

ISRAEL:

Short-term and protracted displacements following various conflicts

A profile of the internal displacement situation

30 November, 2009

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Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

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FOUR SITUATIONS OF DISPLACEMENT

Overview

Short-term and protracted displacements following various conflicts

- This profile is organised according to the four situations of internal displacement in Israel:
- Arabs displaced in the context of the establishment of the state of Israel;
- The situation of the Bedouin population in the south;
- Temporary displacement due to rockets launched from Gaza
- Temporary displacement in northern Israel during the 2006 Israel-Hezbollah conflict

The profile uses the short terms “Arab Israeli” and “Bedouin”. During interviews, IDMC encountered people preferring these terms, while others preferred the labels Palestinian citizens of Israel, or Israeli Arabs. Some Bedouin also prefer the label Palestinian rather than Bedouin.

See www.internal-displacement.org/countries/opt for more information on internal displacement in the Occupied Palestinian Territory (East Jerusalem, West Bank & Gaza).

1. Arabs displaced in the context of the establishment of the state of Israel

During or shortly after the conflict which accompanied the creation of the state of Israel in 1948, some 46,000 to 48,000 people lost their homes and subsequently remained in Israel. Many of them found refuge in nearby villages in which they had relatives, family and friends. They subsequently moved from one village to another, mainly to reunite with people from their village of origin. The Association for the Defence of the Rights of the Internally Displaced in Israel (ADRID), an umbrella organisation uniting thirty local committees of IDPs, quotes the figure of 46,000 internally displaced people (IDPs) in the 1950 registry record of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In 1952 the Israeli government reportedly used the figure of 48,000 IDPs, based on a census of its Arab citizens.

Like other Arabs in Israel, IDPs became Israeli citizens. However, their freedom of movement was severely restricted, since the areas in which 90 per cent of Arabs lived were placed under military administration until 1966. Having lost their property and economic resources, these IDPs faced particular difficulties in the first years after their displacement. Most of them had cultivated their land prior to the war, and they now had to compete with people in host communities for employment in a very difficult post-war economic situation.

The government strived to integrate the displaced people into existing Arab communities and villages, rather than rebuilding destroyed villages or establishing new ones. As a result, it started in 1949 to rent land to IDPs in inhabited villages. While in some cases IDPs rented land without problems, in many cases they faced opposition from Jewish neighbours or from host communities. Also, many feared that renting other land would compromise their claim on their own land, and the proposed plots were often of bad quality and very small.

From 1950 to 1952, UNRWA assisted IDPs in Israel until the government agreed under American and UNRWA pressure to take responsibility for them. The government decided that IDPs (called

refugees at the time) would be cared for by existing government departments, and that it would temporarily provide them welfare and jobs. It also enacted a series of laws affecting IDPs and their descendants. In particular, the Absentee Property Law of 1950 allowed the State to acquire control of all land and property left behind by people who had fled during the 1948 war. Under the law people who had come back or were still in the country, such as IDPs, were defined as “present absentees” and lost their land.

During the late 1950s, IDPs began to prepare for long-term settlement, and many migrated from villages to urban centres in search of better economic opportunities. Since the 1960s, few IDPs have moved between communities. Economic disparities between them and the Arab communities who had not been uprooted tended to disappear in the following decades, particularly among members of the second generation, who had not experienced the difficulties of flight and settlement and were in general more educated.

In the 1980s, they reportedly stopped seeing their displacement as temporary. However, some continued to demand to return to the homes they lost in 1948. The villagers of Ikrit and Bir'em, when originally ordered from their homes by the Israeli army, had complied with the order and received an explicit promise from the army that they would be allowed to return. In 2003, following six years of hearings, the Israeli Supreme Court ruled that the Ikrit inhabitants could not return to their former homes, and instead had the choice of receiving land elsewhere in the country or monetary compensation. The Court accepted the government's claim that Israeli interests, based on the current security situation and the Palestinians' persistent demands for the right of return of refugees, could not justify the return of the Ikrit inhabitants, despite explicit promises made by previous governments.

The UN does not consider that there are any IDPs in Israel, nor does the Israeli government. Some academics, Palestinian and Arab Israeli NGOs claim that some 150,000 to 300,000 people should be called IDPs today in Israel. These estimates are based on multiplying the original number of IDPs by the natural growth rate of the Arab population in Israel. As displacement occurred over 60 years ago, most of those included in these estimates are in fact the children and grandchildren of people who were displaced.

2. The situation of the Bedouin population in the south

In 1949 the Israeli authorities forced Bedouin communities in the Negev to move into a smaller area known as the “Siyag”, between the town of Beer Sheva and the Israel-Gaza border, where it declared military rule. Other communities were relocated to this zone until 1953. 11 of the 19 Bedouin tribes who remained in Israel became internally displaced; the other eight tribes already inhabited the Siyag.

