



منتدى التعايش السلمي في النقب من أجل المساواة المدنية
פורום דו קיום בנגב לשוויון אזרחי
Negev Coexistence Forum for Civil Equality

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Human Rights Report

Input by the Negev Coexistence Forum for Civil

Equality

NCF was established in 1997 to provide a place for Jewish-Arab collaborative efforts in the struggle for civil equality and the advancement of a shared society, mutual tolerance and coexistence in the Negev/Naqab. NCF is unique in being the only Arab-Jewish organization that remains focused solely on the 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 full civil rights and equality for all people who make the Negev/Naqab their home.

NCF's website: <https://www.dukium.org/>

In accordance with the law, NCF is proud to say that as a result of cooperation with friendly States and International Organizations that promote human rights. The majority of the funding for our activities comes from "foreign entities".



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1. Introduction

The Bedouin residents of the Negev/Naqab are an indigenous minority with a unique way of life. Members of the Bedouin community in the Negev/Naqab are also an integral part of the Arab Palestinian minority, as well as citizens of the State of Israel.

The Negev/Naqab's Bedouin community consists of more than a quarter of a million citizens, residing in three forms of settlements: government-planned townships, villages recognized by the state, and villages that the State refuses to recognize. All Bedouin residents in the Negev/Naqab suffer from wide-spread discrimination and violations of their human rights and are, in fact, marginalized from mainstream Israeli society.

According to Israel's Central Bureau of Statistics (CBS), by 2030, the Bedouin population in the Negev/Naqab is expected to number about 400,000.¹ As of 2017, more than 28% of the Bedouin population (around 86,000 people)² live in unrecognized villages; civil society organizations estimate that the number is closer to 90,000-100,000 people. These villages do not appear on any official maps. The State of Israel does not provide most of them with basic services such as healthcare and educational facilities; all of them lack infrastructure including connection to the national electricity grid, running water, paved roads and sewage disposal systems. Their residents hardly have any representation in the various local governmental bodies, and some cannot even register to participate in municipal elections. Furthermore, as a result of non-recognition and the absence of approved Urban Building Schemes, it's impossible for them to obtain building permits. The State defines the building of permanent structures in those villages as illegal, so that construction of permanent structures often leads to heavy fines and demolitions.

In addition to non-recognition, since the 1950s the state of Israel has executed plans to forcibly displace Bedouins in the Negev/Naqab from their historical lands and concentrate them into limited geographic areas. These plans were first implemented by concentrating them in a restricted geographical area called al Siyāj, and later, in the 1970s and 1980s, by establishing seven government-planned Bedouin townships in the Siyāj area for the purpose of sedentarizing and controlling them. Besides the inadequate provision of services, all the Bedouin townships are afflicted with poverty, deprivation, high unemployment, crime and social tension. These

¹ Michal Lerer, 'Issues of land regulation among the Bedouin population in the Negev' (2017), *Knesset Research and Information Center*, p.2 (in Hebrew) <https://tinyurl.com/y3g6fpv8>

² CBS, Total population estimations in localities, their population and other information, 2018.



townships continue to be part of an ongoing, non-consensual and non-participatory process of forced urbanization.

Since 1999, the State has, in addition to the seven townships, recognized 11 Bedouin villages, hailing their recognition as a fundamental shift in governmental policy, which previously had been focused exclusively on forced urbanization. However, almost two decades later, there is no significant difference between these villages and the unrecognized villages. The residents of most recognized villages continue to be denied access to basic services and are under constant threat of house demolitions.

Although today the Bedouin community accounts for approximately 34% of the total population of the Negev/Naqab, only 12.5% of the land in the region is designated for the Bedouin population. Despite the shortage in housing solutions for the community, the Israeli government continues to ignore the plight of the Bedouin community and acts to dispossess them from their lands and force a change in lifestyle and livelihood on their traditional and agricultural communities.

The reasons given for dislocating the Bedouin communities include making room for Jewish communities to be established on the very same lands that the Bedouin are evicted from, military use, forestation, building highways, railways, quarries and more.

The already existing inequalities and injustices in the Naqab have been significantly magnified as a result of COVID-19 crisis in Israel.

Today, many of the Bedouin living in the unrecognized villages continue to resist State-led dispossession and are advocating for recognition of their villages and the fulfillment of their human and civil rights. NCF's main goal is to support and join them in their rightful struggle.

2. Home Demolitions and Covid-19

Israel's use of demolitions as a mechanism for forced displacement of the Bedouin population in the Negev/Naqab systematically violates their rights, even in their most narrow interpretation. Tens of thousands of Bedouins in the Negev/Naqab currently live in homes that are subjected to demolition orders, in large part due to the lack of approved building schemes for their villages, both recognized and unrecognized. In the case of the dozens of Bedouin villages in the Negev/Naqab that are unrecognized, they remain without approved building schemes, and



without the possibility of applying for or receiving building permits, for as long as the Israeli Government continues to define them as illegal villages.

