



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



Violations of Human Rights of the Arab Bedouin Community in the Negev/Naqab International Human Rights Day 2022

Negev Coexistence Forum for Civil Equality (NCF) | NCF is an Arab-Jewish organization established in 1997 to provide a platform for a shared society in the Naqab. NCF 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. NCF'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".

December 10, 2022

This report is a result of joint work with Adalah – The Legal Center for Arab Minority Rights in Israel. Most of the material in the report was submitted to the UN UPR, please see the following link:

[NGO Report: Joint Submission to the United Nations Universal Periodic Review. Adalah – The Legal Center for Arab Minority Rights in Israel & The Negev Coexistence Forum for Civil Equality. October, 2022](#)

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Front-page photo: Tasnīm al-‘Amūr from the unrecognized village of as-Sirrah, 31.08.2022

Back-page photo: ‘īmān Abu Jūdah, from the unrecognized village of az-Za‘arūrah – 28.6.2022.
Kids workshop

NCF invests much effort in documenting the Negev/Naqab through various visual projects. The 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 particular 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.

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

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1. Introduction

“Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world (Universal Declaration of Human Rights).

Over the years, the United Nations has produced a number of human rights declarations and conventions, some of which Israel signed and ratified into law. Some of these international human rights are embedded in the State’s Basic Laws, such as The Basic Law: Human Dignity and Liberty, which protects a person from violations of his right to life, body or dignity.¹ Israeli courts also acknowledge human rights in its verdicts, such as the Right to Work.²

Human rights are guaranteed to every person by virtue of their being human, irrespective of their ethnic identity, political status, religion, or gender. However, the State of Israel does not guarantee or respect the human rights of Negev/Naqab Bedouin citizens, but rather violates them on a daily basis.

On the occasion of the International Day of Human Rights on December 10, 2022, NCF has chosen to publish a report focused on the violation of the various rights of the Bedouin community in the Negev/Naqab. These include rights to an adequate standard of living, water, sanitation, housing, development, health, education, and work. This report brings forth the various forms in which Israel violates the above rights.



Photo by Jenan al-‘Amūr,
unrecognized village of as-Sirrah.
17.08.2022

¹ The Knesset. *Basic Laws*. Accessed Dec 2, 2022. <https://m.knesset.gov.il/en/activity/pages/basiclaws.aspx>

² Labor Appeal 359/99, Le’a Levin v. Broadcasting Authority. Verdict delivered 28.2.2011

2. The Arab Bedouin Society in the Negev/Naqab

Palestinian Bedouin citizens of Israel are an indigenous population that has been living in the Negev/Naqab for centuries, long before the State's establishment in 1948. While they have a distinct way of life and other special characteristics, they are an integral part of the Palestinian minority in Israel and of the Palestinian people as whole.

Before 1948, about 65,000–100,000 Arab Bedouins lived in the Negev/Naqab. Like many Palestinian citizens of Israel (PCI), Bedouins 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 Negev/Naqab, as most of the community fled or was expelled to Jordan, the West Bank, Egypt, the 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 (or "fence" in Arabic) in the northeast Negev/Naqab and prohibited them from returning to their historical land.

Today, over 300,000 Bedouin citizens of Israel live in the Naqab: in six government-planned towns and one city (pop: 192,000); in 11 "recognized villages" (pop: 28,000) and in approx. 35 "unrecognized villages" (pop: 100,000). This last group are denied basic infrastructure and services as a matter of state policy. Even after a village is recognized by the State, living conditions, and access to essential services and infrastructure also remain very poor, and while government-planned towns are connected to public infrastructure, they face inequal treatment and are severely under-funded and overcrowded³. In stark contrast, all new Jewish localities in the Naqab – which Israel actively seeks to expand – are promptly connected to public infrastructure and utilities.

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 Siyāj in the northern Negev/Naqab.

Since 1948, Israel has developed a complex matrix of discriminatory land and planning laws in the Negev region as State land beginning with the Absentee Property Law (1950)⁴ and the Land Acquisition Act (1953).⁵

Despite over thousand claims of land ownership, not a single Bedouin family has won a court case against the State. Today, communities living in 'unrecognized' Bedouin villages in the

³ For more information, see Adalah's Primer on Bedouin Citizens:
<https://www.adalah.org/uploads/uploads/Bedouin_Primer_August_2022.pdf>

⁴ Absentee Property Law, 1950. [Hebrew] <https://tinyurl.com/y2ckm8kl>

⁵ Land Acquisition Law, 1953. [Hebrew] <https://tinyurl.com/y6p2aq4x>

Naqab are under a persistent threat of forced displacement. 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.”⁶ States are not permitted to forcibly displace people from their homes/land, except in strictly defined and exceptional circumstances, and always with the utmost respect for their fundamental rights.⁷ Israel aims to secure state control over the maximum area of land while containing the Bedouins within a minimal area.

