palestinian Christian population as a result of Israel’s occupation policies.

The creation of the “Yatziv” settlement at Ush al-Ghurab aligns with a broader territorial engineering strategy aimed at consolidating Israeli control around Jerusalem and throughout the West Bank. This strategy includes the development of the “Eastern Ring”, a network of roads and settlement enclaves designed to connect Israeli settlements north and south of Jerusalem with the city itself, effectively creating a contiguous Israeli built-up area that encircles and isolates Palestinian neighborhoods and communities. These roads and linked settlements are being used to shape facts on the ground that preclude Palestinian territorial

¹ [Balasan Initiative For Human Rights](#)

² [ר��טל: "החזקה הביתה תהיה רק כשנחוור לטער העיר בית לחם - סרגטם](#)

³ [Latin Patriarchate of Jerusalem - Beit Sahour Parish - Our Lady of Fatima Church](#)

⁴ [Historic Christian presence in Palestine faces extinction under Israeli rule – Middle East Monitor](#)

contiguity and impede any viable future Palestinian capital in East Jerusalem or a contiguous West Bank.

The Completion of the “Eastern Ring” Road and associated settlement projects would not merely link isolated “outposts” to larger blocs but would entrench a *de facto* territorial ring around East Jerusalem and critical West Bank corridors, further undermining Palestinian spatial integrity and the possibility of a negotiated political solution.

I. Background and Context

Around November 2025, Israeli settler groups, with the involvement and public endorsement of the Gush Etzion Regional Council, carried out overnight land leveling operations in Ush al-Ghurab in Beit Sahour using heavy machinery.⁵ By the following morning, several mobile homes were installed on the site, marking the formal establishment of a new settler settlement.⁶ The land in question is privately owned by Palestinians and had previously been designated for public use,⁷ including plans for a children’s hospital to serve Bethlehem and its surrounding communities.

The Ush al-Ghurab site has a well-documented history of military seizure under the pretext of security needs. In the early 1970s, the Israeli Occupation Forces (IOF) established an army base on the land, referred to as “Shdema Camp.” The revival of the name “Shdema” and its religious framing serve to sanctify the appropriation of privately owned Palestinian land, transforming dispossession into a narrative of divine entitlement, at the direct expense of the indigenous population and their rights.

At the time, the IOF Central Command issued a military seizure order covering approximately 54 acres of privately owned Palestinian land, citing military security requirements.⁸ The order stipulated that the landowners were entitled to compensation in the form of land-use fees for the temporary loss of access, and that the land was to be returned to its owners upon the cessation of the military necessity. In 1983, the scope of the seizure order was expanded to include an additional 34 acres.⁹

Following the signing of the Agreement (Oslo II) in 1995, the area of the former military base was designated as Area C and placed under temporary Israeli control pending a final status agreement.¹⁰ In 2004, Israeli authorities began constructing a settler bypass road serving nearby

⁵ Peace Now, Settlers Established a New Outpost Today East of Bethlehem, November 20, 2025, [Settlers Established a New Outpost Today East of Bethlehem - Peace Now](#)

⁶ Arab News, Israeli peace group slams new settlement in West Bank, November 20, 2025, [Israeli peace group slams new settlement in West Bank](#)

⁷ [How Israeli settlements threaten Palestine's Christian heritage](#)

⁸ HuffPost, How Settlers Prevented The Construction of a Palestinian Hospital, April 20, 2010, [How Settlers Prevented The Construction of a Palestinian Hospital | HuffPost The World Post](#)

⁹ HuffPost, How Settlers Prevented The Construction of a Palestinian Hospital, April 20, 2010, [How Settlers Prevented The Construction of a Palestinian Hospital | HuffPost The World Post](#)

¹⁰ HuffPost, How Settlers Prevented The Construction of a Palestinian Hospital, April 20, 2010, [How Settlers Prevented The Construction of a Palestinian Hospital | HuffPost The World Post](#)

settlements and connecting them to Jerusalem, which became operational in 2008 and runs through the lands of Ush al-Ghurab.¹¹

In 2006, the Israeli army dismantled the military camp, significantly reduced the scope of the seizure order, and acknowledged the absence of an ongoing military necessity. Subsequently, the municipality of Beit Sahour sought to utilize the vacated land for civilian purposes, including the construction of a children's hospital with pledged international funding. However, the project was suspended due to Israel's continued control over the area and the requirement of Israeli authorization in Area C.

