



**House Demolitions as a Central Tool for the Dispossession and  
Concentration of the Bedouin Population in the Negev/Naqab  
Updated Data for 2017**

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



## **Negev Coexistence Forum for Civil Equality**

In 1997, a group of concerned Arab and Jewish residents of the Negev/Naqab (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/Naqab. 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/Naqab. As a result, NCF has set as one of its goals the achievement of the fulfillment of equal civil rights for all people who make the Negev/Naqab their home.

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According to the law, the Negev Coexistence Forum is proud to note that as a result of cooperation with friendly countries and international organizations that promote human rights, most of the funding for our activities comes from "foreign political entities."

## **Contents**

<b>1. Introduction</b>	pp. 4–5
<b>2. The Policy of House Demolitions in the Bedouin Communities in the Negev/Naqab.</b>	pp. 6–13
2.1 Following the Kaminitz Committee: Tougher Administrative Enforcement Measures and Increased Economic Sanctions.	p. 7
2.2 Demolition of Structures in the Bedouin Communities in the Negev: Updated Data for 2017.	p. 11
<b>3. Bodies Involved in Structure Demolitions in the Bedouin Communities in the Negev/Naqab.</b>	pp. 14–22
3.1 The Authority for Development and Settlement of the Bedouin in the Negev.	p. 14
3.2 The Southern Administration for Coordinating the Enforcement of Land Laws.	p. 17
3.3 National Unit for Enforcing Planning and Construction Laws.	p. 18
3.4 The Division for Land Security in the Israel Land Authority (ILA)	p. 19
3.5 The Unit for Enforcement in Open Spaces ("Green Patrol").	p. 19
3.6 Yoav Unit (Israel Police, Southern District).	p. 21
<b>4. Types of Demolitions: "Initiated", "Self-Inflicted" and "In-Procedure".</b>	pp. 23–25
<b>5. The Policy of Structure Demolitions: Its Impact on the Bedouin Population in the Negev/Naqab.</b>	pp. 25–30
5.1 The Events of January 2017 in Umm al-Ḥīrān.	p. 28
<b>6. Summary.</b>	pp. 30–32

## **1. Introduction**

The right to adequate housing is a recognized basic right in the international law system, enshrined in a variety of treaties already signed by the State of Israel. The UN Committee on Economic, Social and Cultural Rights (CESCR) stresses that this is a right that should be interpreted broadly, so as to include the right to live in security, peace and dignity. According to the Committee, the right to adequate housing also includes protection from forced eviction and arbitrary demolition of houses, the right to choose where to live, and in order to define housing as appropriate, it must take into account the cultural identity of its residents.<sup>1</sup> The policy of demolishing structures in the Negev/Naqab systematically violates the Bedouin's right to adequate housing, even in its narrowest interpretation.

The Bedouin community in the Negev/Naqab comprises more than a quarter of a million citizens living in townships and villages recognized by the state, and in villages that the state refuses to recognize (hereinafter: unrecognized villages). The seven Bedouin townships in the Negev/Naqab, as well as the recognized villages, are all planned as crowded urban areas, completely ignoring the Bedouin lifestyle, based in part on agriculture. Today, more than 80,000 residents live in villages that the state refuses to recognize and plans to move from their homes into the recognized villages and the governmental townships.

The State of Israel implements its demolition policy in all Bedouin localities, recognized and unrecognized alike, and demolishes new structures alongside old ones, in order to force its Bedouin citizens to settle according to the government's aspirations and the various master-plans it created. In most cases, demolitions do not stand alone, but serve the various government authorities as a tool to exert pressure on its citizens to enter "negotiations" to move to the recognized townships and villages. It should be noted that the definition of such a process as negotiations is puzzling, since in the face of the threat of house demolition, the ordinary citizen has no bargaining power and is forced in effect to accept the result desired by the authorities. The house demolition policy is violent and

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<sup>1</sup> United Nations High Commissioner for Human Rights: The Right to Adequate Housing – Fact Paper No. 21, Amendment 1  
<https://tinyurl.com/bn2q735>

aggressive and undermines relations between the state and its Arab-Bedouin citizens. Moreover, the state does not offer alternative solutions to the approximately 80,000 citizens living in the unrecognized villages.

The increased enforcement of the demolition policy was further intensified in 2017, when two people were killed during an altercation with police, who came to demolish houses in the unrecognized village of Umm al-Ḥirān. The incident caused severe tension in the Negev/Naqab and escalated the relations between the Bedouin population, the police and state authorities.

The report presents updated data on the demolition policy among the Bedouin villages in the Negev/Naqab and the various trends in this policy that occurred in 2017. In addition, reference is made to the new regulations of the Planning and Construction Law and the Criminal Law, which were set in place following the Kaminitz Report and intended to toughen enforcement measures and intensify economic sanctions for building offenses. The report then goes on to describe the various enforcement authorities operating in the Negev/Naqab and the close relations between them and the development authorities. Finally, the report presents the link between the enforcement authorities' presence in the field and the various actions that led to the dramatic increase in the number of demolitions, mainly carried out by the structures owners themselves.

## **2. The Policy of House Demolitions in the Bedouin Communities in the Negev/Naqab**

The demolition policy is a central tool adopted by the State of Israel towards the Bedouin community in the Negev/Naqab, with the main goal being the forcible transfer of the Bedouin population from the unrecognized villages to the townships. For years, the Bedouin community has been suffering from a severe housing shortage without adequate response, with tens of thousands of people living in homes that have demolition orders, usually due to the inability to receive building permits. Members of the Bedouin community in the villages conduct a protracted struggle over their ownership of lands, which the state continues to deny.

Similar to previous years, in 2017, the State of Israel chose to continue to invest large budgets in enforcement and demolition,<sup>2</sup> which led to a huge increase in the number of structures that were demolished in the Arab-Bedouin communities in the Negev/Naqab. The annual activities report of the Southern Administration for Coordinating the Enforcement of Land Laws (hereinafter: the Southern Administration) for 2017 reveals the amount of structures demolished, the rate of demolitions each enforcement authority is responsible for, the percentage of demolitions carried out by the structures owners themselves, days of locating structures, days of demolitions, demolitions according to structure and details of the various enforcement processes in the Bedouin communities in the Negev/Naqab.<sup>3</sup>

The issue of ownership of lands repeatedly comes up in every report and study regarding the Bedouin population in the Negev/Naqab, and for a good reason. The state's persistent refusal to find a suitable and fair solution in cooperation with the Bedouin population perpetuates their situation and impedes the community's development in all aspects of life: employment, education, health, housing, etc. In the unrecognized villages there are hardly any infrastructure and government services. This is a deliberate policy towards the residents of the unrecognized villages aimed to make them relinquish their land ownership claims and move to crowded urban areas.

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<sup>2</sup> Government Decision No. 2397 of 12.02.2017, Program for Socio-Economic Development among the Bedouin Population in the Negev, Article 13-14.

<sup>3</sup> Ministry of Public Security, Southern Administration of Land Laws Enforcement: The Summary of the 2017 Work Year for the Coexistence Forum

This year, as well as in previous years, enforcement focused on three aspects: **increased enforcement** aimed at preventing construction and “fresh invasions”, which permits the enforcement authorities to use reasonable force to remove people who rebuilt their home or returned to the eviction area within 30 days of the “invasion”; **“regularization promoting enforcement”**, in which various enforcement measures are taken, including the threat of demolition orders, filing lawsuits and the demolition of houses of citizens who refuse to evacuate according to the demands of The Authority for Development and Settlement of the Bedouin in the Negev (hereinafter: the Authority for Development and Settlement) as a way to force them into negotiations; **“enforcement promoting regularization”**– a course of action that began in 2016, according to which the Southern Administration, in cooperation with the Authority for Development and Settlement, is working to find a particular solution for citizens in order to complete the “regularization process” without the need for enforcement.<sup>4</sup> This means that the Southern Administration, which is responsible for enforcement, is also involved in the “regularization procedure” and the negotiations aimed at finding settlement solutions.<sup>5</sup>

### **2.1 Following the Kaminitz Committee: Tougher Administrative Enforcement Measures and Increased Economic Sanctions**

On February 10, 2015, the Attorney General appointed a team to deal with “illegal” construction, headed by the Attorney General for Civil Affairs, Erez Kaminitz. The team was asked to present a situation report to the government and to provide the supervisory and enforcement bodies with various ways to deal with illegal construction.<sup>6</sup> Less than a year later, in January 2016, the team for dealing with the issue of illegal construction published its recommendations (hereinafter: The Kaminitz Report) and on June 19, 2016, the Government adopted Resolution 1559,<sup>7</sup> which accepted most of the Kaminitz Report’s recommendations.

