Bedouin Unrecognized Villages of the Negev

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1.- General Information on the case

Specific location: Negev, Israel/Palestine.
Dates project/initiative began and completed: from 1997 until the present.
Number of persons directly involved (employees, volunteers): 6 employees, 100s of volunteers.
Vulnerable groups involved: members of the Palestinian Arab Bedouin community in Israel
Vulnerable groups whom the project/initiative has targeted and served: the 76,000 Palestinian Bedouins indigenous to the Negev Region living in the unrecognized villages in the south of Israel are the most vulnerable Israeli citizens.
Geographical scope: historical villages that lack State recognition.

2.- General context and historical background

The 45 villages represented in RCUVN have a total population of 76,000 inhabitants, and the villages range in size from 500 to almost 5,000 residents. The population forms a part of the indigenous Palestinian people who today comprise approximately 19%, one million of the total citizens of Israel. This group of village residents in the Negev (traditionally, "Naqab") Region are deprived of their municipal services and representation, which are the domain of State agencies and "national institutions" managed by Jewish citizens exclusively.

The period of the Israeli military administration (1948-66) of its Palestinian citizens marked a period that saw the Bedouin transferred from most of the Negev and resettled against their will in the northern part of the Negev, which is referred to by the Palestinian Bedouin as the siyaq area. This territory comprises just 2% of the Negev, which itself constitutes over 60% of the pre-1967 Israeli-controlled land area. From the late 60s and early 70s, the Israeli government planned seven townships to "concentrate" the Bedouin without consulting them. Those who have refused to live in these seven concentration townships (as internal refugees) live in what are referred to as the unrecognized villages.

The State of Israel still uses the denial of basic municipal services, such as water, electricity, access roads, health and education as a device to coerce the community to move from their historical villages into State-planned townships, which Israeli planners refer to as "concentrations" (rekuzim). In fact, in the spheres of planning, land use, access to resources, institutional practices and laws specifically constrict the Negev Bedouins' daily life and through a comprehensive policy of segregation from the Jewish settlements, on one side, and transfer into concentration townships from the other. These plans aim to render the Palestinian Bedouin community in Israel internal refugees in their own homeland as planners, decision makers and institutions carry out a five-decade continuum demographic manipulation of all areas of Palestine under Israel's effective control since its establishment in 1948.

These historical villages, which the Israeli government refers to as "scattered settlements" or "populations," existed long before the establishment of the State of Israel and the Planning and Construction law (1965), which has classified these villages as illegal entities and, thus, all buildings there are illegal and subject to destruction. Residence of the "unrecognized" villages are the only population in Israel not classified in the governmental CBS socioeconomic scale. The community suffers from high unemployment and illiteracy, with the poorest health and welfare indicators in the country.

Further, a survey published in January 2003 by Ben-Gurion University in Beer Sheva observed that 71% of the Bedouin citizens in the south suffer from hunger. In particular, among those supported by social services, 87% of children are in danger of hunger, 85% sought food assistance from other family members, and 75% of families sought other forms of charity in order to buy food.

3.- Principal Problem Leading to the Problem-solving Initiative

The problem that the present initiative faces is institutional in nature, rather than the consequence of a single
policy or local practice. Within the legal context of institutionalized discrimination, the State agencies, such as the Interior Ministry, the "national," regional and local planning councils and mechanisms, the Israel Lands Authority and the "national institutions" (see WZO/JA and JNF, as above) coordinate to ensure the dispossession of the indigenous people of the country, in particular the Negev Bedouin.

The establishment of Jewish settlements inside Israel's 1948-49 Armistice Line (Green Line) is coordinated principally by an suprastatal Zionist "national"-and, in Israeli parlance, thus, ethnically exclusive-institution: the Jewish Agency, rather than the government. The JA provides houses, infrastructure and also basic service facilities. With the WZO, it also recruits settler-immigrant "Jewish nationals" from their home countries. Its mandated task is to judaize the land area: the settlements are established for Jews only (even when they are on public land), and Palestinian Arab citizens are not allowed to move there.