The legalization of the "Yatziv" settlement must be understood within a broader, multilayered system of control employed by Israeli authorities in Ush al-Ghurab. This system combines prolonged military seizure orders, land confiscation orders, blanket building bans, and the concentrated issuance of demolition orders targeting Palestinian structures located along the settlement's expansion corridor.

Notably, many of the military seizure orders currently in force date back to the late 1960s, 1970s, and 1980s, and have been repeatedly renewed long after the cessation of any genuine military necessity. The same land that was previously designated as a closed military zone to prevent Palestinian development has now been repurposed for permanent civilian settlement, demonstrating the instrumental and pretextual use of security classifications.

The most recent annexation decisions taken by the Israeli government in February 2026 reflect another layer of expected escalation in Beit Sahour: Israel's Security Cabinet approved seven new policies and legislative measures that entrench annexation over the occupied West Bank. These measures include accelerating settlement expansion, altering land registration and purchase procedures, transferring planning and enforcement authorities from Palestinian-linked frameworks to Israeli civilian institutions, and establishing Israeli administrative control over key religious and historic sites in Hebron and Bethlehem.¹² In addition, on 15 February 2026, the Israeli government issued an administrative decision mandating the registration of vast areas of land in the West Bank as "state land," a move described by Israeli Finance Minister Bezalel Smotrich as a "settlement revolution." The decision authorizes the Israeli Ministry of Justice to register and adjudicate property rights and to allocate land to settlers, the military, and government agencies, marking a qualitative shift from military administration toward the exercise of de facto sovereignty over occupied Palestine.¹³

¹¹ HuffPost, How Settlers Prevented The Construction of a Palestinian Hospital, April 20, 2010, [How Settlers Prevented The Construction of a Palestinian Hospital | HuffPost The World Post](#)

¹² [West Bank on the Brink: Israel's De Facto Annexation as a Result of the Collapse of Accountability – Balasan Initiative For Human Rights](#)

¹³ [Institutionalizing Annexation: Israel's Registration of West Bank Land as "State Land" – Balasan Initiative For Human Rights](#)

II. Impact on the Civilian Population

The seizure of Ush al-Ghurab has deprived Beit Sahour of critical land reserves earmarked for public and humanitarian use, including a planned children's hospital, recreational spaces, and cultural facilities.¹⁴ The settlement further reduces the already minimal land available for Palestinian urban expansion, intensifies demographic pressure, and heightens the risk of settler violence against the town's residents.¹⁵ As in multiple documented incidents, settler groups operating from the new settlement have engaged in acts of intimidation and violence, including the theft of livestock from Palestinian shepherds and the throwing of stones at civilian homes and Palestinian vehicles. Such acts form part of a broader pattern of systematic harassment and intimidation, aimed at instilling fear among the local population and undermining their ability to safely remain in the area, thus encouraging a policy of indirect forcible displacement.

These measures also form part of a broader policy aimed at reshaping the demographic and geographic character of the Bethlehem area, undermining Palestinian territorial contiguity, and entrenching irreversible facts on the ground that preclude the exercise of the Palestinian people's right to self-determination.

Beyond the immediate material impacts, the establishment of the "Yatziv" settlement contributes to creating conditions that render continued residence increasingly unsustainable for the local population. The progressive restriction of land access, combined with the denial of meaningful development opportunities, functions as a slow but systematic driver of indirect and coerced displacement.