Since March 2020, and in spite of the state of emergency and the government's instruction to home confinement, authorities continued to distribute demolition orders and plow under hundreds of acres of fields in over 11 Bedouin villages, both recognized and unrecognized by the State. This illustrates the continuation of the policies implemented in 2019, with a large investment of resources in enforcement, that led to the demolition of some 2,241 structures during that year. Out of these 2,241 buildings, an estimated 30% (655) were being used as dwellings, and around 88% of the demolitions were carried out by the owners themselves.

On March 19, NCF along with 22 civil society organizations, sent an urgent letter to Mr. Avichai Mandelblit, Israeli Attorney General, demanding immediate action. The organizations warned that demolition of homes and crops will have a devastating economic impact on the Bedouin people, one of Israel's most impoverished communities. The NGOs were joined by a Member of Knesset, Mr. Said Al- Khrumi – who personally addressed the Minister of Finance and the Minister of Agriculture and Rural Development, demanding that they stop, or at the very least suspend, crop and home destruction in the Naqab during the COVID-19 crisis.

In his response to our request, the Ministry of Justice committed to the following: A. Existing structures for residential purposes will not be demolished; B. The serving of administrative demolition orders will be reduced - orders will only be issued in relation to new construction (which includes any minor renovations/construction to the home); C. The serving of warnings and notices will be minimized; D. The National Unit for Enforcing Planning and Construction Laws will reduce its direct contact with the population.

Between March and September 2020, NCF continued to monitor the situation, documenting over 70 incidents in which enforcement authorities continued to distribute demolition warrants, execute demolitions, as well as interrogating livestock farmers, and issuing fines to herders, mainly for the purpose of harassment. That and more - residents of the villages informed NCF that many of the inspectors and police officers were patrolling the villages and interacting with the population without taking any precautions required to prevent people from spreading the virus. As noted above, these enforcement measures, that are effective in driving the populace to destroy their own property (self-demolitions), can and do cause extreme duress, especially during a pandemic. As part of our multimedia and advocacy project, we have produced a [video](#) with a



compilation of demolition orders served and execution of demolitions that occurred during the Covid-19 crisis in the Negev.

3. Health negligence during the Pandemic

Decades of neglect, discrimination, and the denial of Bedouin civil rights have reached a peak with the spread of COVID-19 in Israel. Medical services in unrecognized villages are gravely lacking, and for most of the population, the clinics are remote and inaccessible. MDA emergency services have no way of reaching large parts of the unrecognized villages (as there are no paved roads), and in the absence of public transportation, distance is a major obstacle to receiving medical treatment. Overall, mortality rates in these villages are high and life expectancy is lower than the average in Israel, the life expectancy at birth for Israeli Jews being 81 for men and 85 for women, while that of the Israeli Arabs it is 77 for men and 81 for women³. The IMR (infant mortality rate) among the Bedouins was reported to be higher as compared to the Jews in Israel. The IMR is highest in the Negev, which is around 11 per 1,000 live births⁴. Sanitary conditions are dire, particularly due to the lack of running water and lack of sewage systems. The physical conditions of dwellings in the villages do not allow for real isolation. For Arab Bedouin women, this is even more difficult, as currently there are no appropriate isolation facilities that are culture-sensitive and cater to their needs.

One of the basic conditions for minimizing inequality in health is promoting cultural-specific accessibility to information for diverse population groups and communities. The commitment to cultural-specific accessibility was raised by the 2011 Ministry of Health Director General circular, "Cultural and linguistic adjustment and accessibility in the healthcare system" (July 2011), which established standards for cultural accessibility for health organizations." In spite of that commitment, during the pandemic caused by a virus without a vaccine or recognized medical treatment, and while the primary national tool for fighting the pandemic is based on active participation and awareness of the population about the risk of infection, critical information was not made sufficiently accessible. Data obtained by PHRI (Physicians for Human Rights in Israel) in the early weeks of the COVID-19 crisis exposed the Ministry of Health's lack of readiness to

³ Chernichovsky, D., Bisharat, B., Bowers, L., Brill, A., & Sharony, C. (2017). The health of the Arab Israeli population. State of the nation report, 325.

⁴ 2019. Israeli Ministry of Health. Inequality in health and ways of coping (Hebrew).



convey organized messaging in Arabic. The budget allocated by the Ministry of Health for Arabic language campaigns was only 4.1 million NIS, some 10% of the budget, while the Arabic-speaking sector comprises approximately 20% of Israel's entire population.⁵ The budget allocated from the Government to municipalities was of a total of 2.8 milliard NIS while the sum transferred to Arab municipalities was less than 2%⁶. Moreover, NCF received reports of a shortage of Arabic-language telephone representatives on MDA hotlines, which further limited access for Arabic-speakers to healthcare services during the pandemic⁷.