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<sup>4</sup> Ministry of Public Security, Directorate of Land Laws Enforcement: The summary of 2016 work year for the Coexistence Forum.

<sup>5</sup> See note 3, p. 16–23.

<sup>6</sup> The National Unit for Enforcing Planning and Construction Laws, Report of the Team Dealing with Illegal Construction, 13.06.2017, <https://tinyurl.com/y7t59z25>

<sup>7</sup> Government Resolution No. 1559 of 19.06.2018, Strengthening the Enforcement of Planning and Construction Laws, <https://tinyurl.com/y9nffwcu>



Those recommendations were meant to bolster the enforcement mechanisms against violation of planning and construction laws. As part of this resolution, various levels of government and local authorities were instructed to act, inter alia, by means of legislative amendments, in order to strengthen the enforcement of planning and construction laws, and to “deal with violations and squatting on public lands”,<sup>8</sup> mainly in Arab localities. After several changes, the recommendations of the Kaminitz Committee became Amendment No. 116 to the Planning and Construction Law.<sup>9</sup>

Amendment No. 116 to the Planning and Construction Law,<sup>10</sup> which includes most of the government’s bill, was passed by the Knesset and came into effect on October 25, 2017. This amendment deals with intensifying the enforcement of planning and construction offenses and instructs to increase economic sanctions by imposing administrative fines, that is without the need to conduct a criminal proceeding. In addition, the amendment is intended to shorten the duration of the enforcement process by managing it mainly through administrative orders that do not require judicial review.<sup>11</sup> At the same time, the powers of the administrative enforcement authorities, headed by the National Unit for Enforcing the Planning and Construction Laws, were expanded, granting them extensive discretion. In addition, tougher penalties were proposed for planning and construction offenses, including raising fines and extending the periods of imprisonment. Further tightening of enforcement and punishment relates to the expansion of the circle of responsibility for planning and construction offenses to persons who may not have the ability to influence or prevent illegal construction, for example, drivers transporting materials destined for construction in the unrecognized villages. Seeing people who only desire to earn a living as accomplices to a crime is a significant aggravation, which is liable to lead to the incrimination of innocent people on a large scale.<sup>12</sup>

An administrative demolition order allows for a quick procedure and the demolition of

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<sup>8</sup> See note 7.

<sup>9</sup> Amendment No. 116 to the Planning and Construction Laws is a legislative adaptation of Amendment No. 109 to the Planning and Construction Laws. In March 2017, the bill was split in the Interior Committee, with Amendment No. 116 containing most of the sections of the original bill.

<sup>10</sup> Planning and Construction Laws (Amendment No. 116), – 2017 <https://tinyurl.com/y7evr4ow>

<sup>11</sup> The Association for Civil Rights in Israel, et al. The Kaminitz Law (Proposed Planning and Construction Law (Amendment 109), 2016: Position Paper (2017) <https://tinyurl.com/y88zumnu>

<sup>12</sup> See note 11.



structures within a short time after the order is issued. The order is considered cruel since it cannot be cancelled in court on the basis of social or economic considerations, or because of consideration of other factors relating to the situation of the individual or the community involved in the offense. In addition, as part of Amendment No. 116, the court's authority was limited to delay the execution of demolition orders for various procedural and material reasons,<sup>13</sup> and the period of the validity of the order was extended. In the past, the demolition order was limited to 30 days from the time it was issued. Following the recommendations of the Kaminitz Committee, the period of the validity of the demolition order was extended to 60 days.<sup>14</sup> However, Section 230 of the Planning and Construction Law states that "the execution of an administrative order does not exempt a person from criminal liability"<sup>15</sup> for planning and construction offenses. In other words, in addition to the administrative order and the demolition of the structure, anyone who violates the planning and construction laws is also subjected to criminal proceedings and prosecution.

A complementary step to amend the law was the adoption of regulations to toughen economic and administrative penalties. In June (2018), Justice Minister Ayelet Shaked approved administrative regulations determining the sum of administrative fines imposed for violations of the Planning and Construction Law. The decision to impose the fine is vested in an administrative body and does not involve the court. The sum of the fines set is unprecedented and draconian, and may amount to up to NIS 300,000.<sup>16</sup> The regulations will take effect by December 2018; they will also apply retroactively, but as a result of a transitional regulation, this will only happen from October 2019.<sup>17</sup> Amendment No. 116 to the Planning and Construction Law came into force only at the end of October 2017 and will not apply retroactively to existing construction on the ground. However, this amendment and others to the Penal Law are the result of a procedure that began before they came into effect and are additional and powerful tools in escalating the campaign the state wages

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<sup>13</sup> Bimkom. Administrative Demolition Order, 2018 <https://tinyurl.com/y7vsfzrd>

<sup>14</sup> See note 10, Article D: Administrative Enforcement.

<sup>15</sup> See note 10, section 230.

<sup>16</sup> Ministry of Justice, Administrative Offenses Regulations (Administrative Penalty – Planning and Construction), 2018, <https://tinyurl.com/yakjuhwb>

<sup>17</sup> Israel Hofsheet. A committee meeting of the 20th Knesset of 01/03/2017 The Planning and Construction Laws (Amendment No. 116), 2017 <https://tinyurl.com/y7hrs60>

against the Bedouin community in the Negev/Naqab.

The amendments have implications for enforcing the planning and construction laws throughout the country, but their far-reaching implications for Arab-Bedouin citizens in the Negev/Naqab should not be ignored, especially in light of the fact they were prescribed around the same time as government's decision no. 1559 to combat the issue of building without a permit in Arab society.<sup>18</sup>

The Arab communities in general and the Bedouin communities in the Negev/Naqab in particular, suffer from a housing shortage that is the result of decades of deliberate and discriminatory policies. By 2000, most of the Arab towns and villages had no planning and construction plans, and practically all of their construction was considered illegal. The planning and construction laws criminalize an entire population, since without master-plans, all construction is illegal. The intensification of enforcement and punishment for offences of the planning and construction laws without addressing the housing shortage and the needs of the Arab-Bedouin communities in the Negev/Naqab will not provide an appropriate solution. This is because this policy ignores the existing planning reality that does not allow the Bedouin residents of the Negev/Naqab to issue building permits and refuses to provide basic rights to the residents of the unrecognized villages in the area. This is a deliberate policy of shifting from criminal enforcement to economic enforcement, which is very powerful against the Bedouin community in the Negev/Naqab that is poor and located at the bottom of the socio-economic ladder in Israel and many of its members suffer from abject poverty. Therefore, it is reasonable to assume that many of the Bedouins will not be able to meet these fines, thus risking criminal proceedings.

Even today, the Bedouin population struggles to afford the legal protection of their rights in planning and construction. As part of restricting the courts' authority to intervene and limiting the grounds for cancelling administrative demolition orders, most members of the Bedouin community will refrain from applying to the courts in matters of planning and construction. This is especially true in light of the fact that the planning circumstances in

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<sup>18</sup> See note 11.

which construction without a permit was carried out do not constitute grounds for cancelling demolition orders.<sup>19</sup>

The severity of the enforcement trends is also evident from the fact that most Arab-Bedouin villages do not have a local planning and construction committee that reflects the interests of the community. Unlike the Jewish settlements, the leadership of the Bedouin communities has no authority to influence planning and construction matters within their own municipal area. In addition, the representation of the Bedouin communities in the District Committee, the District Planning Bureau, and at all levels of the national planning system is minimal, and their power in this system is very limited. The planning decisions regarding the locality they head are taken according to the interests of the state and without regard to the needs and wishes of the population; thus, the state can force the Bedouin population to move from the unrecognized villages into the recognized townships and villages.