3. Right to an Adequate Standard of Living | High poverty rates

The right to an adequate standard of living encompasses several specific rights, including the right to food, the right to health, the right to water, the right to necessary social services, the right to clothing, and the right to housing. The right to an adequate standard of living requires governments to consistently improve these rights. It is protected by Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁸ and Article 25 in the Universal Declaration of Human Rights.⁹

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 making it intolerable for residents of unrecognized villages, therefore attempting to induce Bedouin displacement.

Lack of data and high poverty rates

Israel frequently and systematically fails to collect specific, detailed data on Bedouin citizens of Israel, 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 approximately 100,000 residents living in unrecognized villages in the Negev/Naqab 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.¹⁰ The main

⁶ 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>

⁷ 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.

⁸ International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 July 1976) GA. Resolution 2200A (XXI) art 11; The State of Israel became a party to the ICESCR in 1991.

⁹ Universal Declaration of Human Rights (adopted 10 December 1948) GA. Resolution 217A, art 25; Israel never became a party to the Declaration, however, Israel's Supreme Court of Justice mentions the Declaration and adopted its principals in some of its judgments.

¹⁰ 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>>

implication for registration by tribe, is that many citizens that are unregistered at their place of residence and therefore cannot vote there, nor access convenient voting locations. This results in a serious violation of the Naqab's Bedouin citizens' right to vote and creates obstacles for democratic representation and input in national and local policy, further negatively impacting one of the poorest communities in Israel.

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.¹¹ In other cases, decision-makers receive a partial demographic picture. 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 policymaking to address poverty related problems. Furthermore, 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 (ESCR) asked the state to provide information about the steps it has taken to improve the collection of data relating to the Bedouin.¹² 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.¹³

The ESCR Committee expressed concern about high levels of poverty, recommending that Israel focus its efforts on the Arab minority, among other disadvantaged groups. According to official state data, 73% of the Naqab's Bedouin residents are poor and 80% of Bedouin children live under the poverty line.¹⁴ These devastating statistics do not include Bedouin residents in unrecognized villages, one of the poorest, most marginalized populations in Israel.

4. Right to Water and Sanitation | Denial of Access to Safe Drinking Water and Adequate Sanitation

The right to water and sanitation was recognized as a human right by the United Nations General Assembly in 2010.¹⁵ The right to water and sanitation has also been widely recognized

¹¹ Ibid.

¹² 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 >

¹³ 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. <<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4sIQ6OSmIBEDzFEovLCuWofekJcyLVE4h%252FkYmh4jSatSY66nSJ0xboaAu4bfCDK5HY6MTTCgy79Oycfl9hr1wv3zD%252FCRdXz86uGTURl%252BJvrNIQLfgjL9vVSE7OE5dJct>>

¹⁴ Dimensions of Poverty and Social Disparities–Annual Report, 2018 <<https://tinyurl.com/6jvegckz>> (Hebrew).

¹⁵ The Human Right to Water and Sanitation (adopted 28 July 2010), GA. Resolution 64/292.

in other international human rights conventions, such as: ICESCR,¹⁶ the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW),¹⁷ and the Convention on the Rights of the Child (CRC).¹⁸ The most articulated definition of the right to water and sanitation is in a general comment by the CESCR, adopted in 2003.¹⁹ The General Comment stipulates a right to sufficient, safe, physically accessible and affordable water. The CESCR links the right to water to the right to adequate standards of living and the right to enjoy physical and mental health of the highest quality.

The Israeli government's intentional policy was to keep unrecognized villages disconnected from water sources. This affected approximately 100,000 people who were denied their fundamental human right to water.²⁰ As with other policies, the goal was to coerce Bedouin villagers to leave their land and move to the government planned townships. Every citizen needs access to water for basic needs: drinking, hygiene, washing, housework, cooking, and for those who are farmers, water is especially important for cultivating the land and making a living. Before forced urbanization and the imposition of draconian administrative processes, Bedouins would engage in dry farming, grow mainly wheat and mostly depend on precipitation and dry herding. The State of Israel is bound by a 2011 ruling by the Israeli Supreme Court that all citizens of Israel, regardless of their legal status, possess the right to "minimal access" to water (though the court did not clarify what constituted minimal access).²¹ As a result, villages have been allocated a Mekorot (Israel's National Water Company) water access node and are connected via the main transportation routes throughout the Negev/Naqab. However, if there is a water connection in a village, it is usually through plastic piping which Bedouin villagers need to pay for and maintain. Women report stocking extra water in their homes in case the supply is turned off. Even those that have water pipelines installed can have the flow interrupted and go without water sometimes for the whole day. The quality of the water is affected by plastic pipes. The pipes are exposed to the sun and often leak and are subjected to contamination. As of today, there are 29 unrecognized villages that are connected to the water grid.²²

The billing rate for domestic use of water in the unrecognized villages that aren't connected to 'Memi Hnegev' is one of the highest in Israel, far exceeding rates in proximate townships and local councils, and does not include sewage services (unlike in surrounding localities).

