



U.S. Department of State 2017 Human Rights Report Input by the Negev Coexistence Forum for Civil Equality¹

1. Introduction

The Negev/Naqab Bedouin community consists of almost a quarter of a million citizens, residing in government planned towns, villages recognized by the State, and villages that are not recognized by the State. The community accounts for about 34% of the total population of the Negev/Naqab, but only 12.5% of the settlements in the region are designated for this community. The seven Bedouin towns—as well as the recognized villages—are all crowded, urban localities that completely disregard the Bedouin way of life, which is based mainly on agriculture. Today, 70,000 people live in villages that the State of Israel refuses to recognize, intending to displace their residents to the recognized villages and towns. Despite the housing shortages and lack of recognition for those villages, subsequent Israeli governments continue to ignore the plight of the Bedouin community.

The following update includes some of the key issues that the Bedouin community of the Negev/Naqab have faced in 2017. First, The new “Plan for Economic and Social Development among the Bedouin Community in the Negev 2017-2021”, that poses a threat for the unrecognized villages. Second, “The Authority for Development and Settlement of the Bedouin in the Negev”, which focus its efforts on massive enforcement of planning laws and denies recognition to the villages. Thirdly, the house demolition policy, that continued in 2017. Fourth, the inequality in planning in the Negev/Naqab. The second part of this update focuses on three villages where significant human rights violations took place in 2017: Umm al-Hiran, al-Araqib, and Bir Haddaj.

¹ The Negev Coexistence Forum for Civil Equality (NCF) was established in 1997 by a group of concerned Arab and Jewish residents of the Negev (Israel’s southern desert region), to provide a framework for Jewish-Arab collaborative efforts in the struggle for civil equality and the advancement of mutual tolerance and coexistence. NCF, known as “Dukium” 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 Forum has set out as one of its goals to achieve full civil rights and equality for all those living in the Negev. NCF’s website: www.dukium.org



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2. The new “Plan for Economic and Social Development among the Bedouin Community in the Negev 2017-2021”

The new “Plan for Economic and Social Development among the Bedouin Community in the Negev 2017-2021” (herein Plan for Development) was approved by the Israeli Government in February 2017.² The plan allocates large budgets to strengthen economic and social services among the Bedouin community, in the fields of education, employment, development of infrastructure, and strengthening Bedouin local councils. While this plan has some positive elements, it ignores many important issues.

The Plan for Development will only be implemented in the seven government-planned towns, and the 11 recognized villages.³ The plan, therefore, disregards at least 70,000 citizens (almost 30% of the Bedouin community) who reside in the unrecognized villages. Almost no governmental services are available in these unrecognized villages, and the Plan for Development will not positively affect their situation.

The Plan for Development aims to relocate citizens from unrecognized villages into government-planned towns and recognized villages. It deliberately disregards the 35 unrecognized Bedouin villages. Clause 10 details the planned infrastructural development of the plan,⁴ making it clear that the Plan for Development does not focus solely on economic and social services. The plan states that there will be budget allocation for “development of infrastructure that supports regularization of settlement in the Bedouin settlements in the Negev”.⁵ In addition, marketing of at least 25,000 housing units in Bedouin local councils will take place over the next five years;⁶ and a new team focused solely on compensation for Bedouin who claim ownership over lands in the Negev will be established. Their role will be to find solutions for large-scale Bedouin land claims, and set a governmental regularization policy for the Bedouin community in the Negev for the next 10 years.⁷ Furthermore, the decision to continue the ongoing prevention of governmental services and basic infrastructure from the unrecognized villages, serves to put pressure on their residents to be displaced, against their will, to the Bedouin towns and recognized villages, where they cannot pursue their traditional, agricultural way of life.

3. Clause 13 of the Plan for Development lists a variety of means of enforcement of planning and construction laws among the Bedouin community. It instructs

² Government resolution 2397, “Plan for Economic and Social Development among the Bedouin Community in the Negev 2017-2022”, from 12.02.2017.

