



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



Joint NGO Report – Information on Human Rights in Israel: Human Rights of the Bedouin Community in the Negev-Naqab

Presented to the United Nations Human Rights Council on the occasion of the 29th session of the Universal Periodic Review (UPR) Working Group

Submitted by

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Introduction

1. This report was prepared by the Negev Coexistence Forum for Civil Equality, the Regional Council for the Unrecognized Villages, Alhuquq Center and Sidreh. It provides information to the United Nations Human Rights Council on the occasion of the 29th session of the Universal Periodic Review (UPR) Working Group in January 2018. The report focuses on Israel's human rights record regarding the Arab-Bedouin population in the Negev-Naqab, Israel's southern desert region, and aims to provide the working group with additional information and a critical perspective regarding what is occurring in the region.

2. The Negev Coexistence Forum for Civil Equality (NCF) was established in 1997 to provide a framework for Jewish-Arab collaborative efforts in the struggle for civil equality and the advancement of mutual tolerance and coexistence in the Negev-Naqab. NCF, also known as "Dukium" in Hebrew, is unique in being the only Arab-Jewish organization that remains focused solely on the problems confronting the Negev-Naqab. NCF considers that the State of Israel fails to respect, protect and fulfill its human rights obligations, without discrimination, towards the Arab-Bedouin citizens in the Negev-Naqab. As a result, the NCF has set as one of its goals the achievement of full civil rights and equality for all people who make the Negev-Naqab their home.

3. The Regional Council for the Unrecognized Villages (RCUV) is a democratically elected body, chosen to represent the Bedouin community of the 35 unrecognized villages in the Negev. The residents of each village elect a local committee of 3- 7 persons, who become members of the general assembly of the RCUV. The primary goal of the RCUV is unconditional governmental recognition of the Arab Bedouin (unrecognized) villages in the Negev, which have been completely excluded from any form of governmental support or recognition. This recognition, however, must translate to more than municipal services. "Recognition" implies social, economic, and cultural equality with all citizens of Israel.

4. Alhuquq Center is an independent, non-governmental, non-partisan association founded to benefit the Arab Bedouin citizens of the Negev living in both recognized towns and unrecognized villages in Israel. The Center works to protect their legal, social, human, economic and civic rights in the face of increasingly discriminatory governmental policies. Improving education, stabilizing housing, ensuring voting rights, and fostering self-advocacy are among the Center's top priorities.

5. Sidreh's mission is to support the Arab-Bedouin woman in the Negev in her pursuit of the full realization of herself and her rights as well as of those of her community. Being a community-based NGO, Sidreh strives to achieve empowerment of Bedouin women as a strategic goal for the sustainable development of local Bedouin communities in the Negev in the short and long terms. We work to achieve this goal through three key avenues: (1) Increasing access to knowledge; (2) Increasing access to resources; and (3) Promoting gender equality and participation of Bedouin women in communal and public life.

Israel's commitment to the Human Rights Council

6. The 2013 report of the Working Group on the Universal Periodic Review of Israel, proposed a variety of recommendation regarding the Bedouin community in the Negev-Naqab, that were supported by the state party. As this report reveals, the situation of the human rights of Bedouin communities in the region over the past five years has not improved, and in fact has even deteriorated across multiple indicators. Actions taken by Israel towards its Bedouin citizens, as well as policies that were carried out over the period under review, disregarded recommendations made by the UPR Working Group, and in some respects acted against them. This report describes and explains the main policies employed by the Israeli government towards its Bedouin citizens, including house demolition, forced urbanization, land dispossession and more, proving that Israel has failed to ensure the “best protection of human rights” for Bedouin citizens.

The Arab-Bedouin Community in the Negev

7. Arab-Bedouins are an indigenous population that has been living in the Negev-Naqab for hundreds of years, long before the establishment of the State of Israel. Today, a total of approximately 240,000 Bedouin citizens of Israel live in the Negev-Naqab⁵ in three types of settlements: government-planned towns, recognized villages and “unrecognized villages.”

