

# briefing

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## Israel's denial of the Bedouin

By Farah Mihar

### Introduction

In the next few months, the Israeli parliament is expected to legislate on a plan to demolish homes and displace 30,000 Arab Bedouin from the Negev desert of southern Israel.<sup>1</sup> On 11 September 2011, the Israeli cabinet decided to go ahead with the controversial 'Praver plan', which aims at providing a full resolution to continuing issues between the state and Bedouin over land ownership, recognition of villages, and provision of basic infrastructure and facilities. The government of Prime Minister Benjamin Netanyahu sees the plan as an attempt to end the long-

standing dispute between the state and its 200,000 minority Arab Bedouin population. But the plan has been drawn up without any consultation with Bedouin communities and will in effect extinguish Bedouin land claims without adequate compensation.

Since the creation of the Israeli state in 1948, Arab Bedouin have been subject to a series of discriminatory policies and practices because of their ethnic and indigenous identity and way of life. Successive Israeli governments have expropriated Bedouin lands and attempted to concentrate Bedouin into specific planned townships in a small area of the north-east Negev region.



BEDOUIN CHILDREN PLAY OUTSIDE THE TATTERED TENTED HOME OF THE KA'ABNAH FAMILY IN HADIDYEH VILLAGE IN AREA C OF THE WEST BANK. BEDOUIN LIVING HERE HAVE BEEN ISSUED WITH EVICTION ORDERS BY ISRAELI AUTHORITIES. © AHIKAM SERI/PANOS

Tens of thousands of Bedouin have been displaced and lost their lands. The Israeli authorities have pursued a slow and steady process of suppressing Bedouin's most basic human rights by not recognizing their villages and withholding basic facilities such as water, electricity and transport.

The state has also disrupted the Bedouin's traditional semi-nomadic way of life by taking over their land and restricting their movement. This has had far-reaching consequences for Bedouin, from increasing poverty levels and already high levels of unemployment to a loss of traditional culture. Today the Bedouin live in impoverished conditions in the Negev desert. They are not recognized by Israel as an indigenous population and are therefore deprived of specific rights accorded to indigenous people under international law.

Bedouin who live in villages that are not recognized by the Israeli authorities face frequent home demolitions. Hundreds of families have to watch as Israeli armed forces come with bulldozers and flatten their homes. Demolitions are increasing and will rise dramatically under the proposed government plans.

Meanwhile, the government supports the expansion of Jewish settlements in Bedouin lands. Jewish settlers face no similar restrictions on how and where they can live. The Israeli government discriminates against the Bedouin in the Negev and does not treat them as equal citizens to Jews. According to the narrative of the government and mainstream Israeli society, the Bedouin are 'squatters' on state land and are often portrayed as 'dangerous' and a 'security threat'. They are targeted because of their identity, and because the Negev remains a key territory where the government has failed to resolve land issues relating to minority and indigenous peoples. This explains the urgency and resoluteness with which the Netanyahu government is pushing through the latest plans.

Arab Bedouin have peacefully resisted attempts by the Israeli state to take over their land for since 1948. They see this latest move as a blow to all that they have fought for over the years. Khalil Al-Amour, who lives in Al Sira in the Negev, said:

*'Under these new plans they will take the last few lands. We will be more oppressed, poorer and more frustrated. It could lead to conflict. Bedouin are not used to living like this. We have a special culture, a special relationship to land. We want to live our way of life and be independent.*

*They want to humiliate the Bedouin. They think they are superior and we are inferior.*

*I want to believe the situation will change, that this is a bad dream that will disappear, that this racist state will change.*

*We are a peaceful community but our patience is running out. The young generation are not patient as we were.'*<sup>2</sup>

Bedouin living in the Israeli-controlled West Bank face similar threats. There are currently 30,000 Arab Bedouin living in refugee camps and villages in Area C of the West Bank. The Israeli authorities are developing plans to relocate Bedouin from Area C in early 2012, according to Adalah, a legal centre for Arab minority rights. Initially 2,300 people will be relocated to a site bordering Jerusalem's biggest rubbish dump. Unlike the Bedouin in the Negev, those living in the West Bank are not Israeli citizens, but since the territory they live in is administered and controlled by the Israeli authorities, Israel has obligations to this community under international human rights and international humanitarian law.

Based on a Minority Rights Group International (MRG) field visit to the region in September 2011, this briefing describes the ongoing human rights violations against Bedouin communities in the West Bank and the Negev. It discusses the implications of the government plans. Finally, it calls on Israel to comply with relevant international human rights standards and immediately halt proposed legislation and plans to displace Bedouin, and instead develop a plan based on meaningful participation of Bedouin communities.

## Methodology

This briefing is based on primary and secondary research. The field research for this briefing was conducted between 4 and 13 September in the Negev desert and the West Bank. In the Negev, MRG met with NGO leaders, activists and academics. MRG also visited Bedouin villages and towns to conduct interviews with individuals, families and community leaders. In the West Bank, MRG visited locations in Area C and interviewed activists. This briefing also draws on secondary sources, including reports published by international NGOs, and other academic and media articles.

## Bedouin in the Negev

### History

The Arab Bedouin are an indigenous people of the Negev desert in southern Israel, referred to as the Naqab by Bedouin.<sup>3</sup> Bedouin are a semi-nomadic community that historically engaged in animal herding and grazing and agriculture.<sup>4</sup> They mainly identify themselves as Arab Palestinians, but use the term Bedouin to refer to their nomadic way of life.<sup>5</sup>

Prior to the formation of the Israeli state in 1948, between 75,000 and 90,000 Bedouin lived in the Negev and owned land under a clearly defined traditional system of individual and communal land ownership.<sup>6</sup> Since 1948, the Israeli government has implemented a series of policies designed to take over Arab Bedouin land. First, the government forced Bedouin into a smaller territory in the

Negev known as 'the Siyag', meaning 'the fence' in Arabic. Some Bedouin families already lived in this designated area and the arrival of displaced people caused confusion and friction within the community. The Siyag is an area of approximately 1.5 million dunams, compared to the territory of 13 million dunams in which the Bedouin had originally lived.<sup>7</sup>

During and immediately after the 1948 war that followed Israel's declaration of independence, most Bedouin were expelled or fled their homes and moved to Jordan, Syria, the West Bank and Gaza. As a result, the Arab Bedouin population in the Negev shrank from 90,000 to 10,000, representing just 19 of the original 95 tribes that lived in the area.

Between 1948 and 1966, the Israeli government passed laws that enabled the state to confiscate vast areas of Bedouin land for agricultural use, and to create nature reserves and military zones. For example, the 1953 Land Acquisition Law gave the state the right to register previously confiscated land in its name if the owner was not in possession of the property at the time. As Israel had by this time forcibly removed people from their traditional homes and/or into the Siyag, large amounts of Bedouin land were registered as state land under this law.<sup>8</sup> Many people only discovered that they had lost their land when they attempted to return.