On the 26th of March, NCF and the Arab Medical Association in the Negev (along with 17 civil society organizations) sent an urgent letter to the Ministry of Health, demanding immediate action to prevent the spread of the Coronavirus pandemic in the Arab Bedouin villages in the Naqab. Later, on April 14th, NCF joined a petition by Adalah to the Supreme Court, demanding immediate access to Coronavirus testing in Bedouin villages. On the 14th of April the Supreme Court rejected our petition on the grounds that it will not intervene with the Ministry of Health's work. However, one of the judges made important comments in which he noted that testing should be done in unrecognized villages. While the petition was denied, the pressure led to the placement of mobile testing facilities at main junctions in the Naqab and in the city of Rahat, which were later moved to other towns, according to the Arab Medical Association in the Negev. Moreover, the Israeli HMOs started to facilitate testing in clinics located in the townships, in which the process to receive a test was much more lenient and culturally sensitive.

Regarding appropriate isolation facilities for Arab Bedouin women, NCF joined a petition submitted by Adalah on the 21st of May requesting that the government find appropriate and satisfactory isolation solutions for Arab Bedouin women living in the Naqab villages. Women from these villages live in homes that offer no real isolation. As of the end of September 2020, no isolation facilities were established in the Bedouin townships, and the offered solutions were unsuitable for Muslim Bedouin women from the Naqab.

According to Israel's Traffic light Plan⁸ during the first wave, the following locations were marked as 'red zones': 'Ar'arah an-Nagab, Ksīfih and Ḥūrah. Between the first and second wave, al-Lagiyiyih

⁵ Rosner, Y., Ziv, H., Litvin, A., Gutzeit, Z. and Majadle, G. (2020). The First 100 Days Of COVID-19 In Israel's Healthcare System. [online] Physicians for Human Rights.

⁶ <https://tinyurl.com/y3esp7rw>

⁷ "[Model for developing local emergency response in Arab local authorities to address the challenges of the coronavirus](#)", Sikkuy, April 22, 2020 [Hebrew].

⁸ Reducing morbidity by activating a differential tool for managing the spreading of COVID-19, based on updated data indices (Ministry of Health, 2020).



and Rahat were red. During the second wave the situation changed, with al-Lagiyyih and specific neighborhoods in Raḥaṭ marked as 'red zones'. After two weeks of strict regulation, the numbers decreased significantly. Today, all the Arab Bedouin villages are identified as 'green zones' and the number of ill people is less than 15 per village. Still, the percentage of tests carried out in Bedouin localities is very low.

4. Access to Internet, Cellular services and Education

The Bedouin population has little access to the internet, and there are difficulties in connecting due to lack of electricity and wireless connection – this is the case for most of the Bedouin villages and townships.

The percentage of households connected to the Internet in Bedouin localities is only 34%⁹ and in the unrecognized villages, where there is no basic infrastructure for internet connection, they are forced to rely on the cellular network. However, that also is not a real solution since in many unrecognized villages there is no cellular reception at all, while in the rest the reception is only partial. Thus, the residents are not able to connect and most of them lack computers and devices with access to Internet. In many communities, access to television or cellular services is also limited. As a result of the crisis, many services and much information were provided online – however, the lack of basic services hindered their ability to access this valuable information, receive their benefits and allowances, apply for unemployment, and more. The lack of basic internet and cellular services also impede Bedouin children and college/university students from accessing the remote-learning system. There is much concern that many of the students will drop out because of the gaps in access to education and communication.

In Raḥaṭ there is a need for 17,000 computers but the Ministry of Education will provide only 1,000, reaching about 0.6% of the kids (according to the Follow up committee of Arab Education in Israel). Ksīfih has need of 6,000 computers and the State will provide only 805. In Al Qasum the need is for 6,592 while the State will provide 186 computers.¹⁰

⁹ Abu-Kishk, H. and Mendels, Y., 2020. Digital Divide and Distance learning among Bedouin students during the Covid-19 crisis.

¹⁰ The Follow Up Committee on Arab Education-Israel, 2020. Arab life in Israel: Needs and problems that require immediate treatment in preparation for the opening of the 2021-2020 school year.



The Ministry of Education had to request a special budget from the Ministry of Treasury and basing their numbers on an OECD report that stated that the need was of 140,000 computers, rather than using the numbers provided by the Israeli Central Bureau of Statistics. The criterion used to calculate the number of required computers is unknown to us.

The extent of these difficulties is clear in a recent study by Hama Abu-Kishk, a senior faculty member of the Sapir Academic College Communications Department, and Yonatan Mendel of the Mofet Institute¹¹. Of 257 Bedouin students in academic institutions in the south, 90% said they had “special difficulties” in remote learning, and more than half said they were likely or very likely to drop out as a result. Only 53% reported having a computer available for their learning, and 64% said they have a smart phone for use as the main tool for their learning. The study also found that the digital gap is larger among those with a lower income and when the level of language competency is lower, causing the gap to deepen for those respondents residing in an unrecognized village.

