

# THE ARAB BEDDOUIN AND THE PRAWER PLAN

ONGOING DISPLACEMENT IN THE NAQAB



# THE ARAB BEDOUIN

The Arab Bedouin citizens of Israel are an indigenous community of Palestinian Arabs who remained on their lands in the Naqab (Negev) desert following the establishment of Israel in 1948. Today, the Arab Bedouin number some 200,000, or more than 30% of the population in the region. The Bedouin, who have inhabited the Naqab since the 7th century, and were the only inhabitants until the mid-20th century, have earned their livelihood for generations by practicing agriculture and raising livestock, and living near their fields and pasturelands.



## History

Prior to 1948, some 92,000 Arab Bedouin lived on and controlled 99% of the land in the Naqab. Land ownership and transactions were regulated within a sophisticated traditional system, and recognized by both the Ottoman Government and the British Mandate.

Among these recognized transactions, are land sales to early Jewish settlers prior to the establishment of the State of Israel.

Following the establishment of Israel in 1948, the majority of the Arab Bedouin community was forced to flee to neighboring states and only 11,000 Bedouin remained. The remaining community was concentrated into a restricted zone in the northern Naqab called the "Siyag" (Arabic for "fence") by the Israeli Military Government, who told them that they would be able to return to their ancestral land within 6 months. None of the internally displaced Bedouins have been allowed to return to their lands, nor were they given any proprietary rights to the land onto which they were moved. Similarly, the state did not recognize the land rights of the Bedouin communities that lived in the Siyag prior to the establishment of the state. All of the Bedouin villages (both historic, and those created by the state) were deemed "illegal" and have been denied recognition.

## Forced Urbanization

Beginning in 1969, and continuing for two decades, the Israeli government attempted a "comprehensive approach" to the Bedouin "problem." In this time, the state established seven government-planned townships and offered plots of land in these urban townships for Bedouin who were willing to relinquish their land claims. Significantly, the Bedouin who were internally displaced following the establishment of the State of Israel and unable to return to their ancestral lands make up 85% of the population of the new townships. Most of the Arab Bedouin communities that were never displaced, have remained on their ancestral land and in their historic villages despite being denied basic services from the State of Israel.

Today 105,000 Bedouin live in the 7 urban townships, which have some of the highest poverty and crime rates in the country. The remaining 95,000 Bedouin live either in 35 unrecognized villages, or 10 villages in the "process of recognition." The village populations range from 300-10,000 people.

**The Arab Bedouin community is under constant threat of home demolitions and in 2011, an alarming 1,000 Arab Bedouin homes were demolished in the Naqab.**



### **Facts and Figures**

- All Arab Bedouin localities are ranked 1 in the socio-economic scale in Israel, where 1 is the lowest and 10 is the highest ranked localities
- 67.2% of Arab Bedouin families live in poverty v. 20.5% of all families in Israel
- 63% of the population is under the age of 20
- Increasing infant mortality rate: in 2008, the rate was 15.0 per 1,000 live births as compared to 2.9 per 1,000 live births among the Jewish population in Israel
- There are few elementary schools in the unrecognized villages, which are severely overcrowded and poorly-equipped, and not a single high school
- The drop-out rate for Arab Bedouin children in the unrecognized villages is 70%

### **Unrecognized Villages**

The 35 unrecognized villages, all of which have either existed prior to the establishment of Israel, or since residents were forcibly relocated by the Military Government decades ago, do not appear on any official maps. The policy of the government is to deliberately deny basic services including running water, electricity, roads, healthcare and schools, in order to pressure the Bedouin communities to abandon their land. The state considers the Arab Bedouin, who are all Israeli citizens, “trespassers or squatters on state land” and their homes “illegal.” As such, the Arab Bedouin community is under constant threat of home demolitions and in 2011, an alarming 1,000 Arab Bedouin homes were demolished in the Naqab.

At the same time that the Israeli government refuses to recognize these 35 Bedouin villages and provide their residents with the basic services to live in dignity while preserving their traditional way of pastoral living, the government continues to financially support and provide services to over 100 Jewish rural towns in the region, with an average of less than 300 residents each. In addition to these Jewish towns, there are 59 individual family farms, 35 of which were established illegally (outside of any planning process) but were retroactively recognized by the government.

