



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

Adalah The Legal Center for Arab Minority Rights in Israel

عدالة المركز القانوني لحقوق الاقلية العربية في اسرائيل
עזאלה המרכז המשפטי לזכויות המיעוט הערבי בישראל



Joint Submission to the United Nations Universal Periodic Review

Submitted by

Adalah – The Legal Center for Arab Minority Rights in Israel &

The Negev Coexistence Forum for Civil Equality

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I. Introduction

1. Adalah ('Justice' in Arabic) – The Legal Center for Arab Minority Rights in Israel is an independent human rights organization and legal center. Established in 1996, it works to promote human rights in Israel in general, and the rights of the Palestinian citizens of Israel in particular. This work also includes promoting and defending the human rights of all individuals subject to the jurisdiction of the State of Israel, in particular residents of the 1967 Occupied Palestinian Territory (OPT).
2. The Negev Coexistence Forum for Civil Equality (NCF) is an Arab-Jewish organization established in 1997 to provide a platform for a shared society in the Naqab. The Forum recognizes the neglect of successive Israeli governments that have denied the Bedouin community in the Naqab full rights and recognition of the villages, and it acts to prevent further harm to recognized and unrecognized villages. The Forum's activities include local and international advocacy, research, community activities, public protests, media and social media outreach, and more. All activities are based on Arab-Jewish partnership. In accordance with Israeli law, the NCF is proud to note that as a result of cooperation with friendly countries and international organizations that promote human rights, most of our funding comes from "foreign entities".
3. In this report, Adalah and NCF raise key issues of concern regarding Israel's lack of compliance with its international human rights obligations towards Bedouin citizens of Israel living in the Naqab. In particular, we address Israel's policy of forced displacement against the Bedouin, detailing the various methods used to implement it, including **home demolitions, eviction lawsuits, major infrastructure plans, and the deliberate denial of basic social and economic rights.**
4. During the 2018 UPR session, states made three specific recommendations to Israel regarding the Bedouin. Israel **accepted** one of these recommendations and **partially accepted** the other two. However, Israel fulfilled none of these commitments. On the contrary, as this joint submission demonstrates, it has implemented additional plans to further its policy of forced displacement.
5. Israel **accepted** the first of the following recommendations, and **partially accepted** the other two: [The State of Israel should]
 - [1] 118.130: Enhance its efforts to counter discrimination of persons belonging to Arab, Bedouin, Druze and Circassian communities as well as persons belonging to other religious and ethnic minorities (Austria);
 - [2] 118.131: Ensure non-discrimination and respect for the rights of persons belonging in particular to the Israeli Arab and Bedouin minorities, including in access to land, employment, housing and places of worship (France);

- [3] 118.132: Legally recognize unrecognized Bedouin village in the Negev and improve access of all Bedouin citizens to basic services, including adequate housing, water and sanitation, health care and education (Slovenia).

II. Background

6. Palestinian Bedouin citizens of Israel are an indigenous population that has been living in the Naqab for centuries, long before the State's establishment in 1948. They are an integral part of the Palestinian minority in Israel and of the Palestinian people as whole, one that has a distinct way of life and other special characteristics.
7. Before 1948, about 65,000-100,000 Arab Bedouin lived in the Naqab. Like many Palestinian citizens of Israel (PCI), Bedouin citizens were forcibly displaced and expelled from their land during and after the Palestinian *Nakba* ('Catastrophe') of 1948. The State then began an ongoing process of eviction of the Bedouin from their homes and land. During the *Nakba*, 750,000 Palestinians were expelled from their native land and only 11,000 Bedouin remained in the Naqab, as most of the community fled or was expelled to Jordan, West Bank, Egypt, Gaza Strip and the Sinai Peninsula. The Bedouin people were also placed under Israeli military rule from 1948-1966, along with their fellow PCI. During the 1950s, the military government relocated the Bedouin to an area called the *Siyāj* in the northeast Naqab (or "fence" in Arabic) and prohibited them from returning to their historical land.
8. Today, over 300,000 Bedouin citizens of Israel (BCI) live in the Naqab: in seven government-planned towns (pop: 192,000); in 11 "recognized villages" (pop: 28,000) and in approx. 35 "unrecognized villages" (pop: between 80,000 and 100,000), the latter of which are denied basic infrastructure and services as a matter of state policy. After recognition, living conditions, and access to essential services and infrastructure also remain very poor, and although government-planned towns are connected to public infrastructure, they are severely under-funded and overcrowded.¹ In stark contrast, all new Jewish localities in the Naqab – which Israel actively seeks to expand – are promptly connected to public infrastructure and utilities.
9. Israel uses an array of policies, laws and planning mechanisms to dispossess Bedouin of their remaining land, reduce their living space, and forcibly displace them to the segregated, concentrated urban area of the *Siyaj* in the northern Naqab.