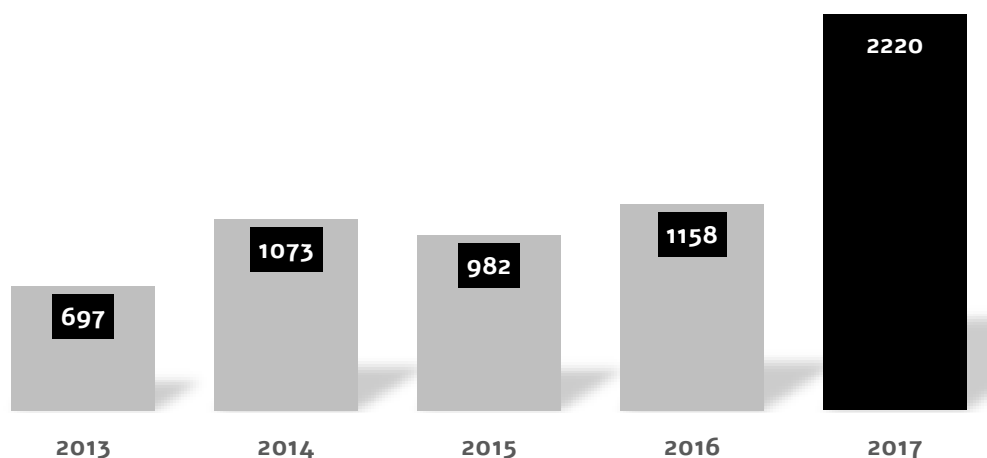
## **2.2 Demolition of Structures in the Bedouin Villages in the Negev/Naqab: Updated Data for 2017**

Numbers of demolitions in the Negev/Naqab are generally not released to the public voluntarily by the authorities. The data presented in this report are based on figures from the Southern Administration, which have been revealed over recent years by the Negev Coexistence Forum for Civil Equality through submission of requests under the Freedom of Information Law. The internal reports of the Southern Administration describe the number of structures demolished in the Negev/Naqab Bedouin villages, the days of activity of the enforcement agencies, the number of days of locating structures intended for demolition, demolition of structures carried out by the various enforcement authorities accompanied by the police, a list of structures that were demolished according to the type of building, type of demolitions, demolitions according to enforcement authority, and details of enforcement activities "to promote the regularization process of the Bedouin villages." It should be noted that the data appearing in this report refer to demolitions in the Bedouin communities only.

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<sup>19</sup> See note 11.

**Figure 1: Annual demolitions of structures in the Negev/Naqab, 2013–2017**



According to the data shown in Figure 1, between 2013 and 2014, the rate of demolitions increased by 54%, from 697 demolitions to 1,073 among the Bedouin villages in the Negev/Naqab. In 2015, there was a decrease of approximately 8.5% in the number of structures demolished, but in 2016 there was an increase of approximately 18% and the number of structures demolished reached 1,158. In 2017, 2,220 structures were demolished and the number of demolitions in the Bedouin villages in the Negev/Naqab reached a record high, with more than a 90% increase in the number of structures demolished as compared to 2016. About 37% of the demolished structures, 818 in total, were apparently used as dwellings.

**Figure 2: Structures' demolitions in the Negev/Naqab by type of structure. 2017**

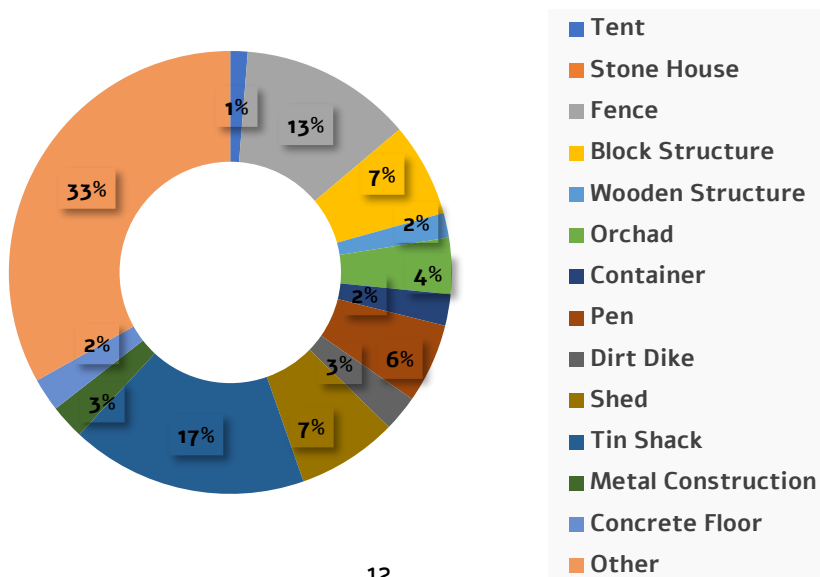


Figure 2 shows the structures demolished in the Bedouin communities during 2017, according to the type of structure. This data was published for the first time in 2016, and it reveals the broad definition given by the Israeli enforcement authorities to the term "structure". This list makes it possible to estimate the number of structures that were used for dwelling and demolished during 2017 (see Figure 3), along with an estimated number of structures that were used for agriculture and grazing purposes, such as pens and orchards. In addition, the chart allows to estimate the number of objects that were counted as "structures" but are not necessarily suitable for a narrow definition of a structure, such as dirt dikes, concrete floors, fences and "other". It is possible that the number of homes is even higher because 735 (about 33%) of the structures were merely classified as "other", without providing further details regarding their purpose.

**Figure 3: Houses demolitions in the Negev/Naqab by type of structure, 2017**

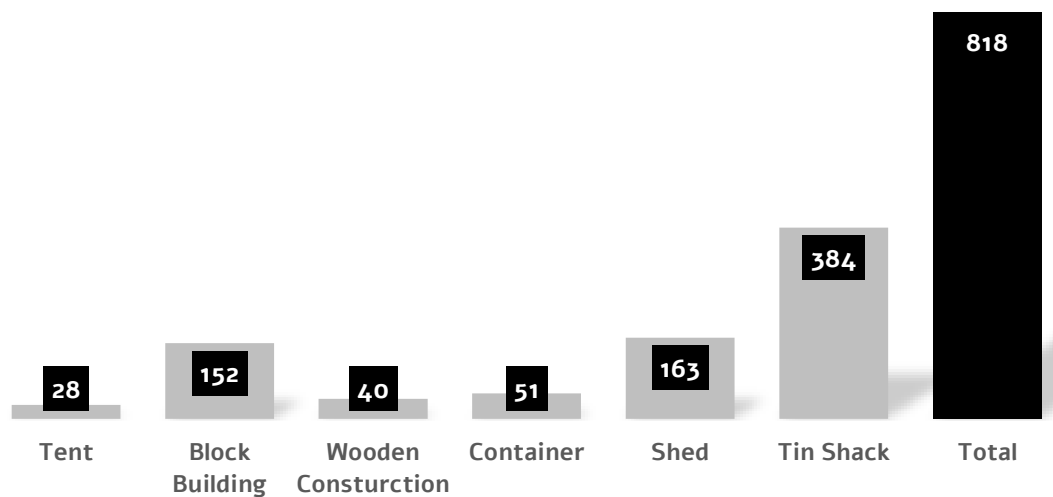


Figure 3 shows the estimated number of structures demolished in the Bedouin villages in the Negev/Naqab during 2017. Since the Southern Administration does not specify the number of structures used for dwelling purposes that were demolished, it is difficult to estimate the precise number, but it can be estimated according to the types of structures that were demolished and could have been used as dwellings. In 2017, 384 shacks, 163 sheds, 152 block structures, 51 containers, 40 wooden structures, and 28 tents were demolished. A total of 818 structures which are estimated as dwellings were demolished. They are about 36% of the total structures demolished in 2017.

### **3. Bodies Involved in Structure Demolitions in the Bedouin Communities in the Negev/Naqab**

There are several bodies involved in the demolition of structures in the Bedouin villages in the Negev/Naqab: enforcement agencies, coordinating bodies and auxiliary bodies – with the Authority for Development and Settlement orchestrating the activities of the bodies by formulating an annual plan and the implementation plan for the Southern Administration. The Southern Administration was established in 2012 to coordinate the demolition of structures in the Bedouin villages in the Negev/Naqab.<sup>20</sup> The three main enforcement authorities operating in the Negev/Naqab are: National Unit for Enforcing Planning and Construction Laws, the Division for Land Security of the Israel Land Authority (hereinafter: ILA), and the Unit for Enforcement in Open Spaces. These authorities operate in coordination with the Southern Administration, and in 2017 they were responsible for 98% of all demolitions, while local and regional authorities carried out 2% of the demolitions.<sup>21</sup>

During 2017, the various enforcement authorities issued approximately 991 demolition orders for execution, while 916 were actually executed, compared with 663 demolition orders that were actually executed in 2016. In 2017, 481 of the structures were demolished by the owners even before an order was issued.<sup>22</sup> These authorities are joined by the police and, in particular, Yoav Unit. This is the police unit that accompanies most of the teams carrying out hundreds of patrols for locating structures and demolitions a year.