¹⁶ See supra note 4, art 11.1.

¹⁷ Convention on the Elimination of All Forms of Discrimination Against Women (adopted 18 December 1979, entered into force 3 September 1981) GA. Resolution 34/180, art 14(h).

¹⁸ Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) GA. Resolution 44/25, art 24.

¹⁹ CESCR, General Comment No. 15: The Right to Water (Arts. 11 and 12 of the Covenant), adopted 20 January 2003.

²⁰ United Nations. Sustainable Development Goal 6: Ensure Access Water and Sanitation for All. <https://www.un.org/sustainabledevelopment/water-and-sanitation/>.

²¹ (Supreme Court, Civil Appeal) C.A. 9535/06, Abdullah Abu Musa'ed, et al. v. The Water Commissioner and the Israel Lands Administration (decision delivered 5 June 2011) (petition brought by Adalah on behalf of the villagers).

²² Conversation with Eshkol Levi, Water coordinator for the Bedouin villages at 'Memi Hanegev Water Association. 8.12.2022

Residents of unrecognized villages pay the water rate of a 'non-supplier user' directly to 'Mekorot' water company. Adding to the problem, residents report large differences between the readings of their private water meters and those in their water bills from 'Mekorot'. High rates and low accessibility generally preclude the use of water for agricultural purposes, a traditional occupation in the Bedouin villages. Therefore, residents do not receive the corresponding price reduction given for agricultural use. It is important to also note that the costs for water also include payment for all corresponding services, such as infrastructure, maintenance, and transportation. All of this leads to prohibitive costs which places an additional burden on the shoulders of families who are already financially struggling and living under the poverty line. Women especially face increased stress due to water scarcity. They must constantly seek out water sources for cooking, washing, hygiene, sanitation, cleaning and more.

As of today, Memi Hanegev supplies water services to 29 unrecognized villages for a tariff of 3.8 NIS for 3.5 ml² per capita.²³ Considering that in 2020, water services were provided only to 9 unrecognized villages²⁴, these improvements are actual achievements of the Regional Council of Unrecognized Villages (RCUV), NCF's and other grassroots organizations that work to advocate for the Bedouin's basic right to water.

On September, 2022, the 'Memi Hanegev', a company that supplies water to a portion of Israel's southern Negev, left 50 families of the recognized village of Rakhamah, without water connection, for failing to pay their bills in a timely manner. By law, water supply cannot be turned off for failure to pay other than in extreme circumstances, and then only with the approval of a government Water Authority advisory committee. After Haaretz began inquiring about the matter, and NGOs asked information, the service was restored.²⁵

²³ Ibid

²⁴ Supplying water to the population of the unrecognized villages in the Negev (no date) Freedom of Information Act. Available at: <https://foi.gov.il/he/node/9079> (Accessed: December 8, 2022).

²⁵ Yefet, N. (2022) Israeli company illegally cuts water to unrecognized Bedouin village, Haaretz.com. Haaretz. Available at: <https://www.haaretz.com/israel-news/2022-09-19/ty-article/.premium/water-company-in-southern-israel-illegally-cuts-service-to-50-bedouin-negev-residents/00000183-551f-d77f-a1eb-df9fbe690000> (Accessed: December 7, 2022).



Photo by Sofia Abu al-Qi'ān, unrecognized village of 'Atir, 12.1.2022. Kids workshop

5. Right to Adequate Housing | Home Demolitions in Arab Bedouin Communities

The right to adequate housing was recognized as part of the right to an adequate standard of living in the Universal Declaration of Human Rights in 1948,²⁶ and in the ICESCR in 1966.²⁷ Other international human rights treaties have since recognized or referred to the right to adequate housing or some elements of it. The right to adequate housing also includes protection from forced evictions and the arbitrary demolition of homes, the right to choose where to live, and the right to participate in related decision-making.

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

²⁶ See supra note 5, art 25.

²⁷ See supra note 4, art 11.