The impacts of the new settlement are particularly acute in Beit Sahour, as the town with the largest remaining Palestinian Christian community in the West Bank. The indigenous Palestinian Christian community is already demographically vulnerable, and Israeli policies on both sides of the Green Line are directly targeting the remaining indigenous Christian presence in its ancestral land.¹⁶ Israel's accelerated annexation policies will result in the gradual emptying of an indigenous minority from its historical space without the use of overt force.

This cumulative practice constitutes a policy of *de facto* annexation, prohibited under international law, which obliges an occupying power to respect the existing legal order and prohibits permanent administrative or territorial transformations aimed at consolidating long-term control.¹⁷

¹⁴ The Balasan Initiative for Human Rights, Update: New Israeli Settlement in Beit Sahour: From the Shepherds' Field to a Settlement Corridor Reshaping Space, Memory, and Existence, November 28, 2025

¹⁵ The Balasan Initiative for Human Rights, . In Update: New Israeli Settlement in Beit Sahour: From the Shepherds' Field to a Settlement Corridor Reshaping Space, Memory, and Existence, November 28, 2025

¹⁶ Balasan Initiative for Human Rights, Urgent Appeal to UN Special Procedures on the Imminent Threats on the Remaining Palestinian Christian Presence on Both Sides of the Green Line due to Israel's Ongoing Breaches of International Humanitarian & Human Rights Law, [Urgent Appeal to UN Special Procedures on the Imminent Threats on the Remaining Palestinian Christian Presence on Both Sides of the Green Line due to Israel's Ongoing Breaches of International Humanitarian & Human Rights Law – Balasan Initiative For Human Rights](#)

¹⁷ [IHL Treaties - Hague Convention \(IV\) on War on Land and its Annexed Regulations, 1907 - Regulations: Art. 43](#)

III. Legal Standards Violated

a. Unlawful Transfer of the Occupying Power's Civilian Population & Settlement Enterprise

International humanitarian law (IHL) prohibits the transfer by an occupying power of parts of its own civilian population into the territory it occupies. Article 49(6) of the Fourth Geneva Convention prohibits both direct and indirect transfer, a prohibition that encompasses the establishment and expansion of civilian settlements in occupied territory. This prohibition reflects a norm of customary international law and applies regardless of the asserted motivations of the occupying power.

The Rome Statute of the International Criminal Court further criminalizes such conduct. Article 8(2)(b)(viii) classifies the transfer, directly or indirectly, of the occupying power's civilian population into occupied territory as a war crime, giving rise to individual criminal responsibility.

Application

The retroactive legalization and formal establishment of the "Yatziv" settlement on the site of Ush al-Ghurab, following the cessation of any genuine military necessity, constitutes an unlawful civilian settlement implanted in occupied territory. The transformation of a former military site into a permanent civilian settlement, accompanied by the immediate installation of settler caravans and expansion plans, amounts to an indirect but deliberate transfer of Israeli civilians into the occupied West Bank. As such, the establishment of the "Yatziv" settlement engages Israel's responsibility for a serious violation of international humanitarian law and may give rise to individual criminal liability under international criminal law.

b. Unlawful Appropriation of Land and Property Not Justified by Military Necessity

Article 53 of the Fourth Geneva Convention prohibits the destruction or seizure of real or personal property belonging to protected persons, except where rendered necessary by military operations. Article 47 of the same Convention protects the occupied population against annexation and institutionalized dispossession resulting from measures taken by the occupying power.

Under customary international humanitarian law and the Hague Regulations of 1907, particularly Article 43, the occupying power is obliged to respect the existing legal order in the occupied territory and is prohibited from undertaking permanent changes aimed at consolidating long-term territorial control.

The Rome Statute further criminalizes the extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly (Article 8(2)(b)(xiii)).

