



## Lack of protection against missiles and rockets in the unrecognized villages in the Negev

*Negev Coexistence Forum (NCF), position paper, November 15, 2023*

### **Introduction: The residents of the unrecognized villages in the absence of protection**

Approximately 304,000 Bedouin Arab citizens live in the Negev, of whom about 80,000 live in 35 unrecognized villages, some of them in permanent homes, but many others are in makeshift structures, including shacks and corrugated metal habitats. The residents of these villages do not have any available means of protection against missiles and/or rockets, notwithstanding the fact that the villages are within firing range of steep trajectory missiles and rockets originating from the Gaza Strip. A similar situation also exists for some 50,000 residents of unregulated neighborhoods in the recognized Bedouin settlements.<sup>1</sup> In the past, the "Iron Dome" missile and rocket interceptor defense systems did not fully shield the unrecognized villages which, due to the lack of recognition of their existence, were defined officially as "open space." Today, official government spokesmen maintain that the entire region of the villages is included in the protected area.

**During the Iron Swords war, the current military conflagration, the residents of the unrecognized villages in the Negev are vulnerable to direct hits on a daily basis. To date, direct hits of homes and makeshift structures have resulted in the death of 7 Bedouin residents, including 6 children.**<sup>2</sup> It would appear that the number of Bedouin casualties is very high relative to their share of the general population.<sup>3</sup> The lives of thousands of Bedouin residents were, and still are, in real danger in the absence of any safe space to take shelter. During the war, rockets have fallen in recognized settlements, including Rahaṭ, al-Lagiyyih, Ḥūrah, Ṣġīb as-Salām, 'Ar'arah an-Nagab, Abu Tlūl aš-Šahbī, Umm Batīn, Al-Bāṭ, Kuḥliḥ, Gaṣir as-Sirr, and Abu Grīnāt, and in unrecognized villages such as 'Awajān, Rakhamah, 'Abdih and Wādi an-Na'am.

#### **Bedouins killed by rockets during the Iron Swords war:**

Taiza Abu Sbeich, 57, Al-Bāṭ	Jawad Ibrahim Al Koran, 11, Al-Arabi
My Zohir Abu Sbeich, 12, Al-Bāṭ	Amin Akel Al Koran, 11, Al-Bat al A'rabi
Malik Ibrahim Al Koran, 16, Al-Bat al A'rabi	Yazen Zakaria Abu Jama'ah, 5, 'Ar'arah
Mohammad Dib Al Koran, 16, Al-Bat al A'rabi	

<sup>1</sup> For the sake of brevity, we will not relate to the unregulated neighborhoods in this document.

<sup>2</sup> The full list is available on the Center for Resilience for Bedouin Society website. <https://www.arab-ccd.co.il/en/>

<sup>3</sup> There is still no authorized database listing the civilian casualties and the circumstances of their death. Many deaths have not been fully investigated since the outbreak of war. A preliminary study of the media revealed the names of the following five civilians killed by rocket fire, who were not Bedouins: Raphael Chaim Mascalchi, Nathaniel Mascalchi and Raphael Fahimi from Nevitov; Hana Ben Artzi from Kfar Aviv; and Majed Ibrahim from Abu Ghosh. In addition, reserve soldier Adi Baruch, from Kiryat Netafim, was killed while staying in Sderot, as well as two foreign workers in the Eshkol region (whose names have yet to be published), and a Palestinian resident killed in the village of Baqa al-Sharqiya. May their memory be blessed. Incidents that have not yet been investigated, or whose investigation did not yield a clear conclusion, were also published. More information concerning troubled investigation see: "Inefficacies of testimonies and evidence that will make it difficult to bring the sadists to international justice", YNET [Hebrew], 6/11/2023, R. Bergman, <https://www.ynet.co.il/news/article/yokra13660087>



This situation is not new. The unrecognized villages have suffered injuries to life and property in the rounds of fighting that took place in the south ever since the disengagement from the Gaza Strip in 2005. Civil society organizations, including the Negev Coexistence Forum, voiced warnings, demonstrated, published position papers, and actively lobbied, in a desperate attempt to get the State to protect all its citizens.



The residents of the unrecognized villages were not indifferent to their responsibility to protect themselves and their families. Two main reasons have prevented them from solving their problems regarding protection from missiles on their own:

The first problem is the **cost of construction**. According to a 2021 estimate of the IDF Home Front Command, the cost of building a home safe-room was approximately 140,000 NIS (about \$38,000).<sup>4</sup> The residents of the unrecognized villages are in the lowest socio-economic level in Israel and are unable to finance the construction. The second problem is a **lack of building permits**. Even if they should possess such a considerable sum, **the inhabitants of the villages are not allowed to build**. Since the State does not recognize the existence of the villages, the villages don't have approved municipal outline plans. As such, it is impossible to request or receive building permits in them.

<sup>4</sup> Minutes from the meeting of Israeli Parliament's Foreign Policy and Security Committee dated May 31, 2021 on the topic of "The status of lapses of protection and evacuation / absorption plans in emergency scenarios." Quote from Brigadier General Itzik Bar. Pg. 7.