¹ For more information, see Adalah's Primer on Bedouin Citizens:
<https://www.adalah.org/uploads/uploads/Bedouin_Primer_August_2022.pdf>

III. Forced displacement in the Naqab

10. Since 1948, Israel has developed a complex matrix of discriminatory land, planning and military laws and regulations designed to seize control of Palestinian land and displace hundreds of thousands of its inhabitants through ‘legal’ means. Today, communities living in ‘unrecognized’ Bedouin villages in the Naqab are under particular threat of forced displacement
11. Forced displacement or eviction is **“the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.”**² States are not permitted to forcibly displace people from their homes/land, except in strictly defined and exceptional circumstances, and always with utmost respect for their fundamental rights.³ Israel aims to secure state control over the maximum area of land, while containing the Bedouins within a minimal area.
12. Israel uses the following main methods to forcibly displace Bedouins in the Naqab:

- a. **Home demolitions**

13. Demolition of structures and houses is a major tool that the State of Israel utilizes to achieve its policy goals when dealing with the Bedouin community in the Naqab. The State promotes the forced displacement of the Bedouin population residing in unrecognized villages in order to concentrate them in the townships and take control of their land. The Bedouin community has been suffering from a major housing crisis for years without adequate response. Tens of thousands of people live in homes under demolition orders, usually due to the impossibility of obtain a building permit due to the lack of planning of their towns and villages. The members of the community are waging a protracted struggle over their land ownership rights, which the State continues to deny. During 2021, 3,004 structures were demolished in Bedouin towns and villages in the Naqab, the highest ever annual number of demolitions since 1948.⁴ These demolitions included 451 residential homes⁵ and 2,553 structures used for agriculture and the livelihood of the Bedouin.⁶ ‘Self-demolitions’ represented the majority - 86%

² The definition of Forced Eviction was articulated by the UN Special Rapporteur on the right to adequate housing: <<https://www.ohchr.org/en/special-procedures/sr-housing/forced-evictions>>

³ The obligation of States to refrain from, and protect against, forced evictions from home(s) and land arises from several international legal instruments including the UDHR, the ICESCR (art. 11, para. 1), the ICCPR (art. 17, 23 and 27) the CRC (art. 27, para. 3), the non-discrimination provisions found in article 14 paragraph 2(h), of the CEDAW, and article 5(e) of the International Convention on the Elimination of All Forms of Racial Discrimination.

⁴ Infogram.com. 2022. Infogram of Demolitions in the Naqab during 2021, Negev Coexistence Forum. <<https://infogram.com/demolitions-in-the-naqab-during-2021-1hd12yxygqdx6k>>

⁵ See note 4.

⁶ Ibid.

- of all the demolitions carried out in 2021.⁷ Once they are issued with a demolition order, residents often have no choice but to demolish their own homes and other structures, in order to avoid high fines charged by the state for its own security personnel to carry out the demolition operations, as well violent, traumatic contact with the authorities and the police, and also to save their personal belongings. The State's decision to demolish Bedouin agricultural structures and houses directly impacts the residents' ability to make a living, provide for their children, and escape the cycle of poverty. Between 2013 and December 2021, the Israeli authorities demolished a total of 16,269 Bedouin structures in the Negev/Naqab.⁸