#### **3.1 The Authority for Development and Settlement of Bedouin in the Negev**

The Authority for Development and Settlement of Bedouin in the Negev was established by virtue of Government Decision No. 1999,<sup>23</sup> in 2007. It is an independent support unit located in the Ministry of Agriculture and Rural Development and is responsible for development activities in the Bedouin communities in the Negev/Naqab.<sup>24</sup> Similar to previous years, this year, out of 16 officials in the Authority's administration, there is only

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<sup>20</sup> Ministry of Public Security, Southern Administration of Land Laws Enforcement, 2017 <https://tinyurl.com/y78be4fg>

<sup>21</sup> See note 3.

<sup>22</sup> See note 3, p. 12.

<sup>23</sup> Government Decision No. 1999 of 15.07.2009, Establishment of an Authority for the Regularization of Bedouin Settlement in the Negev, <https://tinyurl.com/y7g23qxl>

<sup>24</sup> The Authority for Development and Settlement of Bedouin in the Negev, Annual Report under the Freedom of Information Law, 1998 (2018) <https://tinyurl.com/y8cql27v>

one Bedouin employee who runs the Social and Community Department while all the other officials are Jewish.<sup>25</sup>

On the face of it, the Authority's functions are extensive: collecting information on the Bedouin population in the Negev/Naqab in regard to claims for ownership; "enforcement promoting regularization"; statutory planning in coordination with the Planning Administration; accompanying the population; coordination and synchronization between the various authorities and monitoring of implementation, and more.<sup>26</sup> The Authority for Development and Settlement is also responsible for monitoring the implementation of the Five-Year Plan for economic and social development. This plan is a continuation of the previous Five-Year Plan (2012–2016)<sup>27</sup> and includes an investment of approximately NIS 3 billion in strengthening local authorities, investing in education and social services, promoting employment and developing public infrastructure among Bedouin villages in the Negev/Naqab.<sup>28</sup> On the face of it, this is a huge investment for the residents, but an integral part of the plan is the development of lots for construction, intended to receive many residents from the unrecognized villages in the Negev/Naqab.

In the sections devoted specifically to the issue of enforcement among the Bedouin population in the Negev/Naqab (13–14), it was determined that the "enforcement and protection" activities regarding lands would focus on preventing repeated "invasions" into lands that had already been evacuated, "regularization" of the population concentrations in the unrecognized villages, enhanced enforcements of "new invasions" and more.<sup>29</sup> Viewing the Bedouins in the Negev/Naqab as invaders of state lands, in practice, leads to the criminalization of an entire population whose only crime was to protect its lands, which have been, for the most part, in its possession even before the establishment of the State of Israel.

Although the Authority for Development and Settlement is trying to present itself as acting

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<sup>25</sup> See note 24, p. 2.

<sup>26</sup> Ministry of Agriculture and Rural Development, The Authority for Development and Settlement of Bedouin in the Negev (no date) <https://tinyurl.com/uceqpcsd>

<sup>27</sup> Government Decision No. 3708 of 11.09.2011, a plan to promote the economic growth and development of the Bedouin population.

<sup>28</sup> See note 2.

<sup>29</sup> See note 2, section 13–14.



for the Bedouin community in the Negev/Naqab, actual evidence tells a different story. The annual reports of the Authority for Development and Settlement (for the years 2016–2017) show that there is a great deal of investment in the "regularization process". In the 2017 budget, NIS 20 million was invested in planning and construction, compared to NIS 26 million invested in the "regularization process".<sup>30</sup>

The Southern Administration and other enforcement authorities are also in close contact with the Authority for Development and Settlement regarding "enforcement promoting regularization" and "regularization promoting enforcement."<sup>31</sup> One of the items appearing in the Southern Administration's annual report is as follows: "Together with the Bedouin Authority [the Authority for Development and Settlement], the Administration operates to bring about regularization promoting enforcement, according to the priorities set by the Bedouin Authority, in accordance with the Five-Year Plan formulated in a joint discussion at the beginning of the working year." In addition, it states: "In the discussion, issues to deal with were set ... in which the Bedouins Authority has an urgent interest in advancing regularization processes ... and they encounter refusal or non-compliance with the agreements reached in the course of the ongoing negotiations."<sup>32</sup> Thus, through a government program that is presented as working to strengthen the Bedouin authorities in the Negev/Naqab and the social and economic development of the population, the government is acting to move entire communities against their will and to expand the governmental townships. This is a particularly threatening mechanism when operated by a large number of government authorities.

Listening to some of the statements made by Yair Ma'ayan, director general of the Authority for Development and Settlement, it seems that the interests promoted by the Authority are not in line with the interests of the community it is supposed to serve. In a filmed interview with Hassan Abu Ziyad, Ma'ayan denies the fact that the Authority for

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<sup>30</sup> The Authority for Development and Settlement of Bedouin in the Negev, Annual Report under the Freedom of Information Law, 1998–2016 (2017), [www.tinyurl.com/u8cql27v](http://www.tinyurl.com/u8cql27v); The Authority for Development and Settlement of Bedouin in the Negev, Annual Report under the Freedom of Information Law, 1998–2017 (2018) <https://tinyurl.com/udan6x4b>

<sup>31</sup> See note 3, p. 1.

<sup>32</sup> See note 3, section 38 (p. 28).

Development and Settlement handles enforcement,<sup>33</sup> although the matter is clearly mentioned in the reports of the authority he manages and in the reports of the Southern Administration, with which he works regularly. With the help of legal bodies working in cooperation with the legal department of the Authority for Development and Settlement, enforcement authorities act against Bedouin residents who refuse to "agreements"<sup>34</sup> which are imposed on them. Thus, the authorities are exerting pressures intended to impose agreements on the residents of the unrecognized villages and to transfer them to the governmental townships and recognized villages, while relinquishing their ownership claims of the land and their traditional way of life.

The members of the Bedouin community in the Negev/Naqab are subjected to a separate system of development in the Authority for Development and Settlement, and to a separate enforcement system under the auspices of the Southern Administration. In practice, although these are ostensibly two separate areas, development and law enforcement, for the Bedouin community in the Negev/Naqab there is no such separation. While the policy of house demolitions is often presented as used only for the purpose of enforcing the planning and construction laws, it is actually used to reorganize and redesign the space in the Southern Region of Israel in accordance with the aspirations of the state. In other words, laws designed to regulate planning and construction in Israel become tools for exerting pressure on citizens to enter "regularization" procedures, which result in the dispossession of Bedouins from their lands and a forced transfer from the unrecognized villages into the governmental townships.

### **3.2 The Southern Administration for Coordinating the Enforcement of Land Laws**

The Southern Administration is subordinate to the Ministry of Public Security and serves as the central body for coordinating the demolitions between the various enforcement authorities, the Authority for Development and Settlement and the Police. The Southern Administration was established by virtue of Government Decision No. 3707 of 2011, in which the Praver Plan was approved, with the goal of "regularizing Bedouin villages in the

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<sup>33</sup> Hassan Abu Ziyad. Interview with Yair Ma'ayan – Director General, The Authority for development and Settlement of the Bedouin [photographed interview], YouTube (2017) <https://tinyurl.com/yb4efm27>

<sup>34</sup> See note 3, section 40 (p. 28).

Negev.”<sup>35</sup> Despite the suspension of this plan already in December 2013,<sup>36</sup> the Southern Administration continues to set goals and to make plans for demolitions and evacuation of structures.