The Jewish National Fund (JNF) undertakes the task of holding in its possession "the land of the Jewish people." By its ever-increasing designation, public land next to Arab communities in the Galilee and the Negev is often transferred to the JNF where, according to the Fund's constitution, it can only be used by Jews.

Israel Land Administration (ILA): Public land in Israel is administered by ILA, which unlike the Jewish Agency and the JNF is a state body and has a legal obligation not to discriminate against citizens. However, the ILA is heavily influenced by the Jewish National Fund, which acts in the interests of Jews only.

The official ideological notion of "land redemption" (transferring land ownership to the Jewish people) is a linear process of continual acquisition that lies at the core of Israeli land policy. Clause 1 of the Israel Land Foundation Law, which forbids the transfer of ownership to non-Jews, is phrased as follows: "The possession of Israel's lands, the lands of the State, the Development Authority, or of the Jewish National Fund shall not be transferred whether by sale or any other way." Similarly, the JNF is charter bound such that "the land shall not be sold in perpetuity."

Added to this constant, the Office of the Prime Minister under the tenure of PM Ariel Sharon has launched a new Development Plan for the Negev. This plan allocates budgetary and institutional resources to accelerate the dispossession and transfer of the Negev Bedouin. In January 2003, the Ministerial Committee for Non-Jewish Affairs authorized Sharon's Six-Year Plan and, on 9 April 2003, 1.1 billion shekels was allocated for this plan. Finally, the Israeli Governmental Budget Amendment for 2003 proposes allocating an additional 55 million NIS for expanding Police Units and the Green Patrol, which was previously not included in the original budget, but empowers and further authorizes arbitrary demolition of Arab Bedouin homes. All budget items of the 6-years Sharon Development Plan (2003-08) suggest transferring the population into seven planned concentrations and destruction of their home villages without any item in this budget that suggests any construction.

The main items of this Plan concerning the Unrecognized Villages, suggests the following. (Please note, that there is no budget item for building the seven recently recognized villages):

a) Establishing a special police station and forces to implement the Plan.
b) Empowering the Green Patrol by allocating more funding and personnel for land confiscation, and registration of the land as Governmental Land.
c) Instructing the Justice Ministry, Israel Lands Authority and the Bedouin Authority to work together to identify land ownership by appealing to the courts and claiming the land of the villages as governmental property. The landowner has to prove that the land is his or hers (According to the leading precedent, in 1984 the court ruled that the Bedouin in the Negev have no land ownership claims).
d) Affirming that any money or land compensation will be according to the Israeli law, Governmental decisions, and the Lands Authority.
e) The Jewish Regional Council of Ramat Hovav and Bani Shimoun will give individuals farms (to Jewish citizens only), which will include areas not in their municipal jurisdiction, and where the unrecognized villages currently lie.
f) The Israeli Government will implement its 4 August 2002 decision to implement the Planning and Building Law, which deems all houses in these historical villages illegal, although they predate the State of Israel and the Planning Law). Implementing this decision involves house destruction en masse and the uprooting of the citizens of 45 unrecognized villages without any housing alternatives.
g) 325 million shekels is allocated for land compensation through the Lands Authority. (People will receive compensation if they agree to a settlement where they move to a concentration township).
h) Local Municipalities will be established for the recognized villages. Residents' addresses will be registered according to those recognized villages and towns (seven townships). The plan suggests uprooting the
remaining villages and concentrating them into Meriet township. (Governmental practice implemented in 1970s means a person from the unrecognized villages is addressed only by their tribal name instead of his/her place.)

Despite the resulting deprivation, the State does not consider the Bedouin and their condition as a matter of humanitarian priority. Therefore, Israel has no programs to realize human rights in these historical localities. In fact, the Israeli government has over 13 governmental plans that suggest expansion or building of Jewish localities (including individual farms to Jewish citizens only), while completely ignoring and disregarding the unrecognized villages and their development needs.