In the 1960s, state planners mapped all villages and towns to be included in Israel's first “master plan”, but did not include Bedouin villages in the plan. As a result, according to Israel's National Planning and Building Law of 1965, the Bedouin settlements were not recognised, and all buildings in these communities became illegal.

From the 1970s to the 1990s, the Israeli government planned and built seven townships for the Bedouin, which included schools, clinics, and public spaces. About half of those who resettled in them had been displaced in the Siyag. To date, only about half of the Bedouin population in the Negev have agreed to move to the townships, while the other half remain in unrecognised settlements, which look like small shanty towns and generally do not receive municipal services. In the late 1990s, as many Bedouin did not want to move into the new towns, the government set up the “Abu Basma Regional Council” to represent some ten villages, which had until then been

unrecognised. Today, some 30,000 people live in the Abu Basma villages, while 60,000 are in the remaining unrecognised villages.

Whether living in recognised or unrecognised villages, the Bedouin are among the poorest and most marginalised citizens, in the worst situation for all socio-economic indicators. The recognised Bedouin localities receive some government support, but not enough to raise its residents out of poverty. While residents of the unrecognised villages pay taxes, they are not eligible for the services, including water and sewers, which are provided to recognised communities. Following appeals by advocates for the Bedouin, the courts have ordered the provision of limited health and education services. Meanwhile, those living in unrecognised villages continue to risk displacement. Their crops are routinely destroyed, and every year the government demolishes some 300 Bedouin homes, most of which are then rebuilt in the same place.

3. Temporary displacement due to rockets launched from Gaza

For years, inhabitants of the town of Sderot in southern Israel, and to a lesser extent other communities, have been the targets of rockets launched from Gaza by Palestinian armed groups, in particular by the armed wing of Hamas. Thousands of rockets have been launched since 2001, killing 15 civilians inside Israel. During the 22-day Gaza conflict in December 2008 and January 2009, rocket attacks from Gaza killed four Israeli civilians and injured hundreds of people. In May 2007, over 250 rockets were fired into southern Israel, killing two civilians and reportedly causing the temporary displacement of some 10,000 people from Sderot to other parts of Israel. Houses and other property were destroyed or damaged in these and similar attacks. Sporadic attacks continued as of the end of 2009.

4. Temporary displacement in northern Israel during the 2006 Israel-Hezbollah conflict

In July and August 2006, Hezbollah fired thousands of rockets into northern Israel, which is home to 1.5 million Jews and Arabs. Some 300,000 people from both communities fled their homes, most of them to the centre and south of Israel. In the absence of a government evacuation system, people who fled the north did so independently, finding refuge with relatives or moving into hotel rooms, or with the help of NGOs. Private individuals in Israel and Jewish communities around the world sent thousands of food packages and millions of dollars to help the displaced. All the displaced were reported to have returned home by the end of 2006. Following the conflict the UN recommended that the Israeli government ensure equal treatment of Jewish and Arab citizens in regard to compensation for damaged or destroyed property, access to free medical services and the construction of new and the upgrading of existing shelters and alarm systems.

Arabs displaced in the context of the establishment of the state of Israel

Arabs displaced in the context of the establishment of the state of Israel

Background and causes of displacement

In November 1947, [UN General Assembly Resolution 181](#) called for the partition of the British-ruled Palestine Mandate into a Jewish and an Arab state. The area of Jerusalem and Bethlehem

was to become an international zone. Following the [proclamation of independence of the State of Israel](#) in May 1948, armies from neighbouring Arab nations entered the former Mandate of Palestine and fought against Israeli military forces. The war ended in 1949, but no general peace settlement was achieved and violence along the borders continued for many years. The 1948-1949 war resulted in a 50 per cent increase in Israeli territory, which afterwards included western Jerusalem.

In December 1948, the UN General Assembly passed [Resolution 194](#), which “resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible”.

By summer 1949, about 750,000 Arabs who had lived in the territory which became Israel were living in refugee camps, set up almost overnight in territories adjacent to Israel (UNRWA, 2009). An estimated 54,000 to 89,000 of them were members of Bedouin tribes who fled or were expelled from the Negev area in southern Israel to Jordan, Gaza or Sinai. By 1953, only about 11,000 Bedouin were left in the Negev (Abu-Rabia, November 1994) (*See section 2 on the situation of the Bedouin*).

