

פורום דו-קיום בנגב לשוויון אזרחי  
منتدى التعايش السلمي في النقب من اجل المساواة المدنية  
Negev Coexistence Forum For Civil Equality



## **Segregated Spaces: The Spatial Discrimination Policies among Jewish and Arab Citizens in the Negev-Naqab**

**The International Day for the Elimination of Racial Discrimination 2016**

**Negev Coexistence Forum for Civil Equality** | In 1997, a group of concerned Arab and Jewish residents of the Negev (Israel's southern desert region) established the Negev Coexistence Forum for Civil Equality (NCF) to provide a framework for Jewish-Arab collaborative efforts in the struggle for civil equality and the advancement of mutual tolerance and coexistence. NCF, also known as "Dukium" ("co-existence" in Hebrew), is unique in being the only Arab-Jewish organization that remains focused solely on the specific problems confronting the Negev. NCF considers that the State of Israel fails to respect, protect and fulfill its human rights obligations, without discrimination, towards the Arab-Bedouin citizens in the Negev. As a result, the NCF has set as one of its goals the achievement of full civil rights and equality for all people who make the Negev their home.

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### **March 21, 2016**

Photo front cover: The works to establish Hiran. Photo: Michal Rotem

Photo back cover: Entrance gate to Yatir Camp. Photo: Michal Rotem

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## Introduction

“States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: [...] d. (i) The right to freedom of movement and residence within the border of the State;”.<sup>1</sup>

The United Nations International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”.<sup>2</sup> The right to freedom of movement and residence appears in various UN covenants regarding human rights. According to the UN Covenant on the Elimination of Racial Discrimination, the State is committed to guarding the right of all people in its territory, including its citizens, to freedom of movement and freedom to choose where to live within its borders – with no distinction based on race, color, national or ethnic origin. The state of Israel signed the covenant in 1966 and ratified it in 1979.<sup>3</sup>

The Be’er Sheva region comprises about 60% of the land of Israel but only 8.2% of its population. Approximately 680,000 people live in the region; about 230,000 are Bedouins.<sup>4</sup> While the Arab-Bedouin community comprises 31.4% of the region's population, only 18 settlements out of the 114 in the region are designated for the Bedouin community.<sup>5</sup> In other words, only 12.5% of the region's settlements are designated to the community which is about a third of its population. It is worth noting that out of the 18 Bedouin settlements in the Negev, 11 were recognized by the government in the 2000s. In most of these villages there is no infrastructure and services are partial. They lack outline plans which means that they more physically resemble the unrecognized villages than government planned Bedouin towns.

The main question arising from this data--a question so obvious to many of Israeli citizens-- is why are there separate spaces for Arabs and Jews in the Negev, in particular, and in Israel, in general? The answer, as this report will show, is that this is a result of the

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<sup>1</sup> The United Nations: International Convention on the Elimination of All Forms of Racial Discrimination. <http://tinyurl.com/laowsqy>

<sup>2</sup> See supra note 1, article 1 (1).

<sup>3</sup> The Association for Civil Rights in Israel: The International Convention on the Elimination of All Forms of Racial Discrimination. <http://tinyurl.com/hwobl9r>

<sup>4</sup> Israeli Central Bureau of Statistics, 2014. Table 2.17: settlements and population according to groups, district, region and natural habitat. <http://tinyurl.com/z7qyxpw>

<sup>5</sup> Israeli Central Bureau of Statistics, 2014. Table 2.16: settlements and population according to district, region and group. <http://tinyurl.com/zmdjxcp>

authorities' ongoing segregation policy. As we will show in the report, segregation policy in the Negev has evolved over time.

At the end of the military regime in 1966, the decision to establish separate settlements for the Bedouin community in the Negev resulted in the establishment of 7 towns. In the 1980s, a Jewish citizen from Be'er Sheva, named Eliezer Avitan, wanted to purchase a plot in the Bedouin town of Šgīb as-Salām and petitioned the High Court of Justice (HCJ) after his request for purchase was rejected. The HCJ ruled in favor of the State of Israel that objected to Jews moving to live in the Bedouin towns.

An amendment to the "Admission Committees Law", combined with the long standing policy of operating such committees, enable most of the settlements in the Negev to bar Bedouins from living there. Karmit, a new settlement in the northern Negev, set up conditions for purchasing plots in early stages of marketing. Using an admission committee in the marketing of plots was another landmark in the evolution of the policy of residential segregation. This precedent allows committees to set up conditions for purchasing plots in settlements that are planned for thousands of families.

