

Violations of Human Rights of the Arab Bedouin Community in the Naqab/Negev during 2021



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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The cover picture was taken by Jenan al-Amour
from the unrecognized village of as-Sirrah, 29.7.2021

In accordance with the law, NCF is proud to say that because of its cooperation with friendly States and International Organizations that promote human rights, the majority of the funding for our activities comes from “foreign entities”.

Negev Coexistence Forum for Civil Equality Is an Arab-Jewish organization established in 1997 by Arab and Jewish residents of the Naqab, to provide a platform for a joint fight for civil rights equality. The Forum recognizes the neglect of various Israeli governments and their authorities who have denied the Bedouin community in the Naqab full rights, and acts to prevent further affliction and harm to recognized and unrecognized villages. The Forum's activities are varied and include local and international advocacy, research, community activities, public protests, social media, work with Israeli and foreign media, and more. All activities are based on Arab-Jewish collaboration.

NCF invests much effort in documenting the Negev/Naqab through various audio-visual projects. Majority of the photos are a product of these projects, where NCF provides video and still cameras to Arab Bedouin women and children who document their everyday lives, as well as human rights violations. The pictures featuring in this report are part of a recently released exhibition titled: *“Recognized: Life and Resilience Captured by Bedouin women”*, which can be accessed [here](#). The products of the various projects are used to raise awareness of the situation of the Bedouin population in the Negev/Naqab, through participation in film festivals, exhibitions in Israel and around the world, photo-albums, position papers and reports – such as this one.

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Introduction

Inequality for Arab Bedouin Communities in the Naqab

Arab Bedouin citizens who live in the Negev-Naqab¹ suffer from wide-spread discrimination that violates their human rights, politically, socially, and economically marginalizing them from Israeli society.² According to the Israeli National Insurance Administration, 79.6% of Naqab Bedouin children live below the poverty line (as of 2018).³ The Bedouin communities in the Negev/Naqab, are composed of approximately 290,000 residents that live in three types of settlements: seven government planned townships, eleven “recognized villages,” and thirty-five “unrecognized villages.” “Unrecognized villages” are not included in official Israeli state planning and residents face the continued threat of dispossession. There are approximately 100,000 Bedouin citizens that live in unrecognized villages

¹ The region is referred to in Hebrew as the “Negev,” and “Naqab” in Arabic. The state and Jewish citizens call it the “Negev,” while Bedouin residents refer to it as the “Naqab.” We use the dual name “Negev-Naqab” to avoid confusion with translation into English. When referring to the region before 1948, the founding of the State of Israel, we use the name “Naqab” since this was the preeminent label for its contemporaneous residents.

² Negev Coexistence Forum. Violations of Human Rights of the Arab Bedouin Community in the Negev/Naqab during Pandemics (2020). Retrieved 2 June 2021, from <https://tinyurl.com/2se99n9a>

³ The dimensions of poverty and social disparities. 2018 Annual report. National Insurance Institute, Research and Planning Administration

that lack any type of basic infrastructure, including electricity, sewage services, internet connection, running water, access to health clinics, daycare centers and educational institutions. The Israeli government designates 12.5% of the land in the region for Bedouin residents despite that they presently account for approximately 34% of the total population of the Negev/Naqab.

The State of Israel continues to deny Bedouins citizens ownership rights to their ancestral lands. The State also fails to properly carry out other functions that would give Bedouin citizens further political representation in Israel. The Central Bureau of Statistics (CBS) has refrained for years from carrying out a proper census.⁴ As a result, there is no accurate data concerning the actual number of people living in the unrecognized villages, and thus, different governmental offices use approximate numbers based on estimates rather than accurate and valid data that is used for the rest of the population in Israel. Such estimates lead to a lack of data that would illuminate the socio-economic needs of one of the most impoverished minorities in Israel—this has severe effects on the provision of basic services.

⁴ Kremer, E., 2021. Uncounted: Indigenous Bedouin citizens neglected by the Israeli Central Bureau of Statistics. Retrieved from <https://tinyurl.com/3an3z8a9>

Bedouin residents of the unrecognized villages cannot vote in municipal elections. During national elections they are required to cast their ballots in locations that are not easily accessible. In practice, their place of residence is not registered on their National ID; rather they are registered with the name of their tribe—a fictitious and discriminatory categorization.⁵ For a population roughly estimated as many tens of thousands of people, there are only eleven schools, four clinics, and two mother-and-child stations in the 35 unrecognized villages. This is because authorities continue to ignore the fact that they should provide services to purposefully unregistered residents who are excluded from budgetary allocation. This persistent statistical gap prevents the fair allocation of services which would tackle poverty-related issues that require policy solutions and regulation.

The Bedouin struggle for recognition is not a new phenomenon resulting from the effects of the coronavirus pandemic, but rather has deep roots going back to the establishment of the State of Israel in 1948. Since early in its history, the State has been using all the means at its disposal to concentrate the Bedouin community in large, increasingly crowded townships against the wishes of most members of the community, rather than negotiate in good faith to resolve the issue of Bedouin land ownership and settlement. The coercive methods used by the State include home

⁵ Please see page 23

demolitions, financial punishment such as onerous fines, police harassment in the villages, destruction of crops, all of which criminalize a population whose socio-economic circumstances threatens their very basic human rights and their children's wellbeing.

The State of Israel has continued to demolish Bedouin houses, despite the emergency exigencies caused by the global pandemic where home confinement, social distancing, and isolation is essential for survival. Such demolitions have also drastically impacted the ability of individuals to weather the pandemic's attendant economic crisis and rise in unemployment. Lack of connectivity has also caused a significant number of Bedouin students to drop out of school because they could not continue remote learning without an internet connection and electricity in their homes. The State has not offered any suitable alternative educational options for Bedouin youth.

In this report, we intend to cover the violation of the Human Rights of the Bedouin women, children and men during 2021, with the aim of pressuring policy and decision makers to promote the recognition of the Bedouin unrecognized villages, a necessary first step to providing Bedouin citizens with the same opportunities that the State affords its Jewish population.