14. In 2020, NCF worked alongside other organizations to raise awareness of human rights abuses in the international community. As a result, the UN Special Rapporteurs on the right to adequate housing, on indigenous peoples, minorities, human rights defenders, internally-displaced persons and cultural rights, sent a communication to the State of Israel, expressing their concern on forced evictions and home demolitions in the midst of the COVID-19 pandemic in the Naqab.⁹
15. Although the UN Special Rapporteur on the right to adequate housing called in August 2020 for a global ban on evictions during the pandemic,¹⁰ demolitions in the Naqab continued during the worldwide humanitarian crisis.¹¹

b. Eviction lawsuits against entire Bedouin villages - examples

16. **The case of Umm al-Ḥīrān:** In 2015, the Israeli Supreme Court issued its final decision to allow the state to demolish Umm al-Ḥīrān, an unrecognized Bedouin village in the Naqab. The legal battle for this case lasted for 13 years before land planning committees and various levels of the court system, and Adalah represented the people of Umm al-Ḥīrān aiming to prevent their forced displacement. In its ruling, the Supreme Court legitimized the village's demolition and the displacement of all of its inhabitants for the sole purpose of establishing the new Jewish town of "Hiran" on its ruins.¹² It did so

⁷ Ibid.

⁸ Ibid.

⁹ Communication by UN Special Rapporteurs on forced evictions during pandemic - Dukium. org. (2020). Retrieved 15 June 2021, from <<https://www.dukium.org/89910/>>

¹⁰ OHCHR | Ban evictions during COVID-19 pandemic, UN expert urges. (2020). Retrieved from <<https://tinyurl.com/bd8y8ha7>>

¹¹ Negev Coexistence Forum. 2021. No Shelter in Place: State Demolitions in the Naqab Bedouin Communities and its impact on children.

<<https://www.dukium.org/wp-content/uploads/2021/07/HDR-2021-Data-on-2020-Eng-5.pdf>>

¹² Supreme Court Appeal 3094/11, *Ibrahim Farhood Abu al-Qi'an, et al. v. The State of Israel* (decision delivered 5 May 2015). A subsequent request by Adalah and the community for a second hearing was denied in 2016. See also Adalah position paper, "The dangerous implications of the Israeli Supreme Court's decision to allow the forced displacement of Atir-Umm al-Hiran for the remaining unrecognized Bedouin villages in the Naqab (Negev)," July 2015, updated February 2016:

<<https://www.adalah.org/uploads/Dangerous-Implications-SCTAtir-Umm-al-Hiran-updated-Feb-2016.pdf>>

despite the fact that it found that the residents were not illegal trespassers – as initially claimed by the state – but were moved there in 1956 by Israeli military order, and that the area is zoned for residential use. The Court concluded that the state had merely allowed the Bedouin citizens to use the land, which was state land, and that the state could revoke this decision and retake the land to do with it as it wished, even after 60 years of continuous land use and residence by these citizens.

17. Violent events took place in Umm al-Ḥīrān on 18 January 2017, when hundreds of Israeli police and other armed forces launched a military-like demolition operation, with helicopters and bulldozers, and used excessive armed force. During the operation, in which forces destroyed approximately 15 structures, police fired live ammunition at the car of a 50-year-old villager, math teacher named Ya'aqob Abu al-Qi'ān. In October 2021, the Israeli Supreme Court rejected a petition filed by Adalah and the Public Committee Against Torture in Israel on behalf of his family to demand that the Court reject the State Attorney's decision to close a Police Investigations Department (PID) probe into the killing, and to re-open the investigation and to criminally indict all of those responsible. Following evidence that the former Police Commissioner and State Attorney pressured the PID to close the probe Adalah has again demanded that the investigation be reopened.¹³ The lack of accountability and the impunity granted to the security forces has increased the tension between the law enforcement units and the Bedouin community.
18. **The case of Rās Jarābā:** The planned forced displacement of Umm al-Ḥīrān, sanctioned by the Supreme Court, may soon be replicated in Rās Jarābā, another unrecognized village in the Naqab. In eviction lawsuits filed in May 2019, the Israel Land Authority (ILA) demanded that the court order the evacuation of Bedouin families in Rās Jarābā for the purpose of expanding the adjacent, predominantly Jewish city of Dimona, and to “use the land for the public good”. Adalah represents 127 residents in 10 eviction lawsuits filed against them by the State of Israel.¹⁴ Adalah submitted defense arguments in November 2019, arguing that the residents had lived in **Rās Jarābā** for generations, long before Dimona was established, and that any attempt to portray these residents as “invaders” or “trespassers” was false.
19. Israeli authorities intend to evict the residents of Rās Jarābā from their homes and to resettle them in a government-planned Bedouin town. However, the Jewish town of Dimona serves as the urban center for the people of Rās Jarābā, with many of the villagers employed in Dimona and accessing medical, bank, and postal services there, ties that their relocation would sever. Notably, the planning authorities have refused to