Although this policy has existed for many years, the issue of residential segregation continues to be relevant today. While the Bedouin community is facing a dire housing shortage due to the lack of plots in the Bedouin towns, and recognized and unrecognized villages are without state planning, the Israeli government continues to approve more and more settlements designated for the Jewish population of the Negev. For example, in November 2015, the government approved the establishment of five new settlements in the Negev, all of them for the Jewish population.<sup>6</sup>

While the Israeli government claims that some settlements are designated for the "general public",<sup>7</sup> in fact, as we show in this report, there exist various planning and legal mechanisms that ensure that the segregation policy will prevail.

On the International Day for the Elimination of Racial Discrimination, the practice of residential segregation in the Negev--and Israel--continues. Instead of working to shared spaces and towns for all residents of the Negev, the State continues to defend in court its segregation policy, to plan separate settlements and to ensure that Jews and Arabs will live in separation.

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<sup>6</sup> Government's decision 748 dated 22.11.2015. <http://tinyurl.com/zgyv6al7>

<sup>7</sup> For instance, the State argued in the Supreme Court that the planned settlement Hiran is designated to the general public and each person will be able to purchase a plot there. Based on the precedent set with Karmit (see chapter 4) it is likely that in the first stages a cooperative association will be created which will enable an admission committee that decides who is eligible to purchase a plot there, despite that Hiran is planned for over 2000 housing units.

## **Establishing the permanent settlements: Towns for Bedouins only**

At the end of the 1950s the State of Israel started the process of urbanizing the Bedouin community in the Negev. Historically, some of the Bedouin population resided in long-established villages while others were relocated from the northern Negev by the military regime. The urbanization process began at the end of the military regime in 1966. Until the mid-1990s, the State established 7 Bedouin towns, most of them in the Siyāj (سياج) area where Bedouins were concentrated in the 1950s during the military regime. By concentrating the Bedouins in dense urban areas, the State aimed to increase its control over the community, prevent the expansion of the unrecognized villages, save expenses on infrastructure, and capture more lands for the State's use.

As it became clear that the military regime was nearing its end, the search for housing solutions for the Bedouin community began. This coincided with pressure from the community who increasingly wanted to receive needed services and infrastructure. The Bedouin community under the rule of the military regime lived in villages unrecognized by the State with no infrastructure for water and electricity, with no services such as education and health, and a severe restriction on the freedom of movement. The army was the first to begin the process to find solutions to the situation as the Bedouin community increased pressure on the military regime.

In the summer of 1958 the army prepared a confidential document entitled "Permanent Arrangement to the Bedouins of the Sayag in the Negev". The document presented the views of the heads of the army concerning the Negev and detailed the army's solution. The "Lieutenant Colonel Aharon Harsina Document", named after its initiator, was based on a survey carried out in the Siyāj area. The document stated that the aim in concentrating the Bedouins in the Siyāj area (the triangle between Be'er Sheva, Arad and Dimona), is to clear lands for future Jewish settlements in the Negev and that the Bedouin community should be concentrated in several towns.<sup>8</sup>

Throughout the years of the military regime many plans were suggested. In the late 1950s a "masterplan for the development of the Negev" was completed that recommended establishing 9 permanent settlements for the Bedouins, later reduced to 7. Another plan by the Minister of Agriculture, Moshe Dayan, to transfer Bedouins to mixed towns (Ramla and Lod) in return for their giving up their lands, was only partially implemented.<sup>9</sup>

In the end, the decision of establishing the Bedouin towns was accepted by the economics committee of the Knesset. The first Bedouin town, Tal as-Saba' (Tel Sheva), was established in 1969. The decision to build houses and then sell them proved a failure. Therefore when

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<sup>8</sup> Porat, Chanina. 'Israel's steps and the left's alternatives for the solution of the question of the Bedouin in the Negev 1953-1960'. *Iyunim Bitkumat Israel* 10 (2000) pp. 420-476. <http://tinyurl.com/grf98t5>

<sup>9</sup> See supra note 8.

the town of of Rahaṭ was established, the authorities decided to sell plots. Rahaṭ was established in 1971 and is now a city of about 60,000 inhabitants. Since then another 5 towns were established: Šgīb as-Salām (Segev Shalom) in 1979, ‘Ar‘arah an-Nagab (Ar‘ara BaNegev) and Ksīfih in 1981 (following confiscation of lands within the framework of "The Peace Law"), Ḥūrah in 1989 and al-Lagiyyih (Lakiya) in 1994. Until the late 1990s, the government's main policy was to concentrate the Bedouin population in those 7 towns.