Photo: unrecognized village of al-Fur‘ah, March 2021,
by Elianne Kremer

Historical Background

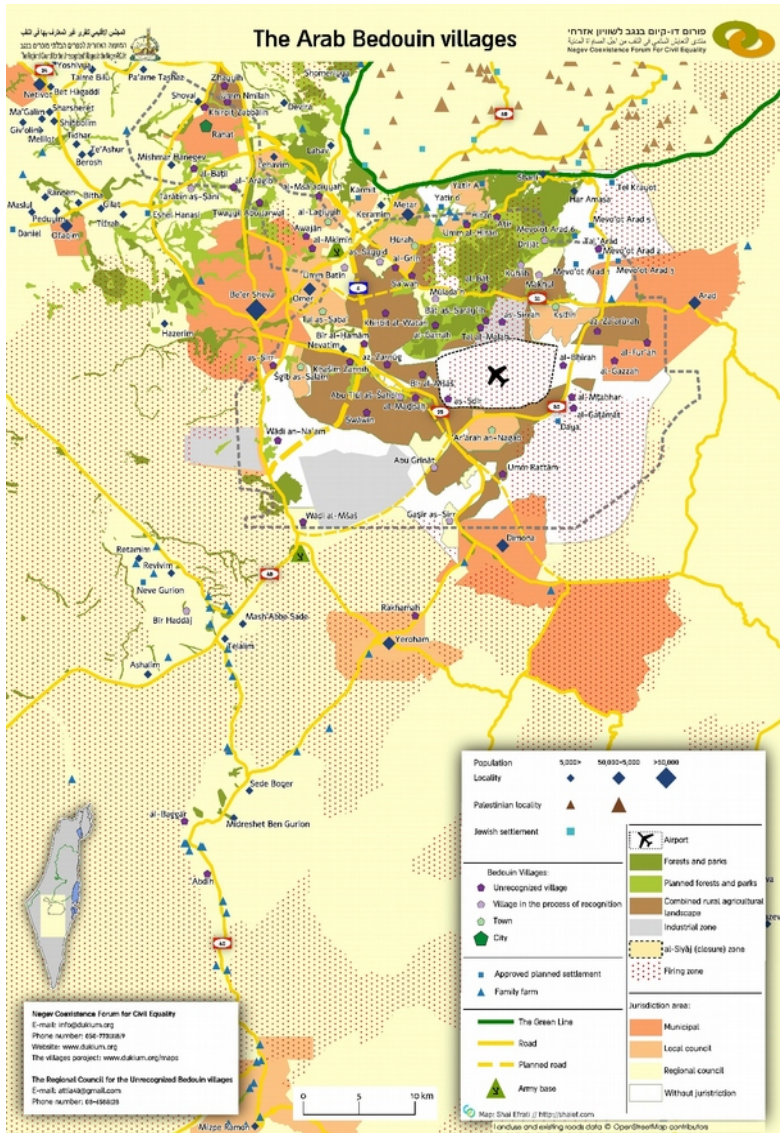
In the middle of the 19th century, the Naqab was the territory of Bedouins affiliated with various tribal confederations, and whose livelihood was based for the most part on water-scarce, rainfed agriculture in an area of about two million dunams (200,000 hectares). On the eve of the establishment of the State of Israel in 1948, there were between 65,000 and 100,000 Bedouins in the Naqab. During and after the 1948-1949 war, most Bedouins either fled or were deported from the Naqab to Jordan, the West Bank,

Egypt, the Gaza Strip, and the Sinai Peninsula, leaving behind a population of 11,000.⁶ At that time, the State of Israel began evicting Bedouin communities from their historical villages, a process which continues to this day. From the early 1950s until 1966, the State of Israel concentrated the Bedouins in the Negev-Naqab in a closed area called the *Siyāj* (in Arabic: fence), under military rule. During this period, the State displaced entire villages from the western and northern Negev-Naqab into the *Siyāj* area.



Unrecognized village of al-^ʿArāgīb 24.7.21. Launching of the village's art center, children playing on the side. Photo by Elianne Kremer

⁶ Ibid.



Many Bedouins became refugees, expelled from the State, while others became internally displaced peoples within the State itself. The State appropriated and nationalized Bedouin lands, by claiming them as “dead lands.”⁷ With the enactment of the Planning and Building Act (1965),⁸ the State re-designated most Bedouin land as agricultural land, nature reserves, or closed military zones, designations that legally denied the existence and establishment of Bedouin villages. In addition, the State began to register land as “state land,” disregarding Bedouin indigenous claims and rights to their territory. In this way, all existing Bedouin houses and structures were retroactively declared illegal, creating the paradoxical phenomenon of “unrecognized villages.” Many of these villages were founded before the establishment of the State of Israel, and since they did not receive any recognized planning status, they became illegal under Israeli law.

The State began imposing an urbanization process on the Bedouin population in 1966, with the termination of the Military Administration and the completion of planning proceedings for the first Bedouin township of Tal as-Saba'. This process continues to this day. Since 1966, the State has

⁷ For more information see: Negev Coexistence Forum for Civil Equality, 2012. Processes of dispossession in the Negev/Naqab: The Israeli Policy of Counter Claims against the Bedouin-Arabs [Hebrew], 2012. <https://tinyurl.com/y3dve4tb>

⁸ Planning and Building Law, 1965. <https://tinyurl.com/ycg3dzqj>

established altogether seven Bedouin townships, most of them in the Siyāj area, promising the residents “modern” services in exchange for relocation to urban plots. In the last several decades, Israeli policy towards the Bedouins in the Negev/Naqab has sought to concentrate the entire population in these seven townships.

Since 1999, the State of Israel has recognized 11 villages in the Negev/Naqab. However, in practice, there is no significant difference between the recognized villages and those that remain unrecognized. Most of the recognized villages, who have partly approved urban plans, have hardly issued building permits? still lack approved urban plans, and, as a result, residents cannot obtain building permits. At the same time, demolitions continue in both recognized and unrecognized villages, and infrastructure such as water, electricity, sewage disposal and roads are still mostly inaccessible or incomplete.

The members of the Bedouin community in the Negev/Naqab are citizens of the State, but the State insists on neglecting them. Over the years, Israeli Government and planning policy has ensured that most Bedouin villages will remain unrecognized and continue to be subjected to policies that pursue demolitions and punishment while withholding infrastructure and services.

Right to Life, Liberty, and Personal Security

Violence, Demonstrations and Crime

Violence in the Bedouin community has increased in the past year, including at least ten murders during 2021. According to several media outlets, these crimes took place because of conflicts between criminals, such as the murder of Ahmad al-Jarjawi, resident of Šgīb as-Salām in Be'er Sheva, or against the background of a conflict in family relations, such as the murder of Somaya Altalalka in al-Lagiyyih. Some were shot to death during a violent dispute between families, such as Kamal 'Abd al-Karim Abu Galyon from Tal as-Saba'. In all cases, the perpetrators and victims were Bedouin. These murders, like many of the other offenses committed by Bedouin, mainly affected the Bedouin community.⁹

In May, 2021 there were many incidents of Arabs harming Jews and vice versa. It should be noted, however, that the only case in the last dozen months in which fatal shootings took place between Jews and Arabs in the Naqab was in November 2020 in Arad. Aryeh Schiff shot and killed car

⁹ Noach, H., & Alsanah, H. (2021). The Bedouin in the Negev are not type B citizens, but type C. Haaretz. [Hebrew] Retrieved 2 December 2021, from <https://www.haaretz.co.il/opinions/premium-1.10304624>.

thief Muhammad al-Trash.¹⁰ He was convicted of "involuntary manslaughter" and won public sympathy. The then Minister of Internal Security, Amir Ohana, stated that he was an "exemplary citizen." Recently, Schiff was sentenced to nine months of community service¹¹.

According to data recently compiled by Haaretz reporter Josh Brainer, only 22% of the murders of Arab victims were solved this year, compared to 71% of murders in which the victims are Jews.¹² Recently, a new department focused on combating crimes in Arab communities has been created with the aim to enforce administrative detention measures to tackle organized crime to solve the massive possession of illegal weapons.¹³ The government continues to deny the socio-economic needs of the communities in the sense of promoting their educational and employment opportunities.