According to the definition of Tama 35 (Regional Plan), a settlement is defined as: "A jurisdiction area of a municipality or a local council and an area within the jurisdiction of a regional council on the date of approving this plan, according to a valid project outline, intended for residence in a scope of at least 50 housing units." Even the smallest of the 45 villages satisfies this definition and all they only need is a project outline and a municipal recognition, effectively excluding them from bona fide existence. (See al-Huzayal, 2002.) The result of the institutional and bureaucratic obstacles to the community's development in their own villages, the State of Israel pursues an official campaign to criminalize the Bedouin as such. This involves, for instance, the June 2002 Ministry of Justice proposal for an amendment to the Law on Public Land "Eviction of Trespassers Amendment 2002," defining residents of the unrecognized villages as "trespassers." This Law should be brought to the Knesset for the second voting any time. (See Appendix 1)

4.- Genesis of the Initiative

Today approximately 130,000 Bedouin live in the Negev. They are the indigenous inhabitants of the Negev and represent approximately 12% of the Palestinian Arab minority in Israel. The destructive and segregationist Israeli governmental policies toward the Bedouin community in the 45 unrecognized villages have been occurring for decades, and still continue. Like all other Palestinian citizens of Israel, the Bedouin of the Negev have experienced land confiscation since 1948.

At present, of the nearly 13 million dunams of the Negev, the combined Bedouin population holds only 240,000 dunams, of which 180,000 dunams are held by the residents of the unrecognized villages. In other words, the residents of the villages sit on 1.3% of the land in the Negev, even though they constitute 14.2% of the Negev citizens. Further, this 1.3% is zoned for exclusive Jewish use, for industrial areas, settlements or other purposes. By 2020 the 76,000 residents of the unrecognized villages are predicted to number a minimum of 200,000 persons. According to Israel law, a community of this size requires an area of 1,153,143 dunams.

Before the establishment of the RCUV, the village Umm Batin was a leader village for the other villages, through their local committee activities. For example in 1996 Umm Batin residence prevented the government's demolition destruction of houses through their resistance. In this event three people were injured including a child. When the Umm Batin Local Committee (traditional leaders) and community professionals came together, the RCUV was formed. Those initiators also took responsibility for the developing the eventual (alternative) "Plan for the Development of Municipal Authority for the Arab Bedouin of the Unrecognized Villages in the Negev."

Thus, it was entirely local inhabitants of the "unrecognized" villages who formed the Regional Council of the Unrecognized Villages (RCUV) as a representative community-based organization. The 45 participating villages have a total population of 76,000 inhabitants, and each ranges in size from 500 to almost 5,000 residents. They sought to rely on community solidarity and the help of some outside supporters to initiate actions to defend themselves against the onslaught of the State against their lands and livelihoods.

Therefore, the village leadership and members of the new generation of the "unrecognized" villages developed a program to address the following challenges:

1) The nonrecognition of the 45 villages,
2) Lack of municipal services to the community,
3) Lack of local representatives to the community,
4) Protection from government actions of home demolition, uprooting land confiscation and transfer, and
5) The Israeli national development plan and regional plans that ignore the existence of the villages.

In the period since the rise of Ariel Sharon to the prime ministership, the RCUVN has also had to face a specific, new challenge arising from the intensified assaults under the Sharon's Development Plan for the Negev. The
power imbalance of these challenges called for careful planning in order to maximize advantages and compensate for relative political and other weaknesses.

5.- Strategic Planning

The group of citizens, formed as the Council and with few initial resources, built on existing social capital within the community to undertake wide consultations and arrive at three main programmatic activities requiring full participation:

1) Participatory alternative planning,
2) Mass mobilization in defense against demolition,
3) Legal defense,
4) Community reconstruction of demolished homes.

