

# Home Demolitions in Bedouin Communities Negev-Naqab, Israel 2021 - 2022



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



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

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**Home Demolition Report 2021 - 2022** (Released: October 2023)

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**Front cover photo:** Demolitions in Ramat Bekah, photo by Hudā 'Abū al-Qi'ān, August 2023.

**Back cover photo:** The ruins of a demolished house in the unrecognized village of az-Zarnūg. Photo by 'Amal 'Abū Qwīdir, az-Zarnūg, 2020.  
(Recognized: Life and Resilience captured by Bedouin women)

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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## Summary

Demolition of houses and structures is a strategy employed by the State of Israel against the Bedouin people in the Negev-Naqab to deprive them of their land and concentrate them in urban townships. This community has suffered for years from a lack of suitable housing and has been involved in lengthy land ownership disputes with the State. Over recent years there has been a marked increase in home demolitions and intensification of legal coercion and surveillance of the Bedouin community.

In 2021 and 2022, the State of Israel invested heavily in enforcement bodies such as the Southern Administration for the Coordination of Enforcement of Land Laws (hereinafter: Southern Administration), an administration whose sole purpose is to enforce building codes in Bedouin communities in the Negev-Naqab, without regard to the provision of adequate and suitable housing and despite the state of emergency imposed by the coronavirus. These actions resulted in the demolition of thousands of homes, businesses, and agricultural structures in recognized and unrecognized villages. No such parallel measures are being made in Jewish communities, including agricultural settlements, some of which are known to violate building laws.

In 2021 and 2022, a total of 5,584 structures were demolished in the Naqab Bedouin communities. In 2021 alone, a record high of 3,004 structures were demolished. This is the highest annual count of home demolitions on record. It represents an increasingly aggressive policy of attempting to uproot the Bedouin presence, and particularly the Bedouin rural presence, from the lands of the Negev-Naqab. In 2022, the Southern Administration reported that 2,850 structures were destroyed, including 380 residential buildings. The other structures, while not being residential, were critical to the livelihood of families. While in 2022 home demolitions decreased for the first time since 2019, the rate of demolition performed by State authorities is the highest ever for two consecutive years, which highlights the expansion in direct enforcement against the Bedouin population in the region.

The statistics presented in this report are based on data from the Southern Administration that has been released to the public over recent years as a direct result of the Negev Coexistence Forum for Civil Equality's (NCF) employment of the Freedom of Information Act.



In 2020, as a response to an urgent petition issued by NCF and twenty-one other civil society organizations to Dr. Avichai Mandelblit, then Israel's Attorney General, demanding immediate action to stop home demolitions in the Negev-Naqab during the Covid-19 crisis, the Ministry of Justice committed to halt demolitions of residential homes, reduce the distribution of demolition orders and warnings, and lessen the presence of the National Unit for Enforcing Planning and Construction Laws in villages. Yet the demolitions did not stop. The highest rate of home demolitions ever recorded was in 2021, during the second year of the pandemic. The State of Israel took advantage of this dire situation to continue forced evictions in order to urbanize the indigenous population of the Naqab, actions that systematically violate their human rights.

During the war in May 2021, Bedouin residents of the Negev-Naqab were left exposed to missiles from Gaza, as the government's refusal to recognize 35 villages has left them without bomb shelters or any other kind of protection. In 2022, while exercising their rights as citizens of Israel to demonstrate against the afforestation of their land, Bedouins were violently attacked by the police, then arrested and harassed for weeks.

In 2022, a declaration was issued according to which residences with an area of less than 70 square meters will not be demolished. It was said that a mechanism will be introduced to report these buildings and provide them immunity from demolition. In practice, to the best of our knowledge, the demolitions continued unchanged.

During 2021, the practice of 'self-demolition' (demolitions carried out by the owner of the structure) continued and even increased - a product of the magnitude of intimidation and violence exercised by the Authority for Development and Settlement of the Bedouin in the Negev (hereinafter: the Bedouin Authority) in collaboration with other law enforcement institutions.

It should be noted that the information appearing in this report only relates to demolitions in the Bedouin communities.

# Introduction: The Arab Bedouin Communities in the Naqab

## The Negev-Naqab Today

Israel's Arab Bedouin citizens are indigenous to the Negev (Arabic: Naqab) region, where they have lived for centuries as a semi-nomadic people, long before the establishment of the State of Israel in 1948. Bedouin communities of the Naqab are part of Israel's Arab-Palestinian minority, having citizenship but of "second-class" status de facto.

Today, some 300,000 Bedouin citizens of Israel live in the Naqab in three types of settlements: government-planned townships, recognized villages, and unrecognized villages.<sup>1</sup> These communities are, according to the Central Bureau of Statistics, among the poorest in Israel. The National Insurance Institute documented that in 2018, 72.9% of the Naqab's Bedouin residents were poor, and 79.6% of Bedouin children lived below the national poverty line.<sup>2</sup> That is, four out of every five Bedouin children live in poverty. Moreover, Bedouin residents from unrecognized villages are not even included in these national poverty statistics.<sup>3</sup> Indeed, the Israeli Central Bureau of Statistics (CBS) has avoided conducting a complete and adequate census of the Bedouin population for years, resulting in a lack of reliable data for distributing resources to address poverty-related problems. This is reflected in State and municipal budgets, where people of unrecognized villages face a lack of access to fundamental services due to a lack of precise and reliable information.<sup>4</sup>

The remaining 28% of the Bedouin population (around 100,000 people) live in unrecognized villages.<sup>5</sup> "Unrecognized villages" are communities where people live, but the government refuses to acknowledge their existence or

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<sup>1</sup> Ben Gurion University, 2022. Online Database - *Life Characteristics of the Bedouin Population in the Negev - Demographics*. [Hebrew]. Retrieved from <https://in.bgu.ac.il/humsos/negevSus/SYBSN/Pages/demographics.aspx> [Accessed 10 January 2022].

