

The Bedouin of the Negev

Israeli Construction and Housing

Background

The Bedouin population of the Negev is 155,000, of which 60% lives in seven permanent townships, and the remainder in illegal homes spread over hundreds of thousands of dunams (these scattered Bedouin localities are referred to as the Bedouin “dispersal”).

The rate of growth of the Negev Bedouin is the highest in the world – the Bedouin population doubles its size every 15 years. By 2020, the Bedouin population of the Negev will be 300,000.

Israel provides its citizens with high quality public services in sanitation, health and education, and municipal services. These services can only be provided to those living in permanent housing, and the fact that the Bedouin are dispersed over an extensive area prevents the state from offering these public services.

Israel is currently building eight new villages or towns for the Negev Bedouin. These townships are intended to meet all the present and future needs of this population.

The government of Israel has allocated more than NIS1 billion for the benefit of this population. Aside from building new townships for the Bedouin in the Negev, the Israeli government plans to invest more than NIS 1 billion in a multi-phased program to improve the infrastructure of existing Bedouin towns and to develop their public facilities.

Negev Bedouin claim the ownership of land that 12 times the size of Tel Aviv.

In recent years, some of the Bedouin residing in the dispersed areas have started claiming ownership of land areas totaling some 600,000 dunams (60,000 hectares or 230 square miles) in the Negev – over 12 times the area of Tel Aviv!

The Israel Land Administration (ILA) is doing everything in its power to resolve the problems of the landless Bedouin in the Negev. Although this matter is exceedingly complex given the large number of claimants (15,000) who represent the clans of the original claimants, investigation of all land ownership claims has been recently expedited.

Israel's has its citizens' welfare at heart, particularly the welfare of the Bedouin. Instead of prosecution, Israel proposes to settle the conflict by offering extremely generous settlements in return for the withdrawal of the Bedouin's ownership claims.

Expansion of Bedouin towns costing several hundred million shekels

Over 60% of the Negev Bedouin live in the urban settlements of Rahat, Keseifa, Segev Shalom, Aro'er, Lakiya, Tel Sheva, and Hura.

The Israeli government is actively striving to provide suitable answers to the Negev Bedouin's needs. Among its efforts, and out of sensitivity to the changing needs of the Bedouin population, the Israeli government has allocated special funds to improve the wellbeing of the Bedouin of the Negev.

The government intends to spend over NIS1 billion on expanding existing Bedouin towns and upgrading their infrastructures and facilities. The Israel Land Administration has undertaken the enlargement of the townships and the development of the necessary infrastructures to accommodate growth in their size and population.

The cost of doubling the size of Rahat: Hundreds of millions of shekels. As part of its plan to expand the existing Bedouin towns in the Negev, the ILA will double the size of the Bedouin town of Rahat. This is the largest construction project — costing an estimated half a billion shekels — undertaken by the Israeli government in recent years.

Ten thousand new housing units in Rahat for the benefit of the Bedouin population. The Israeli government's investment in Rahat involves planning, developing, and marketing land for constructing more than 10,000 new housing units for Bedouin residents.

Israel's vision for Rahat – public and commercial services, neighborhood parks, and public areas to improve the local quality of life. The government's investment in Rahat will include the development of public and commercial services, in addition to allocating land for women's employment centers, parks, and children's play areas, to satisfy the residents' leisure and recreational needs.

The Israeli government will also expand and upgrade the other permanent Bedouin towns in the Negev. In addition to doubling the size of Rahat, Israel plans to expand the remaining Bedouin towns in the Negev by developing their infrastructure for thousands of new homes. In doing so tens of thousands of dunams will be added to the area of existing towns.

Upgrading existing infrastructure, establishing public institutions, and building proper roads. Parallel to the Israeli government's masterplan for national development, Israel is pumping vast sums of money into upgrading the present infrastructure of Bedouin towns, setting up public services, building access roads, and upgrading land for housing.

All planning and implementation are in cooperation and coordination with the local Bedouin population. It is important to remember that all Israel's plans and their implementation enjoy the full cooperation of the local population, represented by Bedouin members of the local and district committees for planning and construction.

The percentage of homeowners in Bedouin towns who pay municipal taxes is problematically low. This makes it difficult for town councils to provide a decent level of services. When a sufficient number of residents pay their municipal taxes, the municipal authorities can substantially improve their services and thus improve living conditions for the Bedouin.

The Israeli government continues its generous policy towards the Bedouin population by meeting their ever-increasing needs in every possible way.

Formation of new towns for the Negev Bedouin

Besides expanding existing towns, the Israeli government has decided to construct eight additional settlements for the Negev Bedouin. In view of the Bedouin's special needs and the Israeli government's desire to help the population settle in their tribal groups, the decision was taken not only to enlarge existing towns, but also to build new villages.

The Israeli government has allocated thousands of dunams (thousands of hectares) for new Bedouin villages in the Negev. These villages will have the best infrastructure and services that the State of Israel can offer its citizens. The plans for the villages are based on statistical projections for the expansion of the Bedouin population until the year 2030.