The Education Ministry seems to be unprepared to face the challenges of the pandemic in providing sufficient infrastructure to ensure the continuation of the education, even in a remote learning mode.

4.1 School dropouts as a result of remote learning in the Naqab

Regarding education both in recognized and unrecognized villages there are problems related to infrastructure. Apparently, there will be a very significant drop out among Arab Bedouin students in the Naqab – 52% of Arab students are thinking of dropping their studies because the online learning is almost impossible to maintain for them and the university fees are too high for them to afford at the moment¹².

We do not have the exact number of Bedouin students studying in institutions of higher education in Israel in general and in the Negev in particular, however, according to various sources these are

¹¹ Abu-Kishk, H. and Mendels, Y., 2020. Digital Divide and Distance learning among Bedouin students during the Covid-19 crisis.

¹² www.calcalist.co.il. 2020. Survey: [Half Of The Students Fear That They Will Not Find A Job After Graduation](#). (Hebrew).



between 2,500-3,000 people enrolled¹³. Still, the rate of Bedouin students in higher education is low compared with the Jewish population. According to the Central Bureau of Statistics, only 14% of Bedouin, compared with 46% of Jews, have enrolled in higher education in the decade following their graduation from high school¹⁴.

It's still not clear how many Bedouin students are dropping out, or how the transition to remote learning will affect registration for the coming year but it does not look very promising.

5. Discrimination in Employment

Unemployment in Bedouin communities is high, governmental sources show that the employment rate for Arab Bedouin men is 60% and for Arab Bedouin women is 22% (10% lower than all Arab women in Israel)¹⁵. Moreover, the five year governmental Plan to increase employment among Bedouin women in the Naqab excludes nearly all citizens living in the unrecognized Bedouin villages, especially women. These women are regularly denied access to basic State services, which makes it almost impossible for them to take significant part in the labour force. The short supply of job opportunities in Bedouin communities, the severe shortage of local commerce, craft and industrial parks, low quality education and dropout rates, and lack of day-care facilities are all major barriers to the integration of Bedouin women in the labour market.

Working conditions are dire for those that are employed since their salary is very low relative to the average in Jewish villages and in addition, they receive no social rights whatsoever. The point is that they do not have better options. During Covid-19 many people were dismissed from their jobs. In Rahat, according to information provided by the Mayor, the unemployment rate now and since Covid-19 increased to 35%¹⁶.

¹³ Levi, D. and Cohen, P., 2020. [online] Brookdale.jdc.org.il. (Hebrew)

¹⁴ Kadari-Ovadia, S., 2020. [For Bedouin Israeli University Students, Remote Learning Is An Obstacle Course](#). [online] haaretz.com.

¹⁵ Brookdale JDC, 2017. MJB Data Snapshot: The Bedouin in the Negev.

¹⁶ Protocol No. 2 from the meeting of the State Audit Committee for the matters of the Negev, October 2020.



5.1 Daycare centers in the Arab Bedouin communities

Professionals working with preschool children believe that the State of Israel must bring about a profound change that will reflect the emphasis on early childhood as a critical stage in the development of children, which does not fall short of the importance of later stages of education and even surpasses them. Changing early childhood education policy may reduce the gaps - which begin in infancy and widen over the years - and make a crucial contribution to the pursuit of substantive equality of opportunity, gender equality and a balance between professional fulfillment and parenting and family.

However, in the Bedouin communities in the Negev, such a turnaround is far from being realized. Despite the government's recommendations in committees and governmental decisions, the number of day care centres in the Arab communities in the Negev is still small. Only 12 day-care centres are active in seven of the Bedouin localities in the Negev and according to NCFs assessments, services are provided only to 750 children, about 2.5% of the children. In addition, there are 7 day-care centres whose construction has been completed but they are inactive and stand empty due to various issues that delay their opening and occupancy. Despite some improvement in the coverage rate of daycare center services, as mentioned, it is still extremely insufficient relative to the average in the general population.

According to the 2016 State Comptroller's report, the Division for Day Care and Nurseries failed dreadfully in promoting the construction of the centers in the Arab localities and their population over the years. The new budgeting and construction procedure, which was introduced in 2014, did not overcome the failures and was not adapted to the needs of the Arab localities, especially the Bedouin localities in the Negev. Assistance provided for the planning and construction processes was not adequately accessible. As far as is known, no up-to-date mapping of the needs and preferences of the residents of the Bedouin localities has been conducted. In addition, no significant organizational effort was made to provide information and training to the Bedouin localities, and not even one administrator has been appointed to facilitate resolving the problematic issues.

In view of the discrepancies between the number of early childhood frameworks in the Bedouin localities in the Negev and the overall number in Israel, the Ministry of Labour and Welfare must change its policy and adopt a policy of consistent preference for the Bedouin community at all



levels: not only in allocating budgets for construction of new centers but also to the extent of subsidizing the children's stay in the daycare centers.