The Southern Administration operates through weekly meetings of a permanent forum, composed of representatives from the enforcement authorities handling the demolition of structures among the Bedouin population in the Negev/Naqab alone. The Southern Administration coordinates the authorities in regard to days of locating the structures intended for demolition, days of demolition of structures and destruction of crops. In 2017, the Southern Administration used flights in the skies of the Negev/Naqab in order to optimize, in its view, its policy of demolition. Under the coordination of the Southern Administration, the following authorities operate: National Unit for Enforcing Planning and Construction Laws; Division for Land Security in the ILA; The Unit for Enforcement in Open Spaces (also called the “Green Patrol”), and a number of local planning and construction committees. In addition, the Southern Administration works in full cooperation with the Authority for Development and Settlement,<sup>37</sup> which has no direct mandate to demolish structures.

In 2017 as well as in the previous years, the “Weekly Enforcement Forum” continued to take place. The enforcement authorities in the Negev/Naqab participate in this forum, where the weekly enforcement plans are determined based on the annual work plan.

### **3.3 National Unit for Enforcing Planning and Construction Laws**

The National Unit for Enforcing Planning and Construction Laws of the Ministry of Finance operates in six districts as well as in the areas of the West Bank, based on the Planning and Construction Law, which enables the issuance of administrative and judicial demolition orders against structures built without a permit. The chairman of the district committee responsible for the planning in the district is authorized to sign administrative demolition orders for structures in the local and regional planning areas.<sup>38</sup> These orders are used

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<sup>35</sup> Government Decision No. 3707 of 11.09.2011, Regulation of Bedouin villages in the Negev <http://tinyurl.com/hssczb>

<sup>36</sup> Government Decision No. 3707 of 11.09.2011, Regulation of Bedouin villages in the Negev <http://tinyurl.com/hssczb>

<sup>37</sup> See note 3.

<sup>38</sup> See note 10, section 238A (b1). <http://tinyurl.com/hhnbmw3>

extensively by the inspectors of the National Unit for Enforcing Planning and Construction Laws, despite the fact that enforcement of planning and construction laws in the district is the responsibility of the local committee.<sup>39</sup> The National Unit for Enforcing Planning and Construction Laws also uses judicial demolition orders, but the frequency of these has decreased considerably in recent years.

### **3.4 The Division for Land Security in the Israel Land Authority (ILA)**

The ILA administers the lands of the State and the lands of the Jewish National Fund (Keren Kayemeth Le'Israel) under the law, and is headed by the Israel Land Council, which determines the land policy in Israel.<sup>40</sup> Within the ILA, operates the **Division for Land Security** and its function is "to protect the assets under the management of the Israel Lands Authority by, among other things, managing the lands on the ground, marking and seizing possession in the territories of the Authority".<sup>41</sup> The Division for Land Security operates through the Land Laws, which allow the use of reasonable force to evict a person who seized land within 30 days of the seizure without the need for an order;<sup>42</sup> the Public Lands Law, which authorizes filing of eviction and dispossession orders against those who make use of public lands managed by the Authority;<sup>43</sup> and filing claims for eviction and dispossession to the courts, claims that are subsequently transferred to the execution office. The Division for Land Security operates in four areas: Central, Jerusalem, North and South, and in each of the areas there are inspectors from the Authority.

### **3.5 The Unit for Enforcement in Open Spaces ("Green Patrol")**

The Unit for Enforcement in Open Spaces, established in 1976 and also known as "Green Patrol", is a support unit under the authority of the Nature and Parks Authority of the Ministry of Environmental Protection and operates concurrently through a committee of directors-general of institutions on behalf of which it operates. Therefore, the activities of the Unit are financed by the entities on whose behalf it operates, among them: the IDF, the JNF, the ILA, the Ministry of Agriculture, the Jewish Agency, Mekorot (The National

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<sup>39</sup> Guidelines of the Attorney General. Directive No. 8.1101: Employing the State's Enforcement Authority for Planning and Construction Offenses in Local Planning Areas. April 2013, p. 1 <http://tinyurl.com/jfae3kc>

<sup>40</sup> Israel Lands Authority, about, no date <https://tinyurl.com/ybu7armx>

<sup>41</sup> Israel Lands Authority, Division for Land Security, no date <https://tinyurl.com/yadddazu>

<sup>42</sup> The Land Law, 1969, section 18 (b) <http://tinyurl.com/zrrgeh6>

<sup>43</sup> Public Lands Law (Land Evacuation), 1981. <http://tinyurl.com/huw8onn>

Water Company) and others. The Unit is professionally subordinated to the body on whose behalf it is operating.<sup>44</sup>

The Unit for Enforcement in Open Spaces operates throughout Israel according to districts and its supervisors are engaged in detecting various uses of the land and gathering intelligence on those who use it. After collecting the information, inspectors turn to the various authorities in order to check whether this is done with a permit. If there is no authorization to use the land, inspectors work to open a case file and submit eviction orders together with the authorities, and to evacuate the land.<sup>45</sup> In 2017, the Green Patrol was reinforced with additional inspectors, which had a significant impact on the annual amount of demolitions.<sup>46</sup>

**Figure 4: The demolition rate in the Negev/Naqab by enforcement authority, 2017**

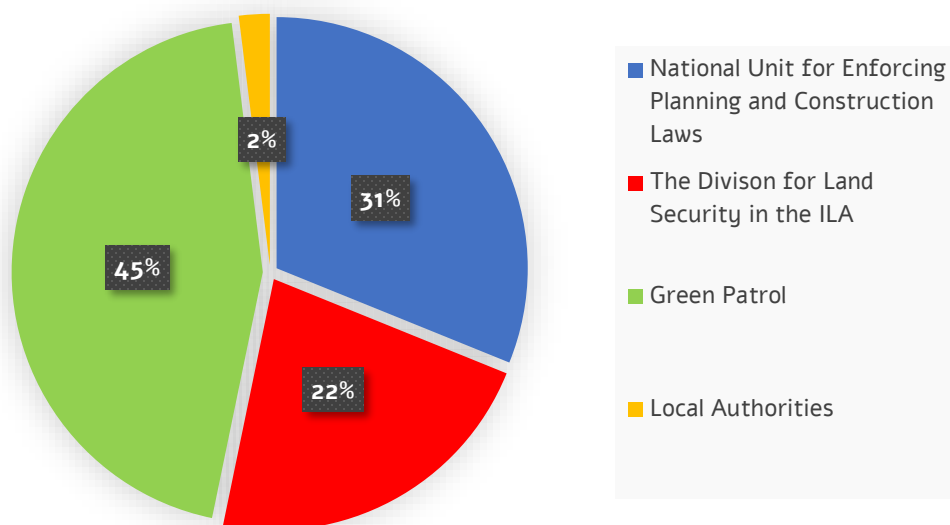


Figure 4 describes the relative share of the various enforcement agencies in the demolition of structures among Bedouin villages in the Negev/Naqab for 2017. The National Unit for Enforcing Planning and Construction Laws is responsible for 691 demolitions, which are about 31% of all demolitions in the Negev/Naqab Bedouin villages; The Division for Land Security in the ILA carried out 491 demolitions in 2017, 22% of the total number of demolitions; and the Unit for Enforcement in Open Spaces, i.e., "Green Patrol", carried out

<sup>44</sup> Knesset Research and Information Center. Background document on invasion of land and structures, chapter 2.2, <http://tinyurl.com/zav7quw>

<sup>45</sup> Altman, Gilad. Karka, Journal of the Institute for Economic Policy and Land Use Policy of the JNF, No. 57 (January 2004) <http://tinyurl.com/zozry6f>

<sup>46</sup> See note 3, p.1.

994 demolitions, which amount to almost half of the total number of demolitions carried out in 2017 in the Negev/Naqab, following an increase in the number of its inspectors in 2017. The local authorities carried out 44 demolitions, less than 2% of total demolitions among the Bedouin population in the Negev/Naqab.

### **3.6 Yoav Unit (Israel Police, Southern District)**

The Yoav Unit is a special patrol unit of the police established in 2012 as part of the government's decision to approve the Praver Plan,<sup>47</sup> with the purpose of assisting the plan's implementation. Despite the freeze on the Praver Plan, the Yoav Unit continues to operate. The unit is subordinate to the commander of the Southern District of the Israel Police and its stated purpose is to "assist the law enforcement agencies in the issue of lands in the Negev."<sup>48</sup> Its functions are as follows:

1. Intelligence and crime detection: intelligence gathering and crime detection in the areas of responsibility, composition of an intelligence map, preparation of intelligence reviews, concentration and processing of materials collected from the field.
2. Investigation and issuance of orders: assistance in the investigation of criminal offenses regarding land laws.
3. Enforcement, deterrence and prevention: assistance to government agencies in enforcement against new construction, conducting field patrols and issuing orders, and handling offenses related to enforcement.