The new villages are being planned in full consultation with representatives of the people who will populate them. Designs for the new villages fully address the needs of the Bedouin population of the Negev since tribal representatives have been closely involved in planning the villages and addressing their populations' needs.

Different types of villages will be established to meet the respective needs of their residents. The eight new villages will be in a variety of formats: urban, suburban, or agricultural, depending on their residents' needs. For example, some settlements will have special sheep pens constructed just outside the village, to cater for the villagers' flocks, while other villages will have plots of land for farming adjacent to residential zones.

To maintain the local character, the Israeli government leases hundreds of thousands of dunams of agricultural land to the Bedouin, at a symbolic cost of up to NIS 2 per dunam. The state wants to help the Bedouin continue their farming

activities, and it leases hundreds of thousands of dunams annually for a symbolic amount of up to NIS2 per dunam per season.

The new village of Tarabin is in the final stages of development. The new village of Tarabin was built for the Tarabin tribe, and is located near Kibbutz Mishmar Hanegev. Most of the tribe recently moved into the new village from its previous location where they lived in extreme squalor.

Tarabin, which was planned in consultation with the Tarabin tribe, provides many amenities for the residents, adding considerable comfort to their lives. The planning departments of the Israel Land Administration and the Tarabin tribe worked together to plan the new village. Great effort has been made to ensure that this modern village answers all the tribe's needs. Educational services, underground infrastructure, health and welfare services will all help to improve the residents' quality of life.

Tarabin residents received a plot of land each with all the appropriate infrastructure on which to build their homes, and. They also received agricultural land for farming. Upon moving into the new village, each family of the Tarabin tribe receives a plot of land with the necessary infrastructure for building a home and adjacent farmland.

In addition to Tarabin, numerous other settlements are in advanced stages of planning and development:

Abu Karinat – A village has been established for the Abu Karinat tribe on an area of land covering 7,320 dunams (732 hectares or 1,801 acres). The initial phase of this project consists of 1,100 plots of land, with a modern infrastructure, local education and health services, and a commercial center within the village. Attached to some of the plots are larger tracts of agricultural land, which satisfy the special needs of this tribe. Development work began in this village several months ago and plots of land are now being marketed to the tribe.

Bir Hadaj – Bir Hadaj is a rural-agricultural village, covering an area of 6,550 dunams. This village will be home to the Al-Azzama tribe. Bir Hadaj is unique in that it contains privately owned farmland. Each homestead covers five dunams (½ hectare

or about 1¼ acres), which includes land for building homes and farmland behind each home.

Qasr el-Ser – The village of Qasr el-Ser is being formed for the families of the El Huashla tribe and covers roughly 5,000 dunams (500 hectares or 1,235 acres).

Marit and **Derijat** – These two neighboring settlements are in the process of being formed south-west of Tel Arad. The villages will be the home of the Abu Hamad, Abu Ayada, El Kuraan, Abu Ravia, and El Karishat clans. A special project for using solar energy to generate electricity is also planned for the village of Derijat, and will significantly reduce air pollution in the area.

Um Batin – The village of Um Batin, is being forming to the east of Omer and will cover an area of 6,000 dunams (600 hectares or 1,480 acres). Um Batin will be the home of the Abu Kaf and Abu Asa tribes.

Mulada – The village of Mulada is being formed in the northern Negev, on an area covering 9,000 dunams (900 hectares or 2,220 acres), and will be the home of the El Atrash and El Huashla tribes.

New regional council for the newly formed Bedouin settlements of the Negev. The new regional council of **Abu Basma** has been established to provide a high standard of municipal services for the new villages. Council representatives will be democratically elected by the population under its jurisdiction and the council will serve as the statutory body overseeing the municipalities where this population lives.

The Israeli government is offering exceptional benefits to Bedouin wishing to leave the dispersion

The State of Israel is offering far-reaching benefits to Bedouin who leave the dispersion and move into permanent villages. Bedouin families living in the “dispersion”, which have been asked to move into permanent settlements will receive

government grants and benefits. The payments are made irrespective of the families' financial position and without investigating their entitlement to the land.

The benefits awarded to the Bedouin include free land for housing and an exemption from development costs. The state grants the Bedouin free plots of land covering an average area of 800m per family, with a fully developed infrastructure: roads, drainage, sewage, electricity, water, etc. It should be noted each family can build up to four housing units on this land, based on its preferences and requirements.

Bedouin families that leave the dispersion for permanent villages receive exceptionally high compensation from the state. Israel offers Bedouin families compensation to leave their buildings in the dispersion. The compensation is many times the value of the illegal structures they leave. The amount paid is consistent with ILA compensation rates and can total hundreds of thousands of shekels per family.

Bedouin families that move from the dispersion into permanent housing also receive financial grants. Bedouin families that move into permanent villages are further eligible for state "Relocation Grants" of NIS 7,500 per family and NIS1,500 for each child.

Note that the Bedouin population receives special benefits, which are only paid to this sector and are not available to any other sector of the Israeli population. Ordinarily, Israeli citizens receive financial assistance only after the state has determined their need and that they have satisfied specific criteria. In the case of the Bedouin, those who choose to move into permanent homes receive preferential treatment in that these grants are awarded automatically, irrespective of their financial status.