<sup>2</sup> National Insurance Institute, December 2019. *Poverty and Social Gaps - Annual Report, 2018*, retrieved from <https://tinyurl.com/IsraelNHI-Poverty2018>

<sup>3</sup> Negev Coexistence Forum for Civil Equality, 2021. *Uncounted: Indigenous Bedouin citizens neglected by the Israeli Central Bureau of Statistics*. Retrieved from <https://www.dukium.org/wp-content/uploads/202108/Indigenous-Bedouin-citizens-neglected-by-the-Israeli-CBS.pdf>

<sup>4</sup> State Comptroller, 2021. *Aspects of Governance in the Negev*. Retrieved from <https://tinyurl.com/StateComp-2021-Negev>

<sup>5</sup> CBS, 2022. Total population estimations in localities, their population and other information [Hebrew]. <https://tinyurl.com/CBS-Population2022>

place them on maps. Some of these villages have existed since the 19<sup>th</sup> century, while others were created in the 1950s when residents were relocated from their original lands during or after the 1947-1949 war, though most of them predate the State.

Today, there are 35 unrecognized Bedouin villages in the Naqab. All of them lack basic infrastructure such as running water, electricity, sewage, or waste removal services. The State refers to these villages as the Bedouin “dispersion,” calling their inhabitants “trespassers” on State land, even though many of them are living on their ancestral lands.<sup>6</sup> Most of the villages have no health or educational facilities or basic infrastructure. Their residents have no formal local government bodies and are represented only in the Regional Council for the Unrecognized Villages (RCUV), an informal community body.

## **Background**

Traditionally, Bedouin communities practiced an agro-pastoral lifestyle in which kinship networks and tribal law determined land ownership. These communities were autonomous from Imperial or regional authorities, practicing their own customs and living off the land. Before 1948, some 65,000 - 100,000 Bedouins lived in the Naqab. During the war of 1948, most inhabitants of the Naqab were expelled or fled to Gaza, Egypt, the West Bank, and Jordan. After 1948, only about 11,000 of them remained.

From the early 1950s until 1966, Israel concentrated the Bedouin communities in a restricted area known as “al-Siyāj.” This area represented only about 10% of traditional Bedouin ancestral lands. Entire villages were displaced from the western and northern Naqab (Negev) as the residents were transferred to the Siyāj. The concentrated Bedouin communities were then placed under military rule and received very little, if any, resources for development, resulting in crippling poverty and isolation from the rest of the country.<sup>7</sup> The fact that the residents of the unrecognized villages have been systematically forbidden to connect to the national electricity grid and water networks, combined with the overconcentration and lack of funding for development, has produced severe

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<sup>6</sup> For an interactive map of the Arab Bedouin villages in the Negev-Naqab, including background and information on services and infrastructure, see <https://www.dukium.org/map/>

<sup>7</sup> Negev Coexistence Forum for Civil Equality, 2022. “*The Arab-Bedouin Community in the Negev-Nagab – A Short Background*”. Retrieved from: <https://www.dukium.org/the-arab-bedouin-community-in-the-negev-nagab-a-short-background/>



intergenerational social and economic disparities.

After concentrating the Bedouins in the Siyāj, the State developed a legal doctrine to justify their dispossession of the land in the Negev-Naqab. According to a selective interpretation of Ottoman-British laws, Israel declared the land Mawat or “dead,” uncultivated agricultural land, claiming that lands can only be cultivated at a distance of 1.5 miles from the village mosque, where people can still hear the Muazin. The villages in the Naqab were different, as there were no villages in the Western sense in 1856 when the Ottoman land law was enacted, so the land was considered to be part of the Sultan's property. In the formative case of *Al-Hawashlah v. State of Israel* (1984), it became a legally acceptable precedent to use assumptions about the arid climate to claim that the land could not have been cultivated, in complete disregard of adaptive Bedouin farming practices well-documented by travelers to the region for more than 100 years and as well as by Zionist researchers.

Israel has claimed the entire Negev region as State land.<sup>8</sup> All the land belonging to the Bedouin communities has been systematically appropriated and nationalized through a series of laws beginning with the Absentee Property Law (1950)<sup>9</sup> and the Land Acquisition Act (1953).<sup>10</sup> Despite thousands of land ownership claims, not a single Bedouin family has won a court case against the State to this day.

One aspect of this territorial seizure occurred through zoning, specifically in the zoning of agricultural land. While the State promoted agriculture in the Jewish sector as an essential basis for economic development, the agricultural practices of Bedouin minorities were criminalized. The Planning and Building Law enacted in 1965 led to the classification of most of the Siyāj area as agricultural land. From the moment the law came into effect, every house built in this area was defined as illegal, and all the houses and structures already standing in the area were retroactively declared illegal.<sup>11</sup>

Since the 1970s, Israel has tried to concentrate the Bedouin communities through an ongoing process of forced urbanization. Seven townships were created to

<sup>8</sup> For example, see: <http://law.haifa.ac.il/images/documents/ColonialismColonizationLand.pdf>

<sup>9</sup> Absentee Property Law (1950) [Hebrew]. <https://tinyurl.com/y2ckm8kl>

<sup>10</sup> Land Acquisition Law, 1953. [Hebrew] <https://tinyurl.com/y6p2aq4x>

<sup>11</sup> See the NCF Report on demolitions, July 2021, p.7, for more details, available at: <https://www.dukium.org/wp-content/uploads/202107//HDR-2021-Data-on-2020-Eng-5.pdf>

concentrate the Bedouin. Although the State does not officially recognize the thousands of claims for land ownership filed by Bedouin families in the Naqab, in some cases, families can gain financial compensation if they redact claims in court and move to a township or sell their land to the authorities. Throughout the decades, negotiating bodies such as the 'Bedouin Authority' facilitated the relocation of families who agreed to settle land ownership claims.<sup>12</sup>

Meanwhile, the inhabitants of the unrecognized villages continue to experience a tenuous existence with no hope of legal recognition. Home demolitions are a tactic by which the state attempts to drive residents out of unrecognized villages and force them to relocate. By making life in unrecognized villages unbearable, people are induced to move to places they would not otherwise go. The townships are not an appealing alternative – residents struggle with overcrowding, unemployment, severe pollution, and poor social, educational, and public services. Moving to the townships is a complicated, difficult, and costly process that many families cannot afford, even with compensation. Township residents must also deal with the far-reaching socio-psychological impacts of mass displacement and removal from their traditional land and ways of life. Bedouin youth must learn to navigate between a long-term cultural sense of home and policies that disrupt and destroy their history on the land.