The State imposes heavy fines for building without a permit and demolishes thousands of buildings and structures of all kinds in the unrecognized villages (2,580 in 2022<sup>5</sup>), as well as in unregulated neighborhoods in recognized settlements. The Israeli government is refusing to allow the building of permanent shelters in unrecognized settlements, apparently out of fear that they will be used for everyday residential purposes.<sup>6</sup>

The provision of protective solutions to the unrecognized villages was addressed in a petition submitted in this regard by residents, regional councils, and civil society organizations (including NCF) to the Israeli Supreme Court in 2014 (High Court of Justice 5019/14 Abu Afash v. High Commander of the Home Front Command). As detailed below, the petitioners sued for the provision of immediate and permanent protective solutions for the unrecognized villages in the Negev. Among other things, the State was sued to provide protective solutions against missile fire, including transportable shelters, as well as being required to publish clear and equitable instructions to local authorities, ordering them to establish protected spaces and suitable protective measures in the villages.

Following the submission of the petition, the Home Front Command presented a plan to improve protection of the Bedouin population, which included very important measures. However, regarding the deployment of transportable shelters, the court stated that "providing cover to one area will result in the exposure of another area," and accordingly decided not to interfere in the considerations and risk level assessments of the authorized authorities.

**The policies of the Israeli Ministry of Defense, which excludes the installation of transportable shelters and siren warning systems, remained fundamentally unchanged, despite the ever-increasing threat from missiles starting with the "Guardian of the Walls" operation in 2021 and its aftermath. Unfortunately, it was only during the current "Iron Swords" conflagration that deployment of transportable shelters has begun.**

#### **The Association for Civil Right's legal petition and the State's refusal to take protective measures in the Bedouin settlements**

**During the years 2014 to 2017, the Association for Civil Rights in Israel (ACRI) conducted a campaign which included the petitioning of the High Court demanding a regulated protection system for the residents of the unrecognized villages. In practice, the Ministry of Defense was willing to assist in providing only limited solutions, but it forcefully refused to deploy warning sirens and protective shelters in the unrecognized villages to effectively protect the lives of the residents. The story of the petition shows the extent of the Government's commitment to protecting the lives of Bedouin citizens.**

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<sup>5</sup> Source: Annual reports of the Southern Administration for the Coordination of Enforcement of Land Law

<sup>6</sup> <https://www.ha-makom.co.il/post-migu-nit> [Hebrew]



In July-August 2014, Operation "Protective Edge" took place, lasting 51 days. During the operation over 4,000 rockets were launched into Israeli territory.<sup>7</sup> On July 16, 2014 the Association for Civil Rights petitioned the High Court (HCJ 5019/14) suing to protect the Bedouin communities, and in particular for the placement of transportable shelters as per the needs of the residents in each village. In addition, the petitioners asked that guidelines be issued to local authorities regarding the establishment of protected spaces and the provision of other protective measures.<sup>8</sup>

The Association claimed that during Operation "Protective Edge" many Bedouin residents were exposed to harm and were subject to great anxiety because of the absence of shelters. Among those harmed, Odeh al-Wadj was killed in the village of al-Wadj near Dimona, and four members of his family were injured, including a three-month-old baby girl. In 'Awajān, two Bedouin girls, Atil al-Wakhili (13) and her sister Maram (11), were injured. The Association stressed that the lack of protection violates the principle of equality, and that it is the State's duty to protect the lives of the Bedouin residents, just as it guarantees protection to other communities.

On July 20, 2014, during the Operation, the court ruled that the State has an obligation to protect the lives of its residents, but added that this obligation can be realized in a variety of ways. The court stated that decisions regarding the choice of means are at the core of the discretion of the competent authorities, and that the court intervenes in the authority's discretion only in exceptional cases, and its intervention in operational decisions while under fire should be extremely limited. Therefore, the court refrained from making a decision regarding the provision of transportable shelters.

On May 9, 2015, the State submitted another answer to the court and presented a plan to improve the preparedness of the Bedouin population for emergencies, including professional training of the local authorities and the conduction of training exercises in emergency practices; the training of "self-help units" in the various localities; training of the Civil Defense inspectors in the settlements; and distribution of information leaflets in schools and mosques.

In addition, the State pledged to improve the existing alert system in order to effectively warn of rockets being fired at the unrecognized villages and reduce the "warning disparities". The State promised to evaluate ways of placing warning sirens in the unrecognized villages, and to establish "emergency warehouses" that would include emergency equipment, in underground shelters built with sand and concrete cylinders.

It should be noted that in 2016 the "Bedouin Resilience Center" was established in Rahaṭ, which helps prepare the authorities and the community for an emergency, and

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<sup>7</sup> [IDF Wars and Operations – Operation Protective Edge](#)

<sup>8</sup> ACRI, "Providing Protection for the Unrecognized Bedouin Villages in the Negev", <https://www.english.acri.org.il/post/316>



at the same time plays a wider role in dealing with community problems in areas such as poverty, crime and road accidents.<sup>9</sup>

The court demanded additional answers regarding the deployment of the protective measures. On December 17, 2015 the State provided additional answers and claimed that many neighborhoods in Israel suffer from protection disparities, and their residents are instructed to act in an emergency according to the directives of the Home Front Command. Despite their situation, they are not provided with transportable shelters. In some areas of the country there are higher risk levels than in the Bedouin settlements, and yet transportable shelters were not provided, except when there was an urgent security need. Therefore, the State did not consider itself obligated to place shelters in unrecognized Bedouin villages. It was promised that if there is a change in the assessment of the situation, the provision of shelters would be considered.