# THE PRAWER PLAN

The Prawer Plan, approved by the government in September 2011, is the latest iteration of government policy towards the Arab Bedouin citizens of Israel, aiming to concentrate the community into minimal space, so as to make their ancestral land and historic villages available for government development projects such as forests, military zones and new Jewish towns.



## Bedouin Land Claims

The Israeli government policy has been to minimize the area of land inhabited by the Arab Bedouin and to register their ancestral land in the name of the state. The government has largely succeeded in using the law as the primary tool for expropriation and dispossession. Relying on a manipulation of Ottoman Law, the State of Israel considers all of the land in the Naqab as “mawat” or “dead land” that belongs automatically to the state. Beginning in the 1960s, the state began to register “mawat” land outside of the Siyag as state land, without informing the Bedouin community. In the 1970s, the Israeli government invited the public to file any ownership claims over land in the Naqab. The Arab Bedouin citizens filed 3,221 ownership claims by October 1979, for a total of 242,750 acres. The government proceeded to freeze the process of filing land ownership claims in the Naqab in 1979 – a procedure that has never been offered again.

Today, after various settlements (including losses of the land in court), the state acknowledges that around 155,000 acres of land remains disputed. If the government resolved all of the remaining disputed land claims in favor of the indigenous Arab Bedouin community, the land would amount to around 5% of the total area of the Naqab.

## The Prawer Plan

The Prawer Plan, developed by former Deputy Chair of the National Security Council Ehud Prawer, was intended to implement the 2008 recommendations of the government-appointed “Goldberg Committee,” which included a call to “recognize as many villages as possible.” Instead, the wholly new Prawer Plan, which was devised without any consultation or input from the Arab Bedouin community, will lead to the demolition of most of the unrecognized villages and the forced displacement of their communities into the 7 government-planned and 10 recently-recognized villages.

**If fully implemented, The Prawer Plan will result in the displacement of up to 70,000 Arab Bedouin citizens of Israel.**

If fully implemented, this plan will result in the displacement of up to 70,000 Arab Bedouin citizens of Israel, using a new legal mechanism, the proposed “Law for the Regulation of the Settlement of the Bedouin the Negev – 2012” (“The Prawer Plan Law”) to legitimize the policy of home demolitions and forced evictions.



### **Adalah Calls on the Government of Israel to:**

- Immediately Halt Home Demolitions
- Cancel the discriminatory Praver Plan, which is inappropriate, unrealistic and unjust
- Recognize “unrecognized villages” and the rights of the Arab Bedouin to their ancestral land, using the Alternative Plan as the model for a community-based solution in the Naqab
- Engage in meaningful dialogue with the Arab Bedouin community and the Arab political leadership
- Provide equal health, education, and employment opportunities for Arab Bedouin citizens of Israel

### **The Praver Plan Law**

The Praver Plan Law aims to legislate “a resolution of the settlement of the Bedouin population” and “regulate Bedouin land ownership claims” within 5 years. The Law formerly restricts Arab Bedouin citizens in the Naqab from living on or using the land in certain areas by preventing the establishment of any Bedouin towns or compensation of land outside of a specifically demarcated area. It also empowers the Prime Minister, together with the Israel Land Authority (ILA), to take extensive administrative measures to evict Arab Bedouin residents and demolish the homes of those who refuse to leave. In issuing and executing demolition orders, the ILA is permitted to employ “reasonable force and to receive assistance from the police forces.” At the same time, the Law severely restricts the process of judicial review for demolition and eviction orders.

### **Compensation**

According to the Praver Plan Law, only those Arab Bedouin citizens who claimed land in the 1970s are able to receive any form of compensation (land or monetary) from the state. Compensation will amount to a maximum of 50% of the land claimed, though reasonable estimates reveal that the Bedouin will receive only about 16%. Further, all compensation is conditioned on the claimant giving up his/her ancestral land and moving to one of the government-planned towns.