6. Eviction and legal penalization of Arab Bedouin citizens

Bedouin citizens residing in the Negev/Naqab are under constant threats of home demolitions and forced evictions. Unlike Jewish citizens of the area, the Bedouin population is unable to take part in decision-making in nearly all levels of development and planning. While the State of Israel claims that it cooperates with community members, in reality, teams from the Bedouin Authority arrive in the villages and enter into negotiations with residents only to discuss terms of their forced displacement to the Bedouin townships, e.g. the location of new plots and the amount of compensation. Displacement itself is a foregone conclusion and not subject to negotiation. Beyond being one-sided processes that lack participation and consent, the Arab Bedouin population is being penalized for their status of indigenous people and for continuing with their struggle for land ownership and recognition. The cases of Al-‘Arāgīb and Umm El Hiran present two examples of forced eviction cases in which the struggles of the residents are penalized by the State and the Justice system through police violence, prison sentences and extremely high fines. The State’s objective of urbanizing this population is carried out even if it means erasing their legal status.

6.1. The Case of Al-‘Arāgīb

Al-‘Arāgīb is located west of Road 40, between Lehavim and Goral junctions, in the midst of a large afforestation project of the Jewish National Fund (JNF). The area has seen the creation of a number of Bedouin tribal encampments since the Ottoman rule. Specifically, the land in and around Al-‘Arāgīb was purchased by the Al-Turi tribe from the Al-Ukbi tribe in the early 20th century. The village residents lived off the land by growing olive trees, grapes, barley, wheat, watermelon, and grazing livestock. The residents reportedly payed taxes to the Ottoman and British authorities during this time.

In 1953, the Israeli government ordered the residents of Al-‘Arāgīb to temporarily vacate the village for six months, in order to use the land for military purposes. However, they were prevented from returning to their village. In the 1970s, the government launched a land arrangement program that gave the Bedouin the option to file land ownership claims in the northern Negev/Naqab, and residents of Al-‘Arāgīb filed a claim for 900 dunams of land. However,



the Government decided not to deal with land claims for over 30 years, until it began filing counterclaims in 2004. Since then, all of Al-‘Arāgīb’s pending cases are being handled by the Be’er Sheva District Court.

On 27 July 2010, Al-‘Arāgīb was completely destroyed by State authorities. Since 2010, structures built in this area have been demolished 179 times, with the last demolition having occurred on 22 October 2020.

In 2013, the Israeli Prosecution Unit in the Justice Ministry filed two indictments against Sheikh Sayah Al-Turi, the leader of Al-‘Arāgīb, on allegations of trespassing and unlawful entry onto public land. On 6 September 2017, following a four-year trial, Mr. Al-Turi was convicted by the Be’er Sheva District Court of 19 charges of trespassing, 19 charges of unlawful entry onto public land, and one count of breach of law. He was sentenced to ten months imprisonment. This is the first time a person was sentenced to prison on the charge of trespassing for maintaining a physical presence on disputed land, which marks a serious precedent by the courts. Sheikh Sayah also received a probationary sentence of five months and a fine of NIS 36,000. Sayah was detained in Maasiyahu Prison from the 25 December 2018 until his early release on the 23 July 2019.

On September 21st 2020, three members of the Abu Madhi’m A-Turi family of Al-‘Arāgīb, were sentenced to imprisonment by the Magistrate’s Court after being convicted of three charges earlier in 2019: trespass with intent to commit an offense, violation of lawful direction and unlawful entry to public land. Aziz Abu Madhi’m and his brother Seif, were sentenced to six and three months in prison, respectively. Their father, Sheikh Sayah, was sentenced to three months of community service due to his age and health condition. Another family member, Salim, was sentenced to four months in prison. The four were also fined extremely high sums, ranging between NIS 12,000-30,000 each, and NIS 77,000 in total. Sheikh Sayah and his family who are represented by Human Rights Defenders funded lawyer, Michal Pomeranz, have appealed the decision.

In addition to criminal indictments, a separate civil action was filed by the State to the Be’er Sheva Magistrates’ Court against Sheikh Sayah in 2011. The Court required Sayah and another thirty four defendants to cover demolition, eviction and trial costs of NIS 360,000 for the first eight demolitions of the village (since July 27th, 2010). 28 of those defendants settled an arrangement with the court and paid thousands of shekels each. Sayah and the five other defendants filed an appeal with the District Court, however, on August 6, 2019, their appeal was rejected. The Court fully accepted the State's position and instructed the defendants to pay NIS 1,600,000 for



recurring evictions and demolition costs. This verdict sets a serious precedent in terms of both the amount and the established legal procedures.