8. The unrecognized Bedouin villages in the Negev-Naqab are about 35 villages that the state of Israel does not recognize and refers to intermittently either as the “dispersion” or as the “illegal villages”. Some of these villages are historic villages existing in-situ since before the establishment of the state of Israel, whilst other villages were internally displaced during the 1950s. The state does not recognize villages in either one of these two categories. According to the CBS, about 28% of the Bedouin community, 70,000 people, live in these villages.⁶ In most of the unrecognized villages there are no schools, kindergartens or health clinics. All of these villages lack infrastructure, including electricity, running water, paved roads and sewage disposal systems. These villages have no representation in the different local governmental bodies and their inhabitants cannot participate in municipal elections. The populations of these villages are subject to severe hardship and poverty, compounded by the fact that they cannot access their basic civil, political and social rights.

9. The government-planned towns are one city and six urban Bedouin-only towns, that were established as part of an ongoing urbanization process of the Bedouin community, carried out by the State of Israel. Though the process started as early as the 1950's, it began in earnest only in 1966, when the military administration came to an end. All seven Bedouin towns are characterized by deprivation, high unemployment, crime and social tension, as well as insufficient services. Table 1 displays the CBS socio-economic rank of each Bedouin town, all the lowest in Israel.

⁵ Israeli Central Bureau of Statistics. Localities and Population, by District, Sub-District, Religion and Population Group (2.16). Published: 01.09.2016.

⁶ Israeli Central Bureau of Statistics. Total population estimations in settlements by unified statistic regions and age, end of 2014.

According to the CBS data, 65% of the Bedouin community in the Negev resides in these towns, about 156,000 people.⁷

Table 1: Governmental planned towns by socio-economic cluster and rank⁸

Town	Šgīb as- Salām	Tal as-Saba ⁹	‘Ar‘ar ah an- Nagab	Hūrah	Ksīfih	al- Lagiyyih	Rahaṭ
Socio-economic cluster and rank⁹	1(2)	1(3)	1(5)	1(7)	1(9)	1(10)	1(11)

10. The recognized Bedouin villages are 11 villages that as of 1999 the State of Israel, in various government resolutions, decided to approve. This was allegedly a fundamental change, after years in which the only settlement option for the Bedouin community was forced urbanization. Yet, two decades later, there is no significant difference between these newly recognized villages and the villages which remain unrecognized. In most of the recognized villages basic services (water, electricity, sewage disposal systems and paved roads) are still absent. According to the CBS, only 6.6% of the Bedouin community reside in these villages, about 16,000 people.¹⁰

Government Settlement Policy of the Bedouin Community

11. The cancelation of the “Praver Plan.” Recommendation A/HRC/25/15/Add.1 - Para. 26, 136.94 (Netherlands), advised that Israel should “*Reconsider the current proposal, in order to better meet both the State’s interest to regularise the habitation in Negev and the fundamental rights of the Bedouin community.*” The first part of that recommendation was indeed implemented, when the “Praver Plan,” to which the recommendation refers, was shelved in December 2013. The plan aimed to relocate about 30,000 Bedouin citizens from unrecognized villages to government-planned towns, in order to put an end to the ongoing land conflict between the state and its citizens, as well as demolish most of the unrecognized villages, The second, and more significant, part of the recommendation, has, however, not been realized. Since the cancelation of the previous plan, no new detailed plan for “the regularization of the Bedouin settlement in the Negev” has been announced. Instead, the Israeli government has approved a new development plan which includes “Praver Plan” principles, veiled by the language of economic and social benefits.

12. The new “Plan for Economic and Social Development among the Bedouin Community in the Negev 2017-2021” (herein Plan for Development) was approved by the Israeli Government in February 2017.¹¹ The plan allocates large budgets to strengthen economic and social services

⁷ Israeli Central Bureau of Statistics. Total population estimations in settlements by unified statistic regions and age, end of 2014.