IDP estimates

Between 160,000 and 170,000 Arabs (including the Bedouin) remained in what had become the State of Israel. According to academics and local advocates, 46,000 to 48,000 people lost their homes in Israel and remained in the country after the creation of the State. This figure does not include Bedouin in the Negev. The Association for the Defence of the Rights of the Internally Displaced in Israel (ADRID) quotes the figure of 46,000 internally displaced people (IDPs) in UNRWA’s 1950 registry record (ADRID, February 2000). The Israeli government carried out a census of Arab citizens and found that as of 1952, there were 48,000 IDPs. According to the academic Alexander Bligh, the government had an interest to have as accurate a number as possible: “This census had a clear purpose: to determine to what extent the Arabs living in Israel, the refugees included, threatened Israel’s national security. Thus, bearing in mind the method and the purpose it is logical to assume that much effort was invested in trying to reach an accurate calculation. [...]. It is clear that the number used by the Israeli Government for internal calculations, as well as for diplomatic approaches, did in fact stand at 48,000” (Bligh, January 1998, pp.124-125).

Patterns of displacement

According to the Palestinian sociologist Majid Al-Haj, the flight of Arabs within Israel was as much a surprise to the Jewish community as to the Arab community, and most fled under battle conditions (Al-Haj, September 1986, p.656). Some Arab villagers in the Galilee region were also reportedly evicted in the early 1950s, either because they came from villages which had put up resistance during the war, or because they were close to the Lebanese border (ADRID, February 2000; Kanaana, 2001).

Kinship and religion often played a strong role in the choice of the area of refuge. Some IDPs found refuge in nearby villages in which they had relatives, family and friends. Nearby villages were also the most similar socially and culturally to depopulated villages. IDPs subsequently moved from one village to another, mainly to reunite with people from their village of origin. Both displaced Christians (around ten per cent of the displaced population), and Muslims tended to take shelter in villages where people had the same religion. For example, IDPs from the Christian village of Bir’em found refuge of the Christian village of al-Jish, while IDPs from the Muslim village

of Tamra in the Galilee, took in Muslim IDPs from al-Damoun, al-Rwiss, and al-Birwa (Bokae'e, February 2003).

Response

Following their displacement in 1948 or in the following years, IDPs had to adjust to being part of the Arab minority in Israel, and had to get used to the communities where they had found refuge. Like other Arabs in Israel, they became Israeli citizens. However, their freedom of movement was severely restricted, since the areas in which 90 per cent of the Arabs lived were placed under military administration until 1966. Using regulations promulgated by the British Mandate Authority in 1945, 93 out of 104 Arab villages were constituted as closed areas out of which no one could move without a military permit (Chapin Metz, 1988, "Israeli Arabs, Arab Land, and Arab Refugees"). Arab Israelis generally considered themselves, and were generally seen by Jewish Israelis, as aliens in a foreign country. Many of them had been fighting since the 1920s against Zionism, but they were isolated from the Arab world, which often regarded them as traitors for living in Israel (MERIP, 2001, "Palestinian Arab").

Having lost their property and economic resources, IDPs faced particular difficulties in the first years after their displacement. Most of them had cultivated their land prior to their displacement, and they now had to compete with people in host communities for employment in a very difficult post-war economic situation (Al-Haj, September 1986, pp.656-661). Another major hardship faced by IDPs was that their land had been expropriated according to a 1950 law (see below, *Main laws affecting IDPs and their descendants*). Moreover, the institutions of the new state were designed to facilitate the growth of the Jewish nation, and the government focused on resettling the 600,000 Jewish refugees who arrived in Israel between 1947 and 1950 (Eban, 1978, p.144).

In 1949 the government started to rent abandoned land to IDPs in inhabited villages. IDPs who had settled in the villages of Maker, Jdeideh, Akrabeh and Wad Hamas rented land from the government and built homes with the help of the authority for refugee reinsertion. While in some cases the displaced rented land without problems, in many cases they faced opposition from Jewish neighbours or pressure from host communities. Also, many feared that renting other land would hurt their claim on their own land, and the proposed land was often of bad quality and too small (Cohen, Winter 2000, pp.53-56). Land was not only allocated to IDPs but also to members of the Druze community who had not been displaced, and to people close to the military government.

From 1950 to 1952, the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) assisted IDPs in Israel. UNRWA had been established in December 1948 to assist all those who were residents in Palestine in 1946 and who had lost their homes and livelihoods. In May 1952, largely as a result of American and UNRWA pressure, Israel notified the Director General of UNRWA that it agreed to take over the responsibility for "refugees" (i.e. IDPs) in Israel, and that UNRWA would be relieved of further responsibility towards them (Bligh, November 1994).

In August 1952 the Israeli government established a ministerial committee to develop a policy to deal with the Arabs displaced in Israel. The committee proposed that:

A general survey of the refugee problem should be carried out;

The Israeli government would temporarily provide welfare and jobs to the refugees [i.e. IDPs] until the upcoming final resolution of the problem;

No special governmental body would be established to take care of the refugees [i.e. IDPs]; they would be cared for by the appropriate governmental departments;

Those agencies, referred to above, would cooperate and coordinate activities with one another;

No other representative organisation of refugees [i.e. IDPs] would be allowed to function. If created it would not be recognised by the government;

The government's policy would be widely publicised to the Arab community (Bligh January 1998, p.129).