The town of Ksīfih that was established following the lands confiscated under the framework of the "Peace Agreement Law". Photo: Miki Kratsman

Only Bedouins live in the 7 towns, as well as in the 11 villages that were recognized by the State in the last 15 years. The way the towns were established, being specially designated for the Bedouin community, and the plots being marketed to its members, is one of the reasons for the segregation. As we can see in the next chapter, the State of Israel refused to sell plots in the Bedouin towns to Jews and claimed that in order to succeed in the task of concentrating the Bedouins in the towns Jews should not be allowed to live there. Moreover, considering the present situation of the towns – high density, poor infrastructure, partial services, lack of public and green areas, high unemployment – there is little reason for Jewish residents of the Negev to move there.

## HCJ Ruling Avitan: Plots will not be marketed to Jews

In the 1980s, Eliezer Avitan, a Jewish police officer from Be'er Sheva, pleaded to the High Court of Justice (HCJ) against the Israel Land Authority (ILA) and others, demanding to allow him to lease a plot in the Bedouin town Šgīb as-Salām (Segev Shalom). The ILA refused the lease claiming that the plots in the town are for Bedouins only. In his plea Avitan argued that the ILA is exercising discrimination in two aspects: refusing to lease him a plot and refusing to allow him to lease a plot at the same price offered to Bedouins.

The HCJ ruled that "the principle of equality comes to serve the goal of achieving a just result. Not the technical equality or the formal equality are worthy of defense but rather the essential equality, namely the equality between equals".<sup>10</sup> This means that affirmative action is justifiable since it aims to benefit groups with an historical disadvantage. Therefore, the petitioner, Avitan, has to prove that there is no difference between him and the people of the Bedouin community, and if he will be able to do so, he will be granted a plot.

In order to emphasize the differences between the Jewish community and the Bedouin community, the ILA and the State argued that the Bedouins are an ethnic minority going through the process of urbanization. The State argued that its policy for the settlement of the Bedouins, which was consolidated in the 1960s, was "to enable providing proper public services such as education, health, sanitation and other municipal services which can be provided only in planned permanent settlements".<sup>11</sup> In fact, the State was the one to oppose leasing lands to Jews in the Bedouin settlements claiming it will jeopardize the process of settling. This is in spite of Sheikh Abu Mu'amar's, the sheikh of the tribe Al Azazma, consent to Avitan's acquiring a plot in the town and affidavits from residents that had no objections to Jews living in their village.

The justices determined that "there is a public interest to assist Bedouins to settle in permanent urban settlements based on considerations regarding the provision of public services [...] and based on other planning and public considerations that are related to the need to evacuate state lands that Bedouins have occupied and demolish buildings that were built without permit. This interest [...] justifies the preference of Bedouins by granting them subsidized plots in a settlement designated for their permanent settlement".<sup>12</sup> Thus, the main argument on which the judges relied upon their decision to deny Avitan the ability to lease a plot in Šgīb as-Salām, was the interest of "regularization" of the Bedouin settlement in the Negev, that is, concentrating the Bedouin community in government planned towns. The judges accepted the State's position, that Jews and Bedouins are to live in separate settlements.

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<sup>10</sup> HCJ 528/88, Eliezer Avitan vs. Israel Land Authority et al., verdict, article 3. <http://tinyurl.com/zkcuoy4>

<sup>11</sup> See supra note 10 article 5.

<sup>12</sup> See supra note 10 article 6.

The court rejected Avitan's plea to lease a plot at the terms given to the Bedouins. But it also rejected his request to lease a plot in Šgīb as-Salām in the standard terms of ILA and not in the privileged terms given to the Bedouins. This is a precedent which states that Bedouin towns in the Negev are for Bedouins only and the State opposes transition of Jews to these towns. Even though few Jews may be interested in living in the Bedouin towns, those who wish to do so are forbidden by law.

