

QUICK POLICY INSIGHT

Forced displacement looms for Bedouins in the Negev

Author: Pekka HAKALA

Israeli parliamentarians will soon vote on a plan that would displace 40-50 000 Bedouins from their homes and relocate them in state-built townships. The subjects of this plan have not been consulted and oppose the plan.

The plan focuses on the Negev Desert, home to 200 000 of Israel's **Bedouins**. Making up 18 % of the Negev's population, Bedouins there are Israeli citizens and speak Arabic, one of Israel's official languages. But they form a unique group within the country's Palestinian minority and have traditionally led a semi-nomadic life.

A 2011 communication by a UN Special Rapporteur charged with investigating the situation concluded that the Bedouins in the Negev were entitled to international and Israeli protection¹. The '**Prawer plan**' that has been submitted to the Knesset contravenes this recommendation.

Free and equal citizens or trespassers on state land?

There are 35 unrecognised Bedouin villages, many outdating the creation of the state of Israel. They lack basic services and the Israeli authorities consider the villages' inhabitants illegal trespassers.

Since the creation of the state of Israel, official policies regarding the Negev Bedouin have entailed regulation and relocation. During the 1950s, Israel forcibly relocated two thirds of the Negev Bedouins into a triangular area marked by the towns of Be'er Sheva, Arad and Dimona, and placed the area under martial law. Bedouin herding — the Bedouin's traditional employment — was restricted by land expropriation and legal provisions. Local lands were appropriated by Israel's Development Authority and Lands Administration. Because extremely few Bedouin territorial claims were recognised, most settlements and grazing were declared illegal.

Between 1968 and 1989, the Israeli state established seven urban townships to house Bedouin tribes. Inhabitants were promised services in exchange for renouncing their claims to ancestral lands. Within a few years, half of the Bedouin population had moved into these towns. Yet

¹ <http://unsr.jamesanaya.org/casos-2011/06-israel-situation-of-unrecognized-bedouin-villages-in-the-negev-desert>

the towns' development was hampered by the state's failure to provide urban plans or means of employment for the inhabitants.

Today, some 71 000 Bedouins live in 35 villages in the Negev desert that are 'illegally constructed', officially unrecognised and therefore denied public funding. These villages lack paved roads, public transport, waste management and connections to electricity or water. By withholding services, Israeli authorities hope the Bedouins will abandon these villages, renounce their claims and move to centrally-planned towns².

Israel refuses to recognise these localities for several reasons: they are incompatible with urban master plans, the villages are situated in unsuitable places —natural reserves, landfills and, most importantly, military zones including the Negev Nuclear Research Centre and major army bases that are planned for the area for the Intelligence, Communications and Training centres of the Israeli Defence Forces.

Israel actively promotes the expansion of residential areas for its Jewish population throughout its territory, including in the Negev. Jewish settlement of the Negev has been a state goal since the era of David Ben-Gurion³. In 2010, the Knesset retroactively legalised some 60 settlements constructed without permits in the Negev — all but one Jewish-owned — and provided them basic services.

Israel actively promotes Jewish settlement in the Negev and has extensive plans to develop economic and military activity in the region. These entail confining the Bedouins into small enclaves.

Bedouins' point of view

- Bedouins have inhabited the Negev since the 7th century and were the desert's sole inhabitants until the creation of the state of Israel.
- Bedouin citizens should remain in their villages in order to retain their traditions and customs.
- Constitutional and human rights established by Israeli law and international conventions (including the right to property, dignity, equality, adequate housing, and freedom to choose one's residence) are being violated.

Israeli authorities' point of view

- Israel's land laws are based on Ottoman and British laws, which do not recognise customs — Bedouins' or others' — as a basis for private land rights.
- In the Ottoman era, Bedouins ignored their legal obligations to legalise private land transactions and claims of private ownership.
- Bedouin villages are 'dispersals' and their inhabitants 'trespassers on State land'.
- The Bedouins are not deprived of land: the state has designated planned settlements for them.

The 'Praver Plan': Settling ancient land disputes or violating human rights?

Israeli plans for the Negev Bedouins were launched with a 2007 report by former Justice Eliezer Goldberg, which called on the state to respect

² <http://adalah.org/eng/>

³ Jews for Justice for Palestinians: http://jfjfp.com/?page_id=32203

Association for Civil Rights in Israel: <http://www.acri.org.il/en/>

The government has presented a plan to the Knesset to regulate the situation of Bedouin land claims and condone state and state-sponsored construction.

Bedouins living in the area. Goldberg flagged the need to allow Bedouins to remain in their villages and homes, finding a 'balance between the Government's and the Bedouins' positions'. A committee chaired by Ehud Praver, head of the Policy Planning Division, developed a policy that departed from Goldberg's report and planned 'developing the Negev' while creating a permanent 'Arab Bedouin settlement'.

The resulting Praver **settlement plan has been rejected by the Negev Bedouins**. The Israeli government approved the plan in September 2011 without consulting the local community and expects to submit the plan to the Knesset in its next session, beginning in mid-October 2012.

The principal points of the plan, which would lead to the eviction of 40-50 000 Bedouins with Israeli citizenship, are the following:

- Finalise all Bedouin land ownership claims within five years by offering either alternative land in locations chosen by the authorities (Art. 50-59) or monetary compensation. Claims are subject to a ceiling of 50 % of the land claimed *before* 24 October 1979. Claimants must accept the settlement within 19 months (Art. 47).
- Impose the plan, if necessary, through forced evictions and home demolition orders issued by the Israel Lands Authority (Art. 71) without judicial remedy (Arts. 71-72). If the plan is found to conflict with other laws, the plan is to be considered binding. The Prime Minister is granted a wide margin of manoeuvre to implement it.