³ See supra note 2, clause 3.

⁴ See supra note 2, clause 10.

⁵ See supra note 2, clause 10a.

⁶ See supra note 2, clause 10b.

⁷ See supra note 2, clause 10c.



enforcement authorities to enhance their enforcement activity, protect “State land” from “invasions”, and prioritize enforcement that supports the regularization of Bedouin settlement;⁸ to prioritize regularization of “population concentrations that reside illegally on state lands outside the permanent settlements,”⁹ meaning, the Bedouin unrecognized villages; to establish a new team to draw a plan to annually decrease illegal construction;¹⁰ and to increase budgets and inspectors for different enforcement authorities.”¹¹ This again makes apparent, that while the plan is presented as an economic and social development plan, its focus is in fact regularization of Bedouin settlement in the region.

3. The Authority for Development and Settlement of the Bedouin in the Negev

The Authority for Development and Settlement of the Bedouin in the Negev (herein the Authority) was established in order to settle Bedouin land claims and regularize “permanent dwellings.”¹² The Authority has made many efforts to relocate the residents of the unrecognized villages to the Bedouin towns and recognized villages, and in this way to settle Bedouin land claims. This policy engenders a variety of human rights violations and difficulties:

1. In order to get Bedouin citizens to “agree” with its terms, the Authority works closely with law enforcement bodies in the Negev-Naqab, through a procedure named “enforcement promoting regularization.”¹³ Hence, as Bedouin residents of the unrecognized villages refuse to move from their homes and lands, enforcement bodies, in cooperation with the Authority, utilize the house demolition policy (see section 4) in order to put pressure on Bedouin to move. Enforcement authorities threaten to issue demolition orders to Bedouin houses, issue such orders, and then demolish houses, sometimes repeatedly, in an attempt to secure compliance with the state’s discriminatory regularization policy.¹⁴

2. Many residents of the unrecognized villages reside on lands they claim ownership for. In the 1970s, the State of Israel appointed an official officer to whom Bedouin citizens

⁸ See supra note 2, clause 13a.

⁹ See supra note 2, clause 13b.

¹⁰ See supra note 2, clause 13d.

¹¹ See supra note 2, clause 13h.-13j.

¹² Israeli Government resolution 1999, “The Establishment of the Authority for Regularization of Bedouin Settlement in the Negev”, from 15.07.2007.

¹³ The Southern Directorate of Land Law Enforcement – 2016 summary, page 1.

¹⁴ The Southern Directorate of Land Law Enforcement – 2016 summary, pages 15-21.



could file their land claims. Years later, instead of recognizing Bedouin citizens' right to property in these lands, the Authority acts to put an end to these land claims by displacing citizens against their will into urban towns.

3. The only settlement solution offered to the Bedouin community is residing in crowded urban towns. This solution deprives Bedouins from practicing their traditional way of life which is based on agriculture and animal husbandry. This solution is discriminatory as Jewish residents of the Negev can reside in a variety of settlements, including agricultural settlements, small community settlements and family farms.

4. Bedouin towns consistently have the lowest socio-economic ranking in Israel.¹⁵ As such these local councils are unable to provide even the most basic services to their residents. Displacing thousands of people into these towns will only worsen their situation.

4. The House Demolition Policy

For many years the State of Israel has exercised a house demolition policy against the Arab-Bedouin community of the Negev-Naqab. The policy is exercised in all Bedouin settlements in the area. The scarcity of land for development plots, the lack of official planning even in recognized villages, and the impossibility of obtaining construction permits, brings about a situation in which many houses and structures are being built "illegally" as no legitimate solutions are available.