¹⁰ Timesofisrael.com. 2021. Arad man found guilty of reckless homicide in shooting of car thief. [online] Available at: <https://tinyurl.com/88u57su3>.

¹¹ Haaretz. 2021. Arie Schiff who shot to death his car's burglar, was sentenced to nine months of community service [Hebrew] Available at: <https://www.haaretz.co.il/news/law/1.10362830> [Accessed 10 November 2021].

¹² Breiner, J. (2021). 77 Israeli Arabs were murdered this year. Police insist they haven't lost control. haaretz.com. Retrieved from <https://tinyurl.com/3kwrmdmek>

¹³ Ibid

In advance, please find a summary of events that involve police violence and civic crime in the Naqab¹⁴:

February

On February 22nd, the State plowed under 2,800 dunams of cultivated land in the villages of al-Ġarrah, Al-Ru'ays and Sa'wah. Residents of nearby villages and supporters participated in a demonstration and called for recognition of their villages, requested the State stop its demolitions and plowing under of lands. A large police force violently arrested those who tried to prevent the tractors from plowing their land and from cutting off a pipe that provides drinking water for the residents. During the demonstration, eleven people including a minor, were arrested and detained in a police vehicle from the morning hours until the evening without any food or water. Four other protesters were arrested in the afternoon and taken to the police station. Towards the evening, eleven protesters were released by the police, and one of them was released by the Court the following day. Shahdeh Ibn Bari from the Human Rights Defenders Fund (HRDF) was present at the police station where the fifteen detainees were taken and stated: "The basic rights of the arrested residents were breached, being locked up in a police car from the morning until the evening

¹⁴ Negev Coexistence Forum, 2021. Databases built upon field testimonies

hours and afterwards interrogated at length without access to water or food. They were not given their basic right to consult with a lawyer”.¹⁵

May

In May 2021, we witnessed an escalation of violence exercised by right-wing extremists and the police in Sheikh Jarrah, at Damascus Gate, and at the Al-Aqsa Mosque.¹⁶ Those events led to escalations in clashes between the Hamas and the Israeli Defense Forces (IDF). But these clashes also had an impact on the Palestinian citizens of Israel in general and on the Arab Bedouin residents of the Naqab in particular.

As a result of these escalations, large Palestinian-led protests began to form all around the country to protest police violence directed at the Arab community. In the Negev/Naqab such demonstrations came in the form of mass protests along main highways.¹⁷

¹⁵ May, 2021. By Elianne Kremer. Interview. Ibn Bari, Shahda.

¹⁶ United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory. 2021. United Nations Office for the Coordination of Humanitarian Affairs - occupied Palestinian territory | Escalation in the West Bank, the Gaza Strip and Israel | Flash Update #1 as of 17:00, 11 May 2021. [online] Available at: <https://www.ochaopt.org/content/escalation-west-bank-gaza-strip-and-israel-flash-update-1-1700-11-may-2021>.

¹⁷ Dukium.org. 2021. Police violence, restrictions to freedom of protest and detentions/1.6.21 - Dukium.org. Available at:

Starting on the 10th of May, over 125 people, including Arab Bedouin residents of the recognized and unrecognized Bedouin villages and townships were detained in Southern Israel.¹⁸ On that day there were three protests in the city of Rahaṭ. During the night of May 11th, protesters were stopped and detained in the Bedouin localities of Rahaṭ, al-Lagiyyih, Šgīb as-Salām and Be'er Sheva. The protesters chose to demonstrate by blocking main highways. In response, the police force decided later to close the highways, blocking the entrance and exit of anyone, thus limiting the freedom of movement for the Negev/Naqab's Bedouin and Jewish residents.

<https://www.dukium.org/police-violence-restrictions-to-freedom-of-protest-and-detentions-naqab-2021>.

¹⁸ Ibid



Photos by Walid Eloubra, Rahaṭ and Šgīb as-Salām, May 2021

On Tuesday May 11th, in the morning, dozens of Arab and Jewish students from Ben-Gurion University and activists from Be'er Sheva organized a protest vigil against Israeli government policy in Sheikh Jarrah in East Jerusalem and against violence in the Arab community.¹⁹ The protest took place across Ben Gurion University's campus with the approval of the police. In the afternoon, a group of Jewish right-wing extremists arrived and started acting violently in front of the students' dormitories. Police officers that were present at the scene ignored the violence. The right-wing men shouted racist slurs and threats like "may your village burn" towards the Arab protesters. They also threw stones and soda bottles at them. However, it was the Arab protesters who were forced to evacuate by the police, under the threat of heavy force. The police employed stun grenades and forced the protesters into the university's dormitories to "protect" them from the potential harm perpetuated by the violent Jewish extremists.²⁰ Later, these right-wing extremists chased the protesters to the entrance of the dormitory and attacked them while students sought refuge. The students called the police, but according to testimonies and videos,²¹ the policemen who arrived at the

¹⁹ Khalail, R., 2021. The Kahanists attacked and the police joined I 31.05.21. Haokets [Hebrew]. Available at: <https://tinyurl.com/3pvmszye>

²⁰ Ibid

²¹ Rakan, M., 2021. Justice for our students. [online] Youtube.com. Available at: <https://tinyurl.com/hdezvkrc>

scene chose to attack the students inside the student dormitory complex. The police did little to stop the right wing extremists, despite the danger to the students. The police officers, most of them from a special patrol unit, attacked Arab students and arrested eight of them. Some of the detainees were punched while handcuffed and kneeling on the ground and in the police vehicles. One of the students was beaten by a policeman using a helmet and another by a policeman using a walkie-talkie. The police threw stun grenades at the students to evict them from the premises.

Eventually, four of the students were released and one of them was sentenced to house arrest in his village in the north of the country. Some of them were injured during the arrests or from police assault. Three more detainees remained in custody and were charged with assaulting police officers, disruption, causing disorder and violence. The detention of the three students was extended, and are currently serving their sentences at home prison with permission for two of them to leave their premises to attend their University classes. None of the right-wing Jewish extremists were arrested.²²

²² May, 2021. By Elianne Kremer. Interview. Khalail, Riham.



Photo by NCF's staff members, Ben Gurion University of the Negev,
May 2021

On May 12th, the police closed Roads 60, 31, and 25 restricting traffic from most Bedouin localities.²³ The police sought to limit the movement of most of the region's Bedouin residents, limiting the possibility of demonstrations and protests. These road blockages affected most of the Bedouin villages as well as residents of two Jewish cities; many were stuck for hours.²⁴

²³ May, 2021. By Elianne Kremer. Interview. Abu Obaid, Huda.

