



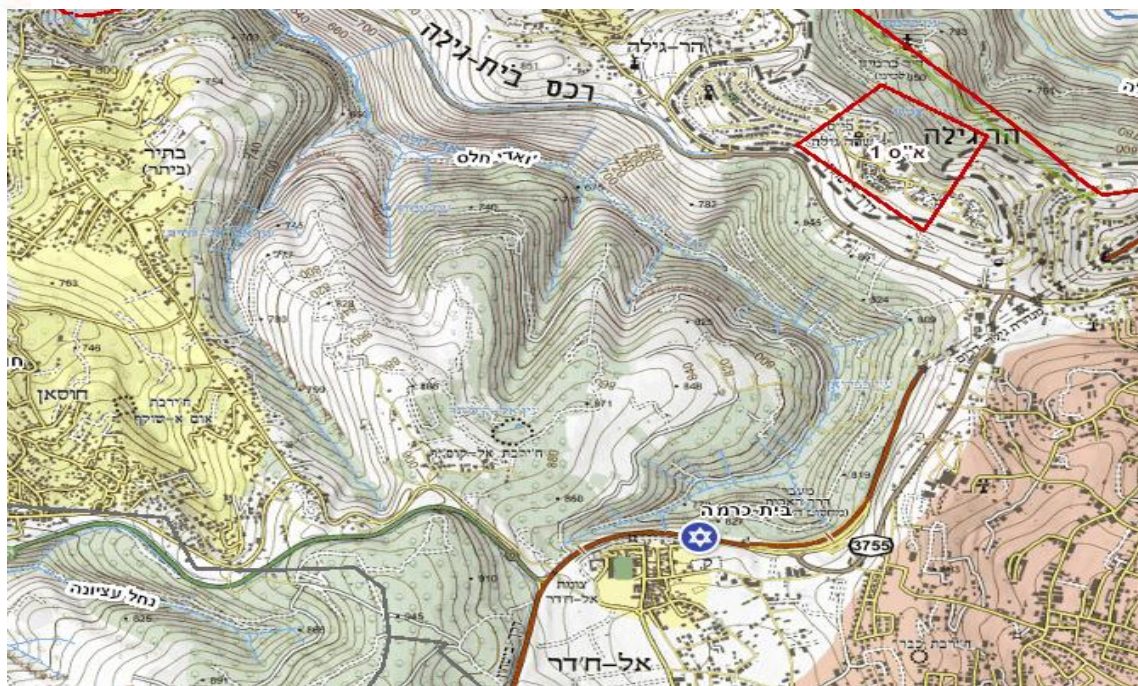
Nahal Heletz :

The New “Ground Zero” in the Quiet Battle for Judea and Samaria

Background: Nahal Heletz is an area of some 3,000 dunams located in the Gush Etzion Regional Council at the foot of Har (Mount) Gilo, an area of particular strategic importance that serves as an Israeli corridor between Gush Etzion and Jerusalem.

Seven individual parcels of land in the valley, comprising some 30 dunams of the area's land, belong to Himnuta (the procurement arm of the Jewish National Fund). The remaining land parcels are registered Israeli state land, designated as Area C under the Oslo framework (under full Israeli civil and security jurisdiction). Over the years, illegal intrusions have been carried out from the villages of Batir, Walajeh and Husan, and illegal roads have been paved between them, with the aim of controlling the area and establishing irreversible facts on the ground. In addition, several legal petitions have been filed by the Kisiya family, Arab residents of the nearby PA-controlled village Beit Jallah, seeking post-facto legalization of structures they built in violation of the law as well as recognition for property rights and registration of land ownership. These petitions have been repeatedly and unequivocally rejected, their ownership claims disproven and their lack of good faith and violation of injunctions and administrative orders noted, in a series of court decisions (see, among others, HCJ 6667/16, HCJ 2088/18, Civil Case 63103 -07-19).

In July 2024, the Israeli government announced its approval of plans for the establishment of a new community in Nahal Heletz. The Palestinian Authority, frustrated by its failed legal and political attempts to thwart Israeli control of this strategic area, launched a worldwide propaganda campaign to block development of the planned community.



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Location: Nahal Heletz serves as a southern corridor to Jerusalem, encompassing the area between Route 60's Tunnel Road checkpoint to the west, Har Gilo and Jerusalem to the northeast, and the Palestinian Authority-controlled Area B villages of Batir, Husan and Al-Khader to the north, west and south respectively. Nahal (or Wadi) Heletz is a well-known hiking route that attracts travelers throughout the year.



Strategic importance: This location is of great geopolitical value for maintaining Israeli territorial contiguity between the Etzion Bloc (Gush Etzion) and Jerusalem, and at the same time for preventing the creation of Palestinian Authority-controlled territorial contiguity between Walajeh, Batir and Hussan (Area B) and Bethlehem (Area A), which would form a barrier threatening Jerusalem and its access roads, as well as the Jewish communities of the Etzion Bloc.