While the housing shortage in the Bedouin community increases each year, the state of Israel prefers to invest more and more resources in making the enforcement apparatus more efficient, instead of investing in planning and housing solutions for the community. In its summary report for 2015, the Southern Directorate of Land Law Enforcement states that: "12. It is a clear fact that the gap continues between the rate of enforcement and the rate of housing solutions offered by the state."¹⁶ The unique enforcement system formed by the state includes the Southern Directorate, a directing arm of the Ministry of Public Security that coordinates several enforcement bodies in the Negev-Naqab, as well as a dedicated police force, the Yoav unit, which accompanies officials when they carry out their work.¹⁷

¹⁵ Israeli Central Bureau of Statistics, 2016. The Local Authorities in Ascending Order of the 2013 Socio-economic - index values, rank and cluster, change of cluster compared to 2008.

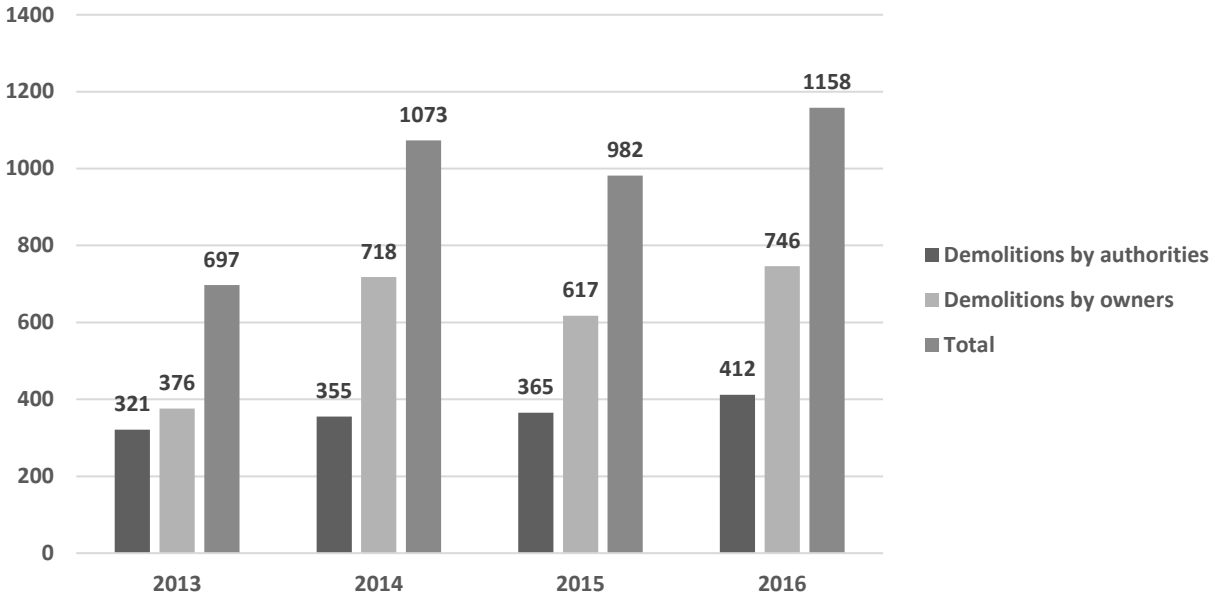
¹⁶ The Southern Directorate of Land Law Enforcement – 2015 summary, page 15, article 6. 12.

¹⁷ Website of the Ministry of Public Security: Southern Directorate of Land Law Enforcement.

<http://tinyurl.com/jgtg48n>; Israeli Government resolution 3707 from 11.09.2011.



Figure 1: Demolition of Structures in the Negev/Naqab 2013-2016¹⁸



The Southern Directorate annual activity report for 2016 reveals that 1,158 structures were demolished among the Bedouin community in the Negev-Naqab in 2016 alone. According to the report, 64% of the structures were demolished by their owners, and only 36% were demolished by State authorities. Data reveals that about 500 of the demolished structures were housing units, while the others were mainly agricultural constructions.¹⁹

In cases where demolition orders are issued and the owners do not complete the demolition themselves, a representative from enforcement authorities arrives to carry out the demolition. In the last couple of years, the authorities have been coordinating this activity by designating days for demolition. On those designated days, a police convoy, bulldozers, and inspectors from the various authorities, go out in the morning to carry out the task of house demolitions. Often the convoy may arrive in a village with no prior warning, remove the residents and carry out the demolition. Sometimes enforcement authorities allow people to remove belongings from their homes, though this is not always the case.