¹³ Adalah press release, “Following new allegations by top official, Adalah demands the re-opening of the investigation into the police killing of Ya'akub Abu al-Qi'an”, 26 July 2022: <<https://www.adalah.org/en/content/view/10669>>

¹⁴ Adalah press release, “Court to hear Adalah's defense arguments against evacuation of 500 residents of Ras Jrabah”, 14 June 2020: <<https://www.adalah.org/en/content/view/10032>>

consider the possibility of allowing the residents of Rās Jarābā to relocate to the new neighborhood planned in Dimona.

20. The destruction of Rās Jarābā to allow for the expansion of Dimona presents a serious threat to the lives of the villagers – citizens of Israel – entails grave violations of their constitutional rights to dignity, property, housing, and equality, and disproportionately discriminates against them on the basis of national belonging.
21. In May 2022, the Magistrates’ Court in Be’er Sheva held hearings on the case. 25 residents testified before the court that they had been living in Rās Jarābā for decades, and that they had been born, grew up, and started families there. The UN Special Rapporteurs on minority issues and the right to adequate housing issued a joint statement following the hearings. They urged the Israeli authorities to cease the eviction and demolition of Ras Jrahah. “While the State calls the residents ‘trespassers’, in fact, members of the Bedouin minority have lived there for generations,” the experts said.¹⁵
22. **The case of Al-Buqay’ah:** Al-Buqay’ah is another unrecognized Bedouin village in the Naqab under imminent threat of forced displacement. In July 2021 and March 2022, the State of Israel, through the ILA, filed 18 eviction lawsuits against the people of Al-Buqay’ah with the aim of demolishing the village. Adalah submitted defense arguments in five of the lawsuits, arguing that the residents hold and use the land legally and with the state’s permission and prior knowledge, and therefore that all allegations regarding their trespassing on the land or holding it in illegal possession are false. The court is scheduled to hold hearings this fall and in January 2023.¹⁶

c. Major Infrastructure plans

23. The so-called state ‘development plans’ have all been deliberately planned to take place on, or near, Bedouin village land. However, not only do these plans directly induce displacement of the Bedouin, but the affected communities – in both recognized and unrecognized villages – are not included as beneficiaries of these plans. The UN experts warned that, “Thousands of Bedouin citizens of Israel living in the Naqab are facing threats of eviction to make way for more Jewish-only towns, military bases, and other major infrastructure projects that exclude the Bedouin people and their development interests.”¹⁷

¹⁵ Office of the UN High Commissioner for Human Rights, “Israel: UN experts urge authorities to cease eviction and demolition of Bedouin village”, 3 June 2022: <<https://www.ohchr.org/en/press-releases/2022/06/israel-un-experts-urge-authorities-cease-eviction-and-demolition-bedouin>>

¹⁶ Civil Lawsuit No. 64297-07-21, *The State of Israel v. Suleiman Al-Khamisa, et al.*

¹⁷ Office of the UN High Commissioner for Human Rights, “Israel: UN experts urge authorities to cease eviction and demolition of Bedouin village”, 3 June 2022: <<https://www.ohchr.org/en/press-releases/2022/06/israel-un-experts-urge-authorities-cease-eviction-and-demolition-bedouin>>