Since the release of Sheikh Sayah, the authorities have been harassing the residents of Al-‘Arāgīb almost on a daily basis, detaining both women and children, demolishing wooden sheds and confiscating building materials and personal belongings. According to the residents, in one of last year demolitions, the inspectors also destroyed a stone plaque in memory of several villagers who were killed after the 1948 war. The imprisonment of Sheikh Sayah and persecution of other human rights defenders for offenses of trespassing and the imposition of prison sentences for these offenses could lead to the criminalization of thousands of Bedouin citizens living in the Negev/Naqab who hold a similar status.

6.2. The Case of Umm al-Ḥirān

After a 15-year legal struggle against their eviction from the village of Umm al-Ḥirān, in April 2018, under extreme pressure from the authorities, most residents signed an agreement to abandon their village and relocate to the township of Ḥūrah. The negotiations took place in an extremely coercive environment: in the presence of police forces in and around the village, added to the brutal police killing of a local man, Ya‘aqub Abu al-Qian, by police forces in 2017 during a demolition operation.

After signing the agreement it became known that it is entirely null and void according to Attorney Kaminitz from the Ministry of Justice, as Yair Maayan, the Commissioner of the Bedouin Authority, who signed it in the name of the State of Israel, has no legal authority to deal with the distribution of land¹⁷.

The violent events that took place in Umm al-Ḥirān on 18 January 2017, in a military-like demolition operation, resulted in the killing of a 50-year-old villager, a math teacher named Ya‘aqob Abu al-Qi‘ān. Abu al-Qi‘ān was hit by two bullets and lost control of his car, which careened uncontrolled into a group of policemen. After the crash, Abu al-Qi‘ān, who was still alive and unconscious, was left without any medical treatment to bleed to death. Among the policemen, one officer died, and another was injured. During the same event, police fired at protestors using sponge-tipped bullets. Among those injured is the now head of the Arab Joint List, MK Ayman Odeh, who sustained wounds to his head and his back.

¹⁷ See NCF’s 2019 Report to the US State Department, pp. 16-17



Immediately after the incident, prior to any investigation, Israeli officials, including Prime Minister Netanyahu, the Public Security Minister, Gilad Erdan, and Police Chief, Roni Elsheikh, described the death of the policeman as a ‘terror attack’ and implied that Abu al-Qi‘ān was connected to the Islamic State terror group.

Subsequently, a complaint was filed to the Police Investigation Department against the shooting of Abu al-Qi‘ān and a preliminary inquiry was initiated by the Ministry of Justice. Despite the undisputed facts (which included numerous videos, photos and testimonies) the Israeli State Attorney closed the preliminary inquiry into the killing of Abu al-Qi‘ān on May 2018, and no officers were held accountable for his death. Moreover, it was revealed that the State Attorney ignored a Shin Bet (Israel Security Agency) report about the incident in Umm al-Ḥīrān, which concluded that the policeman died due to operational errors of the police, rather than a car-ramming attack. The report mentioned questions raised about the preparation of the forces and their unprofessional behavior in the field. Serious allegations were also made against the medical doctor present at the scene. She was accused of denying Abu al-Qi‘ān of medical treatment, eventually leaving him to bleed to death. During the doctor’s investigation by the Police Investigation Department, several contradictions and inconsistencies in her testimonies were found. Nevertheless, the decision was to end the inquiry without opening a criminal investigation and no disciplinary measures were taken against any of the policemen involved¹⁸.

Following the Prime Minister's apology and statement on September 8, 2020 concerning the death of Ya‘akob Abu-Al-Qi'an and the incidents surrounding it, NCF released a communication together with Human Rights Defenders Fund, demanding Justice and support to Ya‘akob Abu-Al-Qi'an’s family and demanding the annulment of the decision by the Police Investigation Department to close the investigation into his death at the hands of Israeli law enforcement forces¹⁹; especially in light of the recently uncovered evidence that contributes to the reconstruction of the case.

The lack of accountability and the impunity granted to the security forces increased the tension between the enforcement units and the Bedouin community, as none of the people involved were held accountable.

The standing of the residents, some of whom have already destroyed their homes in Umm al-Ḥīrān and have started building their new homes in Ḥūrah, remains unknown at the time of this

¹⁸ <https://tinyurl.com/ydbsuwjr>

¹⁹ <https://tinyurl.com/y3hd2xhk>



report. This leaves the people of Umm al- Ḥīrān in a state of uncertainty regarding their foreseeable future, as the State of Israel continues to treat them as second class citizens.

As of a recent report to NCF, the Ministry of Justice and Finance are working on a solution that the residents of Umm al- Ḥīrān can agree to.

6.3. Denial of citizenship

Israel is acting to arbitrarily revoke the citizenship of thousands of Bedouin citizens in the Naqab, leaving them stateless. When Bedouin in the Negev go to the Interior Ministry to take care of routine matters such as obtaining a passport, obtaining a birth certificate, registering a name, and so on, their status, and that of their parents and grandparents, is checked against the population registry, reaching as far back as the 1948 founding of the State. In certain cases, the ministry informs them that they received their citizenship by mistake, and then changes their status on the population registry from citizen to permanent resident.