Home demolitions are a show of power by which the State attempts to delegitimize Bedouin stories on the land and traumatize families into submission. NCF holds that these practices violate citizens' right to adequate housing, the right to liberty, and to the security of person recognized in the *Universal Declaration of Human Rights* (UDHR) in 1948,<sup>13</sup> the *International Covenant on Civil and Political Rights* (ICCPR)<sup>14</sup> in 1966 and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) in 1966.<sup>15</sup>

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12 S. Swirski, Y. Hasson, February 2006. *Invisible Citizens: Israeli Government Policy Toward the Negev Bedouin* (Adva Center), <https://adva.org/wp-content/uploads/201409//NegevEnglishSummary.pdf>

13 United Nations, 1948. *Universal Declaration of Human Rights* (UDHR), <https://tinyurl.com/y3xclaw9>

14 United Nations, 1966. *International Covenant on Civil and Political Rights*. <https://tinyurl.com/ICCPR-UN-1966>

15 United Nations, 1966. *International Covenant on Economic, Social and Cultural Rights*. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

## **Forced eviction and violence in Arab Bedouin Communities in the Naqab during pandemic and in wartime**

Coercive demolition practices have remained standard in the Negev/Naqab, despite the global pandemic and violence in May of 2021. During 2021, 3,004 structures were demolished in the Bedouin villages in the Naqab,<sup>16</sup> representing a rise of 15% in the demolition of structures compared to 2020 (2,568).<sup>17</sup> Despite the humanitarian crisis caused by the pandemic and the escalation of violence in May, this is the highest number of structures demolished ever recorded in one year in the Arab Bedouin communities.

NCF reported 16 major demolitions in 2022. Among these was the destruction of the village of al-Araqib for the 210<sup>th</sup> time.

Even more significant is the growing, widespread potential threat of demolition. Tens of thousands of Bedouins in the Negev/Naqab currently live in homes that are subject to demolition orders. This situation has arisen because no approved building plans exist for their villages. Residents of both recognized and unrecognized villages have difficulty coordinating with regional authorities in approving municipal plans and new buildings. In the dozens of villages that remain unrecognized today, residents face impenetrable barriers to obtaining approval for municipal planning. There are no legal ways to properly plan and support growth in these villages simply because the State does not want them to exist. As a result, residents cannot apply for or obtain building permits. This will remain the case until the Israeli government recognizes these villages.

### **The Negev-Naqab, an unprotected area for its Bedouin citizens during wartime**

In May 2021, Hamas fired 4300 rockets into Israel from the Gaza Strip, endangering the lives of millions of civilians.<sup>18</sup> As a result of the State's discriminatory policies, the Bedouin community disproportionately bears the brunt of conflict with Hamas. For most Israelis, the Iron Dome system and the IDF's early-warning alarms provide protection and alert citizens to enter shelters and designated safe spaces. However, the Bedouin inhabitants of the Naqab are among the most vulnerable people in Israel if war breaks out.

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<sup>16</sup> Southern Administration for the Coordination of Enforcement of Land Laws, *'Summary of Working Year 2021'*, p. 7 [Hebrew] <https://tinyurl.com/SAdmn-2021>

<sup>17</sup> Ibid.

<sup>18</sup> Sokol, S., May 23, 2021. "11 Days, 4,340 Rockets and 261 Dead: The Israel-Gaza Fighting in Numbers" (Haaretz). <https://tinyurl.com/Sokol-Haaretz-0521>

This is because of their proximity to the Gaza Strip and the failure of the Iron Dome system to protect unrecognized villages. Most of these villages are classified as “open areas” in the Iron Dome Defence System, meaning they are designated as agricultural or open areas rather than population centers. If a missile is aimed in such a way that it will land in an “open area,” it is not considered a priority target for interception. The fact that 100,000 people live in these “open spaces” poses a massive risk to public safety and security. In other words, the lives of nearly 100,000 Bedouin citizens living in the unrecognized villages, and many others, are not taken into account by the State when it assesses the safety of its citizens' security during wartime.

Even in recognized villages, there are very few public shelters. In previous operations, the IDF provided portable shelters to Jewish localities that lacked alternatives, such as in southern Israel and even in settlements in the West Bank.<sup>19</sup> During the last violent escalation, rockets fell in two Bedouin villages, Abu Grīnāt and Awajān, injuring residents. Residents received no warning of the impending attack. Two rockets also fell in the unrecognized village of Wādī an-Na‘am, creating a broader sense of fear among the communities of the unrecognized villages. Most homes in the government-planned townships do not have safe rooms, and the public shelters are insufficient for the needs of the growing population.<sup>20</sup>

Another life-threatening effect of the home demolition policy in the Negev-Naqab is the fact that most people living in the unrecognized villages do not have the financial means to build missile-proof homes or shelters. In the unrecognized villages of the Negev-Naqab, most of the houses are built of light materials and without foundations. This is partly due to financial constraints and the fact that the authorities can demolish any house in a very short time. These buildings are not structurally stable because the residents cannot feasibly invest in more stable structures only to have the authorities demolish them. In most villages, there are no shelters above or below ground. In stark contrast to almost all other areas of Israel, newly built apartments and houses in Bedouin villages often lack protective facilities such as shelters or safe rooms.

