The Wild South

The Stealth Encroachment of the Judean Desert

Regavim

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Acting to prevent the illegal takeover of State Lands and preserving the rules of proper administration regarding the land-policy of the State of Israel
The plan to create contiguous Palestinian settlement in the Negev
Using foreign funding and in violation of the Oslo Accords, the Palestinian Authority is acting to create contiguous Arab control from the Negev to the Judean Desert.

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Overview

The South Hebron Hills is one of the most strategic areas of the State of Israel, since it is an open natural space between the area of Judea and Samaria and the area of the Negev. This space, along with the Jezreel Valley and the Nitzana area, prevents the creation of contiguous Arab settlement from the Egyptian border to Lebanon.

The Jewish communities established by governments of Israel in the South Hebron Hills area, in addition to their being a part of the Zionist enterprise, are also an essential strategic asset to the State of Israel, since they limit the expansion from the south of the densely populated urban bloc of Arab towns: Hebron, Mani Naim, Yata, Samua, Dura and Dahariyyeh.

In recent years, the Palestinian Authority (PA) has led a planned process that aims at taking over strategic areas in Area C of Judea and Samaria – which is under full Israeli control – and to annex them de facto, and to put them under its control, as a part of the plan to unilaterally establish a Palestinian state. This plan was conceived and officially publicized by the former Palestinian prime minister, Salam Fayyad in 2009, and since then it is being implemented on the ground.

The takeover of the area is being carried out through a variety of deceptive construction projects which appear innocent on the surface. These include agriculture and civil development projects that are supported and funded by foreign governments, among them Israel’s declared enemies. These plans include establishing a network of illegal outposts that connect Palestinian population blocs. This involves the opening and paving of an extensive system of roads that covers thousands of kilometers, and the agricultural preparation of thousands of hectares of Israeli State Lands and IDF firing ranges. These moves are all in flagrant violation of Israeli law, the Oslo Accords, and even International Law.

Due to the special strategic significance of the Hebron Hills area, the PA is concentrating special efforts in this region.

This report focuses on the Palestinian plan to actually establish an additional Arab city on the outskirts of the desert.

In recent years, hundreds of residential buildings have been built, in violation of the law, on declared Israeli State Land and in IDF firing ranges. Alongside, the PA, with the funding of foreign governments, is building a civilian
infrastructure of roads, electricity, water sources, and houses of worship over a huge area of more than 10,000 hectares. It is building civil structures for the residents - educational institutions and medical buildings – that will transform this sparsely settled area into a real city.

This city, which is doubling in size every few years, cuts off Israeli communities and creates the dangerous infrastructure of contiguous Arab settlement that will connect the Arabs of the Hebron Hills with the widespread Bedouin settlement in the northern Negev.

This combination of factors obligates the State of Israel to halt this process in its tracks thus conveying a clear message to the Palestinians and those that fund them that this will not be tolerated. The Israeli authorities must make law enforcement a top priority in this area, and implement clear and absolute enforcement of building laws. In the first stage, an immediate "freeze" must be instituted in regard to current construction, and new construction must be prevented in the area.
**Background**

The South Hebron Hills region is one of the most strategic areas of the State of Israel, since it serves as a barrier between Judea and Samaria and the Negev. The Hebron Hills region, as well as the Jezreel Valley region in the North, and the Nitzana region in the South, prevent contiguous Arab settlement from the outskirts of the Egyptian border to Israel's border with Lebanon. Loss of Israeli control in these areas is a significant and strategic danger.

This region includes IDF firing range 917 in the southern Judean Desert, which stretches over some 55,000 hectares. This area serves as a strategic bridgehead that connects the IDF training areas in Israel's South to the training areas in the Dead Sea area towards the Jordan Valley.

This firing range is located on the edge of the desert southeast of the Israeli town of Carmel, and was declared an IDF zone in the early 1980's. It is one of the training areas of the Nahal Brigade, whose base is not far away, in Tel Arad. Most of the firing range is located on declared State Lands, while a small portion is on Survey Lands and is in the process of being authorized as State Lands.

In the heart of the firing range the remnants of the Um Daraj police station can be found, constructed under Jordanian rule as part of a system of border outposts of the kingdom on its former border with Israel. Until the signing of the Oslo Accords, it served as a training facility of the IDF Combat Engineers Corps.

The extremely rare occurrences of archeological finds in the area attest to the fact that there was no permanent settlement in the area during ancient times, which can be explained by the nearly uninhabitable desert living conditions there.