The court returned and asked the representatives of the State to consider its position regarding the distribution of transportable shelters in service centers located in the unrecognized villages in the Negev, and particularly in the educational institutions and clinics located there. The State replied on January 12, 2017 that many Jewish settlements in the south suffer from serious protection disparities, including those near the Gaza Strip. Many of the health clinics in these settlements are not built to protect against missiles, and are alternatively provided with only partial solutions for protection.

The Home Front Command believed that there was little value in placing a limited number of transportable shelters near educational institutions, and added that overcrowding of students in them could be dangerous. In a way that raises serious doubts, it was claimed that placing transportable shelters in the service centers "as a sole means of protection is not professional and even dangerous, in view of the fear of an uncontrolled rush to enter the shelters in an emergency, and all the dangers that would be involved in such behavior."

The Home Front Command stated that during an alarm the residents of the unrecognized villages can act according to its instructions to all those in open areas, i.e. lying on the ground or finding cover in trenches and excavations. The Command surprisingly believed that "public obedience to these instructions has an importance that is dozens of times greater than the placement of individual protective shelters, which are of low protective value, in one place or another."

At the same time, the Command commented that most of the residents of the recognized Bedouin settlements adjacent to the Gaza Strip receive protection. According to the Command's data, approximately 90% of al-Lagiyyih residents benefit from an accepted level of protection, as do 79% of Segev Shalom residents, and about 78% of Rahaṭ residents. However, other settlements have lower protection rates. For example, only 66% of Tarābīn aṣ-Ṣānī' residents, and only 54% of Ḥūrah residents have

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<sup>9</sup> Dr. Roni Blanc, "Activity of the Resilience Centers" [Hebrew], September 2021, [https://fs.knesset.gov.il/25/Committees/25\\_cs\\_mmm\\_2459429.pdf](https://fs.knesset.gov.il/25/Committees/25_cs_mmm_2459429.pdf)



an accepted level of protection. Among Tel Sheva residents, only 44% have standard protection.

The court asked the State to weigh ways of informing the Bedouin public. In the answer given on February 21, 2017, the Home Front Command committed to implement an information program for the Bedouin public, and to run an "Emergency Education" program in all schools, including distribution of "Emergency Kits."

During the time that the petition was being heard, as mentioned, there were several improvements in the preparation of the Bedouin settlements for an emergency. At the same time, no progress has been made concerning the main issues, such as the distribution of warning systems and shelters.

Although the responses to the petition presented the professional considerations of the Home Front Command, in practice, one could get the impression that the plight of the Bedouin community was not at the forefront of the eyes of the State. Despite the growing threat of rockets from Gaza, and of ever repeating rounds of rocket barrages, the State has refused to allocate the requested resources in order to protect the unrecognized villages and did not even act to ensure protection for the schools and clinics in the service centers.

It is difficult to explain this stubborn refusal based only on the background of professional defense considerations. First, it seems that the good of the Bedouin community has no standing in the eyes of the decision-makers, because other communities were protected. It is likely that these communities were given priority by the decision makers, partly due to the identity and political power of their residents.

It is worth noting that already in July 2007 the State Comptroller revealed deep disparities in the protection of Arab citizens. In 2018 the Comptroller returned to examine the issue. He found that "most of the deficiencies pointed out by the State Comptroller's office in the special report were not corrected and the protection disparities in the non-Jewish sector remained the same." "A very bleak picture of the protection disparities in municipalities located both in the north and in the south" was revealed. "... Hundreds of thousands of residents in the non-Jewish sector do not have adequate protection during an emergency."<sup>10</sup>

Secondly, it seems that the fear of putting up a permanent building, which might aid efforts to receive recognition of the unrecognized villages, was a central concern, but hidden in the decision-making process. This is the testimony of MK Merav Michaeli in a session of the Israeli Parliament's Interior Committee in July 2014:

"The main thing is that the Government's answer, and it doesn't matter who I talked to, whether it's the Ministry of Defense, whether it's the National Security Headquarters, or if it is Minister Shamir, is one: the illegal settlements are out of the

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<sup>10</sup> State Comptroller, local government Audit reports 2018. "Protection and shelter in the borders of local authorities in the non-Jewish sector in the north and in the south" [Hebrew] pp. 1-74. The quotes from pp. 12, 17. [https://www.mevaker.gov.il/he/Reports/Report\\_636/3fed301c-37bb-448e-b68b-da0187889460/101-shulters.pdf](https://www.mevaker.gov.il/he/Reports/Report_636/3fed301c-37bb-448e-b68b-da0187889460/101-shulters.pdf)





discussion. If you want to talk about protection - let them move to the legal settlements. In my view, this is an illegitimate answer, which continues the illegitimate attitude of the Governments of Israel to the Bedouin population. What happened in this war, in the way the Bedouin population in the unrecognized villages is exposed to a very tangible danger, which has already and unfortunately proven itself, precisely reveals the discriminatory attitude between life and life, between blood and blood, which drives the State of Israel's treatment of this population - always."<sup>11</sup>