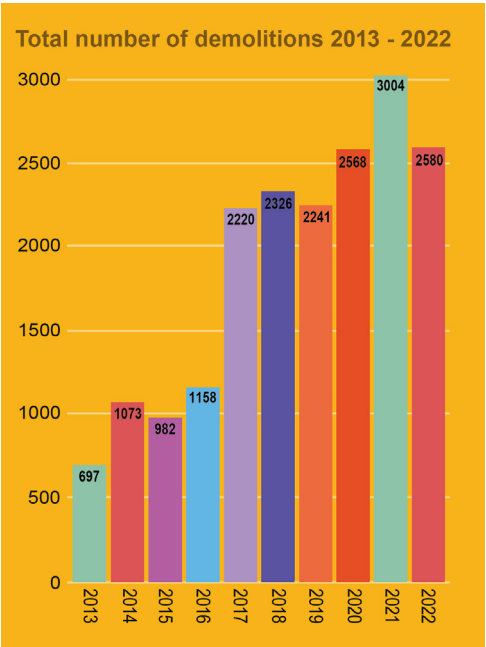
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<sup>19</sup> Levi, D., 2019. Exposure: The Ashkelon municipality received shields before the escalation and did not distribute them in the city. [Hebrew] Kan South-Ashkelon. <https://www.kan-ashkelon.co.il/news/35416>. Inn.co.il. 2019.

<sup>20</sup> Levi, A (2021). *"Instead of going to a shelter, you go into shock."* [Hebrew] <https://www.zman.co.il/222478/>

**Analysis of the number and type of demolitions and their impact on the livelihood and employment of the Arab Bedouin communities**

**Figure 1**  
**Total number of demolitions, 2013-2022**

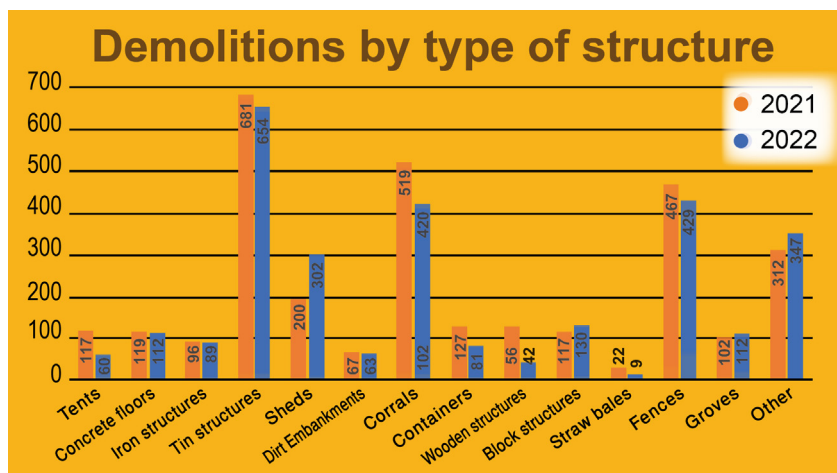


Source: Annual Reports of the Southern Administration for the Coordination of Enforcement of Land Laws, 2013-2020

The data presented in Figure 1 shows a sharp increase in the number of demolitions in Bedouin communities in the Naqab since 2013. In nine years, the number of demolitions rose from 697 in 2013 to 3,004 demolitions in 2021 - a 430% increase in demolition rates. Despite the slight decrease during the year 2022, in just ten years, some 18,500 structures were demolished in Bedouin communities in the Negev-Naqab.

The demolitions in 2022 included hundreds of demolitions in townships, including 176 demolitions in Rahat and its surroundings and 166 demolitions in Bīr Haddāj.

**Figure 2**  
**Demolition by type of structures in Naqab Bedouin communities**  
**2021 - 2022**



Source: Annual Report of the Southern Administration for the Coordination  
of Enforcement of Land Laws, 2022

Figure 2 classifies the type of structures demolished in Bedouin communities during 2021 and 2022. These categories reveal the broad definition the Israeli enforcement authorities give to the term “structure.” This list makes it possible to estimate the number of structures used for farming and grazing purposes, such as corrals, groves, and scattered straw bales, which totaled, together, about 643 cases all related to agricultural damage.<sup>21</sup> Furthermore, authorities also carry out deep plowing on Bedouins’ lands as a central mechanism to dispossess and destroy the crops of this rural population. In 2021, 451 houses were demolished in the Naqab, and 380 in 2022. The remaining demolished

<sup>21</sup> Southern Administration for the Coordination of Enforcement of Land Laws, Table with information on demolition of structures, 2021. Retrieved from Freedom of Information request.

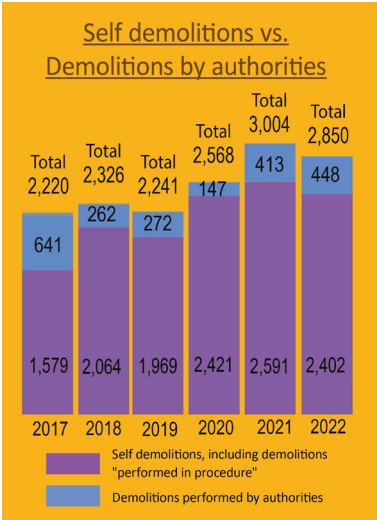
\* According to data from the Southern Administration, "other" are structures that were demolished "in [enforcement] procedure" (without a warrant), which includes scrap, solar panels, equipment, construction materials and more. Source: Southern Administration for the Coordination of Enforcement of Land Laws, 'Copy of Coexistence Forum: Total for 2018 work year', 2019, p. 14; Southern Administration for the Coordination of Enforcement of Land Laws, Total for 2019 work year, 2020, page 14 Section 6 [Hebrew], <https://tinyurl.com/ybe89ev6>



structures were used for agriculture, a core aspect of traditional Bedouin livelihood. In 2021, 12,604 dunams of cultivated croplands were plowed by the government for no reason other than to intimidate and cause damage to the farmers and to demonstrate control over the land. The decision of the State to demolish Bedouin agricultural structures directly impacts their ability to make a living, provide for their children, and escape a cycle of poverty.