Ancient water cisterns scattered over the firing range attest to the seasonal presence of Bedouin shepherds who came to the area from the environs of the town of Yatta with their flocks in the spring and early summer months - the season when it is possible to herd sheep in this region.
**Bedouin Settlements on the Outskirts of the Desert – the Process of Establishing Permanence**

Analysis of old aerial photographs show that until the 1970’s, the Bedouin settlement in the region was characterized by temporary tent dwellings that were used for seasonal grazing.

In a 1967 aerial photo one can see a large number of temporary tents in the area, mainly in the eastern portion of the area that was later declared a firing range.

In the following years, the nomadic population gradually began to permanently settle in the western portion of the area (and outside the firing range) and began to illegally construct a number of points of permanent settlement. Four major Bedouin tribes live in the area: Ka'abne Zweidin, Sarayy'a Pukra, Ka'abne Prijat, and Sarayy'a al Hadlin.

In the early years of permanent settlement, sporadic illegal construction began in the area, characterized by the building of tents and tin shacks. In the middle of the 1980's, agreements\(^1\) between the Civil Administration and the Bedouin tribes were reached in regard to three complexes in the area where the first three of the tribes resided. The Civil Administration marked and delineated three areas within which "a special area was allocated to permanent settlement according to a special master plan permitting the members of the tribe to construct permanent housing\(^2\)."

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\(^1\) It is unknown whether these agreements were written or oral. Regavim contacted the Civil Administration with a request, according to the Freedom of Information law, to produce documentation of these agreements and other relevant materials.

\(^2\) "The Edge of the Desert" – Southern Judean Desert, published by the Civil Administration, November 2005.
The direct result of this decision was a building boom of permanent structures beginning in the 90’s. In actuality, one can see that there are three giant complexes where there is more concentrated construction, but in the course of recent years, there has been a boom of illegal construction in the rest of the area – in the segments that serve to connect between the housing groups.

Moreover, the aforementioned agreement did not include the Saray’a al Hadlin tribe, due to its physical location in the heart of the 917 firing range south of the Um Daraj base. During the 90’s, as a result of the evacuation of the permanent camp adjacent to Um Daraj, the members of this tribe as well, even if they had not received “an area for permanent settlement”, began to build extensively over a vast stretch of land, from Um Daraj in the north until Mount Holed in the south. The tin shacks and tents were replaced over the years with spacious permanent structures.

Practically speaking, even if the intention was to approve a plan to build a city (Taba) in each of the three areas, no such plan has ever been approved. Consequently, all the structures that have been built without permits and without an approved plan to build a city are clearly defined as illegal construction. However, from the extent of construction being carried out in the entire area at an accelerated rate, and without any steps to enforce the law, it would appear as if a plan to build a city was approved. This indicates a policy of 'looking the other way' or 'silent consent' on the part of the legal authorities in charge of the area.

In recent years the number of illegal structures has grown by hundreds of percentage points, and doubles itself in shorter and shorter time periods.
The Process of Permanent Settlement—Comparison of Aerial Photos

In a 1981 photo, it is possible for the first time to see illegal permanent structures in the area. 143 buildings can be counted.

This picture shows the location of tents in 1967, and includes the permanent structures of 1981. It is easily seen that the overwhelming majority of illegal permanent structures do not overlap in the area upon which the nomadic settlement of 1967 was located.

In 1999, it was already possible to count 374 illegal structures in the area. The number of structures was doubled within 18 years.
In 2008, the number of illegal buildings in the area rose to 701. This is a further doubling of the number of illegal structures in nine years – half of the previous period of time.

In 2013 the number of illegal buildings in the area reached 1304- a further doubling of the number of illegal structures in only five years.

In 2015 the number of illegal buildings in the area reached 1524- half of them built on declared State Land and in the firing zone, and the remainder on land not yet declared State Lands (“survey lands”). At the present time (July 2016), there are nearly 1600 illegal structures built in the area!
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The City in the Desert – The Present Situation

While in the rest of Judea and Samaria illegal construction of permanent structures is a common phenomenon that occurs mainly on the outskirts of existing cities, as a natural spillover from an increasing population in older settlements, here we are talking about the de facto establishment of a new Arab city. Gazing towards the future, it is clear that if meaningful steps are not taken to enforce the law in this area, according to the documented rate of construction in recent years, in a few years the territorial contiguity will be completed over the entire area of 10,000 hectares.