**Unfortunately, the court did not side with the petitioners and did not obligate the State to take measures to place transportable shelters in the unrecognized villages. The petitioners' claims regarding the unequal distribution of protective provisions were rejected. Thus, approximately one hundred thousand civilians remain exposed to rocket attacks, their lives subject to daily danger, without protection.**

#### **Protection of the Bedouin villages: Operation "Guardian of the Walls"**

In May 2021, Operation "Guardian of the Walls" was conducted, during which more than 4,000 rockets were fired into Israel. The rocket barrages killed six Israeli citizens, as well as a soldier and three foreign citizens.

During the operation, on May 16, 2021, several organizations appealed to Defense Minister Benny Gantz and the commander of the Home Front Command with a demand to perform an urgent, updated situational assessment of the risks posed to the Bedouin population, and to immediately order the placement of transportable shelters in the unrecognized villages. The organizations also demanded to define these villages as "populated areas" in the Iron Dome missile interception system so as to ensure their protection.<sup>12</sup>

The late MK Saeed al-Harumi submitted a query on the subject on June 9, 2021 to Defense Minister Gantz. In response, the Minister stated that the Iron Dome system covers every "continuous cluster of buildings", including in the unrecognized villages. In addition, Gantz announced that transportable shelters will be distributed in all the settlements located up to 40 km from the Gaza Strip, including the Bedouin settlements.<sup>13</sup>

In June 2021, the ACRI continued in their efforts concerning the shelters opposite the Defense Ministry. The head of Protection at the Home Front Command replied that according to the Civil Defense law:

"The responsibility for providing a private shelter rests with the individual and the local municipality to ensure proper installation and maintenance of the private

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<sup>11</sup> Israeli Parliament Interior Committee meeting on July 29, 2014 on "Protection disparities for the urban population of those living in old buildings and the Bedouin diaspora"

<sup>12</sup> A letter from Attorney Abir Jovran Dachvar to Defense Minister Gantz, Major General Uri Gordin of the Home Front Command, and Colonel Sagi Baruch of the Command, concerning the "Iron Dome protection of the unrecognized villages in the Negev and placement of transportable shelters, 5/16/2021." The letter was signed by NGOs: Bemkom, The Regional Council of the Unrecognized Villages, Sikkuy-Aufoq, The Negev Coexistence Forum, and Shatil.

<sup>13</sup> Israeli Parliament: discussion of the query entitled "Protection of the Bedouin population in the south."



shelters by the home owners. In addition to this, as far as there are protection disparities in a specific regional council, it is the council's responsibility to provide its residents with public protection infrastructure in times of emergency. [...] There is no law or other normative mechanism through which the Home Front Command can provide shelters for a property, except in accordance with a political directive which was received concerning the matter and given an appropriate budget. In the absence of a directive as required above, it is not possible to grant private protection on behalf of the State."<sup>14</sup>

In practice, as attorney Abir Jobran of the ACRI pointed out in her reply to this letter, the Home Front Command has broad powers to supply protection services. In section 2 of the Civil Defense Law, the Command is authorized "to establish facilities and maintain them."<sup>15</sup> However, **the Command chose to avoid fulfilling its duty to protect the Bedouin citizens.**

The Head of the Shelter Division emphasized that there is no place for the transportable shelters in the Bedouin settlements: "The transportable shelter does not constitute a "shelter" or a "protected space" in accordance with the law. The transportable shelters are a limited resource, and they are distributed on the basis of professional and operational prioritization, among localities that are close to the border and up to a distance of 40 km from the border at most."

**The result of this policy of the Home Front Command was that Jewish communities, especially established ones, mobilized resources to purchase transportable shelters, with the help of KKL-JNF, Keren Hayesod, Keren Yedidot, and Jews in the diaspora, among others.<sup>16</sup> While in the Bedouin settlements and in the unrecognized villages in particular, protection solution has been found even for essential public institutions, and the population remains exposed to the danger of the rockets.**

**In one of the most striking and heart-wrenching photos from Operation "Guardian of the Walls", three frightened Bedouin children appear hiding under a parked car. The journalist Jacky Khoury crowned it with the words: "A mobile shelter in an unrecognized village".<sup>17</sup> During the Operation, at least 30 rockets fell in the unrecognized villages.<sup>18</sup>**

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<sup>14</sup> Letter from Head of Shelter Division Dodo Abada to Adv. Jobran dated June 2, 2021 with the title: "Fekar's response to the appeal of Adv. Abir Jobran Dachvar on behalf of the Association for Civil Rights and other organizations regarding the protection of the unrecognized Bedouin villages and the placement of Iron Dome batteries in them."

<sup>15</sup> A letter from Attorney Abir Jobran to Defense Minister Galant, Home Front Command Major Rafi Milo and Col. Sagi Baruch of the Command dated October 13, 2023 concerning "Placing alarm and warning systems and placement of shelters in the unrecognized villages in the Negev."