While the formal adoption of the plan is pending, implemented has already begun. More than 1 000 houses were demolished in 2011. In June 2012, Israel's Council for Planning and Building rejected objections filed by Bedouin citizens to the Master Plan for the Be'er Sheva Metropolitan Area. The decision paves the way for evacuating unrecognised villages.

Semi-nomadic vs. modern lifestyle

Although the Bedouins face serious social problems and lack prospects to sustainably develop their communities, they wish to be masters of their own future.

Historically, the Negev Bedouins have been herders and farmers who earned additional income by transporting goods and people across the desert. The scarcity of water and of lack of year-long grazing areas required them to move regularly.

Today, restrictions on grazing and agriculture, coupled with a lack of alternative opportunities for economic advancement, have led to extreme unemployment in the Bedouin villages in the Negev. The crime levels are among the highest in the country. The Bedouin communities are among the youngest in Israel — with about 54 % of the population younger than 14 — and their annual population growth rate is 5.5 %. Some civil rights advocates have suggested that the main motivation for transferring Bedouins into townships is limit this population growth.

According to Israeli authorities, the plan will enhance the economic situation of the Negev Bedouins and better integrate them in Israeli society. A EUR 240 million regional economic development programme accompanies the plan. Authorities claim the plan will have a positive

impact on the Bedouin communities' social situation, as it will also be accompanied by a comprehensive urban plan. In particular, Israeli authorities point to the following: expanding the existing communities; recognising some currently unrecognised villages and connecting them to public services; and improving infrastructure

The international community supports the Bedouin position

Several international organisations have raised serious concerns about the Bedouins' civil rights:

- In 2010, the **Organisation of Economic Cooperation and Development** called on Israel to 'urgently take practical steps to connect Bedouin settlements with basic services e.g. utilities, transport, communication networks and education'.
- In 2010, the **UN Human Rights Committee** (CCPR/C/ISR/CO/3) affirmed the Bedouin population's right to their ancestral land and their traditional forms of livelihood.
- In 2011, the **UN Committee on Economic, Social and Cultural Rights** (E/C.12/ISR/CO/3) called on Israel to regulate the unrecognised villages, and cease the demolition of buildings.
- In 2012, the **UN Committee on the Elimination of Racial Discrimination** (CERD.C.ISR.CO.14-16) asked Israel to withdraw the Praver Plan.
- In its resolution of July 2012, the **European Parliament** asked the Israeli authorities to fully respect the rights of the Bedouins and called on Israel to withdraw the Praver plan.

Several international organisations are fiercely opposed to the Praver Plan, arguing it constitutes a violation of the Bedouins' fundamental, constitutional rights.

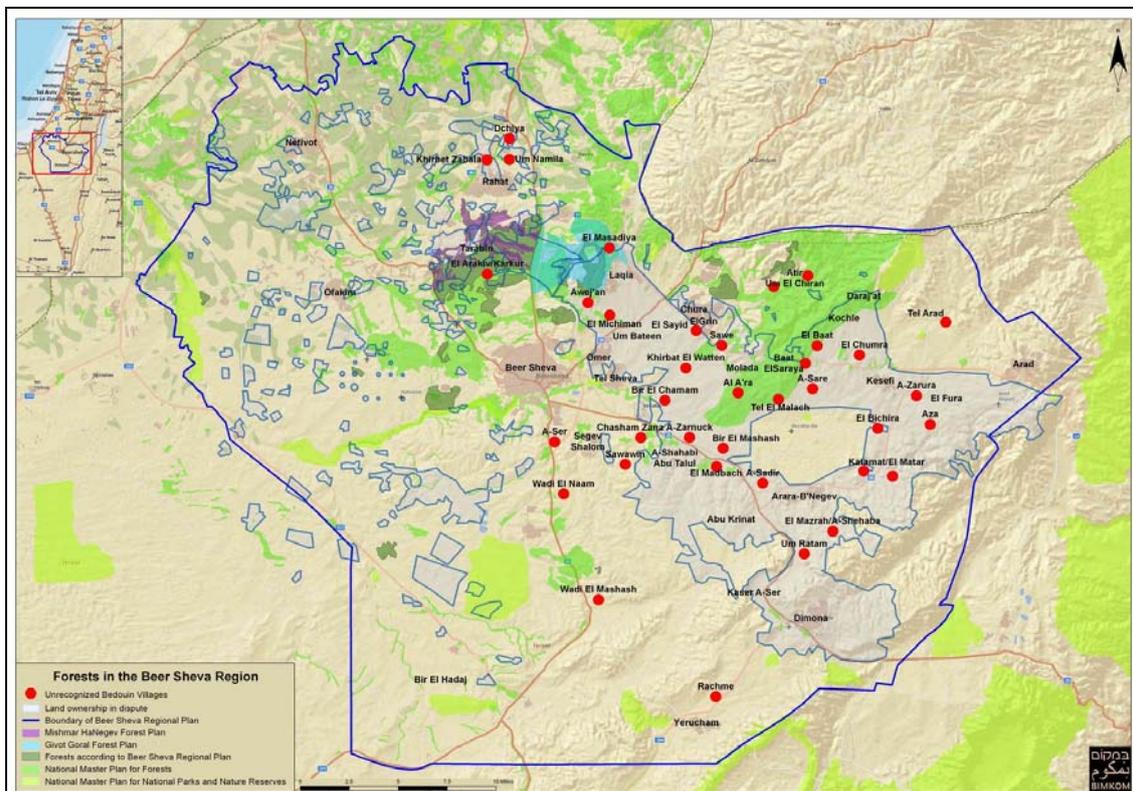


Figure1: Bedouin villages in the Negev; Source: *Bedouin-Jewish Justice in Israel*