Expert opinions presented to the court stating that there is no reason why Jews and Bedouins could not live together, did not persuade the justices to accept the plaintiff's plea and reject the State's position. Thus, in 1989, the State of Israel's policy of residential segregation received its legal validity from the Supreme Court's ruling.



The vision of Givat Bar at the entrance to the settlement: "has Jewish secular character".  
Photo: Michal Rotem

## The Admission Committees Law

In the 1970s, communal settlements in Israel began to be established. During this time, cooperative associations were established in communal settlements that gave power to committees to decide who will be living in them. Later on the Israel Land Authority (ILA) Council decided (decision 612 of 1993, decision 737 of 1995) that also in cases of expansion of settlements, the associations are allowed to form admission committees that will decide who will live in the settlement and to whom plots will be marketed.<sup>13</sup>

In 2011, with the Knesset's approval of amendment No. 8 to the order of cooperative associations, the admission committees received their legal approval. According to the amendment, settlements in the Galilee and Negev with population of up to 400 households can operate admission committees for people who wish to live there. In fact, in settlements where such a committee operates, land for purchase will be allocated to a person only after the approval of the admission committee.<sup>14</sup> The amendment also sets the conditions in which the committee is allowed to refuse admittance. While some criteria are clear, such as, the candidate is a minor, has no economic ability to build a home or does not have a real intention to live in the place, other criteria are ambiguous and can be selectively applied:

"(4) The candidate is not fit for the social life of the community; the decision to decline a candidate will have to be based on an expert's opinion in the said field.

(5) Lack of suitability to the social-cultural texture of the settlement which stands to reason that will harm this texture;

(6) Exclusive characteristics of the settlement or admission terms set in the regulations of the association, provided these terms were approved by the registrar."<sup>15</sup>

These wide criteria allow committees to refuse candidates from different populations in Israeli society and as a result, has more of an effect on Israeli Palestinians, including members of the Bedouin community. All the settlements in the Negev operating admission committees are Jewish settlements and as such can easily refuse a Bedouin family based on "lack of suitability to the social-cultural texture of the settlement", or on "exclusive characteristics". Although the law has the restriction saying "the admission committee will not bar a candidate due to his/her race, religion, gender, nationality, handicap, marital status, age, parenthood, sexual orientation, country of origin, outlook on life or political affiliation",<sup>16</sup> and although the HCJ in its ruling in HCJ Qa'adan<sup>17</sup> stipulated that residence of

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<sup>13</sup> HCJ 2311/11 Uri Sabah et al. vs. Knesset et al., from the plea p. 3-4. <http://tinyurl.com/j9s8aob>

<sup>14</sup> Cooperative Associations Order, article 6b. (a) (1). <http://tinyurl.com/z87cnho>

<sup>15</sup> See supra note 14, article 6c. (a).

<sup>16</sup> See supra note 14, article 6c. (c).

a person in a settlement cannot be prevented on the basis of not being Jewish, nevertheless the wide criteria in the Admission Committees Law enables easily to bar those who "are not fit to the character of the settlement".

**Table 1: Jewish settlements in the Negev according to the admission process<sup>18</sup>**

<b>Type of Settlement</b>	<b>Admission Process</b>	<b>No. of Settlements</b>
Kibbutz	Acceptance committee	38
cooperative and communal settlements	Admission committee	77
Local councils and towns	No admission committee <sup>19</sup>	11
		<b>Total: 126</b>

Table 1 presents the Jewish settlements in the Negev according to their admission process. Out of the 126 Jewish settlements in the Be'er Sheva region, 115 of them operate various admission and acceptance committees which basically act as a barrier for the Bedouin residents of the Negev. In the 38 kibbutzim acceptance committees operate. Basically, in kibbutzim with acceptance committees, there is a probationary period for people who wish to join. This potentially makes it harder to join the community compared to regular admission committees. . Based on the Cooperative Associations Law the 77 cooperative and communal settlements operate admission committees.

Thus, different types of admission committees operate in 91.2% of the Jewish settlements in the Negev and function as a main tool in preserving the segregation of residence in the Negev. The mere existence of the committees, the lengthy process of acceptance and the slight likelihood of passing through the process successfully, result in a very low number of Bedouin families applying to join the settlements. The codification of the existence of admission committees by law ensures that residential segregation will continue and that the communal, cooperative settlements, and kibbutzim in the Negev will homogenous settlements.