By way of illustration, we are speaking of a huge area, larger than the municipal boundaries of large cities within the State of Israel with tens of thousands of residents, such as Bat Yam (8170 hectares), Sakhnin (9820) or Nahariya (10,230 hectares).

Only a portion of the inhabitants who live in this expansive area are descendants of the core group who resided here in 1967. A portion are Bedouins with Israeli citizenship who migrated from the Arad valley area to the South Hebron Hills (or who live in both areas at the same time). A significant number of the inhabitants are from the city of Yatta which is under PA control, and who chose to move to an area under Israeli control.

To complete the picture, we should mention that adjacent to the 917 firing range nearby, there is another firing range dubbed '918’ – where a similar situation is taking shape, on a smaller scale. Firing range 918, which was declared an IDF military zone in the 1970’s stretches over an area of 30,000 hectares. In that area Bedouin shepherds and farmers who lived in Yatta used to wander around while sheltering in temporary tents or caves for a few months out of the year during the annual grazing season. Over the years 12 groupings of structures were erected in this area. The State agreed to retroactively authorize four of these groups that lay on the outskirts of the range since their location does not interfere with the IDF security activities. However it was decided to evacuate the rest of the settlement groupings.

The legal status of the groups in firing range 918 has been pending in a number of petitions to the Supreme Court, for over two decades,
Setting Up Public Infrastructure with Foreign Funding

The building boom previously described would not have been possible, or at least would not have reached its present scope, without the massive development of public infrastructure being carried out by the PA in the area, with the help of generous funding from foreign countries. These infrastructure projects are being carried out without any construction permits and in violation of the law, despite the fact that this is being done inside an IDF firing range and on State Land under full Israeli control.

The setting up of public infrastructure includes the construction of mosques, schools and libraries, medical centers and other public buildings, the illegal development of roads, laying asphalt thoroughfares, and laying electrical wiring and professional provision of a water pipe which stretch over many kilometers.

Alongside the development of public infrastructure, which has had a significant impact in the present period, the PA and foreign bodies are advancing the 'Roots' program, which is presented formally as a program to aid Arab farmers, mainly in Gush Etzion and the southern Hebron Hills. The long-term goals of the 'Roots' program are to seize control of thousands of hectares of State Land that is under full Israeli control, and annexing them de facto, to PA control. Agricultural infrastructure work is taking place in Area C without permits and in violation of the law as well, and includes constructing agricultural paths over thousands of kilometers, establishing cisterns and water reservoirs, and the massive fencing-in of areas.

The development of public infrastructure is creating a significant change in the character of illegal construction in the area that began with small and sporadic groupings of structures, and steadily resembles the confident building of an actual new city.

The public infrastructure work including building schools and other public structures are funded by foreign
sources such as the EU and individual European countries through various agencies of the UN and other NGO's.

Examples of Other Projects:

The paving of an asphalt road in firing range 917- the road, several kilometers long that connects various buildings, was paved in 2015, with funding from the Development Fund of the Emirate of Abu Dhabi, designated as an "enemy state" by Israel.

In 2015 the GVC Italy organization built hundreds of service buildings in illegal Palestinian outposts, at a total cost of 2.5 million dollars. According to GVC reports, during 2013-2014 the organization funded the renovation of 80 residential units in Area C, including within firing range 917.

In this period, the British Islamic Relief Worldwide organization funded public community buildings in illegal settlements on the outskirts of the desert, including in firing range 917.
Strategic Significance from a Political Standpoint

It is important to emphasize that the building boom in this area, both private construction and especially public infrastructure, are transforming groupings of buildings into an actual city, is not only purely for economic impact or simply a local project.

In recent years, European support has progressed from passive diplomatic-economic aid to a situation where the Europeans have become active partners in illegal construction activities unilaterally promoted by the PA since 2009, as part of the strategic plan to establish a de facto Palestinian state, while bypassing negotiations with Israel.

In 2009, the then prime minister of the PA Salam Fayyad, conceived a systematic plan aimed at unilaterally establishing a Palestinian state, while bypassing the need to negotiate with Israel. The declared vision of the Palestinian State, according to the Fayyad plan is “an independent Arab state with full sovereignty, on the entire territory of the West Bank and Gaza Strip (Judea and Samaria), within the 1967 borders, with Jerusalem as its capital.”