24. The Authority for Development and Settlement of the Bedouin in the Negev (hereinafter: the Bedouin Authority)¹⁸ is empowered to operate in all of the Bedouin townships and villages¹⁹ and represents persistent discrimination, in the sense that the Naqab's Bedouin citizens, unlike the rest of Israeli citizens, are considered different before the eyes of the State, and governable by a separate entity. The Bedouin Authority works in collaboration with law enforcement and the police, including the Yoav Unit's investigation division, a special police unit established as part of the 2011 Praver Plan and assists the authorities in carrying out demolitions. In January 2019, the Bedouin Authority announced a plan to evict 36,000 Bedouin citizens for purposes of "economic development projects" and the expansion of military training areas.²⁰ These plans include, but are not limited to, the following:²¹
25. **An industrial zone in Ramat Beka**, encompassing an area of 11,283 dunams. Because of its location, this plan endangers the homes of thousands of Bedouin in the Naqab, from the villages of Abu Grīnāt, Umm Mitnan, Wādī al-Mšaš, Wādī an-Na'am, Šwāwīn, and Abu Tlūl aš-Šahbī. Tellingly, when the lack of adequate alternative housing solutions was raised in the context of objections filed against the plan, the planning authorities referred the question to the Bedouin Authority, before simply adopting its position as their own position, without further investigation. The plan's purpose is to expand Ramat Beka as a special industrial zone in order to move military industries with safety or environmental risks from the center of Israel to the Naqab. This plan will expose thousands of Bedouin residents to health risks, as well as slating 2,113 buildings, including 1,200 Bedouin homes, for demolition.²²
26. **The extension of the Road 6 highway** further to the south, over an area of approximately 21,000 dunams, threatening thousands of Bedouin homes in the villages

¹⁸ In July 2007, the Israeli Government established the Bedouin Authority as "an authority to regulate Bedouin settlement in the Negev". The Bedouin Authority operates on a segregationist basis, and exercises broad powers spanning diverse aspects of lives of the Bedouin in the Naqab, from controlling their land to matters of education, employment and welfare, among others. The Bedouin Authority was established by a decision of the Ministry of Construction and Housing in 2007. Today it is an internal unit of the Ministry of Welfare and Social Affairs.

¹⁹ Government Resolution 1999 (15 July 2007), "Establishment of the Bedouin Settlement Regulation Authority in the Negev" [Hebrew] <<https://tinyurl.com/ycoh3rqg>>

²⁰ Adalah press release, "Israel announces massive forced transfer of Bedouin citizens in Negev", 30 January 2019: <<https://www.adalah.org/en/content/view/9677>>

²¹ Adalah has challenged most of these plans before Israeli planning authorities and Israeli courts, often together with Bimkom – Planners for Planning Rights in Israel. Some of these objections and cases remain pending. See Adalah's joint report with NCF for more details: "The Negev Coexistence Forum and Adalah: Violations of the ICERD against the Arab Bedouin citizens of Israel living in the Naqab/Negev desert", 12 September 2019:

<https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCERD%2fNGO%2fISR%2f37260&Lang=en>

²² Adalah press release, "Israel's plan to force Bedouin from their homes to clear way for military testing zone delayed due to Adalah, Bimkom legal action", 14 June 2020:

<<https://www.adalah.org/en/content/view/9644>>

of al-Msā'adiyyah, Al-Qrin, Khirbit al-Watan, Bīr al-Ḥamām, Wādī al-Khālīl, Khašim Zannah, Ṣwāwīn, aš-Šahbī, Wādī an-Na'am, and Wādī al-Mšaš.

27. **Establishing military training zones** in the Naqab by clearing tens of thousands of dunams, including the land of the Bedouin villages of Al-Buqay'ah and Western al-Bāṭ, as well as other Bedouin residential areas north of Road 31 up to the town of Arad.
28. **The Beer Sheva-Arad railway**, slated to stretch over approximately 4,700 dunams. As planned, the railway stands to limit the development of the Bedouin townships Ksīfih and 'Ar'arah an-Nagab, as well as the village of al-Fur'ah, and to endanger homes in the unrecognized villages of az-Za'arūrah, al-Ġazzah, al-Mazra'a, Katamat and al-Bḥīrah, and cut off 16 access roads to these villages. The planning committee rejected Adalah's objection to this plan in April 2021, and a subsequent motion to appeal was also rejected by the National Council for Planning and Building.²³
29. **The Dimona-Yeruhah railway**, planned to stretch over 3,400 dunams, threatening the homes of residents of the village of Rakhamah.
30. **A high-voltage power line**, extending over 18,200 dunams of land, and endangering the homes and land of thousands of Bedouin in the villages of as-Sirr, Wādī an-Na'am, and Wādī al-Mšaš.
31. **A planned phosphate mine plan in Sde Barir and Zohar South**, covering 26,000 dunams of land and endangering the homes of thousands of Palestinian Bedouin in the village of al-Fur'ah and in the unrecognized villages az-Za'arūrah, al-Ġazzah, and al-Ġaṭāmāt. If implemented, the plan would also create sanitation and health hazards that would adversely affect residents of these villages. On 11 October 2021, the Supreme Court ruled on petitions, including a petition filed by Adalah and partners, that the construction of the phosphate mine in Sde Barir must be reconsidered based on the results of a new environmental impact and health survey.²⁴ Although the court's ruling means that the plan may be canceled in the future, the decision's immediate implications for the development of the recognized village al-Fur'ah remain unclear.

