



**Briefing Paper: Arab Bedouin citizens of Israel: An indigenous population in danger of forced displacement and dispossession of their ancestral lands**

**Presented to the EU Parliament's Middle East Working Group, 13 June 2012**

The Arab Bedouin living in the Naqab (Negev) desert in southern Israel are citizens of Israel. They comprise almost 14 percent of the Arab minority in the state; the Arab minority as a whole consists of approximately 1.2 million people or 20% of the population. Around 70,000 Arab Bedouin citizens of Israel live in 36 villages "unrecognized" by the state. Although most of these villages either existed prior to the establishment of Israel in 1948 or were created by the military government (1948-1966), the villages are considered "illegal" and are not included in any official maps. There is no state planning for these villages, homes are frequently demolished and citizens live with extremely restricted access to water, electricity, schools, roads or other social or health services.

The government of Israel portrays the Arab Bedouin living the "unrecognized" villages in the Naqab as 'nomadic' or as 'illegal trespassers on state land'. It might be supposed that they can be compared to Roma/traveler in the EU. However, the Arab Bedouin community is unique in several aspects that distinguish them from the Roma and other minority communities in Europe. The Arab Bedouin of the Naqab are not 'nomads'; they lead sedentary, traditionally agricultural lives on their ancestral lands and seek formal, permanent recognition of their right to do so. Various UN human rights treaty bodies including UN CERD and the UN Human Rights Committee have recognized that the Arab Bedouin settled and cultivated lands in the Naqab long before Israel's establishment, and continue to do so.<sup>i</sup> All previous authorities in the Naqab, including the Ottoman Empire and the British Mandate, recognized their traditional land ownership arrangements. In 2011, the UN Special Rapporteur on Indigenous Peoples defined the Arab Bedouin as an **indigenous people** and voiced concerns regarding Israel's non-recognition of their rights.<sup>ii</sup> In this respect, they are more comparable to Aboriginal communities in Australia and New Zealand than to minorities in Europe.

Despite this and for the past six decades, the Israeli authorities have forcibly displaced or otherwise encouraged Arab Bedouin citizens to leave their historic villages to government-planned townships, by withholding the basic services and rights guaranteed to all citizens. Consequently, their socio-economic and health indicators are the lowest in Israel.<sup>iii</sup>

In 2008, the government-appointed "Goldberg Committee" published a report on this issue, which offered some degree of hope for recognition of these villages.<sup>iv</sup> However, this situation was reversed with the government's approval of the "Praver Plan" in September 2011. Despite a mandate to implement the Goldberg recommendations,<sup>v</sup> the wholly new Praver Plan, which did not involve any consultation with the Arab Bedouin community or the Arab political leadership, is attempting to legislate the extremely sensitive issue of land ownership and settlement through a proposed bill, the **Law for Regulation of the Settlement of the Bedouin in the Negev – 2012**. This bill is in the final stages of review before being presented to the Ministerial Committee on Legislation and then to the Knesset this month, June 2012.

If passed, the bill will lead to the forcible displacement of up to 70,000 Arab Bedouin citizens of Israel from their homes and lands, to government-planned townships unsuited to their way of life, with inappropriate compensation. While the Israeli government held meetings in early 2012 with some members of the Bedouin community, **after** its approval of the Praver Plan, it spread misinformation about the implications of the proposed law, rather than showing a willingness to change the law in response to the objections and needs of the Arab Bedouin citizens. In March 2012, the UN Committee on the Elimination of Racial Discrimination (CERD) called on Israel to withdraw the proposed Praver Plan law, in that it was discriminatory and would legalize the ongoing policy of home demolitions and forced displacement of the indigenous Bedouin communities.<sup>vi</sup> In April 2012, Adalah and the Association for Civil Rights in Israel submitted an objection to Minister Benny Begin and others against the plan.<sup>vii</sup>

There are **several EU policies for the safeguarding of the rights of Indigenous Peoples:**

- **The European Consensus on Development of 2006 (24.2.2006, 2006/C 46/01):** 'The key principle for safeguarding indigenous peoples rights in development cooperation is to ensure their full participation and the free and prior informed consent of the communities concerned;'

- **The EU Council Conclusions, 18.11.2002 (13466/02):** 'Integrate concerns of indigenous peoples into the political dialogue with partner countries as an integral part of the human rights clauses of the different co-operation and association agreements.'