In most cases, owners of houses and structures who receive demolition or eviction warrants choose to demolish the buildings themselves instead of waiting for the

¹⁸ The Southern Directorate of Land Law Enforcement – 2014 summary, page 5; See supra note 6, page 8.

¹⁹ The Southern Directorate of Land Law Enforcement – 2016 summary.



authorities. The main reason is that the demolition operation frequently involves a large number of policemen who arrive without prior notice and, as stated above, in many cases, do not allow the residents to remove their belongings from their homes. Forces arrive mainly in the middle of the day, when only women and children are present in the village. House owners prefer to prevent their families from undergoing this traumatic experience. In the last couple of years, some incidents occurred where the police exercised violence against home owners, their families and neighbors, and made arrests. During the demolitions, the bulldozers deliberately destroy all construction materials and sometimes even bury them in the ground. This can be avoided when the demolition is carried out by the owners themselves. Moreover, authorities threaten to impose the demolition costs on the owners, and to issue indictments against them.

5. Planning Inequality

Today there are 144 settlements in the Negev-Naqab, out of these 126 settlements were established for the Jewish community (this does not include some 60 Jewish family farms located in the region),²⁰ and only 18 are recognized Bedouin settlements: the city of Rahat, the six government-planned towns, and eleven recognized villages. It is important to mention that at least 28% of the Bedouin community resides in villages that are not recognized. While in 2016 the Bedouin community constituted 34.5% of the region's population,²¹ only 12.5% of the settlements in the area were designated for this community.²²

Although the State claims that Jewish settlements are designated for the general population, there is almost complete spatial segregation between Jewish and Bedouin residents. This is due to a variety of mechanisms that work to ensure this spatial separation. Out of the 126 Jewish settlements, 38 are kibbutzim that use admission committees to decide who can become a member.²³ Another 77 cooperative and community Jewish settlements also operate admission committees.²⁴ Such committees act as a barrier against ethnic and class diversity and integration in many settlements. The effect of these admission committees is to implicitly and explicitly exclude the Bedouin community.

²⁰ Central Bureau of Statistics. Table 2.16: Settlements and population by district, subdistrict, religion and population group. Published: 01.09.2016.

²¹ See supra note XX.

²² See supra note XX.

²³ 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, 2016.

²⁴ Cooperative Associations Order, article 6b.



The numbers above, reveal the significant, and ongoing planning inequity among the populations of the Negev-Naqab, that began with the establishment of the State. Instead of recognizing 35 unrecognized villages that already exist in the Negev/Naqab, or establishing new settlements for the Bedouin community, subsequent Israeli governments persist in their policy of establishing new Jewish settlements whilst disregarding the intense housing distress in the Bedouin community.

6. Al-Araqib – Significant Court Decisions

The struggle of the residents of the unrecognized Bedouin village of al-Araqib has continued through 2017. While State forces have demolished the village more than 100 times since July 2010, its residents refused to leave the village. Over 2017 two main court decisions were made regarding al-Araqib – one in the civil lawsuit filed by the State, demanding its expenses for the first eight demolitions of the village, and the second in the ongoing criminal trial against Sheikh Sayyah al-Turi, the sheikh of the village.