<sup>16</sup> In settlements in the Merchavim Regional Council, for example, five concrete shelters were deployed with a KKL-JNF donation, <https://www.merchavim.org.il/articles/item/1647/> [Hebrew]. Last year, in the city of Kiryat Malachi, and in the Ashkelon Shore, Beer Tovia, and Shaar Hanegev Regional Councils 10 transportable shelters were deployed by the KKL-JNF, <https://tinyurl.com/Yeshuvnik-Shelters> [Hebrew]. 80 transportable shelters were placed in Merhavim settlements with the donation of Keren Hayesod. Nitzan Zvi Cohen, "Since Operation 'Protective Edge' I demand protection in central places in the settlement and I don't get it. <https://www.davar1.co.il/159301/> [Hebrew]

<sup>17</sup> Tweet on Jackie Khoury's Twitter account, May 20, 2021 4:54 PM

<sup>18</sup> Shirin Falah Saev and Tamer Masaudin. Haaretz [Hebrew] <https://tinyurl.com/Haaretz-WritingOnWall>





### **The civil preparedness for an emergency: Rahat as a parable**

Also in other areas of concern, emergency preparedness in Bedouin society is very limited, mainly due to the lack of adequate allocation of resources from the State. Thus, for example, the State Comptroller found that the Bedouin Resilience Center in Rahat served only about a hundred patients in 2019, although it is intended to serve a population of more than a quarter of a million people. This is compared to 1,709 patients who benefited from Resilience Center services in the Jewish town of Sderot, which has only about 30,000 residents.<sup>19</sup> The disparity is especially noticeable against the background of the low level of community resilience which prevails in the Bedouin community, also in relation to Sderot and surrounding settlements.<sup>20</sup> "Even today, the Center suffers from a lack of budget, for example for the training of "first responders" from among volunteers and professionals."<sup>21</sup>

The Mayor of Rahat, Ata Abu Medigam, complained during the "Iron Swords" war that the municipality's emergency budgeting was inadequate: "The state didn't bother to transfer even one Shekel for the emergency to the Rahat municipality, and all the promises and decisions remained on paper. The Rahat Municipality and all of our "war room" staff worked non-stop and the city coped alone." The mayor even threatened to close the municipality's "war room", as the salaries for those working there have not been budgeted.<sup>22</sup> Care for the families of the kidnapped and murdered was also not addressed by the government, and the "war room" that was established at the Rahat Resilience Center undertook the task.<sup>23</sup>

Lastly, Rahat, which has approximately 80,000 residents, does not have a single public shelter, and there are only about ten transportable shelters scattered about. The mayor estimated that approximately 25,000 residents of the city have no protection. He turned to Defense Minister Gallant in May in a public appeal and demanded an allocation of 50 transportable shelters.<sup>24</sup> However, as Abu Medigam testified: "I asked for fifty transportable shelters in the previous round - they brought me two." Many of the houses in the city were built before 1992, therefore there is no private shelters.<sup>25</sup> The previous mayor of Rahat, Faiz Abu-Sahiban, estimated in 2021 that 50% of the

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<sup>19</sup> The State Comptroller, "The preparation of the local authorities for the treatment of anxiety victims in an emergency", 2021 [Hebrew] <https://www.mevaker.gov.il/sites/DigitalLibrary/Documents/2021/71C/2021-71c-701-Anxiety.pdf>

<sup>20</sup> Zohar Or Sharvit and others. "The Negev Bedouin Population and Its Leaders". Myers JDC Brookdale. [Hebrew] <https://brookdale-web.s3.amazonaws.com/uploads/files/S-217-22.pdf>

<sup>21</sup> Huda Abu Obeid's conversation with the Director of the Resilience Center Mr. Ebrahim Al-Tauna.

<sup>22</sup> A message to the media from Mayor Ata Abu Medigam, which was forwarded via WhatsApp to reporters, date unknown.

<sup>23</sup> Halavi, E., "The state did not bother to talk to the affected Bedouins", October 28, 2023, Ynet [Hebrew], <https://www.ynet.co.il/news/article/syy7hhkgt>

<sup>24</sup> Tali Hiroti-Sober, T., "Mayor Rahat to Galant: 25 thousand residents are not protected. Provide us with 50 shelters.", TheMarker [Hebrew], <https://tinyurl.com/TheMarker-NoProtection>

<sup>25</sup> Kim Lagaziel, "Chaos and uncertainty in Berhat: less than ten shelters for 75,000 people". Haaretz, October 7, 2023. News thread, 10:23



houses lack shelters or protected spaces.<sup>26</sup> It should be emphasized that Rahat is within 30 km of the Gaza Strip.

### **The beginning of the protection for the unrecognized villages: the "Iron Swords" war**

According to the State Comptroller's report on "the preparation for the defense of the home front against the threat of missiles and rockets"<sup>27</sup> as of 2018 - there was some solution for defense against missiles and rockets for 72% of the total population of Israel (public shelters, shared private shelters, and shelters).