The [EU-Israel Action Plan](#) outlines the 'shared values' to: "Promote and protect rights of minorities, including enhancing political, economic, social and cultural opportunities for all citizens and lawful residents". In the last two years, the EU has noted concern about the rights of the Arab minority in general, and the Arab Bedouin in particular:

- **February 2011, EU-Israel Association Council statement:** The EU urged Israel "to increase efforts to address the economic and social situation of the Arab minority, to enhance their integration in Israeli society, and protect their rights." The EU also encouraged Israel to implement the recommendations of the Goldberg Committee concerning the Arab Bedouin unrecognized villages in the Naqab.
- **September 2011, EU-Israel Informal Human Rights Working Group:** Ehud Praver, the architect of the plan, was invited to explain the plan to the Working Group. The EU voiced concern that the Arab Bedouin communities were not involved in the Praver Plan process, and that displacing people constituted a violation of their basic rights.
- **December 2011, EU internal report on the Arab minority:** [Ha'aretz, a leading daily newspaper in Israel, reported on this document](#), which noted: "Israel's treatment of its Arab citizens should be viewed as a "core issue, not second tier to the Israeli-Palestinian conflict". Although the report includes an analysis of Bedouin issues, it does not include a concrete recommendation for the protection of the Arab Bedouins' human rights.
- **May 2012, ENP Progress Report on Israel:** The European Commission stressed that: "The situation of the Bedouin community became the focus of heated debate in September [2011] due to the adoption of the government's Praver Plan, which proposed the relocation of 30-40,000 Bedouins in the Negev in the context of an economic development plan but without full recognition of land ownership and with limited scope for legalizing construction. The plan fell short of the Goldberg Commission's earlier recommendations for a broad recognition of Bedouin villages and was criticized for the limited consultation of representatives of unrecognized Bedouin villages, which would be the most vulnerable in the event of relocation." However, no specific recommendation was provided in the ENP Progress Report regarding the protection of the human rights of the Arab Bedouin.

**Adalah recommends that the EP Middle East Working Group, the EP Sub-Committee on Human Rights, and the European Parliament:**

1. Issue an urgent resolution raising concerns about the Praver Plan and calling on the EU and EU member states to take actions in their bilateral relations with Israel to stop it and/or to suspend it until a proper process of participatory consultation has taken place with the Arab Bedouin community and the Arab political leadership. Further, to recognize the "unrecognized villages" and the rights of the Arab Bedouin to their ancestral land; to halt all home demolitions and forced evictions; and ensure urgent access to basic services including water, electricity, infrastructure, schools and health clinics;
2. Write a letter of concern about the Praver Plan and the denial of equal treatment for Arab Bedouin citizens of Israel in civil, political, economic, social and cultural rights to the President of the European Parliament and call on him to address the Speaker of the Israeli parliament and the Israeli Ambassador to the EU;
3. Conduct a mission to Israel to visit the Arab Bedouin communities in the Naqab/ Negev and civil society organizations, and to meet with the Arab political leadership in Israel;
4. Use its voting powers to express its disagreement with Israeli policies concerning the human rights of the Arab Bedouin as well as the Arab minority as a whole;
5. Request that HRVP Catherine Ashton issue a public statement urging the Israeli government to protect the right to full equality of all citizens, in particular to protect the rights of the Arab-Palestinian and Arab-Bedouin minority.

<sup>i</sup> [http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add-1\\_en.pdf](http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add-1_en.pdf)

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

<sup>iii</sup> See e.g on health indicators: <http://www.phr.org.il/default.asp?PageID=186&ItemID=1172>

<sup>iv</sup> The Report of the Goldberg Committee, December 2008, para. 108.

<sup>v</sup> For a critique of the Praver Bill and the Goldberg report see <http://www.acri.org.il/en/wp-content/uploads/2011/09/Praver-Policy-Brief-FINAL-ENG.pdf> . See also Adalah's "Praver Plan and Analysis": <http://www.adalah.org/upfiles/2011/Overview%20and%20Analysis%20of%20the%20Praver%20Committee%20Report%20Recommendations%20Final.pdf>

<sup>vi</sup> <http://www2.ohchr.org/english/bodies/cerd/docs/CERD.C.ISR.CO.14-16.pdf>, paragraph 20

<sup>vii</sup> <http://www.adalah.org/eng/?mod=articles&ID=1521>