History: Due to its proximity and access to Jerusalem, the Nahal Heletz area holds a central place in Jewish history. The area is dotted with archaeological findings from different periods, including the remains of the biblical Jewish settlement “Hosha,” located in what is today the Arab village of Hussan (the original biblical name is preserved in the Arabic village name, as is commonly found throughout the Land of Israel). In close proximity is “Jabel el-Yahud” (literally, “Hill of the Jews”) in the Arab village of Tir. Jabel el-Yahud was purchased several generations ago by diaspora Jews, but today lies in Area B.

Nahal Heletz is an major component of the “Patriarchs’ Route,” the path to Jerusalem traveled in antiquity that is best described as the original Trans-Israel Highway. This route was traveled by pilgrims ascending to Jerusalem and the Temple Mount in celebration of the Jewish Festivals, and before that served as the main thoroughfare from the southern tip of Israel through the ancient Israelite heartland to Shechem. It is the route described by Abraham’s travels in the Promised Land, and in virtually all scriptural narratives thereafter. More modern findings in the area include a British-era road and a Jordanian outpost, both of which attest to the continued strategic importance of Nahal Haletz in modern times. Given the centrality and importance of the area, the Jewish National Fund, through Himnuta, purchased seven parcels of land in the valley in the late 1960s, totaling some 30 dunams.

The Palestinian argument: The Palestinian Authority, recognizing the strategic importance of the region, has worked tirelessly to establish facts on the ground, carrying out extensive agricultural, infrastructure and construction projects over the course of years, including the “Juthoor (Roots) Project,” the Palestine Hiking Trail and “The Land of Olives and Vines” Project as a means of establishing the region as a Palestinian nature and heritage tourism attraction.



The "State of Palestine" Nature Trail in Nahal Heletz, 2019

The "State of Palestine" requested official UNESCO designation of the entire area as a Palestinian heritage site, which was granted in June 2014. Over the years, the Regavim Movement has repeatedly appealed to Israeli legal, environmental, planning and enforcement authorities to stop the illegal Palestinian encroachment and the extensive road and construction work that is damaging the historical and natural assets in Nahal Heletz.

Competing claims: Ramzi Kisiya, a Christian Arab from Beit Jallah (a Bethlehem suburb), invaded land belonging to Himnuta two decades ago, and he and his wife have been claiming ownership ever since.

In 2005, demolition orders were issued for illegal structures built the Kisiya family; they responded with a barrage appeals and legal maneuvers, all of which failed. The structures were demolished in 2012 - but since that time have been rebuilt and demolished again and again, and all of the permit applications Kisiya filed with the Civil Administration, as well as legal petitions (High Court of Justice 6667/16, High Court of Justice 2088/18, Jerusalem District Court 63103/19) have all been rejected.



In the course of their High Court of Justice petition of 2016, the Kisiya's claimed ownership of the property on which the illegal structures were built. Had Kisiya, in fact, been able to prove ownership of the property, construction would nonetheless have been illegal without the requisite permits, but ownership would have perhaps been a mitigating factor regarding the granting of such permits. Therefore, the court instructed the Kisiyas to petition the District Court for proof of ownership.

As a result of that secondary proceeding in the Jerusalem District Court (Civil Case 63103-07-19), the Kisiyas were able to obtain documentation for the land parcel: a Civil Administration document called *Ma'aliah*, issued in 2014, that specifically and expressly negates ownership. The *Ma'aliah*, now presented to worldwide media outlets as "proof" of the family's rights, is in fact proof of the precise opposite: it indicates that the person from whom Ramzi Kisiya claims to have inherited ownership of the land was no more than a renter who leased land-use rights for the purposes of agriculture in the period between 1957 – 1963. The renter paid taxes on the produce of the land parcel, as was standard practice, as specified in the document itself. It was further proven in the District Court proceeding that after Himnuta purchased the land and was registered as the lawful owner, rental agreements with local farmers were signed and renewed on a yearly basis.

The District Court found that the Kisiya family owed rental fees to the rightful owners (Himnuta) in the sum of NIS 18,000, as well as legal expenses in the sum of NIS 20,000. The Kisiyas were forbidden to set foot on the property. None of this made the slightest impression on them; they continued to build and rebuild illegal structures on land that, without a doubt, is not theirs. In fact, the judgement in the Kisiya's second petition to the High Court of Justice (HCJ 2088/18) noted the "egregious lack of good faith" by the Kisiyas, who submitted permit applications only retroactively and continued to build despite judicial and administrative orders forbidding them to do so, and despite the fact that the District Court had clarified Himnuta's ownership of the land and issued orders specifically forbidding the Kisiyas from trespassing on the property.

