



## Position Paper: The Time has Come for Israel to Recognize the Bedouin Villages of ‘Atir and Umm al-Hirān

The Bedouin villages of ‘Atir (عتير) and Umm al-Hirān (ام الحيران) are in immediate danger of destruction. The Government of Israel intends to evacuate them in order to establish a new Jewish town in their place and to expand the neighbouring Yatir Forest. For 60 years, the residents have lived in these villages with the permission of the state. However, over the last decade the Government has conducted a lengthy legal battle in order to evacuate these communities from their homes. Currently the legal processes are nearing a conclusion and this could spell the end for the existence of these historic villages.

**Historical background** | Following the establishment of the State of Israel in 1948, Arab citizens were placed under a military regime.

The Abu al-Qian tribe who today live in Umm al-Hirān and ‘Atir were ordered to move twice during this period of military rule. They were first relocated from their ancestral lands to a site nearby, and subsequently to their current location north-east of the Bedouin town of Hūrah. The villagers were specifically told by the military regime to settle in there and hold documents showing the area allocated to them for the purposes of residences, agriculture and pastoral land. Although settled in this place by the military regime, for 60 years the residents were denied government services or infrastructure; they were not connected to the national electricity grid nor to the water network, and they had to provide all their needs for themselves.



The ancestral lands of the Abu al-Qian tribe near Beit-Qama junction

**Expulsion and Demolition Orders** | At the beginning of the last decade the State distributed expulsion orders to both ‘Atir and Umm al-Hirān with the demand that the residents evacuate the lands on which they lived. The residents of Umm al-Hirān also received home demolition orders. At that point there began a lengthy legal battle, which is currently still in process, in an attempt to cancel the expulsion and demolition orders and to enable the two villages to remain in situ.

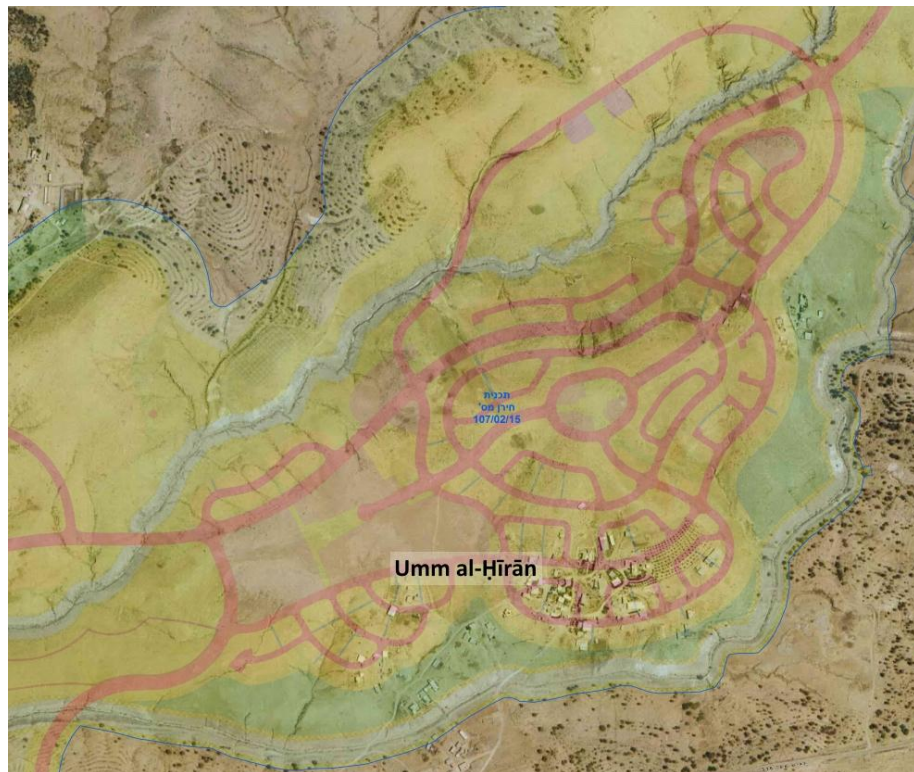
**The Withdrawn Recognition** | In July 2010 the Israeli Committee for Principle Planning Issues recommended to recognize the village of ‘Atir. However, following the intervention of a representative from the Prime Minister's Office the Committee met again in November of that year and rescinded the decision.



**The Supreme Court** | Following lengthy legal discussions regarding the expulsion orders against 'Atir and Umm al-Hirān, the Israeli Supreme Court determined that the orders were valid since they relate to State lands on which houses had been built without building permits. However, in some court proceedings the court recognized the fact that the villagers were residing in situ with the permission of the state, despite the state's denial of this fact. At the same time, the Supreme Court determined that the orders did not constitute a violation of the right to land since the villagers could move to the nearby Bedouin town of Hūrah (SC Ruling 3094/11).