**On the other hand, as of the morning of October 7, 2023, at the outbreak of the "Iron Swords" war, the number of defense solutions that were available to the 100,000 residents of the unrecognized villages in their homes was 0!** Even in unrecognized villages located within 30 km of the Gaza Strip, such as Umm Nmīlah north of Rahat, had no protection.<sup>28</sup>

**Full or partial protection exists only in a few of the health clinics.**<sup>29</sup> The lack of protection caused the closing of the clinics during the "Iron Swords" war. As a result, residents who needed a clinic had to travel to remote settlements under the threat of rockets, often by public transport. Many of them relented the tests and treatments, for fear of being hit by a rocket.<sup>30</sup>

**Many schools in the unrecognized villages are run without a shelter.** For example, Al-Amal Elementary School in the village of Khirbit al-Watan, the Tel Arad Elementary School in the village of Tal 'Arād, the "Alfura Rosh Zohar" and Alfura-2 elementary schools in the village al-Fur'ah, as well as Atid Alfura high school in the village of al-Fur'ah.<sup>31</sup> There are also three elementary schools in Wādi an-Na'am that do not have any protection.<sup>32</sup> The same is true in the schools in az-Zarnūg and Bīr al-Mšāš.<sup>33</sup> There is no protection at the school in 'Abdih, nor is there any protection at the school in Khašim Zannah.<sup>34</sup> The school in Rakhamah is the only school with shelters, but there are only two standard shelters exist, out of the required six that are necessary.<sup>35</sup> **In the absence of even the most basic protection, it is impossible to have any kind of**

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<sup>26</sup> Falah Sa'ev and Masoudin, *ibid*.

<sup>27</sup> State Comptroller, "The preparation for the defense of the home front against the threat of missiles and rockets (physical protection, warning and evacuation of the population) - follow-up audi, 70c annual audit report [Hebrew], <https://www.mevaker.gov.il/sites/DigitalLibrary/Documents/2020/70c/2020-70c-101-Oref-TAKTZIR.pdf>

<sup>28</sup> Testimony of Ms. Aisha Ziadna in a conversation with Huda Abu-Obeid, NCF, November 5, 2023

<sup>29</sup> Klalit health services clinics without protection operate in the unknown villages of Wādi an-Na'am, Khirbit al-Watan, 'Abdih, al-Atrash (Sa'wah). United Health Insurance Clinics operate without protection in Tarābīn aṣ-Ṣānī and Al-Atrash. National Insurance Health Clinic operates without insurance in al-A'ara.

<sup>30</sup> Solomon, E. "The clinics are closed due to the lack of protection, and thousands of Bedouins are left without treatment." Haaretz, October 19, 2023 [Hebrew] <https://tinyurl.com/Haaretz-EdenSolomon>

<sup>31</sup> Source: a map made by Eshkol Negev Mizrahi, which was passed on to the emergency team by Mr. Yosef El Amor from the Eshkol.

<sup>32</sup> Source: Shmulik David's correspondence with Mr. Musa Abu Baniya, from the village council, November 5, 2023

<sup>33</sup> Source: Shmulik David's conversation with Hossein al-Rifa'ia at the village of Bīr al-Mšāš. November 6, 2023

<sup>34</sup> Source: Shmulik David's conversation with Mr. Jumaa Tematavi, a social activist from the village of 'Abdih, November 5, 2023. Shmulik David's correspondence with Dr. Kaid El-Ethamin, Khašim Zannah Village Committee, November 5, 2023.

<sup>35</sup> Source: Correspondence with Ms. Yael Agmon, Atid Bamidbar Association, November 5, 2023.



**activities, even if they are short and limited, such as a meeting of a single class or training session for the institution's staff.**

During the "Iron Swords" war, which began on October 7, 2023, more than 9,000 rockets were fired at Israel.<sup>36</sup> Only after seven Bedouin civilians were killed by rocket barrages, and after it became clear that the rate of casualties was particularly high relative to other populations, did the Home Front Command decided to erect 35 "Hesco" type shelters in unrecognized villages. These shelters consist of metal frameworks and durable polyethylene sheets that together form a kind of "baskets" that are filled with dirt. Attaching the individual units one to another enables the production of protected spaces of various sizes, which may house 30, 50 or even up to 100 people.<sup>37</sup>

As to date, it has not been clarified whether the placement of the various shelters will be permanent. The IDF spokesman said that their placement is a "pilot" and a "temporary solution", and that it is being carried out "as part of the IDF's concept of expanded responsibility."<sup>38</sup>

At the same time, social organizations and local authorities financed the placement of about 200 "pipe shelters" (a concrete cylinder with a diameter of about 2.5 meters) which are protected at the both ends by concrete slabs.<sup>39</sup> These "shelters" do not meet the standard of permanent shelters, and each one is only big enough to provide protection for only about 12 people, but in the absence of more adequate solutions, and in view of the need to provide protection with the few available resources, this is a reasonable solution.