²⁴ ynet. 2021. Anarchy also in the Negev: Bedouins caused heavy damage and twisted lighting poles. Available at:
<https://www.ynet.co.il/news/article/HkHKqFdu> [Hebrew]

On May 12th, a protest in Šgīb as-Salām was violently suppressed by the police. On May 13th, it was confirmed that police held more than one-hundred detainees. Some of the detainees were investigated by the Israeli Security Forces (Shin Bet or Shabak).²⁵



Photos by Walid Eloubra, Šgīb as-Salām, May 2021

Another protest took place on May 12th in Shoket Junction. Jewish settlers there threw stones at cars owned by Bedouins. The police detained some of the Jewish settlers, but the court released them several hours later. The police also arrested members of the Bedouin community, most of whom were minors.²⁶

²⁵ May, 2021. By Elianne Kremer. Interview. Anonymus

²⁶ May, 2021. By Elianne Kremer. Interview. Abu Obaid, Huda.

On May 15th, two Arab men were hospitalized in Soroka Hospital victims of a stabbing.²⁷ On May 19th, police officers arrived in the township of al-Lagiyyih to arrest two young men who had set a tire on fire on Road 6. Due to violence of the arrest, some family members protested, resulting in the arrest of five people total, in spite of the fact that the police officers did not present a due arresting order.²⁸ On May 19th, protestors held a demonstration in front of the Be'er Sheva District Court to request the release of the four students who were arrested on May 11th.

According to Bedouin testimonies, due to the repression and violence used by police officers, residents have conducted less demonstrations.²⁹ The violence exerted by the police in the Negev/Naqab has consisted of hitting people with bats or with their fists and using tear gas.³⁰ According to Bedouin testimonies, protests have been reduced since then, due to the repression and violence used by police officers.³¹

On December 2nd, 2021, more than 1,000 Bedouin residents protested on Route 25, demanding the halt of excessive use

²⁷ The Jerusalem Post | JPost.com. 2021. Police investigating several crime scenes on night of Independence Day. [online] Available at: <https://www.jpost.com/israel-news/police-investigating-several-crime-scenes-on-the-night-of-independence-day-665185>

²⁸ See note 21

²⁹ See notes 21 and 23

³⁰ Ibid

³¹ Conversation with Huda Abu Obaid, local lobby coordinator at NCF

of Police enforcement against them, and "labelling Bedouin citizens as criminals". The demonstrators blame the media that has been creating incitement against the Bedouin residents from the Negev-Naqab³².



Photo: Protest against incitement towards the Bedouin communities, by Odeliya Mattar, Negev Coexistence Forum, December 2021

Shelter from Missiles

During May 2021, Hamas fired thousands of missiles into Israel from Gaza, endangering the lives of millions of

³² ynet. 2021. Residents of Bedouin unrecognized villages protest against "excessive use of Police enforcement"; Road 25 is blocked for traffic. [online in Hebrew] Available at: <https://www.ynet.co.il/news/article/sjcysiify> [Accessed 2 December 2021].

civilians. These missiles do not distinguish between Jews and Palestinians. Yet, as a result of the State's discriminatory policies and compared to the Jewish community in Israel, the Bedouin community disproportionately bears the dangers of conflict with Hamas. For most Israelis, the Iron Dome system and the IDF's early-warning alarms, provide protection and alert the citizens to enter shelters and designated safe spaces.

In the unrecognized villages of the Negev/Naqab, most houses were built from light materials with no foundations so there are no shelters, under or above ground, and most construction is lacking protective architecture like safe rooms, such as those in many newly constructed apartments and homes in Israel. The Iron Dome system does not provide coverage for many of the Bedouin villages since the State considers them to be "open spaces." Even in recognized villages, there are hardly public shelters. In other words, the lives of almost 100,000 Bedouin citizens living in the unrecognized villages and many others are not taken into consideration by the State when it assesses citizens' security during war. In previous operations, the IDF has provided portable shelters to Jewish localities that lack alternatives, such as in southern Israel, and even in settlements in the West Bank.³³ During the last violent

³³ Levi, D., 2019. Exposure: The Ashkelon municipality received shields before the escalation and did not distribute them in the city. [Hebrew] Kan South-

escalation, rockets fell in two Bedouin villages, Abu Grīnāt and Awajān, injuring residents.³⁴ The residents received no warning of the impending attack. Later, three sirens went off in al-Lagiyyih, two in Tal as-Saba‘ and one in as-Sayyid and Mūlada’h. Two rockets fell in the unrecognized village of Wādi an-Na‘am. Most of the homes in the seven townships do not have safe rooms and the public shelters are insufficient for the needs of the growing population.³⁵



Children from an unrecognized village seeking protection under a car during wartime, May, 2021. The photographer is unknown

In 2014, NCF, the Association for Civil Rights in Israel (ACRI) and other civil society organizations, filed an urgent petition to the Supreme Court, demanding the Home Front

Ashkelon. Available at: <https://www.kan-ashkelon.co.il/news/35416>.
Inn.co.il. 2019. Channel 7| Israel News. [Hebrew] Available at:
<https://www.inn.co.il/flashes/665316>.

³⁴ English.acri.org.il. 2021. [online] Available at:
https://www.english.acri.org.il/post/_316

³⁵ See note 21

Command to provide protection against missiles, in the recognized and unrecognized Bedouin villages in the Negev-Naqab³⁶. In particular, the demand was for the provision of mobile shelters to be installed in the villages' areas in sufficient quantities, in accordance with the needs of each and every village. In the verdict ruled in March 2017, the court did not oblige the State to take active steps to place shelters in the Bedouin villages and rejected the petitioners' claims regarding the unequal deployment of protection.³⁷

In May 2021, NCF has issued a letter to the IDF Chief of Home Front Command, Uri Gordin, as well as to the Ministry of Defense, and the IDF Commander in Chief, requesting the immediate emplacement of safe shelters, and taking any and all necessary measures to protect the lives of 290,000 Arab Bedouin citizens in the villages and townships.³⁸ As of the date of the publication of this report, NCF has received no response.

³⁶ Law.acri.org.il. 2017. Association for Civil Rights in Israel - Legal Archive. Lack of protection in the Bedouin villages in the Negev. [Hebrew] Available at: <https://law.acri.org.il/he/32058>

³⁷ Ibid

³⁸ Dukium.org. 2021. Letter to the Minister of Defense and the Home Front Command, demanding the protection of the Naqab's Bedouin residents with the "Iron Dome". [online] Available at: <https://tinyurl.com/bzauutb5>

The Right to Adequate Housing

A Pandemic of Demolitions

Housing is the primary defense against the coronavirus.³⁹ In order to prevent the spread of Covid-19, Israel like other states, have legislated home confinement and curfews. Such public health measures are based on the assumption that everyone has access to shelter which provides adequate protection against contracting and spreading the virus. However, in the Negev/Naqab, this is not the case.

Although the right to adequate housing is a recognized fundamental right in international law, a sizable proportion of the Negev/Naqab's 290,000 Bedouin citizens live in villages that the state refuse to recognize and grossly inadequate housing, which includes overcrowded conditions and limited access to water and sanitation.⁴⁰ These factors have made it almost impossible for Bedouins to safely self-isolate. Such housing inequities, combined with the added factor that many in the Bedouin community are disproportionately suffering from health issues, has made

³⁹ Vilenica, A., McElroy, E., Ferreri, M., Lancione, M., Fernández, M. and García-Lamarca, M., 2020. Retrieved from : https://radicalhousingjournal.org/wp-content/uploads/2020/05/RHJ_Issue-2.1_02_Editors-paper_09-28-1.pdf.