In 2011, the State Attorney already filed a lawsuit against 34 of the village's residents, demanding approximately 1.8 million shekels as reimbursement of the state's expenses for the first eight demolitions of the village that took place in 2010. During the ongoing litigation, 28 of the defendants settled, to pay approximately 30,000 shekels per person. In August 2017 Judge Ido Rozin of the Beersheba Magistrate Court, ruled that the six residents who did not settle, will pay the state 250,000 shekels for the expenses of the demolitions, and an extra 100,000 shekels to cover expenses accrued by the State Attorney's Office throughout the legal process.²⁵

In September 2017, an ongoing criminal trial against Sheikh Sayyah al-Turi ended. Judge Yoav Atar of the Beersheba Magistrate Court, convicted the sheikh of all 19 counts he was indicted for. The sheikh was convicted of violating a legal order, trespassing, and entering public land, all "crimes" committed solely by living in the village. In his testimony to the court, the sheikh stated that he will stay in the village until a decision is made in the ongoing District Court's hearings regarding the ownership over the village's land. The judge however, found the sheikh's statement as evidence for all counts, and convicted him. The punishment will be set in the upcoming months.²⁶

While waiting for the District Court's decision regarding the ownership over the lands of al-Araqib, its residents remain on the land in order to guard it from afforestation. These

²⁵ Civil Case 45792-07-11 **State of Israel v. Sayyah Sliman Abu Madigam et al.** 16.08.2017.

²⁶ Criminal Case 39936-11-13; Criminal Case 56062-06-13 **State of Israel v. Sayyah Abu Madigam** 06.09.2017.



two decisions are only part of the state's ongoing struggle against the residents of the village, as it utilizes both criminal and civil law to force the residents to succumb to its demands.

7. Eviction of Umm al-Hiran turns into a tragedy

Before dawn on January 18, 2017, hundreds of policemen arrived at the unrecognized Bedouin village of Umm al-Hiran, in order to demolish six structures, after attempts to reach an agreement with residents broke down during the night. Police stormed the village and besieged the six condemned structures, climbing onto their roofs with weapons drawn. At that time, Ya'aqub Abu Alqian, whose houses were supposed to be demolished, took his personal belongings, important documents, and some money, and entered his car. While he was driving slowly near his home, policemen started shooting live ammunition at him, and he lost control over his car before it rolled down the hill and hit policeman Erez Levi, killing him on the spot. Abu Alqian was badly injured, yet according to the autopsy report that was leaked to the press, he was left dying for 10 to 20 minutes, with his body half in the car and half on the ground, receiving no treatment, though ambulances were at the scene.

Early that morning, police released dozens of statements to the press stating that it was "a terror attack against policemen", that Abu Alqian "was a terrorist affiliated with the Islamic Movement", and even that "he might have had connections to ISIS that the Shin Bet is now looking into." None of these statements were confirmed. Abu Alqian was 47, a teacher in mathematics and sciences at the as-Salam school in Hura, and in his spare time tended to his sheep in the village.

The Police Investigation Department of the Ministry of Justice started an examination of the Umm al-Hiran events, including a dissection of Abu Alqian's body, two on-site reconstructions of the events and more. Yet, almost a year after, no decision was made regarding the policemen who shot Abu Alqian, nor regarding those who denied him lifesaving medical aid.

After the incident, police stayed in the village and within a couple of hours started demolishing the structures, including Abu Alqian's home and animal pen.

The Abu Alqian tragedy did not end with his death, as while none of its allegations were proven, police refused to release his body for burial. The police approved his burial under draconian conditions, including a demand to hold the funeral over night with the presence of only up to 50 people. His family appealed the High Court of Justice, which



decided to allow the funeral to take place unconditionally. Abu Alqian was therefore only buried on January 24, six days after his death.

On the morning of the funeral, three private cars blocked the vehicle of three known Bedouin activists in the middle of Be'er Sheva, near Ben Gurion University. The activists were detained in order to prevent them from participating in the funeral. They were taken to an empty parking lot in the outskirts of the city, and later moved to a Shin Bet facility, near the Shoket intersection. The three were interrogated by Shin Bet agents on a variety of matters, none of which would justify such an unconstitutional detention. Ongoing attempts to find out where they were taken failed, and they were released as soon as the funeral ended.