⁸ Israeli Central Bureau of Statistics, 2016. The Local Authorities in Ascending Order of the 2013 Socio-economic - index values, rank and cluster, change of cluster compared to 2008.

⁹ Local authorities in Israel are divided into 10 socio-economic clusters, 1 is the lowest. They are ranked as well from 1 to 255 according to their index value, 1 is the lowest.

¹⁰ Central Bureau of Statistics. Total population estimations in settlements by unified statistic regions and age, end of 2014.

¹¹ Government resolution 2397, “Plan for Economic and Social Development among the Bedouin Community in the

among the Bedouin community, in the fields of education, employment, development of infrastructure, and strengthening Bedouin local councils. While this plan has some positive elements, it ignores many important issues, that should be highlighted:

12.1. The Plan for Development will only be implemented in the seven government-planned towns, and the 11 recognized villages.¹² The plan, therefore, disregards at least 70,000 citizens (almost 30% of the Bedouin community) who reside in the unrecognized villages. Almost no governmental services are available in these unrecognized villages, and the Plan for Development will not positively affect their situation.

12.2. The Plan for Development aims to relocate citizens from unrecognized villages into government-planned towns and recognized villages. It deliberately disregards the 35 unrecognized Bedouin villages. Clause 10 details the planned infrastructural development of the plan,¹³ making it clear that the Plan for Development does not focus solely on economic and social services. The plan states that there will be budget allocation for “development of infrastructure that supports regularization of settlement in the Bedouin settlements in the Negev”.¹⁴ In addition, marketing of at least 25,000 housing units in Bedouin local councils will take place over the next five years;¹⁵ and a new team focused solely on compensation for Bedouin who claim ownership over lands in the Negev will be established. Their role will be to find solutions for large-scale Bedouin land claims, and set a governmental regularization policy for the Bedouin community in the Negev for the next 10 years.¹⁶ Furthermore, the decision to continue the ongoing prevention of governmental services and basic infrastructure from the unrecognized villages, serves to put pressure on their residents to be displaced, against their will, to the Bedouin towns and recognized villages, where they cannot pursue their traditional, agricultural way of life.

12.3. Clause 13 of the Plan for Development lists a variety of means of enforcement of planning and construction laws among the Bedouin community. It instructs enforcement authorities to enhance their enforcement activity, protect “state land” from “invasions”, and prioritize enforcement that supports the regularization of Bedouin settlement;¹⁷ to prioritize regularization of “population concentrations that reside illegally on state lands outside the permanent settlements,”¹⁸ meaning, the Bedouin unrecognized villages; to establish a new team to draw a plan to annually decrease illegal construction;¹⁹ and to increase budgets and inspectors for different enforcement authorities.²⁰ This again makes apparent, that while the

Negev 2017-2022”, from 12.02.2017.

¹² See supra note 11, clause 3.

¹³ See supra note 11, clause 10.

¹⁴ See supra note 11, clause 10a.

¹⁵ See supra note 11, clause 10b.

¹⁶ See supra note 11, clause 10c.

¹⁷ See supra note 11, clause 13a.

¹⁸ See supra note 11, clause 13b.

¹⁹ See supra note 11, clause 13d.

²⁰ See supra note 11, clause 13h.-13j.

plan is presented as an economic and social development plan, its focus is in fact regularization of Bedouin settlement in the region.

13. The “Praver Plan” was widely criticized for its lack of cooperation with Bedouin community leaders in its planning, and for disregarding both the traditional Bedouin way of life, and Bedouin claims for land ownership, as well as for the entrenched inequality between Jews and Bedouins in the region. The new Plan for Development does not redress any of these issues, but provides large budget allocations for “social goals” in an attempt to disguise the institutionalized neglect of the Bedouin community.

14. The covert implementation of the Praver plan by the State of Israel must be halted. The State should stop its ongoing forced urbanization process of the Bedouin community and allow the Bedouin to pursue their own traditional way of life. In its efforts to regularize the Bedouin settlement in the Negev-Naqab the state should draw an agreed upon plan in cooperation with the Bedouin community, and recognize the unrecognized Bedouin villages.