In 1965, Israeli authorities created a master plan for the development and urbanization of the Negev through the Planning and Building Law. No Bedouin representatives participated in this planning process. This plan did not recognize Bedouin land ownership, but declared most of their land as state-owned property. Houses or other structures built on these lands were deemed illegal. The law also ruled that unlicensed buildings could not be connected to facilities such as water and electricity.<sup>9</sup>

During 1960s the government moved Bedouin into planned townships in the Negev. The first three townships established were Tel Sheva, Rahat and Kseif. Subsequently, seven townships in total were constructed. The authorities used different tactics, in some cases coercion, to move people into these townships, which are the poorest in Israel. The majority of Arab Bedouin who opted to live in these townships were families that had been internally displaced by the creation of the Siyag.

## Current conditions

Currently, 200,000 Bedouin live in the Negev region. Nearly 45 per cent of Bedouin live in the seven townships created by the Israeli government; 25 per cent live in 11 villages that have been recently recognized by the government; and 35 percent (some 70,000 people) live in 35 'unrecognized villages'.<sup>10</sup>

The majority of Bedouin problems are caused by two broad policy positions taken by the Israeli authorities. First, Israel does not recognize the Arab Bedouin as an indigenous population of Israel. The Israeli government

repeated this position in September 2011, in a response to a report by the UN Special Rapporteur on the rights of indigenous peoples presented to the UN General Assembly.<sup>11</sup> Consequently, Israel also refuses to recognize and grant the range of rights available to indigenous peoples and minorities under international law. Second, Israel enforces discriminatory policies and practices that target Arab Bedouin, rather than treating them as equal to the Israeli Jewish majority.

Dr Younis Abu Rabia, an Arab Bedouin medical practitioner and chair of a local NGO Yasmin Al-Naqab, said:

*'We are citizens of the state of Israel. We belong to the state if we like it or we don't like it, if they like it or don't like it. If we are citizens we should be treated without discrimination, in the same way the Jews are treated.'*

*'There is a Zionist theory that still continues that Arabs should not have land, in their subconscious, it goes like this: Arab plus land equals danger for the Israeli state.'*<sup>12</sup>

The Arab Bedouin face serious problems due to Israel's failure to recognize their land rights and the villages they live in.

Arab Bedouin have a historical and traditional link to their land. As in many indigenous communities, this connection is deep, almost spiritual. Their culture, traditions and way of life revolve around land. Some Bedouin families have legal documents proving that they own their land, but the Israeli government broadly refuses to recognize these documents. Bedouin have their own traditional administrative and governance systems, and their own codes of conduct. Under Bedouin systems specific criteria for recognition of land rights include historical access to the land for animal grazing and where their ancestors are buried. Within the community these laws are well understood and respected. Tribal ownership of land is respected by families even if the original owner has been displaced by the government and no longer lives there. This system was recognized before the formation of the state of Israel by the Ottoman and British authorities.<sup>13</sup>

Most Bedouin are hostile to the idea of being relocated to urban areas because it is critical for them to remain where their forefathers lived in and maintain their spiritual link to the land. Mohamed Abu Frieha, of the village of Abu Grainat said:

*'No one has the moral right to ask my ownership claim to land, but I will take you to the cemetery and show you my father is buried there, my grandfather is buried there. According to Bedouin law that is enough. The Ottomans recognized this, the British recognized this, only the Israelis don't. We were here before the establishment of the state of Israel.'*<sup>14</sup>

And Dr Abu Rabia, of Be'er Sheva village, stated:

*'We lived on our lands for hundreds of years before the establishment of Israel. We have documentation that the land belongs to us.'*<sup>15</sup>

While Israel has expropriated Bedouin lands, an increasing number of Jewish settlements have been established on traditional Bedouin land. There are 128 Jewish settlements in the Negev region.<sup>16</sup> Bedouin's legal ownership of land has been recognized in order allow Jewish families to buy Bedouin land, but not otherwise. Rawia Abu Rabia, of Be'er Sheva village, said:

*'It is possible if you are a Jew to choose the way you want to live, but if you are a Bedouin you have very limited options – planned towns. These policies are very discriminatory to the Bedouin and they are institutional and planned not random.'*<sup>17</sup>

## Unrecognized villages

Nearly 70,000 Bedouin live in 35 'unrecognized villages' in appalling conditions. Many people living in the same village are relatives. In most cases families have built homes on the land where they grew up and where their parents and grandparents lived. Houses are very basic, in some cases temporary structures, built with corrugated iron and inadequate for the harsh weather conditions of the desert.

There are almost no basic facilities in 'unrecognized villages'. People have no access to water or electricity in their homes. In rare cases electricity may be provided to a school or medical facility. Some families have purchased generators or solar panels themselves. While Israel is considered to be a 'developed country', over 70,000 of its population, specifically from one minority group, have been cut out from the main electricity grid.<sup>18</sup>

Access to water varies. Some villages have one access point, where water is pumped through tiny pipes (about 2 inches wide) into homes in the village. In other villages, people collect water from neighbouring towns and store it in tanks. Alongside Bedouin villages, huge water tanks and the infrastructure of the national electricity grid can be seen, carrying power and water to Jewish settlements. Attia Athamun, chair of Hashm Zana village council, stated:

*'There is no electricity in our village. Last year, one woman had asthma and she needed oxygen. We went to the authorities and asked for health reasons for them to help provide us electricity, but they said we live in an 'unrecognized village' so they can't do so.*

*If I go and ask for electricity, they say, go and live in a recognized village. The question is, 'why is my village unrecognized?' The neighbours across are a Jewish village ... they have everything. Why is it that the Jews can choose their way of life and we are not getting that*

*choice? Jews can live in a town, a farm, a cooperative, but Bedouin don't get that choice.'*<sup>19</sup>

There are few educational or medical facilities in 'unrecognized villages'. People have to travel 10–15 km to the nearest township to visit a medical facility. A few villages have a small clinic that has one doctor and one nurse who will see patients for a set number of hours each day.<sup>20</sup>

The majority of 'unrecognized villages' have no schools, even though Israel has compulsory primary education policy. Children as young as 5 years old have to walk several miles to reach a public road and then take public transport to the closest available school. In some cases children continue in secondary schools in the nearby towns and recently recognized villages, but often these schools are already overcrowded and the children are turned away. Families also fear sending their daughters alone to schools outside their village. As a result, young girls who are keen to continue their education have been forced to leave school early.

There are no proper roads in 'unrecognized villages', and where they can be found the villagers have usually paved them themselves. During the winter and rainy seasons the roads become extremely muddy, making them either hazardous or impossible to use. These villages also do not have facilities such as rubbish collection, which creates significant health problems for inhabitants.

In short, the Israeli government treats the 35 'unrecognized villages' as if they are illegal. They are practically non-existent in the eyes of the government, who refuse to provide tens of thousands of Israeli citizens with basic facilities and rights.<sup>21</sup>

In the 11 recently recognized villages the situation is much the same. These villages come under the control of Abu Basma regional council, which is in charge of local administration and services. Abu Basma is a government-appointed council, though democratic elections are due to commence in December 2012 after a Supreme Court intervention.<sup>22</sup> Government 'recognition' of a village does not extend to recognition of residents' land or housing rights, but it does accord some level of protection from demolitions. Once officially recognized, a village is entitled to basic facilities provided by the state, such as water, electricity, primary schools and health clinics. These entitlements should extend to other infrastructure facilities such as roads and transport. However, this was far from the case in the recently recognized villages that MRG visited for this research.