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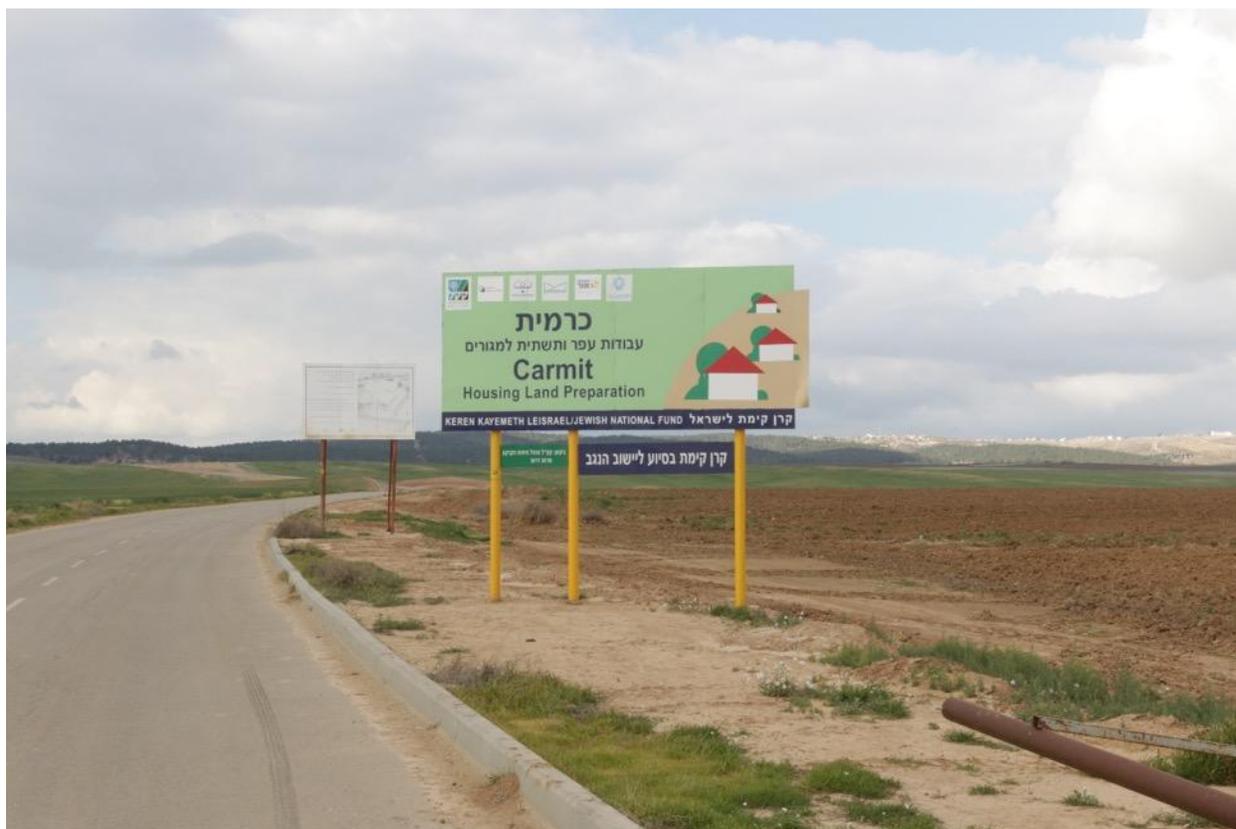
<sup>17</sup> HCJ 6698/95 Adel Qa'adan et al. vs. Israel Land Authority et al. Verdict from 08.03.2000. <http://tinyurl.com/j8vsxx>

<sup>18</sup> Data based on analyzing the list of settlements in the Be'er Sheva region as appears in the site of the Israeli Central Bureau of Statistics.

<sup>19</sup> It is noteworthy that in some of the Negev local councils there are no admission committees, yet the high cost of living in them is prohibitive for Arabs and Jews as well.