Bedouin Land Rights in the Negev-Naqab

15. Recommendation A/HRC/25/15/Add.1 - Para. 26, 136.100 (Belgium) advises to “*Find a durable and equitable solution to the problems faced by the Bedouin communities, particularly in the area of possession of land.*” This recommendation was not met over the past five years, as by and large, the State of Israel has been mainly acting towards ending Bedouin possession over land in the Negev.

16. The Authority for Development and Settlement of the Bedouin in the Negev (herein the Authority) was established in order to settle Bedouin land claims and regularize “permanent dwellings.”²¹ The Authority has made many efforts to relocate the residents of the unrecognized villages to the Bedouin towns and recognized villages, and in this way to settle Bedouin land claims. This policy engenders a variety of human rights violations and difficulties:

16.1. In order to get Bedouin citizens to “agree” with its terms, the Authority works closely with law enforcement bodies in the Negev-Naqab, through a procedure named “enforcement promoting regularization.”²² Hence, as Bedouin residents of the unrecognized villages refuse to move from their homes and lands, enforcement bodies, in cooperation with the Authority, utilize the house demolition policy (see paragraphs 22-29) in order to put pressure on Bedouin to move. Enforcement authorities threaten to issue demolition orders to Bedouin houses, issue such orders, and then demolish houses, sometimes repeatedly, in an attempt to secure compliance with the state’s discriminatory regularization policy.²³

²¹ Israeli Government resolution 1999, “The Establishment of the Authority for Regularization of Bedouin Settlement in the Negev”, from 15.07.2007.

²² The Southern Directorate of Land Law Enforcement – 2016 summary, page 1.

²³ The Southern Directorate of Land Law Enforcement – 2016 summary, pages 15-21.

16.2. Many residents of the unrecognized villages reside on lands they claim ownership for. In the 1970s, the State of Israel appointed an official officer to whom Bedouin citizens could file their land claims. Years later, instead of recognizing Bedouin citizens' right to property in these lands, the Authority acts to put an end to these land claims by displacing citizens against their will into urban towns.

16.3. The only settlement solution offered to the Bedouin community is residing in crowded urban towns. This solution deprives Bedouins from practicing their traditional way of life which is based on agriculture and animal husbandry. It does not realize the human right to decide where and how to live. This solution is discriminatory as Jewish residents of the Negev can reside in a variety of settlements, including agricultural settlements, small community settlements and family farms.

16.4. Bedouin towns consistently have the lowest socio-economic ranking in Israel. As such these local councils are unable to provide even the most basic services to their residents. Displacing thousands of people into these towns will only worsen their situation.

17. The State of Israel should close the Authority and find an agreed upon solution for the ongoing struggle over land ownership in the Negev. The State should recognize Bedouin land ownership rights and instead of gradually dismissing all Bedouin land claims, establish a mechanism to realize these rights and allow Bedouin communities to reside on their lands.

18. The al-Uqbi Supreme Court Ruling, on May 14th, 2015, rejected six land claims of the heirs of Sheikh Sliman al-Uqbi over Negev-Naqab lands. This decision by the Israeli Supreme Court almost completely blocked the ability of Bedouins to prove ownership of lands in the Negev. In the conclusion of the verdict, the Chief Justice of the Supreme Court wrote: "I will advise my colleagues to reject the claims of the appellants in everything relating to the rights they purchased on these lands whether by means of the traditional Bedouin land laws, by virtue of Ottoman and Mandatory Land Laws, or by the laws of honesty, International Law or Basic Laws."²⁴

19. The al-Uqbi verdict was a decisive one as it laid out the Supreme Court accepts the State's position on Bedouin land ownership claims in the Negev-Naqab, and also determined that the burden of proof of ownership be on Bedouin claimants. It is unlikely whether there are Bedouin who can meet the requirements. In order for a Bedouin citizen, who claimed ownership in the 1970's, to prove ownership of land, they must fulfill one of two conditions: either prove that the land was cultivated before 1858 when the Ottoman Land Law was passed, or that the land was registered in the framework of the Lands Ordinance of the British Mandate of 1921. These are both difficult and complicated conditions to prove, as this report goes on to explain.