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. In 2021, 3,004 structures were demolished in Bedouin towns and villages in the Naqab, the highest ever annual number of demolitions ever.²⁸ These demolitions included 451 residential homes²⁹ and 2,553 structures used for agriculture and the livelihood of the Bedouin.³⁰ ‘Self-demolitions’ represented the majority – 86% – of all the demolitions carried out in 2021.³¹ 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 to carry out the demolition operations. Residents also undertake this drastic action to avoid violent, traumatic contact with the authorities and the police and 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.³²

The case of Rās Jarābā: Rās Jarābā is another unrecognized village in the Naqab that is threatened to be demolished. 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.³³ 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.

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

²⁸ Infogram.com. 2022. Infogram of Demolitions in the Naqab during 2021, Negev Coexistence Forum. <<https://infogram.com/demolitions-in-the-naqab-during-2021-1hd12yxugqdx6k>>

²⁹ See note 4.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ 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>>

rights to dignity, property, housing, and equality, and disproportionately discriminates against them on the basis of ethnic and national identity.

In May 2022, the Magistrates' Court in Be'er Sheva held hearings on the case. Twenty-five residents testified before the court that they had been living in Rās Jarābā for decades, and that they had been born, grew up, and raised 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 Rās Jarābā. "While the State calls the residents 'trespassers', in fact, members of the Bedouin minority have lived there for generations," the experts said.³⁴

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 2023.³⁵

The case of 'Abdih and Ramat Tziporim: An objection was submitted on behalf of the Association for Civil Rights in Israel, the association Keshet and Bimkom—the association for planning rights, to change the District Outline Plan of the recently recognized village of 'Abdih, in the name of the residents of Wadi Ariha ("Wadi Ray'er") and Nahal Chava ("Alpadiei").³⁶ The objection presented was submitted on behalf of Bedouin residents who live in the sites Wadi Ariha and Nahal Hava, and are part of the population planned for the village of 'Abdih. The objection refers to the negative social effects that may be caused to the residents, due to the approval of a plan, which main purpose is to add a symbol of a rural settlement on the " 'Abdih" site and cancel the existing symbol on the "Ramat Tziporim" site approved as part of Change 65. As a result, Wadi Ariha and Nahal Hava will become desert tourism localities, without the option of residents having their houses there.

³⁴ 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-cessate-eviction-and-demolition-bedouin>>

³⁵ Civil Lawsuit No. 64297-07-21, *The State of Israel v. Suleiman Al-Khamisa, et al.*

³⁶ (תוכנית תממ/ 4 /14 /89 ישוב קבע לאוכלוסייה הבדואית בהר הנגב (עבדה). Planning Authority. Available at: <https://mavat.iplan.gov.il/SV4/1/99000951737/310> (Accessed: December 8, 2022).



The ruins of a demolished house. Picture taken by Tasnīm al-‘Amūr, unrecognized village of as-Sirrah.

6. Right to Development | Development-Induced Displacement

The right to development was first recognized as an individual and collective right in the 1981 African Charter on Human and People’s Rights.³⁷ In 1986 the United Nations also recognized the right to development in its Declaration on the Right to Development.³⁸ It states that “development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.”³⁹ In 2007, the Declaration on the Rights of Indigenous Peoples recognized the right to development as an indigenous right.⁴⁰

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

³⁷ African Charter on Human and Peoples Rights (adopted on 27 June 1981, entered into force 21 October 1986) art 22, <https://tinyurl.com/kooxt68>

³⁸ Declaration on the Right to Development (adopted 4 December 1986), GA. Resolution 41/128.

³⁹ Ibid.

⁴⁰ Declaration on the Rights of Indigenous Peoples (adopted 13 September 2007) GA. Resolution 61/295.

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.”⁴¹

The Authority for Development and Settlement of the Bedouin in the Negev (hereinafter: the Bedouin Authority)⁴² is empowered to operate in all of the Bedouin townships and villages.⁴³ Its operation 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’, 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.⁴⁴ These plans include, but are not limited to, the following:⁴⁵

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, Wādi al-Mšāš, Wādi an-Na‘am, Šwāwīn, and Abu Tlūl aš-Šāhbī. 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

⁴¹ 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-cess-eviction-and-demolition-bedouin>>

⁴² 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.

⁴³ Government Resolution 1999 (15 July 2007), “Establishment of the Bedouin Settlement Regulation Authority in the Negev” [Hebrew] <<https://tinyurl.com/ycoh3rgg>>

⁴⁴ Adalah press release, “Israel announces massive forced transfer of Bedouin citizens in Negev”, 30 January 2019: <<https://www.adalah.org/en/content/view/9677>>

⁴⁵ 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>

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.⁴⁶

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 of Al-Qrin, Khirbit al-Watan, Bīr al-Ḥamām, Wādī al-Khālīl, Khašim Zannih, Ṣwāwīn, aš-Šahbī, Wādī an-Na‘am, and Wādī al-Mšaš.