Many of these villages have their own primary school but none have a secondary school or further education facilities. In 2007, Israel's Supreme Court called on the state to establish a secondary school in the village of Abu Tlul, but this decision not been implemented.<sup>23</sup> Attia El Asam, founder of the Regional Council of Unrecognized Villages (RCUV), said:

*'Our village got recognition six to seven years ago, but things haven't changed much. Most of the problems*

*remain ... There is no public transport, no sewage [systems], no electricity, no post office, no services in this village, except the schools and a small medical clinic. It is 15 km to the closest hospital or specialist clinic. The ambulance will wait on the main road they don't come inside the village.*

*Not having garbage disposal is a major problem; there are a lot of mice, snakes and there health implications through this. Abu Basma council only puts garbage cans near the school not anywhere else. They don't regularly collect it ...*

*There have been cases where people have lost their lives because the ambulance hasn't come quickly enough or they haven't been able to get the patient to hospital in time.'*<sup>24</sup>

Many Bedouin also see the 'recognition' process as a trap. Attia El Asam said:

*'Recognition' means you have the option to plan your village to get facilities. But when you try to go to the authorities to get things done they try to get you to give your land to them. The conditions are not on the table where the state says 'we want to plan for you'. They don't openly show you what the limitations will be.*

*When people go to get electricity permit for example, they are told they have to first register land if they want any facilities. So people stop the process.*

*Everything is stuck in the newly recognized villages.'*<sup>25</sup>

## Common problems

Although living conditions vary across communities, Bedouin face common problems: high levels of poverty and unemployment, and low levels of education. Among the Bedouin, 67 per cent live in poverty, compared to 20 per cent of all Israeli families.<sup>26</sup> The Bedouin are a very young population; 67 per cent of the population are under the age of 18. Many young people drop out of school because of the problems with accessing secondary education.

The unemployment rate among Bedouin is disproportionately high compared to other Israeli citizens.<sup>27</sup> Almost all women are unemployed and half the men are employed.<sup>28</sup> Only about 20 percent of the community overall is employed. Education levels have increased a little in recent years, particularly among women, but only a fraction of the community has sufficient education to enable them find employment at a professional level. Many Bedouin work in unskilled jobs in the towns or as labourers on Jewish farms. Most people interviewed said that young people were growing increasingly frustrated because of high unemployment and the lack of alternatives, such as education or recreational activities. Many within the community recognize the importance of education, particularly higher education, but do not have the means to pursue it.

Some Bedouin continue to rear animals and engage in farming, but the government has made this increasingly

difficult by restricting grazing areas for animals. Fodder and water have to be bought at high prices, making it economically unviable to maintain livestock. In the past, many Bedouin had established trading links with Palestinians and other Arabs, and made an income by buying and selling camels, sheep and goats. These links were lost when Israel imposed travel and other restrictions on Israelis and Palestinians in the West Bank and Gaza.

Farming is historically, traditionally and culturally a crucial part of Bedouin identity. But many Bedouin interviewed described how Israel's discriminatory policies restrict their ability to engage in farming, while supporting and encouraging Jewish-owned farms. Over the last few years 59 Jewish-owned farms have been established in Bedouin territory.<sup>29</sup>

There are no alternative livelihood projects in any of the Bedouin villages and no state support provided for this. The Israeli government does provide welfare for the unemployed and other vulnerable groups, but many people said the funds were insufficient to maintain the traditionally large Bedouin families. Those interviewed emphasized the importance of both education and professional training to enable young people to find employment, and of encouraging industries into Bedouin areas to create new jobs.

The community also suffers from specific health problems, according to Dr Abu Rabia, chair of NGO Yasmin Al Naqab. The Bedouin have the highest rate in Israel of certain diseases, including diabetes, heart disease and asthma. These health problems are partly caused by poor living conditions and stress caused by the constant threat of house demolitions. Respiratory ailments and digestive disorders are also common due to the poor housing conditions, overcrowded environments and hazardous locations of many unrecognized villages. For example, the unrecognized village of Wadi al- Ne'am is situated close to the Ramat Hovav toxic waste site.

The situation for women is particularly concerning. Rates of illiteracy are high among older women, and young women also have low levels of education. Older women have to depend on children or men to accompany them when they go out, partly due to tradition, but also because many of them cannot communicate in Hebrew or read road signs. This is particularly a problem when accessing basic health services.

Young girls have very few educational or career opportunities. Bedouin girls marry young, and there are high birth rates among Bedouin communities; it is not uncommon for a woman to have six to ten children. According to Hejjar Abu Shareb, director of the NGO Yasmin Al-Naqab, high birth rates reflect a lack of education and awareness about contraception and birth control rather than any particular cultural factors. Women also face serious challenges due to the lack of health facilities, particularly during pregnancy and childbirth.

Women in Bedouin communities face other psychological and social problems. Polygamy is a common

practice among Arab Bedouins and many men take a second wife and have another family. In these cases both the first wife and the children of the first marriage face psychological problems.<sup>30</sup> Apart from the negligible medical facilities there is no other state support offered to Bedouin women to deal with such issues.

## Demolitions

Demolitions have increased steadily in the last few years and now take place on a daily basis in 'unrecognized villages' and occasionally in recently recognized villages. According to statistics provided in an independent International Fact-finding Mission report in 2010, there were 96 house demolitions in unrecognized villages in 2006; 227 in 2007; and 400 in 2008.<sup>31</sup> According to Adalah, the number of demolitions rose to 700 in 2010.

Newly constructed shelters are most commonly demolished. According to Arab Bedouin tradition, newly married couples must move into their own home. In the last year or so dozens of new structures built for young couples have been destroyed by the Israeli authorities. Because of the ongoing threat of demolitions in 'unrecognized villages', structures are usually semi-permanent.

The Israeli authorities use both judicial and administrative orders to demolish Bedouin homes. People living in longer-standing homes and homes in the recently recognized villages are given a judicial order informing them of the demolition. These orders can be challenged in court, but this is rarely successful. Israeli officials contend that houses must be demolished because they are built illegally on state land or land reserved for military purposes, forests, parks or new settlements.

Administrative orders are issued by the Israeli Land Authority (ILA) on the grounds that the house in question was built without planning permission. In these cases, homes can be destroyed at any time between 24 hours and two weeks of giving notice. Many families, not knowing when the demolition will take place, continue to live in their homes until the last moment.<sup>32</sup> Houses are also being demolished under development plans, such as 'Blueprint Negev', a Jewish National Fund (JNF) proposal to redevelop land in the Negev.<sup>33</sup>

Recently, residents have been charged with the cost of demolishing their houses. This has led to an increasing number of families demolishing their own homes in order to avoid the huge expense. Attia El Asam said:

*'Before Ramadan [the Israeli authorities] demolished four houses in our village. Two supervisors of ILA came with police and the Green Patrol [special police force], sticking a demolition order on the wall. In less than a month they came with hundreds of police and special forces and bulldozers. They sealed the area so other people couldn't go to help.*

*It's like an army operation; people can't go into the village or leave the village until the demolition is over.*

*They demolish and leave and don't offer any support.*

*The Interior Ministry supervisors have a lot of power like the military-level authority.*

*They don't give people a chance to take out belongings and bulldozers come and demolish everything. If someone wants to fetch something from the house or speak to the police they get indicted for attacking the police. You have to face court proceedings.'*<sup>34</sup>