8. Umm al-Hiran Facing Eviction to Hura

Since January 18, no further demolitions took place in Umm al-Hiran. Yet, as all negotiations with State authorities has failed, and the work to establish the new Jewish town of Hiran on top of the village has expanded and made a significant progress, the village still faces a serious threat of demolition. In August and September 2017, state authorities brought a plan to the district planning committee, in order to move the residents of Umm al-Hiran to a temporary housing site in the outskirts of the town of Hura, until a new neighborhood can be established for them within the town. The authorities planned on moving the residents to the temporary neighborhood for up to 15 years, yet the planning committee asked to shorten this period to 10 years. The residents of Umm al-Hiran reject this solution, and demand to stay in their village or to become part of the new town of Hiran.

9. Bir Haddaj

Bir Haddaj is a Bedouin village located west of Route 40, close to Kibbutz Revivim. In 1999 the Israeli government decided to recognize the village, and today it is one of the villages of the Neve Midbar regional council. The master plan for the village of Bir Haddaj has existed since the beginning of the 2000s, yet has never been implemented. While the village's residents insist on living in a rural village where agriculture can be practiced, the State insists on a plan that gives the village less than a third of its territory.²⁷ In July 2017, the Authority for Development and Settlement of the Bedouin in the Negev announced that it is halting its "regularization efforts" in Bir Haddaj, as the residents refuse to accept the Authority's plan. The Authority's Executive director,

²⁷ NRG, 27.07.2017. <http://www.nrg.co.il/online/1/ART2/888/418.html>



Yair Maayan, told Ynet that: “The State of Israel, through its enforcement agencies, should act in accordance with the law for the preservation of State lands and the maintenance of law and order in the community [of Bir Haddaj].”²⁸

The residents of Bir Haddaj reported massive distribution of about 200 house demolition orders in their village, following Maayan’s announcement. That means that in the foreseeable future, a large number of house demolitions will take place in the village. This confirms that in every situation in which the residents decline the Authority’s forced solution, instead of negotiating an accepted plan, the state utilizes law enforcement and house demolitions to pressure its citizens toward its own preferred schemes.

In 2015, the Israeli government approved a plan to establish five new settlements in the Negev/Naqab, one of them, Neve Gurion, is slated to be built on part of the village of Bir Haddaj, on top of some of its existing houses.²⁹

10. Summary

This past year has brought no hope for the Bedouin community in the Negev/Naqab. In 2017, the Community lost one of its members, Yaaqub Abu Alqian, during a house demolition operation, and generally, the house demolition policy remained the main “solution” of the State towards the unrecognized villages. The struggle of al-Araqib against its demolition suffered from some harsh court decisions, and the village of Bir Haddaj found itself facing massive house demolition operations.

While the planning inequality among the Bedouin and Jewish communities remained, The Authority for Development and Settlement of the Bedouin in the Negev kept on forcing its suggested solutions on the Bedouin community, while disregarding the community’s wishes. The new “Plan for Economic and Social Development among the Bedouin Community in the Negev 2017-2021”, was introduced, yet it preserves the same ideas and ideology, of strengthening the Bedouin towns and recognized villages, in order to displace the residents of the unrecognized villages.

2017 has been yet another year in which the State and its authorities kept on disregarding the Bedouin community’s demands, while constantly forcing its failed policies of house demolition and concentration of the Community in crowded towns.

²⁸ Ynet, 27.07.2017. <http://www.ynet.co.il/articles/0,7340,L-4995090,00.html>

²⁹ Government's decision 748 dated 22.11.2015.

<http://www.pmo.gov.il/Secretary/GovDecisions/2015/Pages/dec748.aspx>



Further Information and Data

- Visit NCF's list of [reports and position papers](#)
- Contact Ben Fargeon at office@dukium.org