⁴⁰ See note 1

Bedouin citizens particularly vulnerable to contracting the virus.



Snapshot of video filmed by Okbi Yasser, demolitions in the recognized village of Umm Batīn, October, 2021

The State of Israel utilizes demolitions as major tool to achieve its policy goals when dealing with the Bedouin community in the Naqab. State demolitions are carried out in recognized and unrecognized villages, deeply affecting the wellbeing of the populations and as the main State's mechanism to take control of the Bedouins' land. The Bedouin community, despite being classified by the UN as an indigenous minority,⁴¹ has been suffering from a major housing crisis for years without an adequate governmental response. Tens of thousands of people live in homes under

⁴¹ Report by the Special Rapporteur on the rights of indigenous peoples, James Anaya. 2011. Available at: <https://www2.ohchr.org/english/issues/indigenous/rappporteur/docs/A-HRC-18-35-Add-1.pdf>

demolition orders, usually because they live in unrecognized villages or neighborhoods and are not granted building permits. The members of the community are waging a protracted struggle over land ownership, which the State continues to deny.⁴²



Photo by 'Amal 'Abū Qwīdir, az-Zarnūg, 2020.

Although the Ministry of Justice committed to halt residential home demolitions during the pandemic,⁴³

⁴² See supra 3

⁴³ Letter from Ministry of Justice regarding demolition of structures in the Naqab during pandemic. (2020). Retrieved from <https://tinyurl.com/2zfyv323> [Hebrew]

between January and December of 2020, 2,568 structures were demolished in the Bedouin villages in the Naqab,⁴⁴ representing a 13% rise compared to 2019 (2,241).⁴⁵ Despite the humanitarian crisis caused by the pandemic, this is the highest number of demolished structures ever recorded in one year in the Arab Bedouin communities.⁴⁶ Regarding demolitions during 2021, NCF has not yet received the official information from the authorities, but the estimation is similar to 2020's numbers. Furthermore, NCF has monitored the destruction of approximately 14,500 dunams of crops.⁴⁷

⁴⁴ Southern Administration for the Coordination of Enforcement of Land Laws, 'Summary of Working Year 2020', p. 10 Section 1 [Hebrew]

⁴⁵ Ibid

⁴⁶ Kremer, E., 2021. No Shelter in Place: State Demolitions in the Naqab Arab Bedouin communities and its impact on children. Retrieved from: <https://tinyurl.com/w9sezhdz>

⁴⁷ NCF, 2021. Table of demolitions. Retrieved from https://www.dukium.org/?page_id=11916



Photo by Elianne Kremer, Bedouin township of al-Lagiyyih,
March, 2021

Throughout 2020 and 2021, enforcement authorities continued to distribute demolition warrants, carry out demolitions, interrogate livestock farmers, and issue fines to herders (mainly for the purpose of harassment).⁴⁸ These enforcement measures cause extreme duress and lead to people demolishing their own structures in order to avoid continued harassment. During 2020, self-demolitions represented 94% of all structures demolished.⁴⁹ The trauma

⁴⁸ Negev Coexistence Forum for Civil Equality, Table of demolition of structures and ploughing of crops in the Naqab, <https://tinyurl.com/2eb5u88p>

⁴⁹ Negev Coexistence Forum for Civil Equality. No Shelter in place: State Demolitions in the Naqab Bedouin communities and its impact on children.

of eviction have significant effects on mothers' health and hence on their children. Vulnerable populations like Bedouin children and women should be offered treatment by social workers and mental health workers, to generate some proper support for the almost irreversible consequences of home demolitions on child development and mental health⁵⁰

The latest developments of the legal framework of Demolitions in the Naqab

In the past few years, the State of Israel has been promoting various changes in the planning and building laws to restrict construction in Arab communities. To this day, most Arab localities do not have up-to-date master plans to accommodate the natural growth rate in recognized Bedouin villages and townships.⁵¹ The actual problem is not unregulated construction, but rather the lack of planning in those localities.

Recently, such restrictive regulation policies have emerged out of the Kaminitz Law, also known as Amendment No. 116 of the Planning and Building Law.⁵² Passed by Parliament and put into force in October 2017, the

(2021). Page 16. Retrieved from <https://tinyurl.com/337crtvc>

⁵⁰ Negev Coexistence Forum for Civil Equality. No Shelter in place: State Demolitions in the Naqab Bedouin communities and its impact on children. (2021). Retrieved from <https://tinyurl.com/337crtvc>

⁵¹ Nasser, K. (2021). Why do the Arabs really want to repeal the Kaminitz Law? Retrieved from <https://tinyurl.com/38r3fef>

amendment increases the enforcement of planning and building offenses. In particular, the amendment primarily pursues economic sanctions through the imposition of fines with the goal of avoiding legal proceedings and thus shorten enforcement procedures.⁵³ At the same time, the amendment expands and gives more discretion to governmental enforcement authorities such as the National Unit for Enforcement of Planning and Building Laws.⁵⁴

In addition, significantly harsher penalties were proposed for planning and building violations, including higher fines and extended terms of imprisonment. In a further intensification of enforcement efforts, accomplices to a crime is a serious escalation that is liable to lead to the prosecution of innocent people on a large scale.⁵⁵

Along with amending the Planning and Building Law, authorities adopted additional regulations to implement harsher economic and administrative penalties. In June 2018, former Justice Minister Ayelet Shaked approved the Administrative Offenses Regulations, which set new fines for violations of the law. The decision to impose the fine is

⁵² Planning and Building Law (Amendment no. 116), 2017 (in Hebrew): <https://tinyurl.com/y7evr4ow>

⁵³ The Association for Civil Rights in Israel and others. The Kaminitz Law (Proposed Planning and Building Law (Amendment 109), 5766 - 2016: Position Paper, 2017, (in Hebrew): <https://tinyurl.com/y88zumnu>

⁵⁴ Ibid

⁵⁵ See supra note 35

vested in an administrative body, thus eliminating judicial oversight. The increased fines set in the new regulations are draconian and unprecedented and may add up to as much as a one-time fine of ILS 300,000 (approximately US \$94,000).⁵⁶ These fines have the power to reduce Bedouin families to a state of abject poverty and to seriously violate their right to live in dignity.

In November 2020, the Justice Ministry issued a notice to the public regarding the Kaminitz Law,⁵⁷ announcing a suspension of the enforcement of housing and planning laws. However, it is apparent that this is only an “easing” in enforcing the Kaminitz law and not a suspension of the law. The alleged suspension applies only to dwellings that were populated before January 1st, 2018, with the condition that there are no outstanding enforcement proceedings on them other than administrative fines. In reality, most of the structures in demolition proceedings do not meet these conditions. The Kaminitz Law does not recognize the right to adequate housing, and the right to self-determination defined in the International Covenant on Civil and Political

⁵⁶ Ministry of Justice, Administrative Offenses Regulations (Administrative Fines – Planning and Building), 2018 (in Hebrew): <https://tinyurl.com/yakjuhwb>

⁵⁷ Lis, Y., 2020. The Ministry of Justice Announced That the Enforcement Of Construction Offenses In Arab Localities Will Be Frozen, (in Hebrew): <https://tinyurl.com/y68srkfg>

Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).⁵⁸

In negotiations towards forming the new Israeli government after the recent election,⁵⁹ the Arab parties demanded a freeze on the Kaminitz Law as one of their conditions of joining the coalition. The coalition agreement signed by Mansour Abbas on behalf of the United Arab List party in June 2021, requires the freezing of the Kaminitz Law until the end of 2024. The agreement included that the demolition of “illegal” structures in the Negev would be frozen for nine months, until a clear policy is formulated on the issue.⁶⁰ However, this was not observed in practice as the demolition of structures and a police presence in the villages continued.