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.

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.⁴⁷

The Dimona–Yeruham railway, planned to stretch over 3,400 dunams, threatening the homes of residents of the village of Rakhamah.

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.

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. If implemented, the plan would also

⁴⁶ 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>

⁴⁷ Adalah 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>

create sanitation and health hazards that would adversely affect residents of these villages directly. 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.⁴⁸ 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.

In accordance with the decision of the Ministerial Committee on the subject, following an appeal filed by the Minister of Environmental Protection Tamar Zandberg⁴⁹, the Ministry of Environmental Protection has carried out a comprehensive examination of the phosphate mining policy in Israel, in environmental, economic and social aspects.⁵⁰ In November 2022, the Ministry submitted a professional opinion and a position paper on the subject to the Minister of Environmental Protection. The decision stated that, before advancing detailed planning for the Sde Barir complex, including any further progress on the work on the environmental impact review, the government will hold a discussion based on an examination of the relevant government ministries, which will bring before it updated data on the phosphate mining policy in Israel for economic, environmental and health aspects of that activity. Accordingly, the Ministry of Environmental Protection conducted a comprehensive examination of various aspects of the phosphate mining policy and the development of additional phosphate reserves in Israel.

The construction of a road that will create a new northern entrance to Dimona and connect to Highway 25. Bimkom, Adalah, and the Regional Council of Unrecognized Villages have submitted an objection to the construction of the planned road that would effectively cut off the residents of the village of Umm Rattām from their agricultural lands, surrounding communities and major transportation arteries, as well as dividing the village itself.⁵¹ Simultaneously, Dr. Kais Nasser submitted a similar objection on the same matter. The plan

⁴⁸ HCJ 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>>

⁴⁹ Following an appeal filed by Minister Tamar Zandberg, the phosphate mining plan in the Barir field will be frozen (2021) Gov.il. Available at: https://www.gov.il/he/Departments/news/plan_mine_phosphates_in_barir_field_frozen (Accessed: December 7, 2022).

⁵⁰ The Ministry of Environmental Protection publishes its position regarding the phosphate mining policy in Israel (14.11.22) Gov.il. [Hebrew]. Available at: https://www.gov.il/he/departments/news/moep_position_phosphate_mining_policy (Accessed: December 7, 2022).

⁵¹ Adalah (no date) *Objection call 0860031-607 Route 5 – northern entrance to Dimona" Submitted to the District Committee for Planning and Construction – Southern District*, *عدالة – المركز القانوني لحماية حقوق الأقلية العربية*. Available at: <https://www.adalah.org/en> (Accessed: December 8, 2022).

foresees the construction of a road that will create a new northern entrance to Dimona and connect to Highway 25, and will include an explicit instruction to prevent connections to it from paths "connecting to the Bedouin diaspora". In addition, the planned road route crosses parts of the area of the village of Umm Rattām, and the living space of its residents. The road is expected to pass between the southern residential complexes of the village and will lead to the blocking of the passage between the residential complexes and to the agricultural areas of their residents. In the objection submitted by Bimkom and Adalah, it is claimed that in addition to harming the social fabric and employment of the villagers, the plan will prevent the villagers from using the proposed road. This, since the plan's instructions specifically establish guidelines to prevent "unregulated connections between the proposed road and paths connecting to the Bedouin diaspora area". In the plan, there are only two crossings under the proposed road, which are mainly intended to overcome a topographic obstacle, and they are located in a stream that sometimes floods during the winter. Therefore, it is expected that on rainy days the residents of Umm Rattām who live south of the proposed road will remain cut off and unable to leave their homes, and that the new conditions will create a real danger to human life as a result of residents being carried away in the flood while attempting to cross flowing streams.

The opponents have proposed, as part of their filed opposition, to both examine alternative routes for the road, and to implement localized solutions of regulated connections to the road in the proposed route which would allow the passage of pedestrians and vehicles on both sides of the road. The opponents also included a series of examples in which such solutions were implemented near other Bedouin settlements in the Negev, even though the settlements are not recognized by the State.

7. Right to Education | Inadequate Investment in Education, Shortage of Classrooms, and Persistently High Drop-Out Rates

The right to education has been recognized as a human right in a number of international conventions, most notably the ICESCR. Article 13 of the Covenant⁵² recognizes that the right to education includes free, compulsory primary education for all, an obligation by State parties to develop secondary education accessibly to all, introduction of free secondary education, as and an obligation to advance access to higher education. The Covenant also states that "education shall be directed to the full development of the human personality and the sense of its dignity and shall strengthen the respect for human rights and fundamental freedoms".⁵³

Decades of the 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

⁵² See supra note 4, art 13.