Planning took place in stages. In addition to the principle activities outlines in the strategic plan RCUVN has been engaged in a full ranch of actions. Implementation.

Since its inception, the RCUVN social movement has engaged in the following types of activity:

- Emergency response/relief work
- Capacity building
- Construction
- Physical planning
- Strategic planning
- Social mobilization
- Infrastructure and utilities
- Monitoring and evaluation
- Law and legal defense
- Refugees/IDP resettlement
- Research
- Media and promotion
- Lobbying/influence decision
- Environmental protection
- Statistical analysis
- Water and sanitation
- Transportation and roads
- Networking
- International forums/ advocacy

Alternative Planning

The RCUVN’s alternative Development Plan was carried out by a professional in this field, including some planners who participated with the governmental plan 2020. However, different local committees participated in planning workshops to be able to develop their village zoning map.

Women of the community also participated in the development process of four zoning maps. Since its establishment in 1997, the RCUV had prepared "Negev Arabs 2020" with a detailed map of the 45 unrecognized villages. This plan was submitted to all relevant planning authorities for purposes of providing an acceptable alternative to Negev National Plan "Tama 4/14" (Planning for Metropolitan Beer Sheva area in 2020), which seeks to move the population of the unrecognized villages into permanent townships. The master plan set the municipal boundaries of the Regional Council - to provide a basis for the legal demand that the state recognize the Council and hold municipal elections in the villages.

In January 2001, the RCUV and the Chair of the Ministerial Committee for Arab Affairs agreed to (1) recognize the villages and provide services by an immediate establishment of service centers as a first step, (2) establish an administrative Regional Council that will provide services to the unrecognized villages (3) stop the expansion of Omer on the land of Umm Batin, al-Mikamin and Awajan villages, (4) stop the expansion of Beer Sheva on the land of Awajan, (5) terminate the Bedouin Development Authority, implement of a long-dishonored agreement with the Abu Sulb family on their land, and (7) terminate the policy of house demolition.
These accomplishments, in theory, are grounded in the principle and RCUV's claim that the State is obliged to develop services for the 76,000 indigenous citizens regardless of the eventual solution of the land problem. With this empowering message, the RCUVN has met its challenges (outlined above) by concentrating on three subjects of capacity building:

- utilizing all available planning, legal, advocacy and media tool to stop the governmental measures that call for uprooting the community and confiscating their lands, or destruction of their houses;
- mobilizing all available planning, legal, advocacy and media tool to start receiving municipal services;
- gaining knowledge about public life and local governance; and
- concentrating on affecting the Israeli National Plan.

Improved capacities in these areas was foreseen to aid the Council in:

- protecting the population from uprooting, home demolitions, and land confiscation;
- influencing and encouraging the Israeli Government formally to recognize the 45 unrecognized villages on their historical lands;
- establishing elected municipal representation of those currently denied the right to elect their local representatives, and who thus do not enjoy the fruits of participatory democracy;
- analyzing governmental budgets for local councils to facilitate and increase the provision of necessary municipal services;
- providing a unified "address" for Israeli authorities thus, developing a shared vision toward the existing challenges;
- providing alternative information and documents to officials and the general public; and
- developing a coalitions and solidarity groups.

Mass Mobilization and Collective Reconstruction

The use of mass mobilization has emerged as a tactic having three main expressions:

1) The reconstruction of houses that the State forces destroyed. This is despite the certainty that the authorities will not allow the defiant reconstructions to stand, and will surely return to redemolish the Bedouin homes.
2) Mounting public demonstrations against governmental discriminatory plans and punitive policies, including rapid response to gather community members to defend a house under threat of demolition.
3) Regular and frequent communication and reciprocal support activity in order to form and strengthen solidarity within the community, which is geographically widespread and, thereby, mutually isolated. For example, Local Committees in each Palestinian Land Day (March 30) carry out projects that assist the community in their daily life and give more visibility to the RCUVN and its Local Committee member. The women form the essential backbone of this social capital development strategy, particularly as they are the segment of the community maintaining the home throughout the day and, therefore, in a position to be vigilant in case of community emergency.