**Figure 3**

**‘Self-demolitions’ (including demolitions ‘performed in procedure’) as opposed to ‘initiated demolitions’**  
**2021 - 2022**



Source: Annual Report of the Southern Administration for the Coordination of Enforcement of Land Laws, 2022

Figure 3 shows a significant rise in self-demolitions during 2021. Self-demolitions account for approximately 86% of all structures demolished.

The Southern Administration classifies demolitions in the Naqab’s Bedouin communities as ‘initiated demolitions,’ ‘self-demolitions,’ and ‘demolitions performed in procedure.’<sup>22</sup> The differences between these classifications

<sup>22</sup> Southern Administration for the Coordination of Enforcement of Land Laws, ‘Summary of Working Year 2021’, p. 8 [Hebrew] <https://tinyurl.com/SAdmn-2021>

refer to the legal framework and to the individual or institution who initiated the demolition.<sup>23</sup>

Even though this number decreased slightly in 2022 (7,29%), these numbers reflect power dynamics between authorities and Bedouin citizens in the Naqab. Increasingly, Bedouin families are forced to demolish their own homes after receiving a demolition order to avoid having to pay the high fines to the government for the demolition. This escalates the traumatic relationship between the Bedouin community and the police and authorities. At the same time, Bedouin families are increasingly forced to drop land ownership claims in court and relocate to urban centers.

In just ten years, the number of self-demolitions compared to the total number of demolitions reached 13,081 out of 18,500.<sup>24</sup> Such a trend marks an increased fear of the authorities, whose punitive actions threaten the ability of Bedouin residents to provide a safe home for their families and pursue a dignified life. In 2021, self-demolitions totaled 2,591. Only 413 structures were demolished by the State authorities.<sup>25</sup> While in 2022, out of 2,850 demolished structures, 448 were demolished by the authorities.

These figures coincide with the vast increase of surveillance on Bedouin residents: the constant presence of enforcement agencies on patrol during demolitions, the issuing of demolition orders, threats to impose fines, and the use of drones for aerial photography and tracking of new constructions. These measures, along with repeated visits by representatives of the Bedouin Authority, are meant to pressure Bedouin citizens to move from the unrecognized villages to the townships and recognized villages against their will.

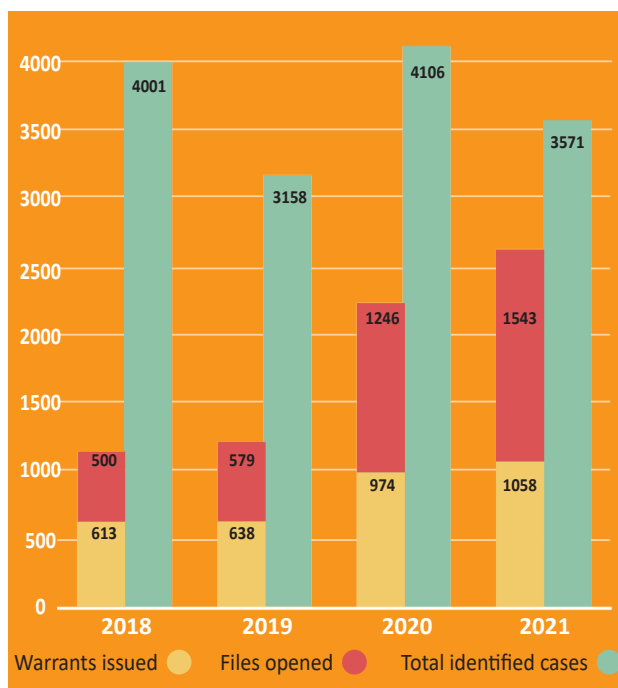
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23 Negev Coexistence Forum for Civil Equality (2020). On (In)Equality and Demolition of Homes and Structures in Arab Bedouin Communities in the Negev/Naqab July 2020, pg. 19. Retrieved from <https://www.dukium.org/wp-content/uploads/202007//HDR-2020-Data-on-2019-Eng-3.pdf>

24 Composed from data supplied by the Southern Administration following requests under the "Freedom of Information Law" initiated by the Negev Coexistence Forum for Civil Equality.

25 Ibid.

**Figure 4**  
**Identification of Construction Using Simplex:**  
**Cases, Demolition Orders, and Files, 2018 - 2022**



Source: Annual Report of the Southern Administration for the Coordination  
of Enforcement of Land Laws, 2021

Simplex is a 3D tool developed to identify buildings and expose and analyze buildings 'anomalies'. Its mapping and modeling software has been routinely used in the Negev-Naqab in recent years. With the help of a unique photography system, information is being collected regarding changes and constructions in the Bedouin settlement in the Negev-Naqab. The information is then forwarded to the various enforcement authorities.

In 2020, 1,246 files were opened, and 974 administrative orders were distributed, resulting from over 4,106 building violations discovered by Simplex in the Naqab. That is, in 2020, the number of files opened accounted

for about 30% of all the searches made by the Simplex system.<sup>26</sup>

In 2021, fewer exploration tours were conducted (3,571 in number), but compared to 2020, 24% more cases were opened (1,543), and more administrative orders were issued (1,058).<sup>27</sup> In other words, in 2021, there was an increase of about 8.6% in the number of orders served compared to 2020 in spite of a decrease in the total number of exploration tours.<sup>28</sup>

The use of advanced technological measures against a marginalized population with poor resources deepens the feelings of despair and alienation among Bedouin residents of the Naqab. This is a community that is systemically criminalized for building illegally when, in fact, most residents have no way of building legally as they cannot obtain building permits. While in the past, residents experienced constant encounters with inspectors and police forces on the ground, today, they are subject to aerial surveillance as well.