⁵³ Ibid.

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.⁵⁴

During the COVID-19 pandemic, the immediate needs 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.⁵⁵ During the 2020-21 academic year, 74,597 students from the Bedouin townships of Ksīfih, ‘Ar‘arah an-Nagab, Rahaṭ, Tal as-Saba‘ and those that belong to the Regional Councils of Neve Midbar and Al Qassum dropped out the school system.⁵⁶ 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 existing in the Bedouin communities from the Naqab.⁵⁷

⁵⁴ Yenke, 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>>

⁵⁵ 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>>

⁵⁶ Ministry of Education. Shkifut.education.gov.il. 2022. Transparency in education per locality. <<https://shkifut.education.gov.il/city/10595/educationPicture>> (Hebrew)

⁵⁷ 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>>



Children from the unrecognized village of Umm al-Ḥirān. Picture taken by Rawa'a Abu al-Qi'an, unrecognized village of Umm al-Ḥirān. 04.08.2015

8. Right to Work | Obstacles to Employment of Arab Bedouin Women

The right to work is enshrined as a basic human right in Article 23 of the Universal Declaration of Human Rights,⁵⁸ and is recognized in the ICESCR, where the right to work emphasizes economic, social, and cultural development. It encompasses the rights to choose your employment, to receive just and favorable conditions of work, protection against unemployment, equal pay, fair wages and forming of trade unions. In addition, the covenants recognize the State's obligation to take measures that will promote full employment to its entire population.⁵⁹

The Bedouin community in the Negev/Naqab suffers from economic hardship and severe poverty. A major difficulty is reflected in the labor market, where many members of the community face marked disadvantages when competing for a job, in part due to exclusion and discrimination. 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.⁶⁰ Currently, the Israeli

⁵⁸ See supra note 5, art 23.

⁵⁹ See supra note 4, art 6–7.

⁶⁰ 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>>

Central Bureau of Statistics does not provide any basic information on the employment of Bedouin women living in unrecognized villages.⁶¹

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. This creates an additional burden that is added to their responsibilities in the household; the lack of mobility and absence of public transportation makes caregiving tasks more difficult as Bedouin women have to balance work and home-life.

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 recognized 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.⁶² The little services that would support women's and children's welfare either in their physical and psychological health, including the possibility to enter the job market is not enough for community members to thrive. In 2019 only 750 Arab Bedouin children in the Negev (2.5% of this population) attended supervised daycares.⁶³

As women in an ethnic minority, Bedouin women in the Negev/Naqab are subject to discrimination and double exclusion, which forces them into poverty, unemployment or low-wage jobs and inappropriate working conditions. The urbanization of the Bedouin society in the Negev/Naqab, which began in the 1970's, was enforced by the Israeli government which did not take into consideration the delicate social and cultural fabric of traditional Bedouin society, nor how these shifts would negatively impact Bedouin women. Since Bedouin society was (and remains) dependent on the Jewish labor market, Bedouin women lost most of their employment opportunities. Women were left at home because many of them have a very basic education, if any, and do not have a command of the Hebrew language.

In the other 35 unrecognized villages, one of the main barriers for female employment is the lack of regular public transportation services.⁶⁴ In the absence of local public transportation services, residents of the Bedouin villages (recognized and unrecognized alike) are forced to

⁶¹ Ibid 23.

⁶² 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>>

⁶³ Negev Coexistence Forum for Civil Equality (ed.) (no date) *Early childhood frameworks as leverage to reduce gaps Child day care in the Bedouin community in the Negev, Negev Coexistence Forum*. Negev Coexistence Forum. Available at: <https://tinyurl.com/yjxtm466> (Accessed: December 5, 2022).

⁶⁴ Sikkuy and RCUV, The obstacles to accessible public transportation in dispersed communities in the Negev, at: <https://tinyurl.com/y93t2goe>

rely on buses that stop alongside intercity highways where many stations lack shelter and even pavement, thus presenting obvious safety hazards.⁶⁵



Picture taken by Elianne Kremer, unrecognized village of – as-Sirrah. May, 2022

9. Right to Health | Infant Mortality Rates and Insufficient Access to Healthcare

The right to health was first recognized in the Universal Declaration of Human Rights.⁶⁶ It was later incorporated into the ICESCR, which states that all persons are entitled to the highest attainable standard of health, both physical and mental.⁶⁷ The right to health is also a fundamental part of the right to dignity and is an inclusive right as it is associated with other rights such as: safe drinking water and adequate sanitation, safe food, adequate nutrition, healthy working environment and conditions, gender equality and more.⁶⁸

The State of Israel continuously violates the Bedouin people's right to the highest attainable standard of health. In most of the Bedouin unrecognized villages there are no medical clinics that provide basic health services. In the villages that do have medical clinics or mother and child clinics (specializing in pre- and post-natal healthcare), they are usually arbitrarily closed

⁶⁵ See supra note 67.