The Fayyad plan consists of a number of physical-infrastructure projects, with a clearly devised agenda, which will serve as the physical basis for a Palestinian state. The program consists of three main prongs: structural reform of the local and central government, rehabilitation and strengthening of the security system (Palestinian police, courts, prisons, etc.) and building economic and physical infrastructure projects (banks, public and educational institutions, electrical infrastructure, water, sewage, roads, etc.).

A key tenet of this plan involves the PA openly working towards setting up physical infrastructure particularly in Area C, which is under full Israeli control. The PA’s goal is to “annex” these areas by placing them under its control, creating corridors and territorial contiguity, doing precisely the opposite to the Jewish communities in the area, and establishing permanent facts on the grounds.

This method of 'creeping annexation' follows two parallel courses of actions. One is through the requests of the PA to the Israeli authorities asking them to authorize the implementation of projects with special significance (as a rule, these projects are the ones whose international funding is contingent on an Israeli stamp of approval).

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3 Fayyad Plan, August 2009: “Ending the Occupation and Establishing the State.”
The other course of action, the more common one involves creating facts on the ground – through extensive illegal construction without any coordination or authorization from the Israeli authorities. It is possible to identify through this course of action, a systematic well thought out plan that includes attempts to create Palestinian territorial contiguity isolating the Israeli settlement, and preventing their territorial contiguity. These projects are generously funded by the Gulf States, Europe and the United States⁴.

One of the most obvious phenomena in creating facts on the ground is the establishment of hundreds of illegal residential structures with EU funding in a string of PA outposts in the Ma’ale Adumim and adjacent areas - mainly along Route 1 – the road between Jerusalem and the Dead Sea⁵, in addition to the takeover of tens of thousands of hectares of State Lands east of Gush Etzion in the framework of the "Roots" plan⁶, and in the south Hebron Hills as well.

⁴ For more information on construction activities carried out by the PA in stages, see the Regavim report “The Silent Annexation,” December, 2013.
⁵ For a survey and additional information on European funding for the network of Palestinian outposts in the Adumim area, see Regavim report “The Last Colony," February 2015.
⁶ For a survey and additional information on the PA takeover of the Judean Desert under the cover of agriculture, see Regavim report "Roots in the Desert," January 2016.
Strategic Significance from a Security and Settlement Standpoint

The establishment of a new Arab city on the desert's edge has far reaching security implications, due to its location which links three areas: the northern Negev, Hebron Hills and the Jordan Valley. The establishment of a new Arab city in this area, only a few kilometers away from Ein Gedi and the northern Dead Sea, is a stepping stone in creating Arab settlement contiguity from the Arad Valley, Hebron Hills and eastern Gush Etzion.

The new city will become the closest Arab city to Israel's eastern border, second only to Jericho.

The new city will not only present a security threat, but a threat in terms of settlement as well. Jewish settlement in the area is relatively sparse and consists of small communities. The towns of Carmel, Pnei Hever and Ma'on are adjacent to hostile Arab towns: Bani Na'im from the north, Yatta from the west, and Samu'a from the southwest. An additional Arab city will increase the isolation of the Israeli communities, and will have clear implications in times of peace and war.
Summary

The greater south Hebron Hills area is one of the most strategic security areas for the entire the State of Israel.

The PA has "marked" this space for silent conquest by means of extensive illegal construction, and the IDF firing ranges there provide the main theatre where the PA is acting to actualize its goals.

In recent years over 1500 housing units have been built on the edge of the desert and in firing range 917 in violation of the law, without any significant intervention on the part of the supervisory authorities. The illegal construction is carried out in firing ranges and on declared State Lands. It seems that the Israeli supervisory authorities have fallen asleep on their watch, as they ignore the far-reaching implications of turning this area into a space where any illegal builder can do as he pleases, and where foreign countries, including enemy countries, can act with free reign contrary to Israeli and international law.

This combination of circumstances demands meaningful action on the part of the Israeli enforcement authorities to convey a clear message to the Palestinians and the entities which fund them.

In this area there is a significant phenomenon of migration of Arabs from areas under PA control, who want to enhance their living conditions to areas under Israeli control. In order to prevent this continued migration, it is necessary to conduct a population survey immediately in order to investigate this matter in depth, in order to make a geographical survey of the population in the area.

This unfortunate situation makes it urgent to clearly and absolutely enforce construction laws in the area, and as a first step to implement an immediate building freeze.
Appendix: Introduction to the Report “The Edge of the Desert” by the Civil Administration (2005)