The Israeli government defined the following categories of Arab IDPs and refugees in the early 1950s: "(1) those who left Palestine for enemy countries during the fighting – they would not be allowed back; and (2) those who moved from their original places of residence but stayed within Israel; here again two types of refugees [i.e. IDPs] were identified: (a) those from villages which surrendered to the Israeli army, and (b) those from villages which had fought the Israeli forces. No clear decision was made on the operational steps to be taken, but the impression created by the document implied that the two categories would be allowed back; group (a) first and group (b) last" (Bligh January 1998, p.127).

The main preoccupation of Israel was security, and the government seemed to fear that the displaced Arab population would join hostile armies in a future war against Israel. As a result, its policies aimed:

1. To limit, as much as possible, the area inhabited by Arabs;
2. To avoid rebuilding destroyed Arab villages;
3. To refrain from establishing new Arab villages.

The consequence of this policy was the integration of the displaced into existing Arab communities and villages (Bligh January 1998, pp.129-130). According to the Israeli scholar Hillel Cohen, IDPs were mainly resettled according to the following criteria "(1) territory allotted was not within an area heavily populated by Jewish settlers; (2) it was never too close to existing Jewish settlements; and (3) it was deemed valueless to Jewish settlement and development" (Cohen, September 2000, quoted by BADIL, 23 April 2001).

According to Al-Haj, most of the IDPs were settled in their current communities during the first decade after the establishment of Israel. The government allocated a budget to secure employment for IDPs. For example, "[e]vidence in several documents in the Shefar-Am municipality showed the allocation of a number of "work days" for the municipality which were intended to provide employment on local projects for the heads of refugee [i.e. IDPs] households, supervised by the local authority. However these projects engaged only a small segment of the refugees"(Al-Haj, September 1986, pp.656-661).

Preparing for long-term settlement

During the late 1950s, IDPs began to prepare for long-term settlement, and many migrated from villages to urban centres in search of better economic opportunities. Some of the IDPs from the cities of Haifa, Akka, Jaffa, and the villages Sha'ab and Eilut, were allowed to return to their localities of origin, but they were only permitted to look for new housing there rather than to repossess their homes and property. A small number of displaced communities were able to rebuild their neighbourhoods on land beside their village of origin. For example, some people displaced from the village of 'Ayn Hawd in the Karmel area of the Galilee rebuilt homes adjacent to their original village which was settled by Jewish Israeli artists (Bokae'e, February 2003).

Since the 1960s, there has been very little movement between communities of IDPs. Economic disparities between them and the Arab communities who had not been uprooted tended to disappear in the following decades, particularly among the second generation, which had not experienced the difficulties of flight and settlement, and was in general more educated. In the 1980s, according to Al-Haj, IDPs also stopped seeing their displacement as temporary. This helped establish more stable relations with the local community and supported their social adjustment (Al-Haj, September 1986, pp. 656-661).

Main laws affecting IDPs and their descendants

Absentee Property Law (1950): The law by which the State acquired control of all the land and property left behind by people who fled during the 1948 war. Under the law people who had come back or were still in the country (such as IDPs) were defined as “present absentees” and lost their land. The Absentee Law established a committee which could return property from absentee custody; in a few instances it decided that absentees could have their land back, and in other cases granted very limited financial compensation. Decisions are based on general principles, including whether people were considered hostile to Israel. A 1995 Supreme Court decision underlined that releasing the land or offering compensation was the exception rather than the rule.

The Land Acquisition (Validation of Acts and Compensation) Law (1953): This gave authority to the Ministry of Finance to confiscate land for purpose of settlement and security, based on the condition that holders of the land were not occupying it at the time of the acquisition.

In 2009 the Arab Israeli NGO Adalah made available a [database which includes information on land ownership in Palestine in 1945](#), documenting Israeli land confiscation practices according to the Absentee Law of 1951 and the Land Acquisition Law of 1953.

Defence (Emergency) Regulation 125 (1945): This grants military commanders the authority to forcibly declare areas “closed” and so prevent anyone from entering or leaving them without special permission. This regulation was used to evacuate areas without compensation.

Agricultural Settlement (Restrictions on the Use of Agricultural Land and Water) Law (1967): This prevents Jewish leaseholders of State lands from sub-letting them to Palestinian Arabs.

Sources: Arab Association for Human Rights 2001, “Land and Planning”; IDMC Interviews, June 2009.

Remaining challenges

The UN does not consider that there are any IDPs in Israel, nor does the Israeli government. Some Palestinian and Arab Israeli NGOs claim that some 250,000 to 300,000 people should be called IDPs today in Israel, as well as several tens of thousands of Bedouin in the Negev. Israeli academics and newspapers have also referred to 150,000 to 200,000 IDPs. These estimates are based on multiplying the original number of IDPs by the natural growth rate of the Arab population in Israel. As displacement occurred over 60 years ago, most of those included in these estimates are in fact the children and grandchildren of people who were displaced. It is not clear whether both parents were displaced or just one.