⁶⁶ See supra note 5, art 25.

⁶⁷ See supra note 4, art 12.

⁶⁸ The Right to Health, Fact Sheet No. 31, pp.3-4: <https://tinyurl.com/y5wzkc8q>

and opened only after repeated legal interventions.⁶⁹ Neither emergency medical services nor public transport connects to or accesses the unrecognized villages, and Bedouin families must often travel long distances for basic healthcare. These structural barriers, among other factors, are major contributors to the very high infant mortality rate that continues to plague Bedouins in the Negev/Naqab.

There are marked health disparities for the Arab and Bedouin populations in Israel, including the disproportionately high rates of **infant mortality** compared with those of the general population. According to 2020 CBS data, the infant mortality rate among Arab citizens is 4.7 (per 1,000 births) 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 nearby 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. Neither emergency medical services or public transport connects to or accesses the unrecognized villages. 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.

10. Right to Freedom of expression | Police violence during peaceful demonstrations

The right to freedom of expression is a fundamental human right, enshrined in article 19 of the Universal Declaration of Human Rights.

On January 13th, thousands of Bedouin residents and other activists gathered on Road 31 to protest the KKL-JNF activities partly on lands of the Alatrash family, in a demonstration approved by the police. Community members and activists from around the region voiced their objections to the extra-judicial appropriation of Bedouin lands whose ownership is partly claimed by the Alatrash family.⁷⁰ In response, they were met with unprecedented police brutality. Multiple testimonies reported to NCF⁷¹ document how, several minutes after the beginning of the protest, police violently repressed the demonstration. In the following weeks, police detained, investigated, physically attacked, and otherwise terrorized Bedouin citizens in the surrounding communities.

Witnesses wonder whether the attacks were premeditated as a way to suppress future demonstrations, and stifle the growing political activism against the JNF, led by Bedouin civil rights leaders. 155 Bedouin citizens were arrested for simply appearing at a demonstration.

⁶⁹ See for example, Adalah, “Health Ministry Reopens Mother & Child Clinic in Unrecognized Village of Wadi al-Nam,” 24 Nov 2011: <https://tinyurl.com/ya5uc8ma>

⁷⁰ Negev Co-Existence Forum. Enforcing the Invisible Barrier: Police Violence during the January 2022 Protests of KKL-JNF Afforestation Projects. July 2022. https://www.dukium.org/wpcontent/uploads/2022/08/Violence-Report_2022_ENG_01-1.pdf.

⁷¹ Ibid

During the demonstration, the police arrested sixty minors, including a 10-year-old boy. The Israeli Security Agency Shabak detained and investigated six to eight people in what is allegedly considered an “anti-terror” campaign. By July 2022 the number of criminal charges reached thirty-eight. Hundreds of Bedouins have been arrested in the weeks following the demonstration, often without cause or warrant. By July 2022 there were 4 minors under house arrest, all with restraining orders and another 4 adults in custody until the end of proceedings. A security indictment was filed against all of them. Dozens of activists were severely injured during the attack.

Methods NCF has documented include: live-fire of rubber bullets, which cause serious traumatic injury, the use of horses to trample and intimidate protestors, unnecessary and extreme physical violence, and firing tear gas from drones. These methods remain legal and can be used at liberty by the police, no matter the outcomes. It is important to stress how, ultimately, the object of these measures was to repress unarmed Israeli citizens from exercising their legitimate right to protest. Five months later, some of the protestors were still under arrest, while others experience post-traumatic stress and fear. As a result of the international advocacy work NCF has been carrying out to denounce Police violence during protests in the Naqab in January 2022, the UN Special Rapporteurs on minority issues, Special Rapporteur in the field of cultural rights, Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance have sent a communication to the State of Israel, requesting observations regarding the international human rights law, relevant to these allegations (Special Rapporteur on minority issues, July 3, 2022).

Since then, there have been two other events that reflect repressive actions of the right to freedom of expression and protest. The following arrests were a result of the pressure made by right wing movements.