20. Throughout the years, the State of Israel has created an elaborate legal system. At the State's disposal are a number of laws and ordinances on which it could base its land legislation. Very few individuals registered their lands in the Negev-Naqab according to the Land Ordinance of 1921,

²⁴ The late Sliman Muhammad al-Uqbi et al. vs the State of Israel (4220/12), verdict, paragraph 83.

on which the state has chosen to base its legislation. Ottoman Law is also convenient, because it is almost impossible to prove the existence of agricultural cultivation in the Negev more than 150 years ago. The Israeli Courts are pronouncing judgment on the basis of legislation that was created with a specific context in another era and as a result, the Bedouin residents of the Negev-Naqab are “legally,” being dispossessed of their lands at all court levels.

21. In order to realize Bedouin rights to property and to recognize Bedouin possession of land, Israeli land laws must be amended, otherwise, Israeli courts will continue to serve as a rubber stamp for transferring Bedouin lands in the Negev-Naqab to State ownership.

The House Demolition Policy

22. Recommendation A/HRC/25/15/Add.1 - Para. 26, 136.98 (Australia) advises to “Continue efforts to ensure equal access of Bedouin communities to education, work, housing and public health”. Focusing on equal access to housing, we would like to stress that the house demolition policy, widely employed by the State against its Bedouin citizens, does not meet the recommendation, and even counters the recommendation’s advice.

23. For many years the State of Israel has exercised a house demolition policy against the Arab-Bedouin community of the Negev. The policy is exercised in all Bedouin settlements in the Negev-Naqab. The scarcity of land for development plots, the lack of official planning even in recognized villages, and the impossibility of obtaining construction permits, brings about a situation in which many houses and structures are being built “illegally” as no legitimate solutions are available.

24. While the housing shortage in the Bedouin community increases each year, the state of Israel prefers to invest more and more resources in making the enforcement apparatus more efficient, instead of investing in planning and housing solutions for the community. In its summary report for 2015, the Southern Directorate of Land Law Enforcement states that: "12. It is a clear fact that the gap continues between the rate of enforcement and the rate of housing solutions offered by the state."²⁵ The unique enforcement system formed by the state includes the Southern Directorate, a directing arm of the Ministry of Public Security that coordinates several enforcement bodies in the Negev-Naqab, as well as a dedicated police force which accompanies officials when they carry out their work.²⁶

25. The Southern Directorate annual activity report reveals that 1,158 structures were demolished among the Bedouin community in the Negev-Naqab in 2016 alone. According to the report, 64% of the structures were demolished by their owners, and only 36% were demolished by State authorities. Data reveals that about 500 of the demolished structures were housing units, while the others were mainly agricultural constructions.²⁷

²⁵ The Southern Directorate of Land Law Enforcement – 2015 summary, page 15, article 6. 12.

²⁶ Website of the Ministry of Public Security: Southern Directorate of Land Law Enforcement. <http://tinyurl.com/jgtg48n>; Israeli Government resolution 3707 from 11.09.2011.

²⁷ The Southern Directorate of Land Law Enforcement – 2016 summary.

26. In cases where demolition orders are issued and the owners do not complete the demolition themselves, a representative from enforcement authorities arrives to carry out the demolition. In the last couple of years the authorities have been coordinating this activity by designating days for demolition. On those designated days, a police convoy, bulldozers and inspectors from the various authorities, go out in the morning to carry out the task of house demolitions. Often the convoy may arrive in a village with no prior warning, remove the residents and carry out the demolition. Sometimes enforcement authorities allow people to remove belongings from their homes, though this is not always the case.