The Negev Bedouin are eligible for additional benefits from the Ministry of Construction and Housing, unrelated to the benefits they receive from the Israel Land Administration.

The Israeli government is prepared to enter far-reaching land agreements that are advantageous to the whole population.

Although Israel owns the lands over which the Bedouins are dispersed, it is prepared to examine all Bedouin ownership claims in court. By law and according to all existing records, the State of Israel is the sole owner of the land on which the dispersed Bedouin live.

To counter ownership claims by the Negev Bedouin, the State of Israel has submitted counter-claims for the land under its ownership. In line with its strategy of protecting state resources, Israel is committed to safeguarding its land reserves for the benefit of the whole population. The state has filed some 170 counter-claims (regarding more than 110,000 dunams), and in every case where a ruling has been handed down by the court, it has ordered the land to be registered as state owned.

The Bedouin's claims are detrimental to the entire Bedouin population of the Negev. Agreement on the status of the land is vital for the ongoing development and construction of the Bedouin villages. In many cases, Bedouin lawsuits hinder the construction of new neighborhoods, the upgrading of existing village infrastructures, and the advantageous use of the land for the entire Bedouin population.

In order to avoid doing anything detrimental to the general Bedouin population, the Israeli government is even willing to waive legal confrontation. Out of concern for the general welfare of the Bedouin population in the Negev, the government is doing everything it can to resolve land disputes involving the dispersed Bedouin as amicably as possible. In this spirit, it offers the Bedouin plaintiffs far reaching compromises that include generous financial and property compensation.

Israel is ready to compromise and compensate the dispersed Bedouins even without them having to prove their rights to the land. Although the Israeli government insists that it owns the lands occupied by the Bedouin dispersion, the state is prepared to grant immediate financial “compensation” and sometimes even alternative land to Bedouin who withdraw their ownership claims.

A Bedouin who withdraws an ownership suit relating to 200 dunams will receive a state grant of approximately NIS 1,500,000. Bedouin who withdraw their ownership claims for 200 dunams of land (in the area covered by the masterplan for

Bedouin villages) will receive a government grant of **NIS 1,550,000**. In addition to the cash grant, they also receive 45 dunams of agricultural land.

Because of the firm stance of the Israeli government and its readiness to compromise, many Bedouin land claimants have realized the advantage of accepting a settlement. Since the state began to submit counter claims, many claimants have contacted the authorities in order to reach an agreement with the state and accept its generous offer.

Squatting Violations by Bedouin in the Negev

The State of Israel leases hundreds of thousands of dunams to the Bedouin for agriculture for up to NIS2 per dunam. The Israeli government annually leases about 135,000 dunams (roughly 33,400 acres) of agricultural land to the Negev Bedouin for farming and grazing. Each spring, the state leases an additional 280,000 dunams (about 70,000 acres) of land to the Bedouin. Furthermore, the state permits Bedouin to graze their flocks on 35,000 dunams (about 8,650 acres) formerly used as military firing ranges. In return for this land, the Bedouin pay a symbolic charge of up to NIS2 per dunam per season.

Negev Bedouin seek to gain control over 900,000 dunams

The Bedouin in the Negev have submitted ownership claims for 600,000 dunams in addition to the 300,000 dunams that they already rent on a seasonal basis.

Some elements within the Negev Bedouin population seek to establish facts on the ground and steal agricultural land. Despite the fact that Israel leases land to the Bedouin at a symbolic cost, the past few years have witnessed an increase in illegal squatting and land appropriation.

Squatters on 11,000 dunams of land (an area half the size of Ramat Hasharon). In 2004 alone, illegal squatting by Bedouin affected an area of 11,000 dunams – a 50% increase over the land illegally occupied in 2003. In most cases, the squatters used the land by planting crops for animal feed.

Bedouin squatters only harm their Bedouin kinsmen. Most of the land on which there are squatters has already been earmarked for being leased to Bedouin for agricultural purposes. In many cases, squatters have aggressively driven out Bedouin families that had legally leased the land.

Israel's duty is to protect and defend its citizens. Israel cannot tolerate callous lawbreakers whose behavior is harmful to the law-abiding community. It is the state's duty to evict squatters and restore the land to the citizens who leased it.

Legal authorities evict squatters from agricultural land in the Negev. According to clause 18B of the Land Law, the legal authorities can adopt firm measures to evict squatters from the land. Under this clause, the landowner must evict squatters within 30 days after they have taken illegal control of the land.

The state fights squatters by plowing up the land. The land is plowed once the seeds sown by the illegal farmers have sprouted.

When squatters seize land before it has been leased by the state, the state is extremely reluctant to plow fields and seeks alternative solutions instead. The state offers squatters the option of retroactively leasing the illegally seized land at a maximum cost of up to NIS2 per dunam per season. Recently, large tracts of illegally seized land were dealt with this way.

The Israel Land Administration protects the interests of all Bedouin. The ILA works very hard to improve the welfare of the Negev Bedouin and to safeguard the rights of this population. It achieves this by providing them with benefits, protecting them from squatters, and by steadfastly enforcing the law.