In a few cases, entire villages have been demolished. One of the more prominent cases was the destruction of Al Arakib village within 13 hours, on 27 July 2010. The residents of Al Arakib had been given notice but were not informed when the demolition would take place.<sup>35</sup> Aziz Sayah Abu Madigem explained what happened:

*I didn't know another place. My grandfather and his father were born here, this is all we know. We had very beautiful land, houses, trees. We had a normal life. Everybody in the village was employed. All the people were working with sheep. We had 4,500 olive trees and made olive oil. Our life was very good.*

*There were 564 people in the village. Each family had a water tank and would go 1 km to the closest point and collect the water each week. There were generators providing electricity to homes.*

*Every month or so they would come and tell us to sell the land to them.*

*27 July 2010, this was a black day for Al Arakib; they destroyed everything. They destroyed the houses, cut down the trees, everything was gone.*

*When we found out it was going to happen that day we went to court at 2 a.m. to try to get an injunction. The court said it was too late, police were already on their way to demolish the village. By 4 a.m. about 1,700 police officers, all from different units, with eight bulldozers arrived.*

*There were some young people who had been hired to go into the homes to take out all the belongings, but then the bulldozers just broke down the houses.*

*It was a very hard day for me, for my wife, for all the people who were here. After 2 a.m., we couldn't sleep. We took the children and walked towards the cemetery. [The police] were frightening us showing guns. A small child asked the police for food and they hit him.*

*The first night we just slept on the land. For three days I didn't wash my face. There was no water, people came and gave us food but you can't eat. You look at the village [now] and you see only destruction.*

*After the first demolition people didn't think it would happen again so they rebuilt their homes. They came again on the 4th, 11th and 17th of August and demolished all the houses again. It was Ramadan then and we were fasting.'*<sup>36</sup>

After the second series of demolitions many families left their village, either to live with relatives or move into rented accommodation in the nearby towns. Aziz's family stayed back to 'guard' their land. He explained:

*I have nothing. I live in the cemetery. I am unemployed now. Before this I worked in a factory, I had a car. There is no food for the children but we are still here because if we [leave] they will take our land. We are like security guards, guarding the land.*

*Our life is very, very bad. We were free people, now life is very very hard. On the other hand we hope in one year or six years it may become a recognized village and our life will become very very good.*

*The political man wants to take all the Arabs out of our land and keep it for the Jews. We tell them this is our area and we will not move.*

*Together we want to live here with the Jews, it is not difficult for us.*<sup>37</sup>

Other villages have been earmarked for demolition to make way for highway construction. Attia Athamun, of Hashm Zana village, said:

*'All the houses in the village have been built without permits because no one can give you a permit. Until a year ago the inspectors closed their eyes, they didn't do anything. Since last year they are not allowing any new constructions, they come and demolish it.*

*Two months ago a family with four children had a dispute and they wanted to move to a separate home so they built a new home. This wasn't a villa, it was a temporary shelter at the most protected them from the heat. They were given demolition orders and the house was brought down. The order just says you must demolish the house, but doesn't give any alternative or talk about compensation.*

*Nothing can be done in the week. There is no time to appeal to try to get a postponement.*

*When you go to court you have to identify yourself as the owner of the home and so when they demolish it they give you the bill for the cost.*

*The costs for a day of police and bulldozers are so much more than the cost of the house [itself].*<sup>38</sup>

Khalil Al-amour lives in Al Sira, another village where all of the houses have been given demolition order. He says he is expecting the worst, but is hoping that the court may give an injunction order against the demolitions, even though there is no historic precedent. Khalil spoke of the daily anxiety experienced by villagers:

*'We have no alternative plan. We have never been in another place, we have always been here. We really don't know where else to go. We have always asked for recognition but [the authorities] never give it.*

*Five years ago every single family was given demolition orders. We have seven generations of documentation to prove the ownership of our land but the government does not recognize it... People live in continuous fear. Nothing is certain, nothing is clear about the future for the people... We want to live, what can we do? Families are getting larger. We have to develop; we can't stop living even under bad conditions, so we keep building homes and developing them.*<sup>39</sup>

## Townships

Rather than recognizing their villages, the Israeli government has offered Bedouin an alternative: to move into planned townships. There are seven government planned townships: Rahat, Ar'ara BaNegev, Tel Sheva, Kuseifa, Segev Shalom, Lakiya and Hura. Bedouin families are allowed to construct homes within the town and are provided with basic facilities, such as water, sanitation, electricity, roads and transport. But all these towns suffer from overcrowding and rank lowest in terms of social and economic development according to Israeli government indicators, MRG was told.<sup>40</sup>

Unemployment and lack of livelihood opportunities are also major problems in the planned townships. These towns also suffer from crime and youth unrest as a result of what Bedouin describe as forced urbanization. Most Bedouin reject the idea of living in such urban centres for several reasons. First, it means they have to relinquish their traditional land and land-ownership systems. Bedouin who are resettled in townships are forced to build their new houses on land that belongs to other Bedouin tribes. This makes newcomers uncomfortable because it contravenes the well understood and respected traditional land ownership systems. Resettlement in planned townships also breaks down traditional tribal systems, by forcing people from different families and tribes to live next to each other, which goes against Bedouin customs.

The Israeli authorities drew up borders of these townships in an arbitrary manner. The majority of families live outside the official boundaries of townships, so their houses can be demolished and authorities will not provide these households with any facilities. Sultan Abu Obayid, an activist from Lakiya township, said:

*'The economic and social situation in Lakiya is very bad. We don't have enough schools: three or four elementary schools, two middle schools and one secondary school. More than 60 per cent of the population are young people. There are no pre-school buildings. Pre-schools are conducted in rented accommodation. The education level is low; the majority of the children from here do not get into university.*

*The majority of people don't have a legal option to build outside the border of the town and their houses*

*are in danger of demolition. 60 per cent of people live outside the town.*<sup>41</sup>

## Recent developments

Several Israeli government committees have made significant recommendations aimed at resolving Bedouin land ownership and recognition issues. The Albeck committee, set up in 1976 and chaired by Pliya Albeck from the Ministry of Justice, did not recognize the Bedouin's traditional land rights, and declared that the lands of the Negev were *Mawat* ('dead' lands, unsuitable for cultivation), but offered partial compensation to individuals who had lost their land.<sup>42</sup> In 2003 the government began a counter-claims procedure. According to Adalah:

*'Since it began regulating the lands, the state has managed to reach an arrangement with Bedouin residents on only 205,675 dunams (about 18% of the claimed land) regarding 380 claims (about 12% of the total number of claims)... About 50,000 dunams were transferred from the Bedouin to the State of Israel in rulings from counter-claims by the government. As of July 2008, some 592,000 dunams on 2,749 claims were yet to be resolved.'*<sup>43</sup>

Dr Thabet Abu Rass, Director of Adalah's Naqab (Negev) project, explains that although the Israeli authorities portray the Bedouin as making huge demands over land, in reality the community is asking for just a fraction of the land they own:

*'The state recognizes the existence of the Bedouin claims, but according to government policy (which has also been adopted by the courts), Bedouin are not land-owners. At most, they have the right of 'guardianship' that the government grants them as a gesture of good will. In the entire Naqab area, the Bedouin, who today comprise 30% of the population in the Naqab, live on about 260,000 dunams of land, or about 2% of the overall territory. Of this area, the unrecognized villages account for about 180,000 dunams, or 1.4% of the total territory. The total land area claimed in 3,200 claims made by the Bedouin who remained in the Naqab is estimated at 5.4% of the total territory in the Naqab, or 775,863 dunams.'*<sup>44</sup>

On 28 October 2007, the Israeli government appointed a committee, chaired by retired Supreme Court Justice Eliezer Goldberg, to make recommendations on regulating Bedouin settlements in the Negev.<sup>45</sup> The Goldberg committee report, published in November 2008, is considered one of the most far-reaching responses to the Bedouin problem. The commission made several important statements. It recognized 'the historical link' of Bedouin to

their land and that forcing the Bedouin into the Siyag was a cause of the conflict.<sup>46</sup> The committee also said the Israeli government should treat Bedouin as equal citizens. It proposed that the state should recognize most of the villages; allow most homes to go through a legalization process, and establish a committee to hear and settle traditional land claims. Other aspects of the report were problematic, however. It recommended compensation for only 50 per cent of Bedouin land claims and made recognition of Bedouin villages conditional on new ill-defined criteria that did not apply to Jewish settlements.<sup>47</sup>

In 2010, the Israeli government appointed Ehud Praver, former deputy chairman of the National Security Council, to look at how the Goldberg report could be implemented. Rather than taking the process forward, Praver produced a new report, which offered far less than the Goldberg report. The Praver plan has two major components. The first deals with resolving land claims through compensation. It recommends that the right to compensation be offered to Bedouin who filed ownership claims between 1971 and the beginning of 1979, as long as these claims were not subsequently rejected by a court of law. Once a land-ownership claim is legally established, Praver recommends that compensation for 50 per cent of the land claimed should be given. Compensation for the remaining 50 per cent of land will only be made available after the initial 50 per cent of the land has been relinquished to the state.<sup>48</sup> Of serious concern is the timeline recommended in the Praver report: all Bedouin property claims must be resolved within five years otherwise the land will be registered in the name of the state.<sup>49</sup>

The second component of the Praver report deals with planning arrangements for permanent Bedouin settlements. According to Adalah, under this plan all Bedouin will be settled in the existing townships, with the possibility of creating new settlements based on certain criteria (population density, size and economic capacity).<sup>50</sup> It is based on these criteria that activists and NGO estimate that the plan will displace over 30,000 people.

On 12 September 2011 the Israeli government decided to proceed with the Praver plan.<sup>51</sup> After the cabinet vote, Prime Minister Netanyahu reportedly said the plan was 'a historic opportunity to bring about a significant improvement in the situation of the Bedouin community'.<sup>52</sup> Back in June 2011, Ehud Praver had told journalists that the 'current situation is impossible' as the Bedouin population doubles every 15 years and their conditions continue to deteriorate.<sup>53</sup>

According to the Prime Minister:

*'The plan will allow the Bedouin, for the first time, to realize their assets and turn them from dead capital into living capital – to receive ownership of the land, which will allow for home construction according to law and for the development of enterprises and employment. This will jump the population forward and provide it with economic independence.'*<sup>54</sup>

Not a single Bedouin interviewed for this briefing saw this as an opportunity; rather they saw it as a catastrophe. Bedouin were not consulted while the plan was developed, but simply informed once it had been finalized. Under the plan Israel will not recognize their historical link to the land; they will not be allowed to live on their own lands; they will be given less compensation than they demand; the urbanization plans do not respect their way of life; and they have no confidence that they could reap any benefit from these plans, let alone the economic development that the Israeli Prime Minister speaks of, because of the historical discrimination, exclusion and marginalization they have faced in Israel. The cabinet decision is now awaiting a parliamentary vote.

## Bedouin in the West Bank

The situation of the nearly 30,000 Bedouin in Area C of the West Bank is similar, but further complicated by the fact that they are not Israeli citizens (though they are an indigenous population displaced from Israel in the 1940s and 1950s). Many Bedouin living in Area C are Palestinian refugees under the responsibility of the United Nations Relief and Works Agency (UNRWA). They hold Palestinian identity cards but live in an area administered and controlled by the Israeli authorities. Nearly 60 per cent of the West Bank is under Israeli administrative and military control. Bedouin in the West Bank have to reconcile multiple identities based on ethnicity, indigenous roots and displacement. The 40,000 strong Bedouin population in the whole of the West Bank belong to 5,000 families; 2,000 of them live in areas under Palestinian control and the larger majority of 3,000 families live in Area C. The Bedouin describe their status as: *'indigenous people displaced from our tribal territory into a stateless region now under occupation'*.<sup>55</sup>

All residents of Area C are subject to regulations, laws and controls imposed by the Israeli authorities. They are cut off from the majority of Palestinians who live under Palestinian Authority rule. According to a statement made to the UN Permanent Forum on Indigenous Issues:

*'Access to 70 per cent of Area C is now severely restricted to all Palestinians (42 per cent of the entire West Bank), taken over by the Israeli Authorities for the building of settlements, firing zones, the West Bank barrier, check points and protected nature reserves.'*<sup>56</sup>

The general condition of Bedouin villages in West Bank's Area C is similar to that of Bedouin communities in the Negev with two major exceptions: people in area C are governed by a permit system that affects several of their rights; and they face violence from Jewish settlers.

When the Bedouin were displaced from the Negev, those who arrived in the West Bank had to compete with the other Palestinian refugees and Palestinians already

living there for land to live on and to graze animals. As in the Negev, the Israeli authorities used a variety of policies to resettle the Bedouin and claim their land for military bases and other purposes. A large amount of this land was given to Jewish settlers, whose numbers have significantly increased in the last several years. In recent years, the Bedouin have lost access to even more fertile land and key water points.<sup>57</sup>

A few families live in UN refugee camps, where they are provided with permanent shelters and have developed village structures, but most families live in 'unrecognized villages'. Some Bedouin have built houses on land leased from Palestinians already living in the West Bank; these are classified as illegal by the Israeli authorities because official building permits have not been obtained for them. Others have built on lands that Bedouin and Palestinians have been living on for decades but were declared as Israeli state land in the 1980s.<sup>58</sup>

As in the Negev, housing conditions in the 'unrecognized villages' are very poor. The majority have no access to water and electricity, sewerage systems, transport or roads. There are no schools or medical facilities in the villages, with the exception of villages in the UN refugee camps which have access to services, including permanent health centres and schools provided by UNRWA.

Poverty levels among the Bedouin in the West Bank are visibly higher than in the Negev, MRG discovered during field research. There were fewer cars in the villages and, where school was too far to walk to, children were seen travelling on donkey back. Most girls are not sent to secondary school because of the distance and insecurity associated with the travel.