The advancement of surveillance technology presents tangible and alarming risks to the Bedouin populations in the Negev-Naqab. It is worthy of note that modern drones are equipped with cameras that incorporate advanced video processing capabilities, which can include automatic face recognition, recording of license plate numbers, and the ability to analyze large numbers of variables. Drones have become a particularly invasive means of monitoring, capable of gathering sensitive information over long periods, regardless of weather conditions. Sometimes the size of the drones, combined with the altitude at which they fly, makes it difficult for the public to know how, where, and when they are being used for documentation. This is a significant violation of people's right to privacy.<sup>29</sup> Whether the systems being used by the government for surveillance of the Bedouin communities make use of such capabilities or not, and we do not have any documented proof that they do, the very fact that the Bedouins are under constant surveillance has unsettling and disturbing effects that cannot be taken lightly.

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<sup>26</sup> Southern Administration for the Coordination of Enforcement of Land Laws, 'Summary of Working Year 2021' [Hebrew] <https://tinyurl.com/SAdmn-2021>

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

<sup>29</sup> Ministry of Justice, Privacy Protection Authority, 'Privacy Aspects of Use of Drones', 2018 [Hebrew], <https://tinyurl.com/yakamwjc>

## The legal framework of Demolitions in the Naqab

Today, most Arab localities do not have up-to-date master plans to provide solutions that match the natural growth rate in recognized and unrecognized Bedouin villages and townships.<sup>30</sup> The actual problem is not unregulated construction but the lack of planning in those localities.

Instead of working towards a real solution to the actual problem, in the past few years, the State of Israel has been promoting various changes in the planning and building laws to restrict construction in Arab communities. Recently, such regulations and policies have emerged from the Kaminitz Law, also known as Amendment No. 116 of the Planning and Building Law.<sup>31</sup> Passed by Parliament and put into force in October 2017, the amendment facilitates the increasing enforcement of planning and building offenses and pursues economic sanctions by imposing fines to avoid the need to conduct legal proceedings and shorten enforcement procedures.<sup>32</sup> At the same time, the powers of the administrative enforcement authorities, first and foremost those of the National Unit for Enforcement of Planning and Building Laws, were expanded, and they were awarded extensive discretion.<sup>33</sup>

In addition, significantly harsher penalties were proposed for planning and building violations, including higher fines and extended terms of imprisonment. In a further intensification of enforcement efforts, the bounds of culpability for planning and building offenses were expanded to include persons who do not necessarily have the ability to influence or prevent illegal construction, such as business owners that sell construction materials intended for construction in the unrecognized villages, and building contractors.<sup>34</sup> The transformation of these individuals into accomplices to a crime is a severe escalation that can lead to the incrimination of innocent people on a large scale.<sup>35</sup>

30 Nasser, K. (2021). Why do the Arabs really want to repeal the Kaminitz Law? Retrieved from <https://tinyurl.com/38rr3fef>

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

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

33 Ibid.

34 Ibid

35 Ibid

Along with amending the Planning and Building Law, authorities adopted regulations to implement harsher economic and administrative penalties. In June 2018, former Justice Minister Ayelet Shaked approved the Administrative Offenses Regulations, which set new administrative fines for law violations. The decision to impose the fine is vested in an administrative body, eliminating judicial oversight. The increased fines set in the new regulations are unprecedented and draconian and may add up to as much as a one-time fine of ILS 300,000 and/or a daily fine of up to ILS 1,500 per day for an unlimited time in the event of an ongoing offense.<sup>36</sup> These fines have the power to reduce Bedouin families to a state of abject poverty and to violate their right to live in dignity.

In November 2020, the Justice Ministry issued a notice to the public regarding the Kaminitz Law,<sup>37</sup> presenting it as a suspension of the enforcement of housing and planning laws. However, it is apparent that this is only an “easement” in enforcing the Kaminitz law and not a suspension of the law. The alleged suspension applies only to dwellings that were populated before January 1st, 2018, with the condition that there are no outstanding enforcement proceedings other than administrative fines. In reality, most of the structures in demolition proceedings do not meet these conditions. The Kaminitz Law does not recognize the right to adequate housing and the right to self-determination defined in the ICCPR and the ICESCR.<sup>38</sup>

In 2021 in negotiations for forming a new Israeli government, the Arab parties demanded a freeze on the law as one of the conditions for joining the coalition. The coalition agreement signed by Mansour Abbas on behalf of the United Arab List party in June 2021 stipulates that the Kaminitz Law be frozen until the end of 2024. It was agreed to suspend the demolition of “illegal” structures in the Negev for nine months until a clear policy on the issue is formulated.

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<sup>36</sup> Ministry of Justice, Administrative Offenses Regulations (Administrative Fines – Planning and Building), 2018 [Hebrew] <https://tinyurl.com/yakjuhwb>

<sup>37</sup> Lis, Y., 2020. The Ministry of Justice Announced That the Enforcement Of Construction Offenses In Arab Localities Will Be Frozen, [Hebrew] <https://tinyurl.com/y68srkfg>

<sup>38</sup> OHCHR | International Covenant on Economic, Social and Cultural Rights (ICESCR). Retrieved from <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>  
OHCHR | International Covenant on Civil and Political Rights (ICCPR). Retrieved from <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>



The phenomenon of building without permits in the Arab localities does not take place in a vacuum. It must be understood in the context of a long-standing predicament stemming from housing and planning policies that reflect systematic discrimination against Israel's Arab population and the authorities' constant failure to plan adequately. Members of the Arab community have no choice but to build under these circumstances; they must provide a roof for themselves and their families when the government and planning authorities do not provide a solution. The Kaminitz Law completely ignores the existing situation and prevents planning and housing solutions. It is impossible to resolve this crisis punitively without bringing about a complete and just solution to the planning distress. Instead of seeking enforcement and punishment, the authorities should fulfill their legal obligation to create a proper planning framework and allow the construction of housing that meets the population's housing needs.