Application

The prolonged military seizure of privately owned Palestinian land in Ush al-Ghurab, followed by its repurposing for settlement after the acknowledged end of military necessity, constitutes unlawful appropriation of property in occupied territory. The concentration of demolition orders along the settlement's expansion corridor, coupled with blanket building prohibitions imposed on Palestinians, reinforces a pattern of dispossession aimed at eliminating Palestinian presence from strategically significant areas. These practices breach Israel's obligations under international humanitarian law and may amount to war crimes under international criminal law.

c. Creation of a Coercive Environment Leading to Indirect and Forceable Displacement

International humanitarian law prohibits the forcible transfer of protected persons from occupied territory. This prohibition extends beyond physical expulsion to include the creation of coercive living conditions that compel individuals or communities to leave against their genuine will. Such indirect or constructive forcible transfer is prohibited under Article 49(1) of the Fourth Geneva Convention and is recognized in customary international law.

International human rights law further protects the rights to adequate housing, development, freedom of movement, equality, and non-discrimination, as well as the collective right of peoples to self-determination. Systematic violations of these rights that render continued residence untenable may constitute prohibited displacement.

Application

The establishment of the "Yatziv" settlement, combined with land confiscation, demolition orders, denial of development permits, settler violence, and restrictions on access to land, creates a coercive environment that undermines the ability of the Palestinian population of Beit Sahour to remain in their town. These measures function cumulatively as a mechanism of indirect and coerced displacement, particularly affecting an already demographically vulnerable indigenous Palestinian Christian community. Such practices amount to a prohibited forcible transfer under international law.

d. De Facto Annexation and Permanent Alteration of the Occupied Territory

Multiple international legal frameworks absolutely prohibit annexation. Under international humanitarian law, annexation of occupied territory, whether de jure or de facto, is strictly prohibited. Article 47 of the Fourth Geneva Convention affirms that protected persons shall not be deprived of the benefits of the Convention by any

annexation of occupied territory.¹⁸ Article 43 of the Hague Regulations obliges the occupying power to administer the territory temporarily and prohibits permanent administrative or territorial transformations intended to consolidate sovereignty.¹⁹

Annexation is also prohibited under customary international law, which reflects the general and consistent practice of states accompanied by *opinio juris* that territorial conquest cannot confer sovereignty, which is linked to the Palestinian right to self-determination.²⁰ The UN Charter explicitly prohibits the threat or use of force against the territorial integrity or political independence of any state (Article 2(4)), which includes the acquisition of territory through aggression.²¹ Numerous UN General Assembly and Security Council resolutions, including Security Council Resolution 242 (1967)²² and General Assembly Resolution 3236 (1974),²³ reaffirm the inadmissibility of acquiring territory by force. The Rome Statute of the International Criminal Court criminalizes the act of annexation as part of the war crime of occupying and transferring populations and territorial appropriation in violation of international law (Articles 8(2)(b)(viii) and 8(2)(b)(xiii)).²⁴ The International Court of Justice has repeatedly confirmed the illegality of annexation, including in its Advisory Opinion on the Legal Consequences of the Construction of a Wall in the oPt (2004), which affirmed that acquisition of territory by force is prohibited under international law.²⁵

Application

Beyond individual acts of land confiscation or property appropriation, the legalization of the “Yatziv” settlement represents a qualitative shift from temporary occupation toward the permanent integration of occupied territory into the administrative, planning, and civilian governance structures of the occupying power.

The settlement’s retroactive legalization, its incorporation into Israeli settlement councils, and its linkage to Israeli-controlled road and infrastructure constitute elements of a broader strategy aimed at consolidating long-term Israeli sovereignty over the area. This strategy was further escalated in February 2026, when Israel’s Security Cabinet approved seven new policies and legislative measures that entrench annexation over the occupied West Bank.²⁶ These measures include accelerating settlement expansion, altering land registration and purchase procedures, transferring planning and enforcement authorities from Palestinian-linked frameworks to Israeli civilian institutions, and establishing Israeli administrative control over key religious and historic