Watan Mahdi is a female Arab student and left-wing activist affiliated with the Hadash party, who was summoned by the Academic secretary to the Ethical committee of the Ben Gurion University to disciplinary proceedings over a Mahmoud Darwish quote she read at a Nakba Day demonstration on May 22nd. The university claims that her recalling of the Palestinian poet to “remember the martyrs who fulfilled the unity of the country, the people and history” constitutes incitement to terrorism. The summons letter was sent on Wednesday 27th of July, following a complaint filed by the university’s group of ‘Im Tirtzu’, a right-wing Zionist group, according to which the student was having a disobedient behavior regarding the instructions of the authorities and the agreements they had before the demonstration with the university. On 27.10.2022, the Association for Civil Rights in Israel (ACRI), appealed to the president and the rector of the university demanding to cancel the disciplinary procedure taken against the student.⁷² They also claimed that filing a lawsuit due to a sentence said in Arabic according to

⁷² ACRI (2022) Violation of the freedom of expression of a female student at Ben Gurion University: The Association for Civil Rights in Israel, ACRI. ACRI - hebrew. Available at: https://www.acri.org.il/post/___836 (Accessed: December 4, 2022).

the alleged interpretation of the meaning of a word among the Jewish public is absurd, and it is also flawed by cultural and racial bias.

Bedouin human rights defender and Pharmacy student Mariam Abu Kwider was arrested on Thursday 12.5.2022 by several policemen in civilian clothes, after a demonstration in memory of journalist Sheerin Abu Aqla, held at Ben Gurion university that day. She had been previously interrogated by the Israeli Security Agency for publishing a series of content on social media allegedly promoting incitement. Mariam was forcibly arrested and taken to the police station in a civilian car, while other students followed her in their private cars⁷³. The Magistrate's Court agreed to release her on restrictive conditions (house arrest and non-use of social media, computers and telephone) and guarantees of 5,000 NIS at the moment of release and two guarantors each 10,000 NIS. After the judge issued a decision, the police issued an appeal against the decision in the District's Court. Adv. Ibn Bari issued an appeal to cancel the decision of detention for four days and the Judge decided to keep her arrested for ten days. Mariam Abu Kwider- who is currently on home arrest and being charged with incitement. Mariam is prohibited from using the phone and any access to the Internet. In addition, she is "in human custody", in other words that she cannot move without one of her guardians accompanying her.

11. Conclusions

At the heart of the ongoing conflict between the Arab Bedouin citizens in the Negev/Naqab desert and the State of Israel is the State's ongoing denial of Bedouin ownership rights over their lands and the policy of dispossession. Most of the State's plans for the area have ignored the needs of the Bedouin population and violated their most basic rights, like the continued efforts to extend road 6, the health risks and housing risks identified by the phosphate mine plan in Sde Barir, the military testing site in the industrial zone in Ramat Beka and the establishment of new military training zones, among others. The purpose of these plans, both in the past and present, is to concentrate the Bedouin population in urban and semi-urban townships and villages, on the least amount of land.

As a result of this, since the establishment of the State of Israel in 1948 and up to the present time, the pronounced inequality between members of the Bedouin community and other residents of the Negev/Naqab has been interminable: high rates of infant mortality, inefficient investment in education and employment, continuing home demolitions, denial of recognition of the Bedouin villages, denial of basic services; and the relentless attempt of the State of Israel to forcefully urbanize and dispossess the Bedouin people of their land. During 2022, we witnessed extreme violent measures used against the Bedouins to prevent peaceful demonstrations and protesting their rightful struggle. Moreover, under the cover of either

⁷³ Please see the video documenting the events [here](#)

declared or covert claims that Bedouin citizens are unfit to manage their own lives and future, they have been persistently excluded from any significant participation in policymaking and the implementation of programs that have very direct and immediate effects on them as individuals and as a community, thus adding to the injustice of civil and political inequality to this material inequality.

The various violations of rights presented in this report are contrary to and in violation of numerous human rights covenants and conventions that should be ensured for every human being, regardless of their color, religion, citizenship, ethnicity, and gender. Instead of fulfilling its obligations to its own citizens, the State of Israel continues to violate Bedouins' rights, pushing them to the margins of society.

The Bedouin people of the Negev/Naqab are resilient and fight for the respect of their human and civil rights through various non-violent means. As citizens of Israel and more importantly, as human beings, they are entitled to have these rights protected and respected.

On the occasion of the International Day of Human Rights, the Government of Israel and the various State authorities should reexamine their treatment of the Negev/Naqab Bedouin people. There is no doubt that ensuring the rights of all residents of the region, the provision of services, as well as the promotion of development that focuses on those most in need, will reduce the profound inequality between the Bedouin and the Jewish communities and contribute to a viable, equal and sustainable Negev/Naqab for all of its residents.

" Violence against women and girls continues to be amplified in digital spaces. Women human rights defenders, women lawyers & journalists and women and girls belonging to minority groups are often targets. Human rights defenders are ordinary people who do extraordinary things. They work peacefully for the rights of others and help build civil and just societies based on the rule of law."

Mary Lawlor, UN Special Rapporteur on the situation of HRDs



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