## The precedent of Karmit: admission committees in large settlements

Karmit, a settlement close to Shoket junction, was established following government's decision No. 2379,<sup>20</sup> which deals with strengthening of the settlement movement in the area of Lachish. Karmit was designated for the Jewish evictees from the Gaza Strip and was planned for 730 housing units. Today, Karmit, which is part of the local council Meitar, is planned for 2,500 housing units. However, in the early stage of marketing the first 472 plots,<sup>21</sup> an admission committee decided who was allowed to buy, and so far 350 plots have been sold.<sup>22</sup> In addition, in December 2013, the Israeli Land Authority (ILA) decided to allocate 264 plots in Karmit to people serving in the security forces.<sup>23</sup>



The entrance to the new settlement of Karmit that is designated for 2,500 housing units whose plots were marketed under an admission committee. Photo: Miki Kratsman.

As mentioned in chapter 3, according to the Cooperative Associations Order, admission committees can operate only in settlements with up to 400 households. Nevertheless, in

<sup>20</sup> Government decision 2379 of 20.09.2007.

<sup>21</sup> Mahshevonegev: Calculating life in the Negev: Karmit. <http://tinyurl.com/j85chxg>

<sup>22</sup> HCJ 6320/13, The Association for Civil Rights in Israel vs. Israel Land Authority et al., response by responders 1-5 from 11.06.2014, article 19. <http://tinyurl.com/zrncldr>

<sup>23</sup> See supra note 22, article 22.

Karmit in the first stage of marketing plots, a cooperative association was established meaning that candidates had to be accepted as members of the cooperative association, "Karmit Settlers Cooperative Association for Communal Settlement Ltd" in order to participate in the lottery to receive plots. According to Karmit's website this association "was created in order to act as a municipal framework for the residents of Karmit until populating 500 plots in Karmit".<sup>24</sup> This means that although Karmit is designated for more than 2,500 housing units, the cooperative association still made use of the admissions committee law (that is limited for settlements up to 400 households), in order to operate an admission committee in the first three stages of marketing. As a result, 14% of the total planned plots of the new settlement were marketed to Jews.

The cooperative association for Karmit was registered in 2010 and its regulations were approved, in spite of the fact that some of its clauses are discriminatory. For example clause 4.1 stipulates that only a "Jew, Israeli citizen or a permanent resident keeping the values of Judaism" can become a member of the cooperative association. Clause 4.3 stipulates that a member of the association will complete army service or national service.<sup>25</sup> The result was that until September 2013,<sup>26</sup> when the regulations were amended, the same month that the 3rd stage of marketing the plots was completed, Bedouin residents of the Negev could not become members of the cooperative association nor purchase a plot in Karmit. It is worth noting that according to the Court ruling in the case of Afgin vs. Amnon Settlers, membership in the cooperative association should not be a condition for purchasing a plot,<sup>27</sup> but as already said, this condition was implemented in the first stages of marketing plots in Karmit.

The Association for Civil Rights (ACRI) in Israel pleaded to the High Court of Justice (HCJ) against the ILA and others. However, eventually the petition was withdrawn by ACRI since the State accepted most of the arguments and because the three stages of marketing were already completed. However, the judges in their ruling emphasized that "there should be no condition that a settler is obliged to be a member of the cooperative association".<sup>28</sup> In its reply to the plea the State argued that Karmit is a communal settlement even if it is planned for 2,500 housing units. It also argued that "Karmit is located in the Negev and is a cooperative association which was classified by the registrar as a cooperative association for communal settlement. Also, presently the number of households in Karmit does not exceed 400 [...]".<sup>29</sup> Thus, although the Cooperative Association Order states that only in settlements of up to 400 households admission committees can operate, in the case of

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<sup>24</sup> Karmit association website – invitation to participate in the lottery for plots. <http://tinyurl.com/jypqz6e>

<sup>25</sup> HCJ 6320/13 The Association for Civil Rights in Israel vs. Israel Land Authority et al., from the plea p. 6. <http://tinyurl.com/jp3qlxf>

<sup>26</sup> See supra note 22, article 70.

<sup>27</sup> EO 22222-07-10, Afgin vs. Amnon Settlers - a Communal Rural Settlement. Verdict from 24.10.11.

<sup>28</sup> HCJ 6320/13, The Association for Civil Rights in Israel vs. Israel Land Authority et al. Verdict from 18.06.2014. <http://tinyurl.com/zryae34>

<sup>29</sup> See supra note 22, article 50.

Karmit, a settlement that is planned for 2,500 households, an admission committee still prevented many citizens the chance to buy plots in Karmit.



Construction of Karmit's sewage system. Photo: Michal Rotem.