The Southern Administration works in full cooperation with the Israel Police and mainly with the Yoav Unit, which is responsible for escorting inspectors and demolition forces. The Southern Administration's work plan details how much the availability of the Yoav unit enables "a level of routine care and operational flexibility."<sup>49</sup> The area of work of the Yoav Unit is mainly the Bedouin villages in the Negev/Naqab. As of 2018, there are 192 police officers serving in the Yoav Unit and its budget is NIS 96 million. The unit also holds 44 vehicles, with an additional budget of NIS 6 million.

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<sup>47</sup> See note 39.

<sup>48</sup> Response to Freedom of Information Request from the Ministry of Public Security, November 17, 2015.

<sup>49</sup> See note 3, p.1.

Unfortunately, information about the Yoav Unit is almost unavailable. In response to a direct query to the Minister of Public Security Gilad Erdan, Minister Erdan refrained from answering most of the secondary questions<sup>50</sup> and it seems that the rest of the information is not transparent or available to the public. The Yoav fighters have a tremendous deterrent force, which apparently led to a significant increase in the number of demolitions of structures carried out by their owners in 2017. Moreover, in the same year, Yoav's investigations unit began opening investigation files for the structures owners. In addition to every complaint registered by the inspectors of the various authorities, in each case a criminal investigation file was also opened.<sup>51</sup>

It should be noted that the establishment of a special unit to deal with civil issues presents the Bedouin minority in the Negev/Naqab as a demographic problem and a security risk, but it comes as no surprise giving the statements made by public figures about the Bedouin population. Thus, for example, the Minister of Construction, Yoav Galant, recently called the building in the unrecognized villages "terrorism" or "Islamist expansion" from Hebron to Gaza.<sup>52</sup> This attitude, which is frequently expressed by senior government officials, increases the already existing sense of alienation among the community due to the neglect of the Bedouin communities in the Negev/Naqab, the policy of house demolitions, and the dispossession of the population from its lands.



The Yoav forces outside the unrecognized village, Umm al-Ḥīrān. Photo: A'aisha Abu al-Qian, July 2017.

<sup>50</sup> Response by the Minister of Public Security to a query submitted by MK Tamar Zandberg on behalf of the Negev Coexistence Forum, June 18, 2018.

<sup>51</sup> See note 3, p.30.

<sup>52</sup> Nardi, Guy. "Minister Galant decided to wage an open war on the Bedouin dispersion," Globes (June 4, 2018) <https://tinyurl.com/u8okhpuc>

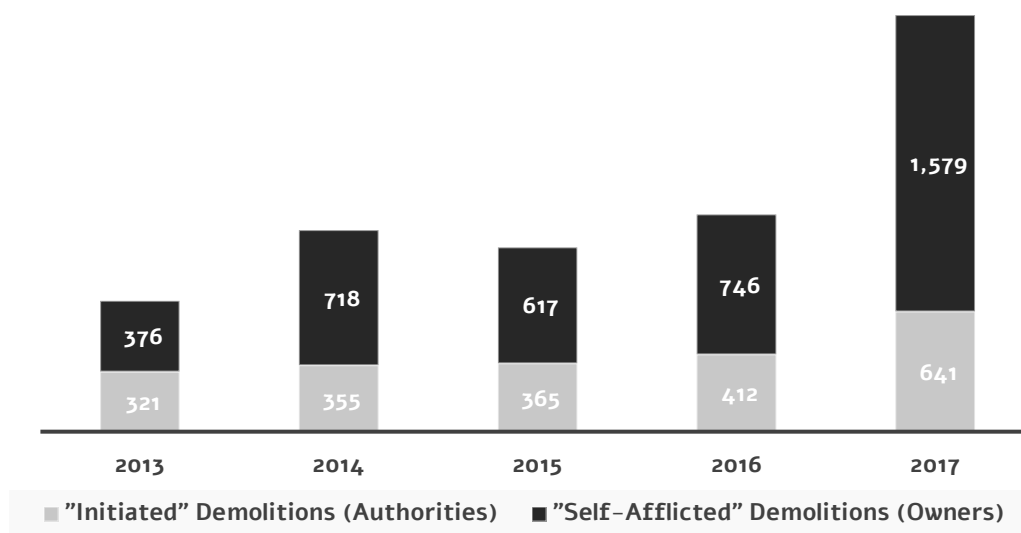


#### 4. Types of Demolitions: "Initiated", "Self-Afflicted" and "In-Procedure"

Demolitions in the Bedouin villages in the Negev/Naqab are classified by the authorities as "initiated", "self-afflicted" and "in-procedure." The source of the distinction between the types of demolitions is the body carrying out the demolition and its legal validity.

Demolitions carried out by the authorities are called **"initiated"** demolitions, performed during concentrated days of demolition, in which inspectors from the various authorities, accompanied by large forces from the Yoav Unit and bulldozers, enter villages in order to demolish structures. Demolitions carried out by the building owners are called **"self-afflicted"**. They are carried out for a variety of reasons: the desire to avoid the trauma of the arrival of large police forces without prior warning;<sup>53</sup> the criminal sanctions that may be imposed on the owners of the structures; the possibility of saving personal equipment and building materials in controlled demolition; threats by the authorities to sue the owners for the costs of the demolition, and more. This type of demolitions is more common in recent years and has quadrupled in a period of just four years: from 376 demolitions in 2013 to 1,579 in 2017.<sup>54</sup>

**Figure 5: "Initiated" demolitions vs. "Self-Afflicted" demolitions in the Negev/Naqab, 2017**

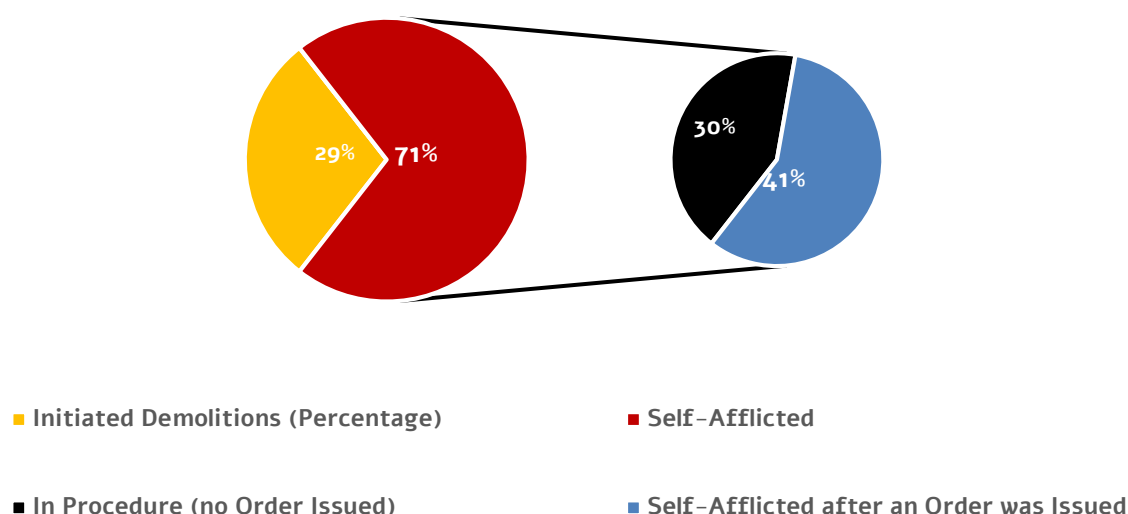


<sup>53</sup> Israel Police, Southern District. Training of Yoav's fighters of the Southern District, 2017 <https://tinyurl.com/y89vmmom>

<sup>54</sup> See note 3, p. 8.