It should be noted that in the past, eight transportable shelters were distributed in one of the unrecognized villages near Rahaṭ, after its residents were hit by a "Grad" rocket at the beginning of Operation "Cast Lead" in 2009. However, the distribution was carried out only after the end of the Operation, and no more shelters were distributed afterwards. Unlike in the past, it is to be hoped that the fact that transportable shelters are now distributed in the name of protection for the Bedouins is not just a matter of paying lip service, but a first step towards providing a comprehensive response for the protection problems.<sup>40</sup>

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<sup>36</sup> Institute for National Security Studies website, "Israel at war - a picture of the situation, the Israeli arena". Last update 4/11/2023 at 10:30

<sup>37</sup> Ministry of Social Equality. "The Ministry of Social Equality in cooperation with the Home Front Command are working to eliminate the protection disparities in the Bedouin communities in the Negev" [Hebrew], [https://www.gov.il/he/departments/news/bedouin\\_shielding\\_news](https://www.gov.il/he/departments/news/bedouin_shielding_news)

<sup>38</sup> [Hebrew] <https://www.ha-makom.co.il/post-migu-nit>

<sup>39</sup> Among the funding agencies are the Regional Council for Unrecognized Villages in the Negev, Ajik, and the Yanabia Association. Placement of the shelters in Rakhamah was funded by the Yeruham local council and the Acker-Stone flooring factory. This information was compiled by the Bedouin Emergency Committee in Hūrah. It should be noted that the New York Federation contributed donated dozens of transportable shelters. Rotem Sharon ICL donated 12 permanent shelters, Be'er Sheva Net, November 1, 2023 [Hebrew] <https://tinyurl.com/ICL-donated>

<sup>40</sup> Shani, R. "After the Operation: the Bedouins in the Negev receive protection". Wallah news, January 21, 2009. [Hebrew] <https://news.walla.co.il/item/1421790>



**Unfortunately, even now, it is not clear whether the "Hesco barriers" and other "shelters" will receive building permits or some other official permit to allow continued distribution of those solutions in the future.**

### **The refusal to install warning sirens: the "Iron Swords" war**

In many unrecognized villages no alarm is heard. In the past, the Home Front Command conducted an experiment to place warning sirens in several villages. The State Comptroller investigated the issue in 2021 and found that as of May 2020, no systems had been installed in the unrecognized villages. Warning sirens provide warning of rocket fire. The Home Front Command explained to the Comptroller's representatives that they cannot be distributed, because their installation requires both a proper connection to orderly electrical infrastructure and "proper and substantial" public buildings to house them. The Command reported that some of the warning sirens that had been placed in the past were disconnected and stolen. Moreover, most of those responsible for the mosques in the unrecognized villages, that are appropriate for installing the sirens, refused to place them in the mosque. Therefore, the Command asserts that the alerts of the Home Command web application are a good solution and does not intend to install more warning sirens. The Command promised to hold an "Information campaign" for assimilating the use of the application every two years. The Comptroller was told that the IDF Deputy Chief of Staff ordered an evaluation of installation of mobile announcement units.

On a level of principle, the Command responded to the Comptroller's questions and stated as follows:

"There is a difficulty in investing public resources in a settlement that is not legally regulated. Therefore, in our opinion, in order to solve the disparities in warning capabilities, a broad policy solution to the state of the unrecognized settlement is needed, including the aspects of planning and construction, which will also include a plan, with a budget to implement it."

**This statement reveals a principled position of the Command: a lack of commitment to the security of the residents of the unrecognized villages and conditioning the protection of their safety on completing the recognition process.**

The State Comptroller did not accept the Command position, pending the solution to the problem of recognizing the villages, and commented as follows:

"The disparities that still exist in the provision of warning systems to the Bedouin that are not residents of recognized villages lead to a real risk of life during an emergency situation. It is recommended that the Home Front Command work to find solutions to the problem, including ways to harness those responsible for the mosques to the need of installing warning sirens, and that the Command examine the placement of sirens in public buildings in all the settlements."<sup>41</sup>

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<sup>41</sup> State Comptroller's Office. "Systemic Issues: Aspects of Governance in the Negev", Annual Report 72 A, Part One: Systemic Issues, pp. 1-286. Rev. pp. 281-282



However, the Home Front Command refused to adopt the Comptroller's recommendation to place sirens in public buildings. In response to his comments the Command related to the publishing of the report as follows:

"The command does not support the solution to warning disparities using sirens. Sirens were installed in the past as part of Operation "Protective Edge" on a one-time basis, in accordance with the circumstances at that time when there was no other possible solution."<sup>42</sup>

**In view of the danger to human life, the Home Front Command's position was characterized by extreme inflexibility.** Unfortunately, only just recently, during the present war, a team was dispatched by the Command with the assistance of the Ministry of Social Equality to examine the state of the warning systems in the unrecognized villages.<sup>43</sup> **Unfortunately, the Home Front Command's treatment of the warning disparities is a serious oversight, and its decisions now amount to too little - too late.**



### **The mental cost of exposure to a threat in the absence of protection**

In the absence of proper protective measures, during the "Iron Swords" war the residents had difficulty coping with the anxiety associated with exposure to intense barrages of missiles and rockets. The mental distress is related, among other things, to the lack of substantial structures, and the fact that the temporary structures could become a death trap when hit directly by a rocket.

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<sup>42</sup> Department of the General Inspector for State Comptroller Affairs. Prime Minister's comments to the State Comptroller's report 72 A, August 2021. See page 81.