From the State's position, one can understand that in the future, in other planned settlements of over 400 housing units, the discriminatory practices of admission committees continue. We can assume that it can be applied in other new settlements. For instance, Hiran is a Jewish settlement planned for more than 2,000 housing units. It is planned to be built on the land where, at present, the Bedouin village of Umm al-Ḥīrān stands. Currently the works for Hiran are in progress and it appears that the Karmit precedent will work also here as an admission committee will operate for the first stages of marketing the settlement's plots. Thus, the Admission Committees Law, based on Karmit precedent, serves not only to ensure the Jewish identity of small settlements in the Negev but also functions to ensure that further, in large settlements, plots are mainly marketed to Jews.

## Summary: Towards change?

The housing segregation policy between Jews and Arabs began with the establishment of the State of Israel in 1948 and continues into the present. There is no doubt that this is an intentional policy being carried out by various state authorities. As presented in the report, the Economics Committee of the Knesset is responsible for the decision to establish segregated towns for Bedouins only, and since then, different state authorities defended in the High Court of Justice the right of the State not to lease plots to Jews in the Bedouin towns. The Knesset approved amendment no. 8 to the Admission Committee Law, which even before that, operated with no interference under the decisions of the ILA Council. In the precedent established by Karmit, a settlement for 2,500 household units, the State of Israel and its authorities defended in court the right to operate an admission committee.

Although one can argue that in separation all parties benefit, that each party will enjoy type of settlement fit for them, but this is, in fact, not the case. As mentioned in the introduction, while the Bedouin community amounts to 31.4% of the area's population, only 12.5% of the settlements in the Negev are designated for this community. The only solution the State is offering to its Bedouin citizens is to live in large, dense, urban settlements, in spite of the fact that many of its members are farmers who live in rural areas. This would not only sever Bedouin citizens from their land but also their livelihoods. On the contrary, the State offers the Jewish community various residential choices: urban, communal kibbutzim, cooperative settlements, as well as private ranches (a housing type we did not have time to detail in this report).

In the last couple of years a new trend can be seen in the Negev where Bedouin families move to the 11 Jewish local councils and towns in which admission committees do not operate. The shortage of land for building in the Bedouin towns, their population density, and the higher standards of infrastructure and services in the Jewish communities, are the main catalyst for Bedouin families to move to the Jewish settlements in the Negev. For example, Bedouin families from Ksifih and from other villages in its area moved to the Jewish town of Arad. Bedouin families with means moved to Omer, Meitar and Lehavim, and in December of last year, there were reports in the media about Bedouin families that purchased plots in the Jewish town of Ofakim.<sup>30</sup>

Although it is hard to say that the policy of residential segregation is slowly eroding, it seems that if the shortage of plots, lack of services and infrastructure in the Bedouin towns continue, more and more Bedouin families will move to the Jewish settlements in the Negev. Nevertheless,, in spite of the housing shortages plaguing the Bedouin community

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<sup>30</sup> Ynet, *Residents of Ofakim against Bedouins in their town: "they will build us a mosque"*, 20.12.2015.

<http://tinyurl.com/hrly2jm>

Walla!, *Bedouins purchased lands in Ofakim; the residents are enraged: "We don't want them here"*. 08.12.2015. <http://tinyurl.com/hors8cp>

and the difficulty in bringing Jews to live in the Negev, the State of Israel continues to plan small communal settlement for Jews. Recently, at the end of 2015, the government approved 5 new settlements<sup>31</sup>. Further, the plan called Mevo'ot Arad for 7 new settlements, only one of which is for the Bedouin community, still stands. The construction of Karmit continues into advanced stages and on the government's agenda are plans for even more settlements.

On the International Day for the Elimination of Racial Discrimination, it would be appropriate for the government of Israel and its various authorities to reconsider their long standing policy of segregation. This situation where the State bars Jewish and Arab citizens from choosing their place of residence in different settlements in the Negev exposes ongoing discrimination. Further, it reveals the State's anxiety about social relationships between Arabs and Jews and how policies further the spatial segregation of the two communities. Employing various legal and planning mechanisms, as presented in this report, the State of Israel is jeopardizing its citizens' right to freedom to choose place of residence and violates the UN Convention on the Elimination of All Forms of Racial Discrimination, a convention the State of Israel approved and ratified.

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<sup>31</sup> See supra note 6.

**פורום דו-קיום בנגב לשוויון אזרחי**  
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