Political Mobilization

The advocacy component of the program was seen as essential and important. RCUV Advocacy is divided into three sectors, under which the Council identified congruent activities:

1. Governmental:

- preparing and presenting an alternative municipal plan to the government toward recognition of the unrecognized villages in the Negev;
- monitoring different national, regional and local municipal plans which have any relation to the unrecognized villages;
- presenting and allocating the yearly budget of the Regional Council to the Interior Ministry
- policy analysis;
- drafting and creating a master plan and border plans for the villages.

2. Cooperation with political parties, Parliament members and ministers:

- preparation of fact sheets and draft legislation or amendments for distribution,
- coordination of Knesset members influencing relevant legislation.
3. Raising public awareness and put the unrecognized villages on the political agenda through:

- The Regional Council plays an active role in introducing human rights organizations and international representatives to the Bedouin community in the Negev.
- The Regional Council plays an active role in briefing the local (Jewish and Palestinians), regional Arab and International media on issues concerning Bedouins in the unrecognized villages.
- Today, the RCUV has a coalition of 32 Human Rights NGOs both National and international.

6.- A Structure of Participation and Decision Making

The RCUV is comprised of the people's representatives, usually with the head of each village local committee serving as their member on the Regional Council. The Guiding Committee for Strategic Planning of the Arabs in the Negev selected the heads of the Local Committees of the villages to serve on the RCUV.

The members of the Council meet each other and their local constituents regularly and often. The RCUV has succeeded to gather a very wide solidarity of the civil society in Israel and abroad. Today, the RCUV has a contingent of 32 members, as well as a coalition from the Israeli Members of Knesset working against Sharon's Development Plan.

- Local Committee: The representative body for the local community in the unrecognized villages in the Negev. Each village chooses its Local Community representatives according to population increments: up to 500 population, 5-7 members; from 501 to 1,000, 7-11 members; above 1,001, 9-15 members. The representatives of the 22 villages are members of the Regional Council.
- General Assembly: The RCUV consists of 28 elected Heads of village Local Committees. The General Assembly meets once each month.
- Executive Committee/Board: Consists of seven members, including the Head of Each Subcommittee, plus the President, Treasurer and Vice President. The Executive Committee meets every week and reports directly to the General Assembly.
- President, Vice President: Directly elected by the Regional Council members.
- Treasurer: Appointed from among the Regional Council members.

Sub Committees

Education Committee: responsible for the development of education in the unrecognized villages.
Youth, Culture & Sport: deals with activities for youth in culture and sports.
Community Organization Committee: deals with new members of local committees. The goal of this committee is to represent all 45 villages.
Oversight Committee: supervising all financial matters, members are elected to the Observing Committee from among the Local Committees. This committee is responsible for supervising the work of the Executive Committee.
Economic Development Committee: deals with enhancing the economy in the unrecognized villages.
All Subcommittees are elected from among the Regional Council members.
Treasurer: Elected by the General Assembly members.
The decision making are made by the General Assembly (head of local committees) and the day to day decision made by the Board.

7.- Resources

This is a new organization (est. 1996) with most effort in the first two years dedicated to organizing the community. The planning strategy and day to day monitoring of plans has been on a voluntary basis. The work of the RCUV was enforced year after year with different employees to sustain and develop different projects. With some modest support from supportive individuals and contributions in kind, the RCUV is in need for both human and financial resources.

Volunteers provide a pool of human resources that is difficult to calculate. Until recently all work that was done was done on a voluntary basis and, therefore, represents an invaluable asset.

Local and international solidarity is vital to RCUVN’s program, and RCUVN works with many organizations in different fields. These include membership in the Higher Follow-up Committee (the representative body for Palestinian's head of Municipalities and Local Councils) and collaboration with local human rights groups, such
as the Arab Association for Human Rights (Nazareth), as well as international networks, such as the Habitat International Coalition's Housing and Land Rights Network.