SOURCE	FIGURE	COMMENT
Nir 8 January 2001, in Ha'aretz; Benvenist, 3 July 2003, in Ha'aretz	150,000-200,000	Journalists based the range on various available estimates
Cohen, 20 July 2001, e-mail correspondence with IDMC	150,000 (Bedouin community not included)	Hillel Cohen is an Israeli academic who wrote his Master's thesis on IDPs in Israel, and is also quoted by Palestinian advocates
ADRID, February 2000	250,000	This association of villages emptied in the context of the creation of the state of Israel bases this estimate on the fact that around one quarter of the Arab Israeli population was originally displaced

BADIL, May 2006, p.69	345,217	Aims to be comprehensive; based on the estimated average annual growth rate of Arab population in Israel
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The needs of those displaced from 1948 and of their descendants are very similar to the needs of other Arab citizens of Israel, except for the fact that they look for return or fair compensation as remedies. While Israeli Arabs enjoy greater political rights than in other states in the region, they are not provided with the same quality of education, housing, employment or social services as Jews. According to the National Insurance Institute, 42 per cent of Israeli Arabs live below the poverty line, compared with 20 per cent of the total population (ICG, 4 March 2004).

Today, only a fraction of the villages destroyed in 1948 are even visible as ruins. Most of them have been covered by forests, fields or settlements. Those displaced in 1948 and their families live today like the rest of the Arab Israeli population in Arab localities, the majority of them villages, or “mixed” towns which generally have distinct Arab and Jewish areas. Some live in distinct neighbourhoods of the Arab areas, which have been described as impoverished and overcrowded (Nir, 8 January 2001, in Ha’aretz; Schechla, October 2001,p.22).

Over 90 per cent of land in Israel is public domain under some form of government control and managed by the Israel Land Administration. Arab Israeli and international advocates, such as the Arab Centre for Alternative Planning, have claimed that the government issues disproportionately few building permits to Arab citizens, resulting in proportionately more building demolition orders against Arab-built structures (see for example ARABHA, 7 May 2008; COHRE & BADIL, May 2005).

Because they lost access to the property of their family in – often nearby – destroyed villages, and have often poor housing conditions in areas of resettlement, the children and grandchildren of those displaced in 1948 continue to advocate for their families’ property restitution, according to Wakim Wakim of the NGO ADRID (Wakim Wakim October 2001, p.34). After the 1993 Oslo accords, Arab Israelis seeking the right of return to their villages and towns of origin recognised told the Palestinian Authority (PA) not to negotiate in their name with Israel, afraid that the PA would make too far-reaching concessions on the right of return. In 1995, they founded ADRID, an umbrella organisation uniting thirty local committees of IDPs. Its members organise activities to strengthen the displaced persons’ sense of identification with their original villages. These include picnic outings to village grounds on Israel’s Independence Day, renovation of mosques, churches and cemeteries, and compiling documentary material on their villages. In 2008, a procession ended in clashes between demonstrators and security forces (US DOS, 4 February 2009).

For the life story of a board member of ADRID, see [\[Internal Link\]](#)

Refusal of restitution - the cases of Bir’em and Ikrit (Upper Galilee)

In 1948, the residents of the villages of Ikrit and of Bir’em were ordered from their homes by the Israeli army. What distinguishes them from the case of other Arab villages is that the Israeli state admitted that the inhabitants never resisted the advancing soldiers and that they were given an explicit promise by the army that they would be allowed to return (Cook, 9 October 2002; Ettinger, in Ha’aretz, 27 June 2003). To this day both villages remain closed security zones.

Between 1948 and 1997, various prime ministers and other ministers recommended that the government allow the villagers to return (USDos February 2001). In November 2001, the High Court of Justice – the Israeli Supreme Court - gave the government three months to submit a detailed plan for compensating the displaced villagers of both villages, involving lands that could

be given to the residents or compensation that it is prepared to pay (Jerusalem Post, 26 November 2001). However, the government did not submit such a plan and instead stated that: "The precedent of returning the uprooted to their village will be used for propaganda and political purposes by the Palestinian Authority ... [and] invite a considerable number of suits from all those who want to 'reopen' the War of Independence and its results." (quoted by Benvenisti, in Ha'aretz, 3 July 2003)

In 2003, the Israeli Supreme Court turned down the petition of the people of Ikrit. It ruled that the state's position, which rejects their return, touches on affairs in which the government has great latitude "and the arena of reasonableness granted to it is very broad" (quoted by Benvenisti in Ha'aretz, 3 July 2003). It also said that it would be appropriate, if there was a change in the political situation, to consider another solution that would allow the petitioners to settle in their village. The Supreme Court accepted the state's claim that Israeli interests, based on a combination of the current security situation and the Palestinians' persistent demand for the right of return of refugees, could not justify the return of the Ikrit inhabitants. The state won the case despite the promises made by previous governments to allow them to return. The court's decision concluded six years of hearings on the issue, and stated that former residents who are now Arab citizens of Israel will have the choice of receiving land elsewhere in the country or monetary compensation (Barkat, in Ha'aretz, 27 June 2003).