27. In most cases, owners of houses and structures who receive demolition or eviction warrants choose to demolish the buildings themselves instead of waiting for the authorities. The main reason is that the demolition operation involves a large number of policemen who arrive without prior notice and in many cases do not allow the residents to remove their belongings from their homes. Forces arrive mainly in the middle of the day, when only women and children are present in the village, so house owners prefer to prevent their families from living this traumatic experience. In the last couple of years, some incidents occurred where the police exercised violence against home owners, their families and neighbors, and made arrests. During the demolitions, the bulldozers deliberately destroy all construction materials and sometimes even bury them in the ground. This can be avoided when the demolition is carried out by the owners themselves. Moreover, authorities threaten to impose the demolition costs on the owners, and to issue indictments against them.

28. Therefore, instead of ensuring equal access to housing, the main policy employed by the State in the Negev is a policy of house demolition. This policy is violent, and it violates a variety of human rights, including the right to adequate housing and the right to dignity.

29. The State of Israel should freeze house demolition in all the unrecognized villages. The State should provide alternative housing for those whose homes are demolished. The State should provide psychological assistance for family members whose homes were demolished. The State should recognize the Bedouin villages and stop utilizing house demolitions as a coercive means of relocating citizens against their will.

Planning Inequality

30. Recommendation A/HRC/25/15/Add.1 - Para. 26, 136.96. (France) advises to “*Ensure, in practice, the non-discrimination and respect of the rights of persons belonging to minorities, be they ethnic, cultural or religious, in particular the Bedouin and the Arab.*” The ongoing inequality in planning in the Negev-Naqab, suggests that over the last five years, the State of Israel has done precisely the opposite.

31. Today there are 144 settlements in the Negev-Naqab, out of them, 126 settlements were established for the Jewish community (this does not include some 60 Jewish family farms located in the region),²⁸ and only 18 are recognized Bedouin settlements: the city of Rahat, the six

²⁸ Central Bureau of Statistics. Table 2.16: Settlements and population by district, subdistrict, religion and population group. Published: 01.09.2016.

government-planned towns, and eleven recognized villages. It is important to mention that at least 28% of the Bedouin community resides in villages that are not recognized. While in 2016 the Bedouin community constituted 34.5% of the region's population,²⁹ only 12.5% of the settlements in the area were designated for this community.³⁰

32. Although the State claims that Jewish settlements are designated for the general population, the Negev-Naqab population resides in almost complete segregation, due to a variety of mechanisms that work to ensure this spatial separation. Out of the 126 Jewish settlements, 38 are kibbutzim that use acceptance committees to decide who can become a member.³¹ Another 77 cooperative and community Jewish settlements also operate admission committees.³² Such admission committees act as a barrier against ethnic and class diversity and integration in many settlements. The effect of these admission committees is to implicitly and explicitly exclude the Bedouin community.

33. The numbers above, reveal the significant, and ongoing planning inequity among the populations of the Negev-Naqab, that began with the establishment of the state. Instead of recognizing 35 unrecognized villages that already exist in the Negev/Naqab, or establishing new settlements for the Bedouin community, subsequent Israeli governments persist in their policy of establishing new Jewish settlements (see paragraph 35.1.) whilst disregarding the intense housing distress among the Bedouin community.

34. The State of Israel should draw a plan to close the ongoing planning gap among the Bedouin and Jewish communities in the Negev-Naqab. The State of Israel should stop establishing more Jewish settlements and start a process of recognition of the unrecognized Bedouin villages, that would realize Bedouin land rights and allow them to live in agricultural villages.

The “Development” of the Negev - a Threat for Bedouin Villages

35. Recommendation A/HRC/25/15/Add.1 - Para. 26, 136.99. (Czech Republic) advises to “*Protect the Bedouin citizens from discrimination and ensure their rights to property, housing and public service on an equal basis with others.*” We stress that the ongoing efforts to “develop” the Negev-Naqab by the State of Israel, works against this recommendation.