The Kaminitz Law completely ignores the causes of the existing situation and hinders reaching planning and housing solutions.⁶¹ It is impossible to solve this crisis in such a

⁵⁸ OHCHR | International Covenant on Economic, Social and Cultural Rights (ICESCR). Retrieved from

<https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

OHCHR | International Covenant on Civil and Political Rights (ICCPR). Retrieved from

<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁵⁹ A coalition agreement to form a unity government. (2021). Retrieved from <https://tinyurl.com/2shszxk3>

⁶⁰ Ibid

⁶¹ Association for Civil Rights in Israel. Repeal the Kaminitz Act, which tightens enforcement on construction offenses. (2019). Retrieved from

punitive manner, without bringing about a complete and just solution to the distress caused by a lack of planning and the official reliance on enforcement. Rather than pursue enforcement and punishment, authorities should fulfill their legal obligations to establish a proper planning framework and allow for construction in accordance with the housing needs of the Bedouin population.

<https://tinyurl.com/6cus2y3u>

Right to Physical and Mental Health

Medical services in unrecognized villages are gravely lacking. For most of the Bedouin population, medical clinics are remote and inaccessible. Magen David Adom (MDA) emergency services⁶² 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 for individuals who need to receive medical treatment⁶³. Sanitary conditions in villages are dire, particularly due to the lack of running water and lack of sewage systems.

In the context of the pandemic, the physical conditions of dwellings in the villages do not allow for meaningful and safe isolation. For Arab Bedouin women, this is even more difficult, as currently there are no appropriate isolation facilities that are culturally-sensitive and cater to their specific needs. It is also the case that vaccination rates amongst the Bedouin population is low, thanks to a lack of trust in Israeli authorities, in addition to the inaccessibility

⁶² The Israeli Red Cross organization

⁶³ Violations of Human Rights of the Arab Bedouin Community in the Negev/Naqab during the Pandemic. Dukium.org. (2020). Retrieved 13 October 2021, from <https://tinyurl.com/2se99n9a>.

of information about the pandemic, vaccinations, and prevention measures in Arabic.⁶⁴



Photos by Sujud al Amour, from the unrecognized village of as-Sirrah, February, 2021

⁶⁴ Remote, fearful and suspicious: Why Israel's Negev Bedouin remain unvaccinated. Timesofisrael.com. (2021). Retrieved from: <https://tinyurl.com/59fy8zk>



Photos by Sujud al Amour, from the unrecognized village of as-Sirrah, February, 2021

Vaccination Inequity in Negev/Naqab Bedouin Communities

According to information published by the Israeli Ministry of Health, 40% of the Israeli population has been vaccinated with a third dose of available vaccines. However, only 4% of approximately the 170,000 Bedouin residents in recognized villages and townships were immunized with a third dose, by October 2021.⁶⁵ Regarding the remaining approximate 100,000 residents from unrecognized villages, there is no available information about their vaccination

⁶⁵ Ministry of Health, 2021. Retrieved from <https://tinyurl.com/55j76uj5>

status. The State’s neglect of the Bedouin population is reflected in the particularly low vaccination rates and the subsequent increased number of people who fall ill with the infection. There are a significant number of Covid-19 infections in educational institutions, identified by the periodic tests that students are required to carry out to attend classes.⁶⁶ Thus, several classrooms and schools in Bedouin communities are closing.

Vaccination rates in Bedouin recognized villages and townships				
Locality	Population	First dose	2nd dose	3rd dose
Bīr Haddāj	5,995	3%	2%	1%
al-Lagīyyih	14,616	28%	23%	6%
Ksīfih	22,418	21%	17%	4%
‘Ar‘arah an-Nagab	18,937	31%	25%	6%
Ḥūrah	23,062	23%	18%	5%
Gaṣīr as-Sirr	2,584	13%	12%	4%
Šgīb as-Salām	11,328	28%	23%	6%
as-Sayyid	6,059	8%	6%	1%
Umm Batīn	4,481	16%	13%	3%
Tal as-Saba‘	21,531	29%	25%	6%
	Total	Average	Average	Average
	131,011	20%	16%	4%

Source: Ministry of Health, 2021. Retrieved from

<https://tinyurl.com/4ym32hv9>

⁶⁶ Janko, A. and Shaalan, H., 2021. 40% of those tested yesterday - from Arab society: "Morbidity in schools". [online] ynet. Available at: <https://tinyurl.com/f6hdcb9z>

Right to a Clean, Healthy, and Sustainable Environment

Sdeh Barir Phosphate Mine

A plan to allow for the mining of phosphate in an area directly adjacent to the Bedouin village of al-Fur'ah will require the demolition of 1,426 buildings in the village and will pose a serious health risk to neighboring residents. The planned area for the mine currently contains 1,426 buildings, and an additional 569 buildings are within the plan's surrounding restricted area. Several human rights organizations, together with some of the al-Fur'ah residents, filed a petition to the Israeli Supreme Court against this phosphate mine on January 21st, 2019. The petition was filed on behalf of al-Fur'ah's residents, the Regional Council for Unrecognized Villages (RCUV), Bimkom, Adalah – Legal Center for Arab Minority Rights in Israel, Physicians for Human Rights and was attached to a petition by the Municipality of Arad.⁶⁷

The State submitted its opposition to an absolute order, in which it was determined that there was no regulated

⁶⁷ Adalah.org. 2021. Israeli Supreme Court rules that construction of phosphate mine in Bedouin village in the Naqab - Adalah. [online] Available at: <https://www.adalah.org/en/content/view/10438>.

methodology regarding the health dangers of the plan and there were no expert opinions presenting the health dangers.

On October 11th, 2021, the Supreme Court ruled for the continuation of the construction of the phosphate mine. The court contented itself with an amendment made to the National Outline Plan for mining and quarrying plan “14B” asking for the examination of the health consequences at the level of the detailed planning.

This means that a detailed program that will include a health assessment will be conducted, although this was already stated in the original National Outline Plan. Regarding Adalah’s claims in the petition they submitted, claiming that it is not enough, the court emphasized that the planning authorities must also consider meticulously the “zero alternative.” In other words, planning authorities stop the mining if it negatively impacts the health of people in the vicinity. The civil society organizations, led by Adalah, will consider filing another petition against the detailed plan of Sdeh Barir. That, assuming there will be no drastic changes in the mine area, the health consequences or the planning of al-Fur’ah.