As of the end of 2009, the villagers from Ikrit and Bir'em still had not obtained to return to their former villages. For more on the subject, see [Committee for the Uprooted of Kafar Birem](#)

The situation of the Bedouin population in the south

The situation of the Bedouin population in the south

Background and causes of displacement

The Bedouin in the Negev (or Naqab) desert had reportedly largely adopted a sedentary way of life prior to the establishment of the state of Israel, "settling in distinct villages with a well defined traditional system of communal and individual land ownership" (HRW, March 2008). Until the establishment of the state, the Bedouin were, for the most part, the sole residents of the Negev (Adalah, April 2006). In 1949 Israeli authorities forced Bedouin communities in the Negev to concentrate into a smaller area known as the "Siyag", between the town of Beer Sheva and the Israel-Gaza border, where it declared military rule. Other communities were relocated to this zone until 1953. 11 of the 19 tribes who remained in Israel became internally displaced; the other eight tribes already inhabited the Siyag (HRW, March 2008). The army told the Bedouin that the move was temporary and that they would be allowed to return to their land within periods ranging from two weeks to six months, but they were never allowed to do so. According to Aref Abu-Rabia, a Bedouin scholar at Ben-Gurion University in the Negev: "A special permit had to be obtained from the authorities to enter or leave the area or to move within the region between one tribe and another. In this way, the authorities ensured that they had complete control over the Bedouin. Sheikhs, notables, and other friends of the authorities were given special permits which allowed them freedom of movement out of the closed area, on the condition that they returned to the tribe by evening." After the end of military rule in 1966, most of the Bedouin continued living in the former closed area (Abu-Rabia, November 1994, p.15). As a result, many internally displaced Bedouin created permanent settlements on the sites to which the army had moved them, while the other eight continued to live in their historic villages inside the Siyag (HRW, March 2008).

In the 1960s, state planners mapped all villages and towns to be included in Israel's first "master plan", but did not include Bedouin villages in the plan. As a result, according to Israel's National Planning and Building Law of 1965, the Bedouin settlements did not exist, and all buildings in these communities became illegal (HRW, March 2008). The law described the land on which the villages sit as non-residential and the land was claimed as government property.

Following the peace treaty between Egypt and Israel in 1979, some Bedouins who had stayed on their original lands had to resettle in exchange for compensation in another part of the Negev when a military airfield was constructed on their land.

From the 1970s to the 1990s, the Israeli government planned and built seven townships - Rahat, Tel Sheva, Segev Shalom, Arara B'Negev, Hura, Kseife and Lakiya - for the Bedouin, which included schools, clinics, and public spaces. About half of those who resettled into the government-planned townships had been displaced in the Siyag following the creation of the state of Israel. Most of the rest were people who did not own land (IDMC interviews, June 2009; COHRE, February 2008). According to advocates for the Bedouin, not enough consideration was paid to Bedouin lifestyle, tradition, or social relations when planning for the towns, nor was there enough participation of the Bedouin population (see for example Al-San'a, 26 May 2000). The government defended its policies towards the Bedouin, by saying that the government had offered the land in existing or in new towns free of charge, and that significant compensation was awarded to the affected Bedouins for any abandoned property, both in terms of land (construction and crop value) and in money. It also stated that compensation rates had risen dramatically since 2002 (CERD, 23 June 2005). In any case, only about half of the Bedouin population in the Negev agreed to move to the townships, while the other half remains in unrecognised settlements, which look like small shanty towns and generally do not receive municipal services (see below, *Living conditions and protection issues*).

In the late 1990s, the government tried a new tactic, as many Bedouin did not want to move into the new towns. It set up the Abu Basma Regional Council to represent some ten villages, which had until then been "unrecognised". According to the Abu Basma mayor, the Regional Council tried to include the Bedouin community in decision processes. Half of Abu Basma representatives are from relevant government ministries and authorities, and half are Bedouin representatives from all the villages. According to Human Rights Watch, representatives are appointed by government officials, rather than being democratically elected. The Abu Basma Regional Council also suffers from a dearth of Bedouin staff and is headed by a ministry-appointed Jewish mayor (HRW, March 2008). Today, some 30,000 people live in the Abu Basma villages, while 60,000 are in the still "unrecognised villages". The majority are not IDPs, but those living in unrecognised villages are at risk of displacement (see below, *Living conditions and protection issues*).