Since 2013 there has been a significant increase in the total number of demolitions. In the span of just five years, the demolition number tripled, from 697 demolitions in 2013 to 2,220 demolitions in 2017. The number of "self-afflicted" demolitions (by the owners) quadrupled, from 376 "self-afflicted" demolitions in 2013 to 1,579 demolitions in 2017. Except for 2014, there was a steady increase throughout this period. The number of demolitions carried out by government agencies ("Initiated" demolitions), did rise from 321 in 2013 to 641 in 2017, almost twofold, but at significantly lower rates than the increase in the total number of demolitions, and especially in comparison to the number of structures demolished by their owners ("self-afflicted"). The data indicate a hardening of the authorities' stance and an increase in the pressure aimed to achieve the forced transfer of Bedouin citizens from the unrecognized villages to the recognized townships and villages, through a constant presence of law enforcement units, demolitions and patrols. According to the Southern Administration's figures, "self-afflicted" demolitions include structures that were demolished **"in-procedure"**, i.e., demolitions carried out by the owners prior to receiving any order. These demolitions amount to approximately 30% of the total "self-afflicted"<sup>55</sup> demolitions.

**Figure 6: The rate of "Self-Afflicted", "Initiated" and "In-Procedure" demolitions in the Negev/Naqab, 2017**



<sup>55</sup> See note 3, p. 8.

In 2017, approximately 71% of the total demolitions were self-afflicted, and 29% of the structures were demolished by the authorities ("initiated" demolitions). Of the "self-afflicted" demolitions, about 30% were "in procedure", i.e., before any order was issued and submitted for execution by the Southern Administration. The percentage of demolitions carried out without an order is approximately 21% of all demolitions in the Bedouin communities in the Negev/Naqab.

The "self-afflicted" demolitions, especially those made "in-procedure", are considered by the Southern Administration to be successful in implementing the government's policy of demolitions, aimed at dispossessing the Bedouins of their lands in the Negev/Naqab. The Southern Administration's annual report states: "This year, self-afflicted demolitions have continued as before and even increased in numbers, in comparison to initiated demolitions... This is the result of a thorough fieldwork ... [originally blackened] as part of the enforcement process. The data indicate that the deterrent dimension continues to exist, i.e., self-afflicted demolitions are preferred, in order to prevent the arrival of inspectors with a police force."<sup>56</sup>

#### **5. The Policy of Structure Demolitions: Its Impact on the Bedouin Population in the Negev/Naqab**

The various enforcement authorities hold an average of about four days of activities a week in the Bedouin villages in the Negev/Naqab. Usually, there is a long convoy of inspectors' vehicles from the National Unit for Enforcing Planning and Construction Laws, the Division for Land Security in the ILA, the "Green Patrol" and patrol cars of the Yoav Unit and the regular police force ("the blue police"). This entire forceful array is meant to demolish structures and deter residents of the villages from building, expanding or renovating their homes. This fact has enormous socio-psychological effects on the Bedouin community in the Negev/Naqab.

Studies examining the impact of home demolitions on the mental health of adults and children, both as individuals and as a community, confirm that people who witness

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<sup>56</sup> See note 3, section 10 (p. 30).

demolitions or are under the threat of one exhibit high levels of anxiety, depression, and paranoid symptoms.<sup>57</sup> The process of handing over the demolition orders evokes enormous feelings of anger, frustration and alienation, since demolition days entail the arrival of inspectors from the various authorities accompanied by large numbers of armed policemen from the Yoav Unit and bulldozers. At times, the forces are accompanied by horses, dogs and various aircrafts, such as drones. The demolitions themselves are carried out violently and with heavy tools, and residents report feelings of humiliation, trauma of physical displacement from their home, and confusion about their future. In addition to the trauma and fear from demolitions, the Bedouins in the Negev/Naqab face repeated threats of fines and harassments by the inspectors, which can often lead the owners to demolish the structures themselves.



House demolitions in the unrecognized village, Umm al-Ḥīrān. Photography: Rada (Kifah) Abu al-Qi'an, 2017

Arab society as a whole, and in particular the Bedouin society in the Negev/Naqab, attach great importance to their home, that is much more than merely a physical shelter. It symbolizes the tribal and family territory and the need to protect the existence of Bedouin society through the land. The home is part of the cultural and social values that underlie the Arab-Bedouin society. Many Bedouins view the home as a source of personal and social

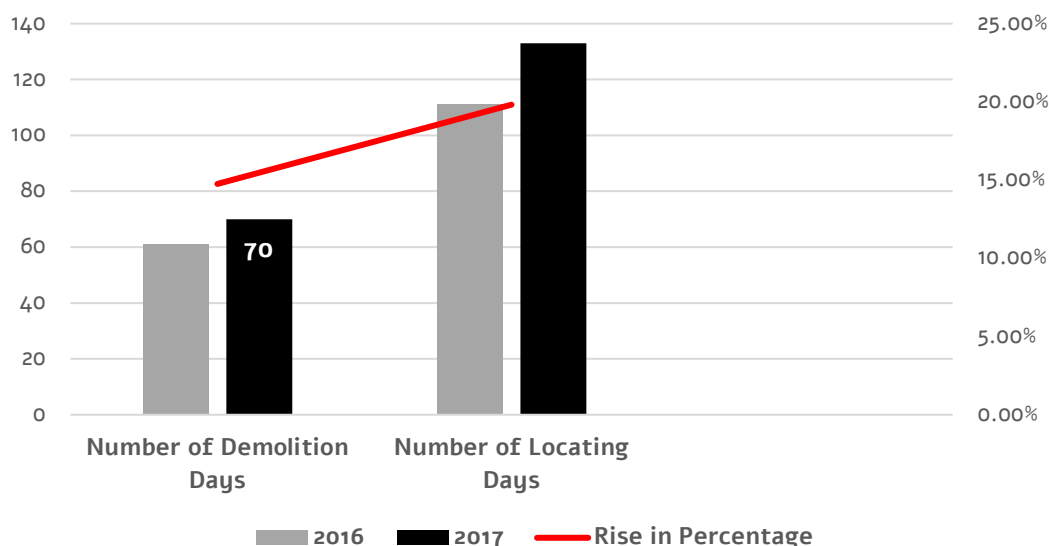
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<sup>57</sup> Nihaya Daoud and Yousef Jabareen, 'Depressive symptoms among Arab Bedouin women whose house are under threat of demolition in the southern Israel: a right to housing issue', *Health and Human Rights Journal*, 16, n.1. (2014), pp. 179-191.

identity, strength and security. Home demolitions deprive the Bedouin citizens of the Negev/Naqab of the right to live in dignity, peace and security, and harm the delicate fabric of society and the tribal nucleus. The demolitions also have historical and political significance, since the Bedouins in the Negev/Naqab undergo a process of forced separation from the traditional culture that emphasizes the connection to the land.<sup>58</sup>

The policy of house demolitions is added by the fact that most of the residents of the unrecognized villages receive very little services from the state and in most cases do not receive any services at all. This is also true for the residents of the 11 villages recognized by the state 15 years ago, whose residents are not entitled to building permits, their homes are not connected to electricity or to water and sewerage infrastructure, and there are no roads leading to or from the villages. Despite the deliberate denial of services, the government of Israel continues to implement the policy of demolitions against Bedouin citizens in the Negev/Naqab. The policy of house demolitions and neglecting infrastructure in the Negev/Naqab Bedouin villages deepens the alienation between the Bedouin citizens and the state, which instead of defending their rights, acts directly and destructively to violate them.

**Figure 7: Number of days of activity of all enforcement agencies, 2016– 2017**



<sup>58</sup> Khaled al-Sayyid, "Emotional Responses to Stress and Coping Resources among Bedouin Adolescents from Permanent Settlements and Unrecognized Villages in the Aftermath of House Demolitions" (unpublished study to partially fulfill the requirements for a doctorate degree, submitted to Ben-Gurion University of the Negev, 2015).

According to the data presented in Figure 7, in 2017, 70 days of demolitions were carried out by all enforcement authorities, compared to 2016, in which 61 days of demolitions were carried out in the Bedouin communities in the Negev/Naqab. This is a 15% increase in the number of demolition days in one year only. In 2017, there were also 133 days of locating – patrols in which the inspectors try to identify new constructions or "invasions" into lands. Here, there is an increase of 20% compared to 2016, in which 111 of locating days were carried out. In 2017, there was an increase of about 20% in the "realization" of the number of locating days compared to 2016. The Southern Administration refers to the cancellation of days of activity as "lost days".<sup>59</sup> However, the 2017 activity report of the Southern Administration shows that the enforcement authorities actually turned the cancelled demolition days, mainly due to self-afflicted demolitions, into days of locating, resulting in an increase of about 20% in the number of locating days in 2017, compared to 2016.