36. In recent years, Israeli governments have been focusing many efforts and allocating large resources for the “development” of the area. This includes the establishment of new settlements; relocation of military bases to the region; extending of the Cross-Israel Highway as well as plans to pave new roads, afforestation plans by the Jewish National Fund amongst other plans. While these seem to be positive plans for the entire population of the region, most of them disregard the

²⁹ See supra note 28.

³⁰ See supra note 28.

³¹ Data based on analyzing the list of settlements in the Be'er Sheva region as appears in the site of the Israeli Central Bureau of Statistics, 2016.

³² Cooperative Associations Order, article 6b.

Bedouin community. In some cases, such plans deliberately threaten the unrecognized and recognized villages in the area:

36.1. New Settlements. In recent years, Israeli governments approved different plans for the establishment of new towns and settlements in the Negev-Naqab, the vast majority of which are designated for the Jewish population. Plans for about 15 settlements are already approved,³³ and more are still pending. Three of the approved settlements - Hiran, Daya and Neve Gurion – are planned on locations of existing unrecognized Bedouin villages. In August 2015, heavy machinery started work near the Bedouin village of Umm al-Ḥīrān, paving the route to the new planned Jewish town of Hiran that will be built in place of the village.³⁴ In November 2015, the government approved a new plan presented by the Minister of Construction and Housing, for the establishment of five new settlements in the Negev-Naqab.³⁵ As stated above, two out of these five planned settlements will be placed on top of Bedouin villages. The new settlement of Daya is planned in place of the unrecognized village al-Qaṭāmāt. The new settlement of Neve Gurion will encroach on and replace some of the houses of the recognized village of Bīr Haddāj. Hence, while the establishment of new settlements is viewed as development, it actually brings destruction for Bedouin communities in the exact same space. The Negev-Naqab is a large area (60% of Israel) that is sparsely populated (only 8% of the entire population lives here), so that there is enough room to establish new settlements without razing existing ones.

36.2. Afforestation. National outline plan number 22 is Israel's national outline plan which defines areas of planted forests or natural groves such as nature reserves and adds open spaces where forests will be planted in the future. The plan which was approved in 1995 covers 1.62 million dunams (162,000 hectares), most of which is situated in the northern Negev-Naqab. The plan poses a threat to several unrecognized Bedouin villages as it defines lands where villages exist as forest or future afforestation areas. The village of 'Atīr, an unrecognized Bedouin village that was moved to its present location during the 1950s by the military regime, is under serious threat of eviction for this reason. Its neighboring forest, Yatir is planned to be expanded on the entire area of the village. The village of al-'Arāqīb is also destined to become a forest according to this plan. The village has been demolished by the state more than 100 times since 2010, as its lands are designated to become a "metropolitan leisure area" and thus scheduled for afforestation. 'Atīr and al-'Arāqīb are just two examples of the major threat afforestation poses to many unrecognized villages in the Negev. The new Plan for Development allocates NIS 30 million per year to plant trees on confiscated lands, to prevent Bedouin from residing on them.³⁶

³³ Israeli Government Resolution 3782 dated 30.10.2011; Israeli Government Resolution 748 dated 22.11.2015.

³⁴ Israeli Government Resolution 2265 dated 21.07.2002; District Master Plan – Southern District – Hiran New Settlement 27/14/4.

³⁵ Israeli Government Resolution 748 dated 22.11.2015.

³⁶ See supra note 11, clause 13.f.(1).

36.3. New Roads and the Cross-Israel Highway. These days, works to extend the Cross-Israel Highway southwards have made significant progress. The next section of the highway will be divided towards Dimona in the east and the City of Training Bases in the west, and will destroy at least 400 structures in several Bedouin unrecognized villages where about 3,000 citizens reside.³⁷ Plans to pave more roads like route 31A threaten more villages, as these development plans do not take into account the Bedouin unrecognized villages in the area.

37. By and large, development plans are seen as a danger rather than progress for the Bedouin community in the Negev-Naqab. Roads, forests, mines, and new settlements pose a real threat of eviction and demolition for many unrecognized Bedouin villages in the Negev-Naqab, as well as blocking the possibility for expansion and development of many recognized Bedouin villages and Bedouin towns.