²³Adalah press release, "Adalah, Bimkom, and the Regional Council of the Unrecognized Villages in the Naqab (Negev) Object to Planned Upgrading of Be'er Sheva-Dimona Railway", 23 August 2021: <<https://www.adalah.org/en/content/view/10410>>

²⁴H CJ 512/19 *Younes Dhabsha v. The National Council for Planning and Building* (decision delivered 11 October 2021). Adalah submitted the petition to the Supreme Court on 21 January 2019, together with 168 residents of Al-Fur'a, the Regional Council of Unrecognized Villages of Negev (RCUV), the Association for Civil Rights in Israel (ACRI), Bimkom - Planners for Planning Rights, and Physicians for Human Rights-Israel (PHR-I), challenging the master plan. See Adalah's press release, "Israeli Supreme Court rules that construction of phosphate mine in Bedouin village in the Naqab will be considered only after examining health risks", 17 October 2021: <<https://www.adalah.org/en/content/view/10438>>

d. Denial of Social and Economic Rights

32. The denial of basic services and infrastructure, chronically poor living conditions, high poverty and unemployment rates and poor access to education and medical facilities are all indirect means of inducing the displacement of the Bedouin by making it intolerable for the residents to remain in their villages.
33. **Lack of data:** Israel frequently and systematically fails to collect specific, detailed data on BCI, leaving them absent from many relevant surveys, statistical reports and other sources of data. In fact, the Israeli Central Bureau of Statistics (CBS) has refrained from a comprehensive census of the Bedouin community and instead favors estimates based on various discriminatory assumptions and formulas. As a result of this statistical disparity, there are between 80,000 and 100,000 residents living in unrecognized villages in the Negev who lack a geographical designation on their ID cards, meaning that they are not listed in the population registry as residents of a locality, but rather as members of a tribe.²⁵
34. Such a situation means that State authorities receive a distorted picture, which includes localities where the number of residents is “inflated,” due to the registration of residents of unrecognized villages as recognized residents.²⁶ In other cases, decision-makers receive a partial demographic picture. Often, the state mentions the Bedouin only as part of the larger category of PCI, and state sources may decide to include or exclude the Bedouin from different volumes of their regular statistical reports, leading to gaps and inconsistencies. The state’s inconsistent and incomplete data gathering on the Bedouin as a whole, and those in the unrecognized villages more specifically, adds to their exclusion, as it impedes effective state policy-making.
35. The State’s data collection often excludes the residents of the unrecognized villages. Since these residents are not fully or accurately incorporated in national/regional/local surveys, state-cited employment rates among the Bedouin are limited to those living in recognized localities, leaving them artificially inflated. In the 2019 list of issues for Israel, the UN Committee on Economic, Social and Cultural Rights asked the state to provide information about the steps it has taken to improve the collection of data relating to the Bedouin.²⁷ Further, in its 2019 Concluding Observations, the Committee expressed its concerns on numerous issues regarding the poor social and economic rights of the Bedouin in the Naqab.²⁸

²⁵ Negev Coexistence Forum. 2021. Uncounted: Indigenous Bedouin citizens neglected by the Israeli Central Bureau of Statistics. <<https://www.dukium.org/wp-content/uploads/2021/08/Indigenous-Bedouin-citizens-neglected-by-the-Israeli-CBS.pdf>>

²⁶ Ibid.