### **Afforestation as a means of eviction (Sa'wah: KKL-JNF)**

The Keren Kayemeth L'Yisrael - Jewish National Fund (KKL-JNF) was established over a century ago to acquire and manage lands for a Jewish state. Since 1948, they have conducted afforestation, planted trees in the Negev-Naqab, and targeted Bedouin villages. The KKL-JNF claims these projects preserve land and provide greenery. However, other environmental organizations in Israel dispute these claims and have even taken the organization to court, arguing that these forests serve no ecological purpose and that afforestation, in fact, harms arid ecosystems by introducing invasive species.

In January 2022, KKL-JNF initiated a project to plant trees on 5,000 dunams of land (1,250 hectares) along the Anim stream. Part of this land belongs to the Al Atrash family in the village of Sa'wah and has been the subject of an unresolved legal dispute. The government disputes these claims. However, at the time of the KKL-JNF's activity, the local courts had not yet settled these disputes. Large parts of this land serve the community's livelihood and are part of its ancestral identity. Local Bedouin farmers had just planted wheat on the land, and the project would mean the destruction of their future crops.

Some Israeli politicians and non-governmental organizations had called for the project to be postponed until a reasonable plan was developed that would provide the Bedouin citizens with a dignified livelihood. However, KKL-JNF chose to ignore these factors.

On January 13th, 2022, community members and activists from around the region voiced their objections to the extra-judicial appropriation of these lands. Together with thousands of Bedouin residents, they gathered on Road 31 to protest the KKL-JNF activities. The police had approved the demonstration. However, the protesters were met with unprecedented police brutality. Multiple testimonies document how, several minutes after the beginning of the protest, police violently repressed the demonstration. During this demonstration, the police arrested sixty minors, including a 10-year-old boy. In the following weeks, police detained, investigated, physically attacked, and otherwise terrorized Bedouin citizens in the surrounding communities, searching unrecognized villages without justifiable reasons and imposing criminal fines on the residents.<sup>39</sup>

The violence met during the protest of Bedouin residents, who are Israeli citizens, shows that even when Bedouins use legal means to express their rights, they are perceived as a threat to law and order and are treated as such. The projects of afforestation also demonstrate how every possible way is used to dispossess the Bedouin community of their historical land.

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<sup>39</sup> Adalah (2022). *Israeli police violently dispersed demonstrations by Palestinian Bedouins and human rights activists over the Jewish National Fund's afforestation work in the Naqab*. <https://www.adalah.org/en/content/view/10524>

## Impact of Demolitions on Bedouin Children and their Mothers

One effect of home demolitions in the Negev-Naqab is the traumatic psychosocial impacts on children and youth. Indeed, these demolitions are detrimental to the mental health of tens of thousands of Arab Bedouin children living in the unrecognized villages in the Naqab whose homes have received demolition orders with an unknown implementation date. This uncertainty causes ‘displacement anxiety,’ whereby children develop a state of insecurity of being displaced once they have been told their house will be demolished.

A study by Rilwan Babajide et al. (2016)<sup>40</sup> undertaken in Massachusetts shows that evictions negatively affect the mental and physical health of those forced to move. Eviction has numerous psychological consequences, such as emotional collapse, post-traumatic stress disorder (PTSD), anxiety, and depression on both the evictee(s) and their children. Beyond reinforcing collective trauma, the demolition of houses in the Negev-Naqab undermines the rights of thousands of children to well-being and healthy development, violating several articles in the Convention on the Rights of the Child. As Amy Phillips (2019)<sup>41</sup> notes, evicted and homeless children are left without access to basic sanitation, resulting in social isolation at school, where they become self-conscious about their hygiene and appearance. They also are at an increased vulnerability to adverse childhood experiences, including drug abuse or domestic and sexual abuse. Not only does eviction prevent access to education, but it results in increased anxiety and sleep deprivation for children. This creates irritability and physical fatigue, which causes children to be distracted during lessons and makes it harder for them to complete their work to a higher standard. Simply put, ‘Housing is a prescription for good health.’

Due to the Covid-19 pandemic, one of the government’s first instructions was home confinement and remote learning for school children. For thousands of Bedouin children whose houses were being demolished at the time of this government order, this measure was extremely detrimental to their socio-

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40 Babajide, R. et al, (2016). *Effects of Eviction on Individuals and Communities in Middlesex County*. <https://tinyurl.com/Babajide-Health-2016>

41 Phillips, A., (2019). *Homelessness and its impact on children*. <https://www.acamh.org/blog/homelessness-impacts-on-children/>

educative development and learning. Despite its order, the State offered no adequate options to protect the rights to adequate housing, security, and education for Arab Bedouin children from unrecognized villages.

The NCF was able to estimate, based on information from the past five years received through Freedom of Information requests, that thousands of children in the Naqab are affected by home demolitions. Undoubtedly, these children undergo traumatic experiences that hinder their social and emotional abilities.

Evicted families desperate to find housing often accept substandard living conditions, which in turn can lead to significant health problems or move them to more dangerous neighborhoods, affecting the safety of their children. Families often cope with the demolition of their own homes by moving in with relatives. This process, according to Nora Gottlieb and Paula Feder-Bubis (2014),<sup>42</sup> is characterized by crowded and stressful living conditions that reinforce trauma and tension within the family, thereby exacerbating conflict and violence, especially against women and children. The recurring trauma that children experience manifests itself in the routine of a family trapped in constant fear, making “trivial” decisions about whether or when to leave the house, how much food to buy, and whether to invest in their home and standard of living.