38. The State of Israel should invest in the development of the Negev for all its inhabitants. The State should stop using development to re-organize space and relocate Bedouin communities. In its development efforts, the State should ensure that no threat is posed to Bedouin villages.

Access to Economic and Social Rights

39. Recommendation A/HRC/25/15/136.84 (Belgium) advises to “*Redouble efforts to fill the gaps among the infant and maternal mortality rates of Jewish, Arab-Israeli and Bedouin children and women.*” Over the past five years, no significant change was made in infant mortality gaps between Bedouin and Jewish residence of the Negev-Naqab.

40. In 2015, gaps in infant mortality rates remained as high as in previous years.³⁸ One of the main tools to reduce infant and maternal mortality is the existence of family health centers, that provide services for pregnant women, babies and children.³⁹ Yet, in the 11 Bedouin recognized villages only nine family health centers operate, and there are only four centers in unrecognized villages. While in the past the Ministry of Health operated a mobile clinic for those who could not reach the centers, a source in the Ministry confirmed that the mobile unit has ceased operating. The residents of these villages have to travel far to existing family health centers, and with no access to regular public transportation, the accessibility to this service is difficult and limited.

41. In 2015 the Central Bureau of Statistics reported 105 cases of infant mortality among the Arab population of the Be’er Sheva district compared to 39 cases among Jews and others in the region. While the Bedouin population is only about a third of the population of the area, in 2015, 73% of the infant mortalities were among this population. Moreover, while the infant mortality rate in the

³⁷ HCJ 3459/10, Atia al-Athamin et al. vs. the Government of Israel et al. 05.05.2010.

³⁸ Central Bureau of Statistics, 2008-2016 yearbook, table 3.11: births, deaths and babies deaths according to region, populations and religion.

³⁹ Ministry of Health, Tipat Halav, Family Health Clinics. <http://tinyurl.com/o7d98n5>

Be'er Sheva region stands at 3.3 (per 1000 live births) for Jewish and others residents of the region, it is 11.0 (per 1000 live births) among the Bedouin population, three times higher.⁴⁰

42. Therefore, the recommendation was not implemented, as no significant change occurred in the data published by the Israeli CBS. The gaps were not reduced and infant mortality among the Bedouin community remained high.

43. The State of Israel should stop denying basic services to the unrecognized villages in the Negev-Naqab. The State should immediately open family health centers in all Bedouin localities, and draw a plan for decreasing infant mortality among the Bedouin community.

44. Recommendation A/HRC/25/15/Add.1 - Para. 46, 136.102. (Belgium) advises to *“Take additional measures in order to reduce the school dropout rate of Arab-Israeli and Bedouin girls and increase the number of these women in higher education institutions.”* This recommendation is also impractical, if the State of Israel continues to deny any governmental services from the unrecognized Bedouin villages in the Negev-Naqab.

45. As of September 2015, 100 schools operate in the Bedouin villages in the Negev-Naqab. 62 schools are located in the governmental planned towns, 28 in the newly recognized villages and only 10 in the unrecognized villages.⁴¹ The state refuses to open schools in these villages referring to them as "dispersion" or "illegal villages", a status that renders them undeserving of official support. Repeated requests to open schools in these villages, where over 70,000 citizens reside, are denied by state officials and the only solution offered to the residents is buses for pupils to attend schools far from their homes. In fact, although about 30% of the Bedouin population resides in unrecognized villages, only 10% of schools are located here.

46. In order to reduce school dropout rates, the State of Israel should open schools in the unrecognized villages. While there is no proper settlement solution for these villages in sight, the denial of rudimentary services violates the basic human rights of the Bedouin community on a daily basis.

⁴⁰ Central Bureau of Statistics, 2016 yearbook, table 3.11: births, deaths and babies deaths according to region, populations and religion.

⁴¹ Ministry of Education in a broad view, 22.8.2015.