In 2005, the government adopted the National Strategic Plan for the Development of the Negev (2006-2015), also called "Negev 2015", the most comprehensive investment plan proposed to date to develop the Negev. The main goal seemed to attract some 200,000 new residents to the Negev. To a lesser extent, Negev 2015 paid special attention to the Bedouin, and allocated resources to their benefit, particularly in the areas of infrastructure and education, but only to bring them up to the most basic level. However, the plan only targeted the "recognised" villages. Another plan, *Beersheba Metropolis*, named after the Negev's main city, devoted considerable attention to the Bedouin, but again without offering a solution to those living in unrecognised villages. Israel's National Security Council (NSC) also issued recommendations to implement existing resolutions on the issue of Negev Bedouin, to the effect that the issue of the "unrecognised" villages was not dealt with again (IDMC interviews, June 2009; ADVA Centre January 2007; Humphries, 15 March 2008).

In December 2007, the "Goldberg Committee", headed by former state comptroller Eliezer Goldberg, was appointed by the Housing Ministry to examine the dispute over land ownership in

the Negev. Its recommendations, submitted at the end of 2008, included recognising some of the villages and moving others to different locations. It also recommended that some of the Bedouin land demands be met and in other cases to offer monetary compensation (Ha'aretz, 10 March 2009). However, one of the Bedouin representatives on the committee attached a minority opinion to the report that described the committee's conclusions as worse than the status quo (Ha'aretz, 15 December 2008). The Committee's recommendations had not been implemented as of the end of 2009.

In 1997, representatives of different unrecognised villages formed the Regional Council for the Unrecognized Villages of the Negev (RCUV). RCUV's main goal is the "unconditional governmental recognition of the Arab Bedouin (unrecognised) villages in the Negev", which implies social, economic and cultural equality with all citizens of Israel. RCUV raises awareness of the Bedouin plight and advocate for change through court cases, media campaigns, demonstrations, lobbying government and planning officials, and interventions at UN bodies (HRW, March 2008). According to local observers, RCUV mainly represents tribes which haven't been displaced (IDMC interviews, June 2009).

See also the [RCUV website](#).

As a result, there are several categories within the Bedouin population in the Negev, whose tribes have lived under different circumstances.

Those who have stayed on their land, but whose land was partly confiscated or their use restricted. Many of them live today in "unrecognised villages" viewed as illegal by the government. They are at risk of being forcibly displaced. A minority live in villages under the Abu Basma Regional Council.

Those who stayed on their land, and are the subject of land settlement attempts following the construction of the military airfield at Tel al-Malah in 1979.

Those who were relocated by the government to the closed zone in the Negev between 1948 and 1953, many of whom then settled in the seven townships built by the Israeli government between the 1970s and the 1990s.

(Abu-Rabia November 1994, pp. 15-16; IDMC interviews in the Negev, June 2009)

From 1998 to 2008, Israel's planning authorities allocated vast areas almost exclusively to Jewish families to create 59 individual farms in the Negev. According to Human Rights Watch, individuals were often allowed to establish the farms before securing building permits, and the farms were connected to water and electricity networks (HRW, March 2008).

Living conditions and protection issues

Whether living in recognised or unrecognised villages, the Bedouin are among the poorest and most marginalised citizens, at the bottom of all socio-economic indicators. The recognised Bedouin localities receive some government support, but not enough to raise its residents out of poverty. Although the towns offer better services than in their inhabitants' previous location, the level and quality of these services continue to be far inferior to those provided to Jewish towns. According to an International Crisis Group report, the Bedouin towns have become "breeding grounds for drug abuse and crime", and the government has neglected basic steps to improve living conditions (ICG, 4 March 2004).

Progress in the Abu Basma villages has also been slow, due to serious lack of funds and political will (HRW, March 2008). According to the Abu Basma mayor, land ownership is under the responsibility of the National Land Authority, while local infrastructure issues are under the Abu Basma Regional Council. Abu Basma is therefore caught between the state, which does not recognise Bedouin ownership of the land, and Bedouin who claim certain land, and do not want

infrastructure such as roads or schools to be built on that land (IDMC interviews, June 2009). Villagers remain very poor, and even for these villages, it can take years to get municipal services (see for example: Ha'aretz, 14 September 2009).

While residents of the unrecognised villages pay taxes, they are not eligible for the services, including water, and sewers, provided to recognised communities. Following appeals by advocates for the Bedouin, the courts have ordered the provision of limited health and education services. Professor Abu-Rafia notes some improvement over the years: "There are ten modern clinics serving the Bedouin population, in the urban and tribal settlements. [...]. There has been progress in the number of schools and teachers provided, the number of children in the schools, the attendance of girls, the awareness of parents of the importance of education, and the willingness of parents to send their children to schools" (Abu-Rafia, November 1994, p.16).