Palestinian Authority activity: Parallel with the Kisiya family's efforts to commandeer land in Nahal Heltez, the Palestinian Authority has worked tirelessly at various levels to prevent the State of Israel from exercising its national rights and to prevent Himnuta from exercising its rights of ownership. As noted above, the PA has dedicated tremendous resources to redrawing the map of this area. Agricultural annexation, which takes advantage of a loophole in the Ottoman Land Law that remains in force in this region, has already commandeered thousands of dunams of state land throughout Judea and Samaria, and Nahal Heltez remains a primary hub of this land theft (see Regavim's ["Roots of Evil" report](#) for more details).



The “State of Palestine” application to UNESCO that resulted in the [designation of Nahal Heletz as a Palestinian national “environmental heritage site”](#) is another tactic in the PA’s battle to block Israel from developing and exercising its jurisdiction over the area (notably, the designation encompasses a huge area rather than providing protection for any of the historic or archaeological sites in the valley or for specific natural assets). The State of Israel does not recognize UNESCO designations of this sort – including declarations of other “Palestinian heritage sites” such as the Cave of the Patriarchs, Ancient Samaria and Jericho.

In a more practical and tangible attempt to annex the Nahal Heletz area, the Palestinian Authority has submitted a request to expand the village of Walajeh at the expense of Har Gilo, Jerusalem and Nahal Heletz. The request submitted to the planning committee encompasses a large number of already-build illegal structures, and would cut into the already-approved municipal plan for expansion of the Jewish community of Har Gilo, bite into the municipal land of Jerusalem and create a Palestinian Authority presence in Israel’s capital, and insert the Palestinian Authority in Nahal Heletz, where there has never been a Palestinian Authority presence or Arab settlement of any kind.

Israel’s interests in Nahal Heletz:

The Gush Etzion Council has been promoting the establishment of a new Jewish community in the Nahal Heletz area for decades. To combat the Palestinian Authority’s attempts to control this strategic territory and establish facts on the ground, a sheep farm was established at the end of 2019 in full coordination with the Israeli authorities, with the aim of preserving this territory. The farm is called “Neve Ori” in memory of an Israeli teenager, Ori Ansbacher, who was brutally raped and murdered by a Palestinian terrorist in 2019. In June 2024, in response to the announcement by five countries of their recognition of a Palestinian state, Israel’s political-security cabinet granted final approval to long-stagnant plans for five new Jewish communities, among them Heletz, to be established on some 600 dunams of state land in the Heletz Valley.

At present, the Palestinian Authority, via far-left organizations in Israel and around the world, is working to defame Israel and create a false representation of expropriation and land seizure. The Kisiya family has also done its part, presenting a false narrative of dispossession and discrimination by Israeli authorities and inventing reports of “settler violence.”



Nahal Heletz Timeline:

- Pre-1963** Land owned by Abdallah al-Kahat is leased to farmers who paid tax on the produce
- 1967** **Israeli jurisdiction is restored to the area**
- 1969** Himnuta purchases 7 parcels of land in Nahal Heletz (completion of registration and transfer of title: 1974)
- 2005** Administrative work-stop order issued on illegal structures built by the Kisiya family
- 7.10.2010** Work-stop orders issued (Judea and Samaria High Planning Committee - Illegal Construction File # 151/10)
- 21.10.2010** Demolition orders issued, following clarification and appeal procedures
- 2010** The Palestinian Authority launches "Land of Olives & Vines Project"
- 3.5.2012** Civil Administration demolishes illegal structures built by Kisiya family
- 2.8.2012** Demolition of reconstructed structures
- 18.4.2013** Third round of re-construction ends in demolition
- 2012** Himnuta files countersuit for compensation (7 years of retroactive land-use rights, totaling NIS 22,600)
- 2013** Illegal reconstruction of Kisiya family residence and restaurant
- 2014** UNESCO declaration of Nahal Heletz as a Palestinian heritage site
- 30.8.2016** High Court of Justice Petition 6667/16 filed by Ramzi and Michelle Abil Kisiya
- 14.1.2018** First hearing of HCJ 6667/16
- 3.3.2019** HCJ 6667/16 carried over for further clarification and evidence
- 12.3.2018** Kisiya family petitions the High Court of Justice (HCJ 2088/18)
- 30.7.2019** High Court petition 2088/18 is dismissed; the Kisiya family agrees, and is granted a discount of fees resulting from the case (NIS 20,000).



2019 The Kisiya family files a separate petition in the Jerusalem District Court to rescind the registration of Himnuta's ownership of the land and to "restore the rights of the Kisiya Family"

23.5.2023 The Kisiya's District Court petition is denied. Himnuta's countersuit for retroactive payment of usage fees is upheld; the Kisiya family is ordered to pay Himnuta NIS 18,000 for the use of the land and NIS 20,000 for legal expenses

7.2024 The Israeli government announces approval of the plans for 5 new communities, among them Heletz