Those people whose citizenship is revoked are given no explanation as to why, nor are they granted the option to appeal. Instead, the ministry staff suggests that they submit a request to begin the normal naturalization process to obtain citizenship. Many of the requests to obtain citizenship are rejected because documents are missing, because the applicant has a criminal record — which is not a recognized legal ground for the denial of citizenship — or even for being unable to speak Hebrew²⁰.

In 2017, Adalah sent a letter on behalf of Knesset Member Aida Touma-Suleiman (Joint List) to senior Israeli government officials demanding that the Interior Ministry immediately halt this practice aimed at Bedouin citizens in the Naqab, and move to immediately reinstate the citizenship of those affected. During the course of correspondence between MK Touma-Suleiman and the Interior Ministry, the ministry appeared to confirm the existence of this policy and even stated that it could affect up to 2,600 Bedouin citizens. According to the Population and Immigration Authority, their citizenship may be revoked as a result of earlier Interior Ministry registration errors likely made in the first few years after the establishment of the state between 1949 and 1952 when Palestinians who remained in the country were required to register with the new Israeli Population Registrar. However, the source of the errors has never been verified. MK Touma-Suleiman has collected dozens of testimonies from Bedouin citizens whose citizenship

²⁰ Zaken, D., 2020. [Several Israeli-Bedouin See Their Citizenship Revoked](#). Al-Monitor.



was revoked on the spot by Interior Ministry clerks based of supposed past errors in citizenship registration. The ministry clerks advise the concerned individuals to file new citizenship requests.

These citizenship revocations are illegal: they are being conducted without any authorization as no Israeli law exists that allows the Interior Ministry to revoke an individual's citizenship due to error.

The arbitrary revocation of citizenship from Bedouin citizens in the Negev violates international laws to which Israel has committed.

This is a complete and serious violation of the right to equality. Application of this policy is, in practice, the result of wrongful discrimination based on ethnic background. Transcripts of the Knesset Interior Committee session in December 2015 reveal that the policy is directed exclusively at Bedouin in the Negev and that there are no cases of Jews whose citizenship has been revoked as a result of error in the registration of parents or grandparents under the Law of Return. This policy results in unlawful discrimination based on national background and it is therefore illegal.

Individuals who have been citizens for 20, 30 or even 40 years, some of whom served in the army, who voted and paid their taxes, had clerks cancel their status with the push of a button²¹. As permanent residents, they can vote in local elections but cannot run for office, vote in national elections or run for the Knesset. They receive social benefits such as medical insurance and national insurance payments but cannot receive Israeli passports. If they are out of the country for prolonged periods of time, they can also lose their permanent residency, and unlike citizens, they cannot automatically transfer their status to their children²². Among those who remain without Israeli citizenship are people born in Israel to parents who are Israeli citizens. There are families in which one child is a citizen while another is a permanent resident. Some of those affected were deprived their citizenship when they tried to renew their passports to go on the pilgrimage in Mecca, a mandatory tenet of Islam and something they now cannot do.

On August 11, 2020, the Parliamentary Committee of Interior and Environment Protection declared that even if there was a registration error of the State, that in itself does not allow for revoking citizenship, an action that only a court is authorized to take. The Committee requested from the Ministry of Justice to act and correct the registration error made by the Population and

²¹ Khoury, J., 2020. [Israel Revokes Citizenship Of Hundreds Of Negev Bedouin, Leaving Them Stateless](https://www.haaretz.com). haaretz.com.

²² Ibid



Immigration Authority. The committee also requested from the Population and Immigration Authority and the Ministry of Interior to deliver within two weeks, the procedure by which the Authority intends to work to promptly naturalize the Bedouin citizens in the Naqab in light of the mistakes in the State's registration in the past.

7. Revision of The Five Year Program for Development

The government recently approved the extension for another year of the Five-Year Program for Socio-Economic Development (hereinafter: Five-Year Plan)- Government Resolution No. 922 for Arab society²³.

The Five Year Plan ostensibly allocates NIS 3 billion (US \$855 million) for the development of Bedouin townships and villages. However, it in fact conditions state funding on the execution of evictions and home demolitions in the 35 unrecognized Bedouin villages, which are almost entirely excluded from the benefits of the plan. The Resolution includes a section on “law enforcement” that authorizes the State to “protect state lands” and “prevent illegal expansion” in order to “decrease areas of land on which illegal construction exists.” This section was added after several government ministers refused to approve the resolution without including measures to ensure the eviction and demolition of the unrecognized villages, thus conditioning economic development on the implementation of policies of forced displacement, allocating part of its budget to this purpose. This allocation includes NIS 30 million per year for the purpose of planting trees in what it refers to as “evacuated state lands” on which the unrecognized Bedouin villages exist, to prevent the return of their inhabitants; a further NIS 32 million for increased law enforcement personnel; and NIS 10.5 million for additional personnel in the National Unit for Planning and Building Law Enforcement and local planning committees, in order to tackle “illegal construction” by the Bedouin population. The Resolution offers no possibility for development of the unrecognized villages.