¹⁸ ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47

¹⁹ [IHL Treaties - Hague Convention \(IV\) on War on Land and its Annexed Regulations, 1907 - Regulations: Art. 43](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²⁰ [Declaration on the Granting of Independence to Colonial Countries and Peoples | OHCHR](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²¹ [treaties.un.org/doc/Publication/CTC/uncharter.pdf](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²² [Resolution 242 \(1967\) /](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²³ [interactive encyclopedia of the palestine question – palquest | unga resolution 3236 \(xxix\)](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²⁴ [Rome Statute of the International Criminal Court, 1998](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²⁵ [Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

²⁶ [West Bank on the Brink: Israel's De Facto Annexation as a Result of the Collapse of Accountability – Balasan Initiative For Human Rights](http://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-47)

sites in Hebron and Bethlehem.²⁷ The decisions effectively undermine Palestinian administrative authority, circumvent international legal norms, and represent a qualitative escalation of de facto annexation. These developments, part of a decades-long trajectory of settlement expansion and territorial consolidation, have profound implications for the rights of the Palestinian population, including their right to self-determination, access to land, and protection of cultural and religious heritage.

These measures alter the legal and institutional character of the territory, displace the applicable Palestinian legal order, and entrench Israeli civil authority in a manner incompatible with the temporary nature of occupation. By foreclosing restitution, reversing the reversibility of occupation, and embedding Israeli civilian life permanently into the territory, Israel exceeds the permissible bounds of belligerent occupation and engages in de facto annexation.

Such practices violate Article 43 of The Hague Regulations and Article 47 of the Fourth Geneva Convention and directly undermine the Palestinian people's right to self-determination by transforming occupied land into an effectively sovereign Israeli space.

e. Violation of the Rights of an Indigenous and Religious Minority

International human rights law and international humanitarian law impose heightened obligations on an occupying power to protect the rights of minorities and indigenous communities within occupied territory. Protected persons are entitled to respect for their religious life, cultural identity, and community institutions, as reflected in Article 27 of the Fourth Geneva Convention. International human rights law further prohibits both direct and indirect discrimination and requires States to ensure that facially neutral measures do not have a disproportionate and unjustified impact on protected groups.

Application

The establishment of the “Yatziv” settlement and the associated confiscation and restriction of access to land surrounding Beit Sahour have a disproportionate and discriminatory impact on the indigenous Palestinian Christian community, whose cultural, religious, and historical identity is inseparable from continued access to land and space. Although framed as neutral planning or security measures, these practices operate in a context of structural inequality and result in the systematic erosion of the material conditions necessary for the survival of this protected minority.

In the absence of any objective and reasonable justification, and given Israel's obligations as an occupying power, these measures amount to indirect discrimination and a breach of the duty to respect and protect the religious life and cultural continuity of a

²⁷ [West Bank on the Brink: Israel's De Facto Annexation as a Result of the Collapse of Accountability – Balasan Initiative For Human Rights](#)

protected community under both international humanitarian law and international human rights law.

IV. Recommendations

The establishment and continued, relentless expansion of Israeli settlements, including the “Yatziv” settlement, represents a deliberate and systematic policy aimed at entrenching annexation and dispossession in the oPt, with aggravated impacts on the Christian community, already witnessing a sharp decrease as a direct result of Israeli policies and practices on both sides of the Green Line, their own homeland. Immediate international action is required to halt these violations and to uphold the integrity of international law.

As such, with utmost urgency, the BIHR respectfully requests that the esteemed Special Rapporteurs urgently act upon this submission, including by direct communication with the government of Israel, issue a joint public statement, and take all measures within their mandates including country visits, engagement with relevant UN bodies, and continued monitoring and investigation, exerting pressure within their mandates to prevent further deterioration of the situation and to protect the survival, rights, and cultural heritage of the Palestinian Christian community in Palestine. **The BIHR also urges the UN Special Procedures to strongly call upon third States to immediately operationalize accountability as part of their obligations under international law**, including by reviewing bilateral agreements, suspending cooperation that may contribute to the settlement enterprise, and ensuring that no financial, economic, or diplomatic support is provided to entities or individuals involved in the establishment, legalization, or expansion of the “Yatziv” settlement.

END.