<sup>43</sup> Kobi Barkat. "The Bedouins complain: 'We don't hear alarms.'" Bechedra Haradim. October 19, 2023 [Hebrew] <https://www.bhol.co.il/news/1607371>



Residents report anxiety attacks, and in the absence of a practical solution for protection - also an extreme feeling of helplessness, in particular when parents are forced to protect their children with empty hands. Professionals report a great number of "anxiety victims" in severe distress.

Thus, for example, in the village of az-Zarnūg, residents told reporters from "Haaretz" that during an alarm the children hide under the table or under the bed, or cling to the walls of the house, even though they know there is no protection there. The principal of the local school said that during an alarm he and the children "hug and pray." Some of the residents in the village decided to disconnect the alarm horn installed in the school, claiming that in any case they have no way to defend themselves.<sup>44</sup> While another resident testified in a conversation with a "Maariv" reporter: "We are a big family, and during an alarm we split up into different areas, so that if there is damage not everyone will be hurt or die."<sup>45</sup>

### **Summary: A change in the system of protecting the lives of the residents is required**

**Reading the responses of the Home Front Command to the petition of the ACRI and to the appeals of the organizations and heads of communities, it is hard not to get the impression that the Command's policies were characterized by bureaucratic rigidity and opacity. Moreover, the Command policy favored the planning interests of the State over the obligation to maintain the security and well-being of its Bedouin citizens, thus deviating from the framework of the Command's role in security.**

In 2016, the court ruled: "Let's remember that we are - thank God - in a period of relative security calm, and that it is the duty of the professional elements in the Home Front Command to update the protection solutions for the Bedouin living outside of recognized villages, a weakened area, to answer changes in the assessment of the threats; with equality before their eyes."

**Unfortunately, after about a month of war, there is no doubt that in view of the circumstances today, the threat assessment needs an urgent update, and a renewed and different preparation is required to protect the unrecognized Bedouin villages.**

**It is evident that during the Iron Swords War, the Home Front Command began to free itself from the concept that had dominated it until now, and to act in the protection of the Bedouin citizens, in recognition of their right to life and their right to equality. Hopefully this change will be consistent.**

**In view of the seriousness of the threat posed from the Gaza Strip, and in view of the possibility of war breaking out from the territory of Lebanon, during which rockets will fall all over the country, the Ministry of Defense must urgently order the**

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<sup>44</sup> Solomon, E., "We turned off the alarm, there's nowhere to run anyway." The Bedouins in the Negev were once again left without protection. Haaretz, October 15, 2023 [Hebrew] <https://tinyurl.com/Haaretz-TurnedOffAlarm>

<sup>45</sup> Arnold Nativ, "With jute fabrics, without Iron Dome: this is the protection that residents in the south get". Maariv, October 29, 2023 [Hebrew] <https://www.maariv.co.il/news/israel/Article-1048380>





**immediate distribution of warning sirens and protection solutions for the Bedouin communities in the unrecognized villages.**

1. "Hesco" barriers of different sizes, depending on the number of members in the families, must be built in all the unrecognized villages, in order to ensure full coverage of the population with means of protection. The shielding is approved as standard by the Home Front Command, and it is low cost.
  - A roof must be installed in each unit for the protection of the residents, which does not exist in the barriers that have been built so far.
  - Lighting must be installed.
  - Possibility of internal separation between the men's space and the women's space.
  - "Hesco" barriers must be guaranteed exceptional building permits, at least for the entire period during which there is a threat of rocket and missile fire.<sup>46</sup>
2. As a first priority, all schools and clinics in the service centers must be provided with protection, without delay, and in particular it is essential to ensure normal operation of clinics during emergencies.
3. Community members must be allowed to place concrete shelters, concrete cylinders, or underground containers used for protection, without delay, in order to ensure defense from missiles and save lives. These structures must be guaranteed a long-term placement permit, at least as long as there is a missile or rocket threat.
4. Sirens located in recognized settlements must be amplified, so that the sound of the alarm will also be heard in nearby unrecognized villages. Thus, for example, sirens in Lakia will be amplified in order to be heard in the unrecognized village of 'Awajān.
5. It is necessary to order the distribution of sirens powered by solar energy in all the unrecognized villages. Sirens will be activated using a regular cell phone, and in the absence of cellular reception - by satellite phone.
6. Any and all publications by the Home Front Command and other government bodies that refers to the conduct of citizens in case of an emergency must be made available in Arabic. It is important to ensure that any campaign regarding self-defense reaches all the Arab public equally.
7. It must be ensured that all the elements of the emergency measures accepted by or placed on the Home Front Command as part of the litigation in the ACRI petition be implemented. In particular, it is only appropriate to provide a budget for the Bedouin Resilience Center in Rahaṭ in order that it be able to

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<sup>46</sup> According to the Home Front Command website, under the title of "mobile protected area", "the placement of a transportable shelter requires the issuance of a building permit according to the law prior to its placement or alternatively, retrospectively, in accordance with a specific order of the Home Front Command and a dedicated order on the subject."



realize its various tasks, including for peripheral work in the unrecognized villages and training of "first responders".

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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".