The Minister of Environmental Protection, Tamar Zandberg, filed an appeal against the decision of the Ministerial Committee on Internal Affairs, Services and Local

Government to approve the plan.⁶⁸ According to the position of the Ministry of Environmental Protection, the policy of phosphate mining in a period of climatic and ecological crisis should be re-examined.⁶⁹



Photo by Tasnim al Amour, from the unrecognized village of as-Sirrah, June, 2021

⁶⁸ Middle East in 24. 2021. [online] Available at: <https://tinyurl.com/3yvnjzyx> [Accessed 9 December 2021].

⁶⁹ Haaretz. 2021. After being urgently approved by the Ministerial Committee, Zandberg appealed the phosphate mining plan. [Hebrew] Available at: <https://tinyurl.com/2p9hjef8> [Accessed 9 December 2021].

Sewage Reservoirs in the City of Dimona

NCF together with the RCUV, ACRI, Bimkon, and Shatil sent a letter to the Mayor of Dimona, the CEO of the Negev Wastewater Company, and the CEO of the Government Authority for Water and Sewage, demanding that the sewage reservoirs in the city of Dimona be fenced off, since it is close to the village of Gaşir as-Sirr, where children are playing nearby. Such reservoirs endanger the lives of residents in the area.⁷⁰ The failure to fence off the reservoirs, along with oxidation/sewage pools, poses a real danger to the residents who live in the surrounding villages. This includes the residents of the village of Gaşir as-Sirr whose children have direct access to the pools and are in danger of drowning. Following our petition, the appropriate authorities did fence off the sewage pools.

⁷⁰ Dukium.org. 2021. Letter to the Mayor of Dimona, the CEO of the Negev Wastewater Company, and the CEO of the Government Authority for Water and Sewage demanding to fence off the sewage reservoirs in the city of Dimona. [online] Available at: <https://tinyurl.com/pmzjnk3c>.

Right to Education

According to Israel's Compulsory Education Law⁷¹, the State is obligated to provide every child in Israel with an education. At the time the law was enacted, a compulsory study period was set for grades 1-8 (elementary school). Over the years, the period has been gradually extended to its current state - from the age of 3 until the end of the twelfth grade. Currently there are 10 elementary schools which have been established in seven unrecognized villages in the Negev-Naqab. This has been made possible through a planning program for such special cases aims to enable the establishment of portable structures for Schools, Health clinics and Mother and Child clinics (Plan 4/14/40). The establishment of those buildings are approved through a special procedure.⁷² In all the other villages children are bussed to schools, while in other villages and towns it can be a very long drive with private cars.

⁷¹ Knesset.gov.il. 1949. Compulsory Education Law, 1949. [Hebrew] Available at: http://www.knesset.gov.il/review/data/heb/law/kns1_education.pdf.

⁷² Israel Lands Authority. 2021. Plan 14/4 Amendment 1/40 Temporary portable structures for essential services. Available at: <https://apps.land.gov.il/TabaSearch/#/Plans/Plan/6005758>. Israel Lands Authority. 2021. Plan 14/4 Amendment 40. Construction of temporary structures. Available at: <https://apps.land.gov.il/TabaSearch/#/Plans/Plan/6005009>



Photo by NCF's staff members at a kids' workshop, unrecognized village of Umm al-Ḥīrān, June 2021



Photo by NCF's staff members at a kids' workshop, unrecognized village of Umm al-Ḥīrān, June 2021



Photos by Ḥusayn 'Abū al-Qi'ān, from the unrecognized village of Umm al-Ḥīrān, during NCF's kids workshop, August, 2021

The Digital Gap in the Bedouin Communities

The percentage of households connected to the Internet in Bedouin localities is only 34%.⁷³ In the unrecognized villages, where there is no basic infrastructure for internet connection, residents are forced to rely on the cellular network. However, in many unrecognized villages there is no cellular reception at all, while in the rest, reception is only partial. This represented a real disadvantage for Bedouin citizens as much of the services and information

⁷³ Abu-Kishk, H. and Mendels, Y., 2020. Digital Divide and Distance learning among Bedouin students during the Covid-19 crisis.

during the pandemic were provided online. The lack of basic services hindered the Bedouin community's ability to access valuable information, receive their benefits and allowances, apply for unemployment, and more.

The adoption of technological solutions for distance learning during the Covid-19 lockdowns and restrictions over the size of gatherings has exacerbated an already unequal system of education, furthering a 'digital divide' between different student groups. Arab Bedouin pupils were unable to enjoy distance learning, as evidence suggests that most have not participated in classes and lost more than a year of schooling. Bedouin children are already the poorest population in Israel: of the 24,000 kindergartners and 96,300 schoolchildren in the Bedouin community (Ministry of Education, 2021),⁷⁴ 79.6% live under the poverty line (National Insurance Institute, 2018).⁷⁵ Different strategies taken by the Israeli Ministry of Education, such as distribution of computers (which reached only 13% of Bedouin pupils) were designed to overcome the digital divide but it could not overcome the lack of internet and electrical infrastructure and the digital competency among teachers and pupils.

⁷⁴ Ministry of Education, Economics and Budget Administration, ICT and Information Systems Administration (2021). Retrieved from <https://shkifut.education.gov.il/district/6>

⁷⁵ National Insurance Institute. Dimensions of Poverty and Social Disparities - Annual Report, 2018 [Hebrew]. Retrieved from <https://tinyurl.com/6jve9ckz>

The rapid shift to remote working and learning and the new availability of health and public services online in Israel due to the Covid-19 crisis has placed a renewed and urgent emphasis on digital accessibility and inclusion.

According to a report led by Dahan & Abu-Rabia-Queder (2020)⁷⁶ concerning the impact of Covid-19 on the Israeli Education System, hundreds of thousands of students in Israel do not have access to the technology and the physical environment required for online distance learning. In the case of Bedouin children from rural localities, already disadvantaged, the move to online learning leaves them with even fewer opportunities. The study also concluded that most of the educational institutions that have a high percentage of students from the lowest socioeconomic groups lacked the ability to produce educational content suitable for online learning. Further, because the Israeli government fails to provide accurate data on the Bedouin population, as mentioned in the 2021 State Comptroller Report, public policies cannot adequately fulfill the community's needs.⁷⁷

⁷⁶ Abu-Rabia-Queder and Dahan, Y., 2020. The Covid-19 crisis and its impact on the Israeli education system.

⁷⁷ State Comptroller Annual Report 72A - Part One, 2021. Aspects of governance in the Negev [Hebrew]. Available at <https://tinyurl.com/85zr6d95>

In September, NCF together with the RCUV, the Clinic for International Human Rights, The Hebrew University of Jerusalem and the Israel Internet Association sent a letter to the Minister of Education, Minister of Communication, Minister of Economy, addressing the urgent need to find solutions to ensure Internet accessibility to students in Israel as an integral part of exercising their right to education, emphasizing the current situation of the Arab Bedouin minority.⁷⁸

It can be argued that many children in the State of Israel have been suffering from physical and emotional frameworks during the coronavirus pandemic. It has affected their right to education due to the technological needs and difficulty involved in distance learning, in addition to the pre-pandemic situation where many localities had difficulties even in accessing the Internet.