The form of compensation is dependent on whether the state finds that the original claimant was using their ancestral land at the time that they filed their ownership claims, and whether the state has expropriated that land in subsequent years. Essentially, only those Bedouin whose villages were in the Siyag prior to the establishment of Israel and who still currently use their lands are eligible for partial compensation in the form of land. The internally displaced population, however, who claim land outside of the Siyag, can only receive monetary compensation. The government will determine both the location of the land as well as the amount of monetary compensation provided – i.e. the Arab Bedouin will neither receive their claimed ancestral land, nor be compensated according to market rates.

# THE ALTERNATIVE

Over the past three years *the Regional Council for the Unrecognized Villages, Bimkom – Planners for Planning Rights, and Sidreh – Arab Bedouin Women in the Negev*, have worked to develop an Alternative Master Plan for the unrecognized Bedouin villages in the Negev. The plan outlines a process to recognize the Bedouin villages in their existing locations and to provide identical infrastructures and services to which all Israeli citizens are entitled. It shows that contrary to state claims, “all Bedouin villages can remain (with minor adjustments), and the traditional land system can provide a just and workable foundation for future planning.”



## Main components of the Alternative Plan

- The alternative plan is the first in Israel’s history to present a strategy for professional and acceptable planning, shaping the future for and with the Bedouin community in the Naqab.
- The plan suggests an 8-stage process leading from the current state of neglect and marginality to full recognition of Bedouin villages in their current location and providing all required infrastructures and services.
- The plan proposes that the “Bedouin village” be recognized as a distinct type, and absorbed into the Israeli planning system and codified in the manner in which a “moshav” or “kibbutz” is recognized as a unique type of residential/agricultural community.
- This formal recognition will entail the recognition of the historical and spatial logic of the Bedouin village, including its tribal land system, and will find ways to adapt this logic to the requirements of 21st century life.
- By recognizing villages in their current location, the alternative plan prevents the expenditure of a large amount of resources required for the forced relocation of up to 70,000 members of the Bedouin community.
- Critically, it prevents the deterioration of the conflict between the state and the Bedouin, and ends the land and planning conflict that holds back the region’s development.



### **Critique and Analysis of the Praver Plan:**

- The Praver Plan legitimizes the displacement, dispossession, and eviction of tens of thousands of Arab Bedouin citizens of Israel
- The Praver Plan does not recognize the right of the Arab Bedouin to ownership of their ancestral land
- Setting the maximum compensation at 50% of the land claimed is unacceptable
- The Praver Plan offers only monetary compensation for the land claimed by those Arab Bedouin citizens who were internally displaced from their ancestral land following the establishment of the state
- The Praver Plan Law strips the court of its judicial review power to intervene or to protect citizens from unfair state land and planning measures, thereby suspending the rule of law, due process, and the constitutional rights of Arab Bedouin citizens
- The Praver Plan Law establishes a legal framework to implement government policies that are valid only on the Arab Bedouin citizens and only in the area of the Naqab
- The unique involvement and wide discretion of the Prime Minister is unprecedented and unrestrained
- The Arab Bedouin were not consulted and reject the Praver Plan



## Adalah

The Legal Center for Arab Minority Rights in Israel

[www.adalah.org](http://www.adalah.org)

### Links for Further Information

Adalah – The Legal Center for Arab Minority Rights in Israel – [www.adalah.org](http://www.adalah.org)

Amnesty International – [www.amnesty.org](http://www.amnesty.org)

The Arab Center for Alternative Planning – [www.ac-ap.org](http://www.ac-ap.org)

The Association for Civil Rights in Israel – [www.acri.org.il](http://www.acri.org.il)

Bimkom – Planners for Planning Rights – [www.bimkom.org](http://www.bimkom.org)

Euro-Mediterranean Human Rights Network – [www.euromedrights.org](http://www.euromedrights.org)

Internal Displacement Monitoring Centre – [www.internal-displacement.org](http://www.internal-displacement.org)

The Israeli Committee Against House Demolitions – [www.icahd.org](http://www.icahd.org)

Human Rights Watch – [www.hrw.org](http://www.hrw.org)

Minority Rights Group, International – [www.minorityrights.org](http://www.minorityrights.org)

Mossawa – Advocacy Center for Arab citizens in Israel – [www.mossawacenter.org](http://www.mossawacenter.org)

The Negev Coexistence Forum for Civil Equality – [www.dukium.org](http://www.dukium.org)

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