There are few employment opportunities and Bedouin are severely restricted in engaging in their traditional way of life:

*'The rangeland and water that we depend on for our livestock has now become fragmented by the establishment of closed military areas, Israeli settlements, nature reserves, check points and the West Bank Barrier. One permit system controls the movement of people, vehicles and livestock and another permit system controls our ability to build even the simplest of structures. Homes and animal shelters are demolished by the Israel Defense Forces (IDF) on a regular basis for a 'lack of building permit' whilst Israeli settlements, illegal under international law, continue to expand in the same areas. Severe movement restrictions and the constant threat of displacement have rendered seasonal migration impossible for us, and we are now witnessing the collapse of our traditional livelihood.'*<sup>59</sup>

Before the permit system was implemented, Bedouin were able to trade in livestock markets in Jerusalem. Fodder and water that they now are forced to purchase sell at inflated prices because of trade restrictions imposed by

Israel on the Palestinian territories, which makes farming economically unviable. Many Bedouin are deeply in debt.

The Bedouin get little or no support from the Palestinian Authority because the area they live in is under Israeli administrative control.

Mahmoud Muhamed, who lives in Wadi Abu Hindi in the West Bank, said:

*'This is an area they really want. Of course we know why – it is for Jewish settlements ... Once the Palestinian Authority started our problems got worse. Now, if you ask the Israelis, they say 'go and ask your government'; before, they used to sort it out.*

*My request would be the hope to live in freedom. From the day I was 14–15 years old I never woke up relaxed.'*<sup>60</sup>

Wadi Abu Hindi and the neighbouring Al Muntar have a total of over 75 families and both villages have been marked for demolition by the Israeli state.<sup>61</sup>

## Demolitions

The frequent demolitions that take place in Area C have reportedly increased in the last year.<sup>62</sup> No stipulated time frame is given to a family as to when the demolition will take place once the orders are issued. Often families are taken by surprise, and sometimes children come home from school to find their houses have been knocked down. The Israeli government provides no financial or other support to help families cope with the loss of their homes. The UN Office for the Coordination of Humanitarian Affairs (OCHA) provides support to affected families through Displacement Working Groups. According to a submission to the UN Permanent Forum on Indigenous Issues:

*'Here the Occupying Power has created an intricate permit system for building houses. If you do not get a permit you cannot build a house, or any structure. The permit system is expensive, lengthy and usually inconclusive so we cannot get permits, even for toilets, but at the same time our population is increasing and our children need to marry, and build their own homes. If this home is a tent or a palace built without a permit in Area C, it can be demolished. If it is a school or a health centre made of wood and corrugated iron to try to improve our children's health and education, it can be demolished. There are over 3,000 structures that currently have pending demolition orders in Area C, including schools and health facilities.'*<sup>63</sup>

The Bedouin in Area C are surrounded by Israeli settlements that have mushroomed across the West Bank in recent years and are rapidly increasing.<sup>64</sup> A lot of Bedouin land and grazing resources have been given to Jewish settlers. Bedouin frequently face attacks from settlers, some

of whom have weapons and use them. A few weeks before the field research for this briefing was carried out, a 12-year-old boy was attacked and beaten over the head with an iron rod by a group of settlers in the Al Jabaa area.<sup>65</sup> There are regular incidents of harassment and physical intimidation and psychological attacks against Bedouin. Settlers scream abuse when passing Bedouin villages or make noise at night to scare families. The police and law enforcement officials are known to turn a blind eye to the abuses committed by settlers, but are quick to investigate complaints against Bedouin. Often settlers provoke Bedouin, for example by threatening a child or throwing stones at houses, and when Bedouin react the police intervene and make an arrest.<sup>66</sup> There are 500,000 settlers in the West Bank (including East Jerusalem). These settlements, which are supported by the Israeli authorities, are in contravention of international law and therefore illegal.<sup>67</sup>

The Bedouin in Area C face additional social problems; because they have been displaced and resettled numerous times, their tribal systems have become fractured. Leadership structures do not exist in the same way they do in the Negev and displaced tribes have been physically divided in some circumstances. It is also a challenge for families from different tribes to live together because this goes against Bedouin traditions. Last year, in a landmark move, the Bedouin Protection Committee for Bedouin communities in the Jerusalem periphery was formed with the support of UNRWA. The committee is a decentralized representative body of nine members who are Bedouin community leaders, who have come together in order to appeal with a unified voice for international protection against forced displacement. The committee is the first of its kind; it serves as a negotiating party with the state and is also the focal voice of the community at international forums.<sup>68</sup>

## Recent developments

In early 2012 the Israeli authorities are planning to begin forcibly relocating all the Bedouin from Area C.<sup>69</sup> No official announcement has been made but some community leaders have been informed about the plans. UNRWA and the OCHA have also been informed of these plans. The Israeli authorities have not provided a formal plan to the community or the UN. However, based on available reports, the first group of Bedouin to be relocated will be 20 communities numbering some 2,300 people from the Jahalin tribe, and the proposed relocation site is Al Jabal, bordering Jerusalem's biggest garbage dump.<sup>70</sup> Reportedly, the Israeli government plan is to move the Bedouin to planned townships. Bedouin believe their lands will go to increase Jewish settlements in the West Bank. Since the middle of 2011, the Israeli authorities have been informing different groups – including the Wadi Abu Hindi and Khan al Ahmar communities – almost on a weekly basis that they will have to leave their homes shortly and move into planned towns. According to a representative of the Bedouin Palestine refugee population:

*'The Occupying Power has verbally offered to re-locate us in "purpose-built" villages. But the locations they suggest could not sustain even our animals; they are isolated and have no access to natural resources or basic services. They say they will make different tribes live side by side in these villages and that the time for tribal identity is gone. This is not the Bedouin way of life. First they demolish our homes and displace us, and then they say they will force us to settle without any understanding of our livelihoods, our needs or our culture.'*<sup>71</sup>

## Conclusion

The Arab Bedouin of Israel and the Israeli-occupied West Bank have been subject to a series of human rights violations, including forced displacement, since the establishment of the state of Israel in 1948. They have been classified as a 'security threat' and branded as 'squatters' on state lands. Successive Israeli governments have sought to expropriate their land and concentrate them into townships. The Israeli authorities refuse to recognize them as an indigenous group and thereby withhold from them the full range of rights provided to indigenous people under international laws. Though forced displacements are not necessarily illegal, they are if they are arbitrary or discriminatory.

Bedouin in Israel's Negev desert live in some of the poorest conditions in Israel, deprived of basic rights, including the right to water, shelter and education. They live with the constant threat of eviction and home demolitions, under enormously stressful conditions that have a serious effect on their health and well-being.

In the Israeli-controlled Area C of the West Bank the situation is similar, but with the added problems created by a permit system that restricts Bedouin from moving around freely and the continuing violence perpetrated by Jewish settlers.

In both areas the situation for Bedouin is growing worse. Before the end of 2011, the Israeli parliament is likely to pass a law that will result in the demolition of thousands of houses in the Negev and force 30,000 Arab Bedouin from their ancestral land and into townships. By early 2012, the government will do the same in Area C, which will eventually affect all the 30,000 Bedouin living there.