²⁷ List of issues in relation to the fourth periodic report of Israel, *Committee on Economic, Social and Cultural Rights*, 15 March 2019, E/C.12/ISR/Q/4. <https://www.adalah.org/uploads/uploads/E_C-12_ISR_Q_4%20_34376_E.pdf>

²⁸ Concluding observations on the fourth periodic report of Israel, *Committee on Economic, Social and Cultural Rights*, 12 November 2019, E/C.12/ISR/CO/4.

36. **High poverty rates:** The ESCR Committee expressed concern about high levels of poverty, recommending that Israel focus its efforts on the Arab minority, among other disadvantaged groups (CO42). According to official state data, 73% of the Naqab's Bedouin residents are poor and 80% of Bedouin children live under the poverty line.²⁹ These devastating statistics do not include Bedouin residents in unrecognized villages, one of the poorest, most marginalized populations in Israel.
37. **Poor levels of educational attainment:** Decades of lack of state investment in Arab Bedouin education have taken a heavy toll. The investment gap between Arab and Jewish students increases over the course of a child's educational career, at 23.6% in favor of Israeli Jewish students among low-achieving elementary school children, rising to 48.5% at junior high school level, and 67.6% at high school level. These gaps are even more pronounced in the case of 27,043 Bedouin children attending kindergartens and 99,466 in primary and secondary schools (Ministry of Education, 2022). According to recent state data, in the academic year of 2018/19, only 52.1% of Bedouin students finished high school and were eligible for *Bagrut* (diploma), as compared to 80% of Jewish students in the country.³⁰
38. During the COVID-19 pandemic, the immediate need of Bedouin students in the Negev-Naqab to connect to the Internet intensified. The lack of access to education, which began as a result of distance learning introduced during COVID-19 lockdowns, is still having an impact, on an entire generation of Bedouin students. In particular, the lack of access to high-speed Internet in schools and homes prevents Bedouin students from participating in the education system on an equal footing with students in other localities in Israel.³¹ During the 2020-21 academic year, 74,597 students from the Bedouin townships of Ksīfih, 'Ar'arah an-Nagab, Rahat, Tal as-Saba' and those that belong to the Regional Councils of Neve Midbar and Al Qassum dropped out the school system.³² Considering that the UN Human Rights Council adopted a resolution on "the promotion, protection and enjoyment of human rights on the Internet", the State of Israel needs to bridge the digital divide existent in the Bedouin communities from the

<<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmlBEDzFEovLCuW0fekJcyLVE4h%252FkYmh4jSatSY66nsJOxboaAu4bfCDK5HY6MTTcGy79Oycfl9hr1wv3zD%252FCRdXz86uGTUR1%252BJvrNJQLfgjL9vVSE7OE5dJet>>

²⁹ Dimensions of Poverty and Social Disparities-Annual Report, 2018 <<https://tinyurl.com/6jve9ckz>> (Hebrew).

³⁰ Yenko, A., 2019. The Druze before everyone else: the matriculation eligibility figures are revealed. ynet <<https://www.ynet.co.il/articles/0,7340,L-5548308,00.html>>

³¹ Negev Coexistence Forum. 2021. Internet accessibility solutions for Bedouin students as an integral part of exercising their right to education. <<https://www.dukium.org/wp-content/uploads/2021/12/Education-and-Internet-position-paper-final.pdf>>

³² Ministry of Education. Shkifut.education.gov.il. 2022. Transparency in education per locality. <<https://shkifut.education.gov.il/city/10595/educationPicture>> (Hebrew)

Naqab.³³ In Israeli Jewish schools, students with lower levels of educational achievement receive extra funding; in Arab schools, however, students of different educational levels receive very similar amounts of funding, regardless of need.