It is important to emphasize that the digital learning rates in the Bedouin community were dramatically lower compared to the other groups. For example, according to the State Comptroller's report concerning the handling of the pandemic, (Remote Learning Chapter, p. 46)⁷⁹ the

⁷⁸ *Request to the Ministry of Education and Communications to find urgent solutions to ensure Internet accessibility to students in Israel as an integral part of exercising their right to education.* Negev Coexistence Forum. (2021). Retrieved from <https://tinyurl.com/sacjeaab>

⁷⁹ 2021 State Comptroller Annual Report. Teaching and distance learning during the Covid-19 period [Hebrew]. Available at

proportion of Bedouin students who submitted digital content at least once a month in March 2020 was about 30%, while in February 2021 the percentage dropped to less than 10%. This is in comparison to more than 60% of the Jewish secular students who submitted digital content in March 2020 and 40% in February 2021. During most of the period of remote learning, the rate of those submitting digital content in the Bedouin communities was less than 20%.

According to the report, in spite of the fact that in July 2020 digital learning environments were translated into Arabic, after that date there was a significant decrease in the rate of use of remote learning tasks among Arabic speakers, including a 5% decrease in the Bedouin community.⁸⁰

In the entire Southern District, it was reported that the participation rate in remote learning by way of the national broadcasting system was low. On a scale of 1 – 5 in which "1" indicates absolutely no participation and 5 indicates extensive participation: remote learning in primary education rated 3, and in post-primary education 2.⁸¹ A think tank study conducted by Dr. Hallei Pinson and others found that the national broadcasting system was not tailored to

<https://tinyurl.com/yrkdttnv>

⁸⁰ Ibid p. 47

⁸¹ See note 84, pg. 55

Bedouin students, since it was broadcast on private channels based on the Internet. Because it involved paying a fee, which was a major obstacle for most poor Bedouin families.⁸²

⁸² See note 84, pg. 56

Right to a fair trial

Israel's High Court of Justice denied on Thursday 21st of October 2021, a petition to reopen the investigation of the police officers who shot and killed a resident of the unrecognized Bedouin community of Umm al-Hiran in 2017. The petition was filed on behalf of the family of the victim, Ya'akob Abu-Al-Qi'an, against the decision of the state prosecutor at the time, Shai Nitzan, and Attorney General Avichai Mandelblit to close the case without investigating any of the police involved in the incident.⁸³

Violent events took place in Umm al-Ḥirān on 17th of January 2017, in a military-like demolition operation during which hundreds of armed police officers unlawfully used excessive force of weapons, accompanied by Israeli military helicopters and bulldozers.⁸⁴ During the operation, in which forces destroyed about 15 structures, police fired live ammunition at the car 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

⁸³ Breiner, J., 2021. The High Court rejected the petition to re-investigate the police officers who shot dead Yaakov Abu al-Qiaan. [Hebrew] Haaretz. Available at: <https://www.haaretz.co.il/news/law/1.10313704> [Accessed 9 December 2021].

⁸⁴ Forensic Architecture, Killing in Umm Al-Hiran, 19 January 2019, <https://tinyurl.com/y5q6cpqy>

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 the back.⁸⁵

Immediately after the incident, prior to any investigation, Israeli officials, including former Prime Minister Netanyahu; former Public Security Minister, Gilad Erdan; and former 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 terror group known as Islamic State.⁸⁶

Subsequently, a complaint was filed 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

⁸⁵ Ibid.

⁸⁶ Maariv Online, 'Documentation of the attack in the Negev: The terrorist speeds up and overpowers the police', 18 January 2017 (in Hebrew), <https://tinyurl.com/thcmnz5>; Forensic Architecture, Killing in Umm Al-Hiran, 19 January 2019, <https://tinyurl.com/y5q6cpqy>; Imri Levy Sedan, 'From ISIS terrorist attack to "unfortunate incident": The Bedouin village runover - step by step', Walla News, 23 February 2017 (in Hebrew), <https://tinyurl.com/vct23xh>

killing of Abu al-Qi'ān on May 2018, and no officers were held accountable for his death.⁸⁷ 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.⁸⁸ The report mentioned questions raised about the preparation of the forces and their unprofessional behavior in the field.⁸⁹ 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 contradistinctions and inconsistencies in her testimonies were found.⁹⁰ Nevertheless, the decision was to end the inquiry without opening a criminal investigation and no disciplinary

⁸⁷ Tova Tzimuki and Ilana Curiel, 'State Attorney closes Umm al-Hiran case', Ynet News, 05 January 2018, <https://tinyurl.com/wq29d39>; Haaretz Editorial, 'What Israel State Prosecutor ignored at Umm al-Hiran', Haaretz, 12 June 2018, <https://tinyurl.com/ucgpz2n>

⁸⁸ Haaretz Editorial, 'What Israel State Prosecutor ignored at Umm al-Hiran', Haaretz, 12 June 2018, <https://tinyurl.com/ucgpz2n>

⁸⁹ Josh Breiner, 'New footage sheds light on fraught, fatal 2017 episodes in Bedouin village', Haaretz, 3 June 2019, <https://tinyurl.com/y4q9zpyy>

⁹⁰ Oren Ziv, 'New evidence reveals Bedouin citizen was left to die after police shooting', +972 Magazine, 23 February 2020, <https://tinyurl.com/wuo4kb5>; Forensic Architecture, Killing in Umm Al-Hiran, 19 January 2019, <https://tinyurl.com/y5q6cpqy>

measures were taken against any of the policemen involved.⁹¹

In September 2020, Prime Minister Benjamin Netanyahu referred to the investigation of Amit Segal, who revealed that the investigation of the killing of Yaakov al-Qi'ān, in the unrecognized village of Umm al-Hiran in 2017, had been covered-up. Among other things, Segal revealed certain correspondence between former State Attorney Shai Nitzan, the former Israeli Police commissioner Roni Elsheikh, indicating attempts to hide information related to the event. Netanyahu referred to the tragic incident "The prosecution and the police took an Israeli citizen who was killed by mistake, and who was then defamed by them after his death - and they turned him into a terrorist."⁹²

In light of the horrific findings indicating criminal conduct on the part of the police forces, the government apologized for the brutal assassination of Abu al-Qi'ān. However, the lack of accountability and the impunity granted to the security forces increases the tension between the enforcement units and the Bedouin community, as none of the people involved are held accountable.

⁹¹ Josh Breiner, 'Police doctor failed to treat wounded Bedouin man during deadly Umm al-Hiran clashes', Haaretz, 12 June 2018
<https://tinyurl.com/yb76pjgn>

⁹² Friedson, Y. and Kuriel, I., 2020. Netanyahu: Apologies to the Abu al-Qi'ān family. They made him a terrorist to hurt me. [Hebrew] Ynet. Available at:
<https://www.ynet.co.il/news/article/SkbSnWSNv>.



Photo: Weekly protest against demolition and eviction of the unrecognized village of al-ʿArāgīb, November 2021.

Trip to Jerusalem of the group of NCF's photographers
Photo by Heidi Motola, November, 2021