The conflict between Israel and the Bedouin is primarily an issue of land rights. The Bedouin ask that their historical and traditional link to the land be recognized and that they be allowed to live and work on their own land in freedom and peace. Israel's failure to recognize Bedouin rights not only violates international law, but could also leave the Israeli state facing another conflict. Mohamed Al Korshan said:

*'Even though the land is not ours we will pay for it with our blood. We will never leave it. Every time they demolish our homes we will keep rebuilding, over and over again.'*<sup>72</sup>

And Mohamed Abu Frieha, of Abu Granait in the Negev stated:

*'Our relationship with land is like a relationship with our mother. You may leave your father but you will never leave your mother nor will you ever give away your mother to anyone.'*<sup>73</sup>

## Recommendations

### Regarding the Bedouin of the Negev:

In order for the Israeli government to comply with relevant international human rights standards – including *inter alia* Article 11 (1) on the right to adequate housing of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and Article 27 of the International Covenant on Civil and Political Rights (ICCPR) concerning the rights of ethnic, religious or linguistic minorities, the government should:

1. Immediately halt proceedings with proposed legislation based on the Praver plan and develop an alternative plan based on the meaningful participation of the Negev Bedouin communities themselves.
2. Any alternative plan should take into account the Bedouin communities' historical ties to the land and provide the means for formalizing the ownership rights of the Negev Bedouin, including those derived from customary law and international standards on the rights of indigenous peoples.
3. In the meantime, desist from all house demolitions.
4. Desist from charging affected Bedouin for the cost of demolishing their houses.
5. Begin the process of recognizing villages in the Negev using planning criteria that apply to Jewish and Arab populations alike, and ensure access to basic facilities including water, electricity, sewage, roads, transport, schools and medical facilities.
6. If the Israeli authorities do need to relocate Bedouin in the Negev on public welfare grounds such as health and safety, this should be done following free, prior and informed consent of the community. Such instances should be limited to cases of clear public necessity and affected persons should be provided with adequate alternative housing and proper compensation. Removals under such circumstances should be carried out with adequate notification and in an orderly manner, respecting the dignity, privacy and cultural norms of the affected individuals.
7. Act with transparency and engage in a meaningful dialogue more generally with the Bedouin community

in determining their future. Israeli authorities must offer Bedouin the same protections, alternatives and rights afforded to the majority. Such a dialogue should be carried out with full, adequate and meaningful representation of Bedouin communities in the Negev.

### Regarding the Bedouin in Area C of the West Bank:

In order for the Israeli government to comply with relevant human rights standards, including those mentioned above, and in addition *inter alia* Article 53 of the 1949 Geneva Convention IV relative to Protection of Civilian Persons in Time of War and its general obligation to administer the occupied territory in the interests of the occupied population, the government should:

1. Immediately halt implementation of any intended relocations of Bedouin living in Area C of the West Bank.
2. Accord Bedouin living in Area C all rights concerning civilian populations under occupation in accordance with international humanitarian law.
3. If the Israeli authorities do need to relocate Bedouin in Area C on public welfare grounds such as health and safety, this should be done following free, prior and informed consent of the community. Such instances should be limited to cases of clear public necessity and affected persons should be provided with adequate alternative housing and proper compensation. Removals under such circumstances should be carried out with adequate notification and in an orderly manner, respecting the dignity, privacy and cultural norms of the affected individuals.
4. Desist from building demolitions.
5. Review the building permit scheme applied in Area C, in particular those restrictions and administrative demands that reduce the possibility of gaining a permit.
6. Ensure proper consultation and meaningful participation of Bedouin in Area C in policy making that directly affects the exercise of their rights, in order to ensure that they can continue living in accordance with their traditional cultural norms.

## Notes

- 1 This briefing looks at two specific Bedouin communities that are under imminent threat of mass human rights violations: Bedouin in the Negev and the West Bank Area C. The Negev has the biggest Bedouin population in the country. These Bedouin are Israeli citizens. Area C has the largest number of refugee Bedouin in Palestine. Area C is under full control of Israel so under international law Israel has specific commitments to the population there even if they are not citizens of Israel. There are Bedouin in other parts of the country such as Galilee. Their numbers are smaller and their history differs from that of the Bedouin of the Negev. Such Bedouin groups have had problems regarding land and village recognition, but most of the issues have been resolved, though not often in favour of the Bedouin.
- 2 Interview with MRG, 7 September 2011.
- 3 As this report is aimed at an international audience the more common name for this area, the Negev, will be used.
- 4 In the Bedouin traditional nomadic culture, people do not travel far to graze their animals nor are they away from their homes for long periods of time. Community activists were keen to point this out in order to counter Israeli state claims regarding the extent of land required to maintain Bedouin nomadic lifestyle and emphasizing the impermanent nature of their stay at home. By 1948 many Bedouin were engaged in agriculture growing fruits and vegetables.
- 5 This briefing refers to the community as Arab Bedouin and Bedouin interchangeably.
- 6 Israeli government statistics at the time refer to a figure of around 90,000, other sources put the numbers between 70,000 and 75,000. See Maddrell, P., *The Bedouin of the Negev*. London, MRG, 1990.
- 7 Four dunams equals 1 acre.
- 8 Subsequent legislation such as the 1969 Land Rights Settlement Ordinance enabled the state to take over 'Mawat' or 'dead lands', which were lands that the Bedouin had not cultivated for a period of time. Under the 1980 Negev Land Acquisition Law (under the peace treaty with Egypt) the state expropriated 65,000 dunams of land, displacing 5,000 people, to build the Nevatim airbase. For a detailed analysis of the laws used by the Israeli state to expropriate Bedouin land, see Human Rights Watch (HRW), *Off the Map*, 2008, [http://www.hrw.org/sites/default/files/reports/iopt0308\\_1.pdf](http://www.hrw.org/sites/default/files/reports/iopt0308_1.pdf) (accessed 24 September 2011).
- 9 See HRW, *op. cit.* for more details.
- 10 See the website of Adalah, the legal centre for Arab minorities in Israel, for further information: <http://www.adalah.org/eng/> (accessed 28 September 2011).
- 11 See Report of the Special Rapporteur on the rights of indigenous people, James Anaya, 22 August 2011, Annex VI, p. 28, <http://www2.ohchr.org/english/issues/indigenous/rapporteur/docs/A-HRC-18-35-Add-1.pdf> (accessed 29 September 2011).
- 12 MRG interview, 5 September 2011
- 13 MRG interviews with Bedouin leaders, Negev, 4–9 September. See also HRW, *Off the Map*, *op. cit.* and MRG, *The Bedouin of Negev*, *op. cit.*
- 14 MRG interview, 5 September 2011.
- 15 MRG interview, 5 September 2011.
- 16 Interview with Director of Adalah Naqab project, Dr Thabet Abu Rass, Be'er Sheva, 5 September, 2011.
- 17 MRG interview, Be'er Sheva, 5 September 2011.
- 18 See website of the Regional Council of Unrecognized Villages (RCUV), <http://rcuv.wordpress.com> (accessed 30 September 2011).
- 19 MRG interview, 6 September 2011.
- 20 MRG understood that all these clinics would be in the 11 recently recognized villages. See RCUV website, *op. cit.* Despite gaining 'recognition', these villages face similar issues to the 'unrecognized villages'.
- 21 For a detailed study of the problems in the 'unrecognized villages', see International Fact-finding Mission of the Habitat International Coalition – Housing and Land Rights Network (HIC-HLRN), *The Goldberg Opportunity: A Chance for Human Rights-based Statecraft in Israel*, 2011, [http://www.hic-mena.org/publication\\_det.asp?catid=1&id=52](http://www.hic-mena.org/publication_det.asp?catid=1&id=52) (accessed November 2011).
- 22 MRG interview with Adalah, 5 September 2011.
- 23 See HCJ 2848/05, *Fatimah Abu Sabila (Ali) et al. v. The Ministry of Education et al.* (decision 23 January 2007); see also HCJ 7562/09, *Fatimah Abu Sabila et al. v. The Ministry of Education et al.*
- 24 MRG interview, Abu Tlul, 7 September 2011.
- 25 *Ibid.*
- 26 Sherwood, H., 'Bedouin's plight: "We want to maintain our traditions. But it's a dream here"', *The Guardian*, 3 November 2011, <http://www.guardian.co.uk/world/2011/nov/03/bedouin-plight-traditions-threat-israel/print> (accessed 5 November 2011).
- 27 According to media reports Israel's unemployment rate in 2011 was at a new low of 5.5 percent. See: <http://www.bloomberg.com/news/2011-08-31/israel-unemployment-rate-declines-to-lowest-level-since-1985.html>
- 28 Interviews with Bedouin activists and NGOs working with the community, Negev, 4–12 September 2011.
- 29 HRW, *Off the Map*, *op. cit.*
- 30 Interview with Heijar Abu Shareb, director of the NGO Yasmin Al-Naqab, 9 September 2011, Be'er Sheva.
- 31 HIC-HLRN, *The Goldberg Opportunity*, *op. cit.*
- 32 Interviews with Bedouin activists in the Negev, 5–9 September 2011.
- 33 The JNF is a quasi-government, non-profit organization that buys up land to build and develop it to further the 'Zionist dream'. See <http://www.jnf.co.uk/index.html> (accessed 3 November 2011).
- 34 MRG interview, Abu Tlul, 7 September 2011.
- 35 MRG interview, Al Arakib, Negev, 7 September 2011. For more details on demolitions in Al Arakib see Negev Co-existence Forum for Civil Equality website: <http://www.dukium.org/eng> (accessed 14 November 2011).
- 36 MRG interview, Al Arakib 7 September 2011.
- 37 MRG interview, Al Arakib, 7 September 2011.
- 38 Hashm Zana is one of the villages in which all the homes have been earmarked for demolition to make way for the construction of Route 6.
- 39 MRG interview, Al Sira, 7 September 2011.
- 40 Interview with Sultan Abu Obayid, activist, Lakiya, Negev, 8 September 2011.
- 41 MRG interview, Lakiya, 8 September 2011.
- 42 Adalah, *Newsletter*, vol. 81, April 2011, [http://www.adalah.org/upfiles/2011/Thabet\\_English\\_2.pdf](http://www.adalah.org/upfiles/2011/Thabet_English_2.pdf) (accessed 30 September 2011).
- 43 *Ibid.*
- 44 *Ibid.*
- 45 *Ibid.* The committee had two Bedouin representatives. It held 25 sessions and widely consulted academics, activists and community leaders.
- 46 For an analysis of the Goldberg committee report see Association for Civil Rights in Israel (ACRI), Partners for planning rights (BIMCOM) and RCUV, 'Principles for arranging recognition of Bedouin villages in the Negev', joint policy brief, June 2011, <http://www.acri.org.il/en/wp-content/uploads/2011/09/Prawer-Policy-Brief-FINAL-ENG.pdf> (accessed 1 November 2011).
- 47 *Ibid.*
- 48 Adalah, 'The Prawer plan and analysis', October 2011, <http://www.adalah.org/upfiles/2011/Overview%20and%20Analysis%20of%20the%20Prawer%20Committee%20Report%20Recommendations%20Final.pdf> (accessed 17 November 2011).
- 49 *Ibid.* The claimants of original property claims will be called to confirm their claim within two and a half years. The claimant will be allotted nine months to confirm their original claim. If the claimant or his representative do not negotiate the land