The trauma of eviction and its repercussions also may significantly affect mothers’ health. Poverty-related events, such as forced displacement, can diminish a mother’s capacity for supportive parenting and increase her tendency to act punitively and erratically toward her children. Gottlieb and Feder-Bubis indicate that, for many Arab Bedouin women, their main concerns in the event of house demolition are its physical and emotional consequences for their children. Several women describe the impact that house demolitions’ have on themselves through their children’s suffering. This continual stress places women in a double bind—they worry for the wellbeing of their children while experiencing a loss of trust in the State and society, of the erosion of their sense of belonging and citizenship. This is not

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42 Gottlieb, N & Feder-Bubis, P. (2014). *Dehomed: The impacts of house demolitions on the well-being of women from the unrecognized Bedouin-Arab villages in the Negev/Israel*. <https://www.sciencedirect.com/science/article/abs/pii/S1353829214000987>

to say that men do not feel the emotional effects of demolitions nor worry about their children. However, because of gender and social roles, the effect on women is often compounded in specific ways that need to be recognized. As reflected in a study by Matthew Desmond (2015),<sup>43</sup> forced displacement of all kinds may disrupt the mental and physical health and well-being of children and their mothers. Evicted mothers experience higher rates of depression several years after their forced displacement, this suggests that eviction has lasting effects on mothers' happiness and quality of life, often leading to depression years after the fact. These effects can have a cascading effect on their relationships with their families and neighbors. It can cause women to reduce their civic engagement and level of community participation, which hinders them from seeking employment or participating in their children's development. This 'increased parental stress may lead to less capacity for good parenting, less ability to provide children with social and emotional support and a safe and stable upbringing,' resulting in a deterioration of the child's mental health. Most importantly, if evicted households have significantly higher rates of material hardship years after they were forced to move, this suggests that eviction may itself be a cause, not simply a condition, of poverty.

Based on the latter, it is possible to conclude that if the State of their birth is forcibly displacing 1,000 children per year, this means the State is actively contributing not only to their personal experiences of trauma but also to the enlargement of the cycles of poverty. Instead of tackling poverty-related problems that are caused by mental health trauma by providing social and psychological services as well as material resources for their well-being and security, the vulnerable status of the "poor" continues to be neglected and criminalized by the State.

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<sup>43</sup> Desmond, M., & Kimbro, R. T. (2015). *Eviction's fallout: housing, hardship, and health* [https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015\\_2.pdf](https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf)

## Conclusion

For decades, the State has attempted to forcibly concentrate the Bedouin populations of the Naqab-Negev into townships and recognized villages. Now, it actively claims that the entire Bedouin population in unrecognized villages is “squatting” illegally on state land.

Home demolitions are one aspect of an aggressive, seven-decade-long displacement policy in the Naqab-Negev by the Israeli authorities. In order to force families into the cities, the Bedouin Authority and other local authorities deny building permits to residents of recognized and unrecognized villages and actively carry out mass demolitions of structures. Each year, the Bedouin Authority issues thousands of demolition orders. Because these entire communities do not have access to legal planning initiatives, their residents are subject to systematic criminalization. Unable to obtain building permits, residents cannot secure economic security or even build shelters that would protect them in times of war, fearing that anything they build could be demolished at any time. The psychological consequences are immeasurable.

Not less concerning is the expanding trend of self-demolitions. Indeed, in just ten years, self-demolitions have increased, reaching 13,081 out of 18,500 demolitions. These numbers indicate rising fear of authorities, who threaten and intimidate Bedouin residents. Bedouin families are forced to demolish their homes to avoid heavy fines, further exacerbating the traumatic relationship between the Bedouin community and the authorities.

The aims of these policies are clear: the elimination of the Bedouin presence on the land. This is particularly evident in the type of land use that is most targeted: farming. Most demolitions carried out by the State target structures that are used for agricultural purposes. This cultivation method is the basis of the Bedouin's traditional livelihood and provides many people with a meaningful connection to their culture and heritage. In other words, through the mass demolition of agricultural structures, the Israeli government is actively suppressing its Bedouin citizens' livelihood and cultural identity.

This policy of destroying traditional Bedouin means of subsistence and not recognizing the indigenous agrarian lifestyle of Bedouin communities harms the entire region. Adaptive farming and grazing are among the most valuable cultural resources in the world today, with climate change threatening the



modern industrial food systems. However, if it is this very practice that the state has targeted most severely in demolition policies, it is because effective dry-farming in desert regions is inherently dispersive. Indeed, to avoid damaging the land, – Bedouin farmers must use much land for sustainable agriculture. However, in Israel, the idea of Arab Bedouin communities owning and using large plots of land is precisely what the government and security establishments are trying to suppress. At the same time, reforestation initiatives such as KKL-JNF projects are supported, claiming that they are preserving the greenery, while in reality, they are harming the ecosystem. This is another way to dispossess the Bedouin community and take control of more land in the Negev- Naqab.

The constant fear of eviction as well as trauma from forced displacement, can significantly impact children's health and well-being. Evictions and the fear it generates negatively affect families, their quality of life, and their mental health. Eviction may contribute to the enlargement of poverty cycles.

All these measures are part of a mindset ingrained in the norms and language of Israeli politics, which sees the existence of Bedouin communities in the Naqab as a threat. It is the physical occupation of space that is problematized and addressed by coercive development policies. These policies explicitly aim to minimize the space occupied by Bedouin communities in the Naqab (Hence, the policies of forced urbanization in restricted towns).

The construction and demolition policies the authorities implement are brutal and violent and undermine the trust between the Bedouins and the state. This is especially true when these authorities are unwilling to offer suitable alternatives to the residents of the unrecognized villages. The State of Israel must heed the calls of international human rights organizations for a halt to demolitions and begin to build trust with the Bedouin community in order to find a solution that respects the lifestyle and diverse aspirations of community members while being compatible with the planning logic of the State. The right to housing should be an essential component of response strategies. This requires providing adequate resources to realize the right to fair housing for all.

NCF strongly objects to mass demolitions and demands that the Israeli government recognizes its Arab-Bedouin citizens' presence and respect its right to remain on its traditional lands.



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