**Planning Aspects** | The relevant Master Plans for the future of 'Atir and Umm al-Hirān are the District Master Plan – the Be'er Sheva Metropolitan Plan (23/14/4) and the Yatir Forest Plan (264/03/11). Government Decision 2265 (2002) was coordinated with the Regional Master Plan and according to this a new settlement to be called Hiran will be established in place of and in the environs of what is today the Bedouin village of Umm al-Hirān. According to the Yatir Forest Plan, the area of 'Atir is described as "a metropolitan recreational area and a proposed forest park". It is thus that the villagers' houses are slated for demolition to make way for the expansion of The Yatir Forest.

**"Hiran"** | In 2010 a "settlement group" (a group that was formed to establish a new settlement) had already moved into the Yatir Camp in the forest in preparation for the establishment of the aforementioned, Jewish town, Hiran. The group was formed in 2008 and comprises families from a religious order from the West Bank settlement of Eli. The group's intention is to establish a "faith community" and to "significantly contribute to the demographic balance as part of a Zionist settlement vision".<sup>i</sup> The settlement is to include 2300 one storey residences. Preparatory dirt works commenced in August 2015 in proximity to the existing homes of Umm al-Hirān.



The village of Umm al-Hirān and the Hiran outline plan  
(Courtesy of Bimkom – Planners for Planning Rights)

**Hūrah** | The Bedouin planned town of Hūrah is where the State is proposing to settle the residents of 'Atir and Umm al-Hirān, but it is unable to absorb them. According to the Hūrah Local Council, there are 500 young couples in the town waiting to acquire building plots, although none exists. Thus, it is impossible to bring people from the nearby villages into the town. Additionally, while work has begun on establishing Hiran, neighbourhood 12 in Hūrah, which is earmarked for the evicted residents, has not





been developed and according to the Local Council, it will not be ready for occupation in the foreseeable future.

### Suggested Alternatives

1. **Hiran should be established elsewhere and Umm al-Ḥirān allowed to remain in place.** The Negev comprises almost 2/3 of the territory of the State of Israel and is under-populated. There is no obstacle to the establishment of Hiran somewhere else and to allow Umm al-Ḥirān to remain in place.
2. **The Government should develop the Negev for the benefit of all its residents.** It should cease its discriminatory policy of encouraging the expansion of Jewish settlement in the Negev and concentrating the Bedouin residents in towns while demolishing their villages. There are many under-populated Jewish settlements in the Negev and the Israeli government is currently promoting several plans for establishing new Jewish settlements. At the same time throughout the Negev there are dozens of unrecognized Bedouin villages which the government plans to demolish.
3. In 2010, the United Nations Human Rights Committee stated that "In its planning efforts in the Negev area, the State party should respect the Bedouin population's right to their ancestral land and their traditional livelihood based on agriculture".<sup>ii</sup> By letting the villages remain in place, the state will allow their residents to practice their agricultural way of life. Forced relocation of the residents to Ḥūrah will constitute another step in the ongoing process of dispossession of the Bedouin community. Moreover, while Jewish residents of the Negev have a variety of settlement options including urban and rural settlements and even family farms, such possibilities do not exist for the Bedouin community, for which the only option is compelled urbanization.
4. **The government can permit the village to remain intact while establishing Hiran nearby or as part of Umm al-Ḥirān.** The residents of Umm al-Ḥirān suggest that their village become a part of Hiran, and that they be allowed to remain in their homes.



The village of ‘Atīr



5. **The government and planning authorities should choose uninhabited areas for afforestation projects.** Large tracts of the Negev have already been afforested while evermore areas are also earmarked for this purpose.
6. **The government of Israel should stop the afforestation of the Negev and think anew about its repercussions in light of current research findings.** Environmental organizations have warned of the ecological problems arising from the afforestation of desert areas.

### Residents' Position

The residents of ‘Atir and Umm al-Hirān do not want to renounce their agricultural lifestyle in favour of urban settlement and demand to remain in their villages. They suggest several alternatives to expulsion:

1. Recognition of the two villages as independent agricultural settlements in their present location.
2. The establishment of Hiran as part of a joint Jewish-Arab settlement.
3. Permitting the residents of ‘Atir and Umm al-Hirān to return to their original lands in the north-western Negev and to re-establish their villages there.

**Conclusion** | The state's decision to build a Jewish settlement and plant a forest on the ruins of Arab-Bedouin villages has far-reaching implications. Such a decision constitutes the preference of one community and its interests over and above another community by the state and its authorities. The demolition of ‘Atir and Umm al-Hirān is oppressive and racist; it will damage the social fabric of life in the Negev and deepen the rift between the Arab and Jewish populations. Master plans can be

altered, and it is essential that the State of Israel reverse its decision to expel the residents of these villages in order to replace them with a Jewish settlement and expand the forest in their stead. Development of the Negev that benefits all its residents without reference to their ethnic origin will contribute to the well-being of all concerned.



The village of Umm al-Hirān

<sup>i</sup> Ma'hshevenegev – Calculating the life in the Negev – Hiran: [tinyurl.com/pftuqby](https://tinyurl.com/pftuqby) [Hebrew]

<sup>ii</sup> Concluding observations of the Human Rights Committee, CCPR/C/ISR/CO/3, 3 September 2010 [Hebrew].