- claim through the Planning Office or court within the time line the land claim will be settled and registered in the name of the State.
- 50 *Ibid.*
- 51 See Ras, T.A., 'Against a forced solution', Adalah press release, 12 September 2011, [http://www.adalah.org/eng/pressreleases/pr.php?file=12\\_09\\_11\\_1](http://www.adalah.org/eng/pressreleases/pr.php?file=12_09_11_1)
- 52 See website of the Prime Minister's Office, 'PM Netanyahu meets with Negev Bedouin mayors', 3 November 2011; <http://www.pmo.gov.il/PMOEng/Communication/EventsDiary/eventbedouin031111.htm> (accessed 14 November 2011).
- 53 See *Haaretz*, 'Netanyahu's office promoting plan to relocate 30,000 Bedouin', 2 June 2011, <http://www.haaretz.com/print-edition/news/netanyahu-s-office-promoting-plan-to-relocate-30-000-bedouin-1.365409> (accessed 14 November 2011).
- 54 See website of the Prime Minister's Office, 'PM Netanyahu Meets with Negev Bedouin Mayors', *op. cit.*
- 55 Written submission to the UN Permanent Forum on Indigenous Issues, on May 2011 on 'the human rights situation of Bedouin Palestine refugees in the occupied Palestinian territory: a displaced indigenous population living under occupation'. Prepared by Mohamed Al Korshan, Representative of the Bedouin Palestine refugee population in the West Bank. [http://www.iwgia.org/iwgia\\_files\\_news\\_files/0315\\_tenth\\_session\\_UN\\_perm\\_forum\\_ips\\_issues.pdf](http://www.iwgia.org/iwgia_files_news_files/0315_tenth_session_UN_perm_forum_ips_issues.pdf)
- 56 *Ibid.*
- 57 Interview with Mohamed Al Korshan, Representative of the Bedouin Palestine refugee population in the West Bank, 12 September 2011.
- 58 UN officials interviewed by MRG, West Bank, 12 September 2011.
- 59 Submission to the UN Permanent Forum on Indigenous Issues, *op. cit.*
- 60 Interview with MRG, Wadi Abu Hindi, 12 September 2011.
- 61 UN sources in the West Bank, 12 September 2011.
- 62 Interviews with activists and members of the Bedouin community in the West Bank, 12 September 2011
- 63 Submission to the UN Permanent Forum on Indigenous Issues, *op. cit.*
- 64 Interviews with UN officials, West Bank, 12 September 2011.
- 65 *Ibid.*
- 66 Interviews with UN officials and Bedouin activists in the West Bank, 12 September 2011.
- 67 UN OCHA in the occupied Palestinian territory, 'Fact sheet: Bedouin relocation – threat of displacement in the Jerusalem periphery', September 2011, [http://www.ochaopt.org/documents/ocha\\_opt\\_bedouin\\_FactSheet\\_October\\_2011\\_english.pdf](http://www.ochaopt.org/documents/ocha_opt_bedouin_FactSheet_October_2011_english.pdf)
- 68 Interviews with UN officials and Bedouin community representatives in the West Bank, 12 September 2011.
- 69 See UN OCHA Fact sheet, *op. cit.*
- 70 UN sources and *ibid.*
- 71 Submission to the UN Permanent Forum on Indigenous Issues, *op. cit.*
- 72 MRG interview, Anata, West Bank, 12 September 2011.
- 73 MRG interview, 5 September 2011.



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## Israel's denial of the Bedouin

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