#### **5.1 The Events of January 2017 in Umm al-Hīrān.**

In 2017, there was an escalation in the policy of violent house demolitions. On the morning of January 18, hundreds of policemen armed with live ammunition entered the unrecognized village of Umm al-Hīrān in order to demolish six structures. During the raid on the village, a resident of the village, Ya'aqub Abu al-Qian, was killed from gunfire of the various police forces that numbered hundreds of policemen and were active in the village that morning. Ya'aqub collected his belongings from his house and drove away from the place, as he did not wish to witness the demolition of his own house. Policemen who asked him to stop fired at him several times. Ya'aqub was shot and lost control of the vehicle, which then descended down the hill running over and killing Officer Erez Levy on the spot. Few hours after the incident, and even before an investigation began, the Minister of Public Security, Gilad Erdan, and Police Commissioner, Roni Alsheikh, accused Ya'aqub Abu al-Qian of being a terrorist and even linked him to the terrorist organization ISIS. Police Internal Investigations Department (Machash) and the Shin Bet opened an investigation into the findings of that night, but the Shin Bet did not find any evidence of a terrorist attack as claimed by the police and the Minister of Public Security. At the end of 2017, the Shin Bet forwarded its

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<sup>59</sup> See note 3, section 4 (p. 29).

findings to the State Attorney, Shai Nitzan, who decided in April 2018 to close the file claiming "it is impossible to decide whether this was a terrorist attack",<sup>60</sup> and this while not clearing Ya'aqub Abu al-Qian of the allegations directed against him.

A Haaretz article revealed that a secret report by a Shin Bet officer investigating the events of January 2017 in Umm al-Ḥīrān., based on evidence collected in the field, concluded that the police failed in its conduct. It also determined that Ya'aqub Abu al-Qian did not deliberately run over the policeman, but rather lost control of his car due to the improper actions taken by the police officers who shot at him, despite him driving at a speed of only 10 kilometers per hour. This report was handed over to the Justice Ministry but the State Prosecutor, Shai Nitzan, did not mention any of its findings in his last statement, claiming the evidence is inconclusive. The head of the Police Internal Investigations Department in the Justice Ministry, Uri Carmel, and his deputy, Shlomo Lemberger, objected to Nitzan's conclusions.<sup>61</sup>

Moreover, it turned out that after Abu al-Qian was injured by the police, he was left to bleed without any medical treatment. A police doctor who was present at the scene, claimed in her testimony that she did not see Abu al-Qian's injured body before his death and that is the reason why she did not help him. This stands in contrast to other testimonies from witnesses in the scene claiming that the doctor deliberately ignored his need for medical treatment. However, the Police Internal Investigations Department of the Ministry of Justice and the State Attorney's Office did not question her testimony, despite the fact that Ya'aqub bled to death for about half an hour.<sup>62</sup> It should be noted that even after it became clear that the Minister of Public Security and the Police Commissioner were given false information about the events that took place on that day, they refused to apologize or accept responsibility for their rash and inflammatory statements.

The events of January 2017 in the unrecognized village of Umm al-Ḥīrān. are a clear example

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<sup>60</sup> Almog Ben Zakri, State Prosecutor's Office Closes Umm Al-Hiran Case: It Is Not Possible to Determine if this Was a Terrorist Attack, Ha'aretz, 01.05.2018 <https://tinyurl.com/yag7uo0c>

<sup>61</sup> Gidi Weitz, Shin Bet representative has determined: The demolition in Umm al-Hiran – an operational failure of the police and not a terror attack, Ha'aretz 10.06.2018 <https://tinyurl.com/y7nd3uic>

<sup>62</sup> Yehoshua (Josh) Breiner, Umm al-Hiran investigation: A doctor who was at the site did not attend to the injured driver, Ha'aretz 11.06.2018 <https://tinyurl.com/uatcmvbo>



of the fact that the house demolitions policy among the Bedouin population in the Negev/Naqab is violent and can only bring about alienation and frustration among the Arab-Bedouin citizens of the Negev/Naqab whose rights are violated on a daily basis. Only a solution based on this public's participation and recognition of its aspirations, desires and way of life will lead to the organization of the space in a manner that respects and facilitates an equal life for all residents of the Negev/Naqab, Arabs and Jews alike.



Ya'aqub Abu al-Qian's funeral. Photo: Activestills, 2017.

## **6. Summary**

The struggle for space in the Negev/Naqab has been going on since the establishment of the State of Israel until today. The State of Israel is acting by all means at its disposal to concentrate the Bedouin community in large and overcrowded areas, in contrast to the wishes of the members of the community; instead of conducting fair negotiations to resolve the issue of land ownership and Bedouin settlement in the Negev/Naqab. In practice, there is nothing to prevent a mutually agreed solution, one that respects the wishes of the Bedouin population in the Negev/Naqab as well as the ideology of the state but conducting aggressive and violent “negotiations” using the house demolition policy will not lead to such solution.

The policy of house demolition in Bedouin villages and townships in the Negev/Naqab has devastating consequences, including the disintegration of the community's social structure and the weakening of authority levels, as well as feelings of fear and mistrust towards the state and the authorities acting on its behalf. The members of the Bedouin community in the Negev/Naqab are citizens of the state, but it insists on treating them as enemies rather than citizens with equal rights. Instead of acting to protect the rights of these citizens to live with dignity and proper housing, state authorities are systematically organizing house demolitions and transferring them against their will from their place of residence, contrary to international conventions.<sup>63</sup> Thus, the state exacerbates the severe housing shortage among the Bedouin communities in the Negev/Naqab and works to concentrate more and more citizens in settlements that are struggling to provide even the most basic services.

In the course of 2017, an unprecedented amount of 2,220 structures were demolished in the Bedouin communities in the Negev/Naqab – an unfathomable number. The policy of house demolitions is a violent and aggressive policy that does not build trust between the citizens and the state and cannot offer alternative solutions to the 80,000 citizens living in the unrecognized villages. Although the director general of the Authority for Development and Settlement, Yair Ma'ayan, claims that he does not engage with house demolitions, the report shows that the Authority for Development and Settlement is cooperating fully with the Southern Administration and other enforcement authorities in order to impose an "arrangement" which the state desires. The arrival of the authorities to the area accompanied by the forces of the Yoav Unit and with the help of large tools, intimidates and terrorizes the members of the community, causing 70% of the demolitions in 2017 to be done by the owners of the structures themselves. Normally, self-afflicted demolitions are done to spare the family members the distress and anguish entailed in the forces' arrival.

The State of Israel must cease its policy of house demolitions and begin to establish trust-building measures towards the community. Only that will enable a solution respectful of the Bedouin community's way of life and the aspirations of its members in a manner

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<sup>63</sup> International Covenant on Economic, Social and Cultural Rights, 1997. Forced evictions (art.11(1)).

consistent with the state's planning logic.

Amendment No. 116 to the Planning and Construction Law and the adoption of regulations to intensify economic and administrative penalties only increased the activities of the enforcement and punitive mechanisms and they are part of the escalation of the campaign waged by the state against the Bedouin community in the Negev/Naqab. The transition to administrative enforcement and economic sanctions has enormous implications for the Bedouin community in the Negev/Naqab, since it is located at the bottom of the socio-economic ladder and many of its members suffer from abject poverty. Even worse, restricting the courts' authority from intervening in these issues will prevent the Bedouin communities in the Negev/Naqab from appealing to the courts in matters of planning and construction. The housing and planning crisis in the Bedouin communities in the Negev/Naqab should not be ignored; the fact is that building without permits is in most cases the result of years of poor planning and deliberate neglect by governments and authorities, especially the planning authorities.

The Bedouin community constitutes more than a third of the population in the Negev/Naqab, which holds about two-thirds of the territory of the entire State of Israel within the borders of the Green Line. The State of Israel must act to distribute resources fairly among the various communities in the Negev/Naqab, and to reduce the huge gaps between communities living in this common space. The injection of huge budgets into the Five-Year Plan without reaching an agreed-upon solution with the Bedouin population on land issues will not improve the situation. On the contrary, it will perpetuate the historical gaps between the communities and prevent the Bedouin communities from developing in other areas of life.

Only a solution based on this public's participation and recognition of its aspirations, desires and way of life will lead to the organization of the space in a manner that respects and facilitates an equal life for all residents of the Negev/Naqab, Arabs and Jews alike.





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