39. **Lack of access to medical facilities:** The Committee also expressed concern about the disproportionately poor health status of the Arab and Bedouin populations in Israel, including the disproportionately higher rates of **infant mortality** compared with those of the general population (CO54), and urged Israel to “take concrete measures to address the disproportionately poor health status of the Arab and Bedouin populations.” According to 2020 CBS data, the infant mortality rate (per 1,000 births) among Arab citizens is 4.7 compared to 1.6 among Jewish citizens. In the Bedouin township of Rahat, the infant mortality rate is 8 per 1,000 births, compared to the Jewish town of Ofakim which is 4. In Ksifih, the infant mortality rate is 7.6 compared to Arad, where the rate is 2.9. These disparities reflect the difficult living conditions and lack of health services in Bedouin communities, especially for women and children. There are few medical clinics to provide basic health services, including “Mother and Child Clinics” specializing in pre- and post-natal healthcare. Several clinics have been arbitrarily closed and reopened only after repeated legal interventions.³⁴ Neither emergency medical services or public transport connects to or accesses the unrecognized villages. Few specialists, e.g. gynecologists or pediatricians, work in Bedouin towns and villages, and Bedouin families must often travel long distances for specialist care. These structural barriers, among other factors, are major contributors to the very high infant mortality rate that continues to face the Bedouin in the Naqab.
40. **Poor access to public transportation:** In CO20(d), the Committee expressed concern about the lack of public transportation. Only the seven townships and four of the 11 recognized villages have relatively complete public transport services. In the majority of the 37 unrecognized villages, there is no public transportation at all.³⁵ In the absence of local public transport, residents of the Bedouin villages (recognized and unrecognized alike) are forced to rely on buses that stop alongside intercity highways where many stations lack shelter or even stations, which creates a safety hazard. In many cases there is no safe passage to and from the station and passengers are forced to risk their lives to cross intercity highways.³⁶ In addition, this makes it extremely difficult for the residents in Bedouin villages to reach their workplace, schools, medical centers and public services centers, especially for Bedouin women and girls.

³³ Documents-dds-ny.un.org. 2021. The promotion, protection and enjoyment of human rights on the Internet. <<https://documents-dds-ny.un.org/doc/UNDOC/LTD/G21/173/56/PDF/G2117356.pdf?OpenElement>>

³⁴ See, for example, Adalah press release, “Health Ministry Reopens Mother & Child Clinic in Unrecognized Village of Wadi al-Nam,” 24 November 2011: <<https://tinyurl.com/ya5uc8ma>>

³⁵ Sikkuy and The Regional Council for the Unrecognized Villages in the Negev. The obstacles to accessible public transportation in dispersed communities in the Negev: Position paper, 12 February 2018. Submitted to the Economic Committee of the Knesset.

³⁶ Ibid.

IV. Bedouin Women

41. The Committee recommended that Israel (CO25) intensify its efforts to increase the labour market participation of Bedouin and Arab women, including by providing vocational education and training tailored to their experience and level of job skills and by fully implementing the employment quota for persons with disabilities. However, in 2019, prior to the COVID-19 pandemic, the employment rate among Bedouin women stood at just 30%, compared to 78% among all women in Israel.³⁷
42. The Committee also recommended that Israel (CO25) provide comprehensive and disaggregated data on the fulfilment of the right to work, including on labour force participation, employment, unemployment and underemployment. Currently, the Israeli Central Bureau of Statistics does not provide any basic information on the employment of Bedouin women living in unrecognized villages.³⁸
43. The rate of labor force participation among of Bedouin women is far lower than the rates among Bedouin men or other Palestinian women in Israel. Women living in unrecognized localities are even more marginalized in terms of employment, education and opportunities of growth due to the lack of infrastructure and basic services that hinder their capacity to thrive and create an additional burden added to their responsibilities in the household, caregiving tasks and lack of mobility due to the absence of public transportation to workplaces in Bedouin townships or cities.
44. The impoverished living conditions of Bedouin women are highlighted by the fact that there are only five health clinics in all the unrecognized villages. Furthermore, there are just 16 daycare facilities in seven localities operating for a population of 200,000 people, while seven other daycares are standing idle due to obstacles that delay their opening and their occupancy.³⁹

Adalah and the Negev Coexistence Forum for Civil Equality urge the participating UN Member-States to raise the issues of concern relating to the Bedouin in the Negev/Naqab discussed herein with the State of Israel during its upcoming UPR review.

³⁷ Dana Cohen, Oren Tirosh and Samdar Somech, “Characterization of employment patterns and occupational barriers of the Bedouin population in the south” JDC-Brookdale 2022 (Hebrew): <https://tinyurl.com/mvr7kyux>

³⁸ Ibid 23.

³⁹ NCF report, “Early childhood frameworks as leverage to reduce gaps Child day care in the Bedouin community in the Negev” September 2020 <https://tinyurl.com/34j526w4>