Building social capital outside the community is vital, too, whereas networking is an asset in case of planning, legal defense, advocacy, education, health and human right training, among many other fields. Today the RCUV forms part of a coalition of 32 local and international NGOs collaborating to resist Sharon's Development Plan.

8.- Outcome and Follow up

The Plan was submitted on 29 November 1999 to the Interior Ministry Committee, and again on July 2000 (HC 1991/00: case still pending). The petition provided municipal boundaries for three villages recently recognized (Umm Batin, Bi‘r Hadaj and Qasir al-Sir). Each is at a different stage of governmental planning, and the municipal boundaries plan poses an alternative demarcation. The submission demanded that plans for the Negev region should be based on planning equally for both Arab and Jewish communities and recognition of the existing villages. Based on that principle, the RCUVN and the local village Committees also have submitted formal objections to the relevant planning committee against destructive governmental plans. The RCUV also relates variably with government officials and politicians, as well as lobbies the Knesset (Israeli parliament). During the PM Ehud Barak administration, house demolition policy was frozen, as was the implementation of Tama 4/24.

The Ministerial Committee for Bedouin Affairs announced its acceptance of the RCUVN’s vision that nonrecognition of the villages does not absolve the government from the obligation to provide services for citizens and, in August 2000, adopted the Comprehensive Program for the Solution of the Problem Facing the Bedouins, recommending recognition of 17 villages and installation of full municipal services for all the villages as a first step. The period of Ariel Sharons’ administration has seen five Negev villages recognized, all at different levels of planning.

The fact that the RCUV was not affiliated with any party gave the opportunity to different parties to be active in the different activities. This involvement gave a wider recognition for this harsh situation and more difficult atmosphere for the government to implement their plans.

One important personal initiative assisted in the creation of the RCUV, Dr. Amer Al Huziel, (Rahat municipality planner). Dr. Al Huziel succeeded to draw the only map in Israel which has the 45 unrecognized villages with their historical names and which was used later on as a claim against the governmental regional plan at court. Later he was involved in creating the Guiding Committee for Strategic Planning of the Arabs in the Negev to serve on the RCUV to select the Head of Local Committees who became the General Assembly of the RCUV.

The strength of the RCUV from its organization structure which from one hand the traditional tribe shakh's working together and from the other side the professionals of one individual Dr. Amer Al Huziel and later on the RCUV employees and much later on the civil society gave some of these outcomes.

From the other side, however, these efforts also gave a very negative result in the form of a backlash from government hardliners, as well as from national institutions. The World Zionist Organization, normally concentrating on colonization of the West Bank and Gaza Strip, has recently engaged in the management of confiscated Bedouin assets and the colonization of the Negev. In summary, that has seen an increase in house destruction and land poisoning, and by the government’s legal campaign to criminalize the community.

9.- Evaluation and analysis

The project succeeded when the Regional Planning Committee recognized five villages that are in process of planning, and those citizens are theoretically protected under the law from further uprooting measures. Until today the project has failed to meet its objectives in some senses, but could be attributed as the cause for suspending the implementation of previous government plans. It has become clear that mass house demolition, crop destruction, land confiscation and transfer are constants of the State program against the indigenous Palestinians, whether citizens or not, and that these tools can be implemented at any time.

The International attention also should be given during peace government, the zoning over these villages were done after the Israeli National Plan 2020 which was planned after Oslo agreement. Some villages also were uprooted and their land was confiscated during the peace process with Egypt, in order to accommodate retreating Israeli settlers from the Sinai. Any given peace agreement with the Palestinian Authority will
automatically mean land confiscation and force eviction for this disadvantaged community, whether by providing the Palestinian Authority with needed land to connect the West Bank and Gaza Strip, or by building new Jewish colonies for returning settlers from the occupied Palestinian territory.

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