According to the Ministry of Economy and Industry analysis of the Five Year Plan’s utilization of commitments, the budget utilization rate is of 53% of the commitments at the end of 3 years of the project which indicates a very slow pace of execution²⁴. Added to this is the execution of 43% of the cash. The Plan is finalizing its third year and it was expected that the rate of budget

²³ See NCF’s 2019 Report to the US State Department, pp 11-13

²⁴ 2020. Ministry of Economy and Industry. Planning versus execution report for the years 2017 - 2019. The program for socio-economic development among the Bedouin population in the Negev 2021 - 2017.



utilization would reach minimum 60% which did not happen and indicates a multiplicity of failures. In Education, the utilization rate is of 44%, as for the Ministry of Health, Mother and Child the utilization rate is of 50% which is very disappointing considering the colossal needs that exist in this area. The rate for the Authority for Development and Settlement of the Bedouin in the Negev subsidizing infrastructure and projects on private land was of 33%, as for the rate of the Ministry of Transportation, the rate was only of 29% to subsidize transportation infrastructure which is very poor and severe in the face of the acute needs of the residents of the unrecognized villages and in view of the government's statements on the duty to assist employment in general and the employment of women in particular.²⁵

According to NCF's assessment, an urgent budget should be allocated for emergency support in response to the different areas the Covid-19 is impacting. It is essential to strengthen professional training to provide adequate emergency health services, allocate budgets for the prevention and treatment of domestic violence and for prevention of school dropouts as well as for digital and electrical infrastructures needed to support remote learning. It should be noted that the Covid-19 pandemic is likely to contribute to even lower performance in the two years 2020-2021 left to end the Plan.

This indicates a lack of pressure "from above" to utilize the budget and demands the involvement of the Minister in charge - i.e., the Minister of Economy and Industry, and of the Director General of his ministry vis-à-vis the other ministries.

A rate of non-performance of 17.5% of activity in 2019 may be explained by disruptions and delays caused by re-election campaigns and instability in the administration, including difficulty in approving subsidies and budget changes, etc. However, this is a very worrying rate of non-performance. The five-year budget as a whole is particularly worrying if we consider that in 2020 its execution was severely hindered due to the Covid-19 crisis. A reformulation of the budget is needed while shifting to areas and channels that will ensure execution, including support for associations and facilitating accelerated processes for franchise allotments.

²⁵ Ibid



8. Summary

Since the outburst of Covid-19, we have seen little to no signs of aid or commitment on behalf of the Government to improve the situation of human rights for Bedouin in the Negev/Naqab. In the middle of a global humanitarian crisis, the Bedouin communities, especially the unrecognized villages, continue to suffer from poor or non-existent infrastructure and discrimination in distribution of resources, while continuing to suffer from home demolitions and lack of adequate housing.

During 2019, approximately 2,241 structures were demolished in the Bedouin communities in the Naqab, of which some 655 are estimated to be residential. Even more worrisome is the trend of 'self-demolitions', which continued to make up 88% of all demolitions in that year. The desire to avoid the trauma of a violent and unforeseeable enforcement mechanism, as well as criminal and economic sanctions, creates a huge measure of intimidation within the Bedouin population in the Naqab and brings the owners of the structures to demolish them themselves. The “efficiency” of these methods is built on causing extreme duress to a defenseless and vulnerable population.

Although the Government has clearly conveyed instructions of isolation and home confinement to deal with COVID-19, those are hardly feasible for the residents of the unrecognized villages that suffer from high levels of poverty and extremely crowded living spaces, and are left to face a global pandemic with lack of resources and governmental support. Specially in times of crisis, when the most underprivileged need the help of their leaders, they are being abandoned.

Regarding the Five Year Plan for development, the reality in the Negev related to health services, employment and training is very disturbing - emergency services are barely provided, and the budget is not being utilized. This situation is dire and requires urgent attention since the lack of services is resulting in the loss of human lives.

The digital gaps that exist mainly among the residents of the unrecognized villages illustrate years of the State's negligence and need to be urgently addressed to prevent students' dropouts. Now more than ever, infrastructure means and digital solutions must be provided to protect the rights of health and education of the Arab Bedouin communities.



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Negev Coexistence Forum for Civil Equality

Finally, it is advisable that authorities start involving the residents in decision making processes to revert the reluctance the residents have towards the government after years of home demolitions, Police violence and eviction.

It is outrageous that Israel's indigenous people are still subject to the Government's policies of eviction and legal penalization while being denied their basic human rights, for their children and communities.