Nonetheless, Bedouin in unrecognised villages generally lack the most basic services, such as clean water, electricity and telephone services, access roads, public institutions, schools, and service, commercial and industrial areas (ADVA Center January 2007, pp.4-5). Surveys found the following:

Infant mortality among the Negev Bedouin is the highest in Israel, and Bedouin infant mortality rates increased over the past years (Lavie, in Haaretz, 30 January 2004, part I).

Bedouin children living in unrecognised villages are 2.4 times more likely to suffer from malnutrition than youngsters living in recognised villages (Ruth Sinai, Ha'aretz, 7 February 2005). Access to pediatricians, gynecologists and medication is very difficult, and 80 per cent of women in unrecognised villages do not have access to health care (Ha'aretz, 17 March 2009; Ha'aretz, July 2008).

Due to the lack of roads connecting the unrecognised villages, ambulances generally do not reach the villages and patients have to be brought by their families to the meeting point on the main road (IDMC interviews, June 2009; Lavie, Haaretz Daily 30 January 2004, part II).

In addition, Bedouin in "unrecognised villages" are under severe pressure of being forcibly displaced. Every year, the government orders the demolition of some 300 Bedouin homes and bulldozes them. According to local advocates, Bedouin families whose houses have been demolished strive to rebuild their homes in the same place (IDMC interviews, June 2009). The crops of Bedouin are also routinely destroyed, and until a 2004 Supreme Court injunction to halt this practice and a subsequent ruling banning it, the Israel Land Administration used to spray the crops with dangerous pesticide (Adalah June 2007, p.72).

Laws affecting the Bedouin population

Historically most of the Bedouin property was not registered with the British Land Registry Office. However, in practice, prior to the creation of the State of Israel, the British Mandatory authorities recognised the ownership of land by the Bedouin, and levied taxes on them on cultivated land. According to Abu-Rafia, "the reasons for non-registration of lands were fear of the burden of government taxes, abhorrence of revealing details of private property, and the fact that the Bedouin saw no sense in registering their property on paper as proof of ownership. At that time proof, quite simply, lay in the sword" (Abu-Rafia November 1994, pp.15-16).

Following the establishment of the state of Israel, three principal laws impacted on Bedouin land claims and facilitated confiscation by the state, turning the vast majority of the land in the Negev was turned into military zones and conservation parks:

The Land Acquisition (Validation of Acts & Compensation) Law (1953) states that land that was not in the possession of its owner in April 1952 could be registered as state property. It facilitated a massive transfer of lands in the Negev, since at the time the Bedouin had been transferred by the state into the Siyag. Although some tribes returned to their lands after the end

of the military rule, they found that, since the land was now registered with the state, they either had to lease it or “trespass”. Consent to lease has been taken in court as proof that the land was never theirs (Arab Association of Human Rights, 2001, “Negev”).

The Planning and Building Law (1965) created a hierarchy of planning bodies that drew up national, district and local master plans. The authorities did not acknowledge the existence of the populated Bedouin villages on the original master plans and zoned their land as agricultural (HRW, March 2008).

The Land Rights Settlement Ordinance (1969) classified all mawat lands (an Ottoman term, literally meaning “dead”) as state property, unless a formal legal title could be produced. Mawat land was defined as unworked and more than 1.5 miles from the nearest settlement. The last opportunity for the Bedouin to register their lands against mawat status was in 1921, at a time when their rights were not challenged by anyone. The category became a major means for expropriation in the Negev because although Israeli courts acknowledged that Bedouin had been living in the areas they claimed, they did not recognise Bedouin tents as constituting settlements in terms of the law. Further, they defined working the land as “changing it”, and did not recognise pastoralism. The law abolished all previous conflicting registrations.

The Negev Land Acquisition (Peace Treaty with Egypt) Law (1980) facilitated large-scale confiscations of Bedouin lands to build military bases and an airport in the wake of the peace treaty with Egypt. No appeal against the confiscation was allowed (Arab Association of Human Rights 2001, “Negev”).

Successive Israeli governments also passed laws to discourage Bedouin agriculture, such as the so-called Black Goat law in 1950, which prohibited anyone from raising flocks of black goats. This affected the Bedouin who herded black goats and used the hair to make tents (IRIN, 18 January 2007).

There is a wealth of literature on the situation of the Bedouin in the Negev. In addition to the documents quoted in the text above, IDMC found the following document particularly useful:

Ha’aretz, 2 November 2009, [Defend rights as well as sites, by Ala Mahajna](#) (ADALAH Attorney).

The Association for Civil Rights in Israel (ACRI), 3 July 2008, [Rights of the Arab Population in the Negev \(not definite title\) \[pdf\]](#) in Hebrew

Orli Almi, January 2006, [The Ramifications of House Demolitions in Israel on the Mental Health of Children, Physicians for Human Rights Israel](#)

Abu-Rabia, Aref, 2002, [“Negev Bedouin Displacement, Forced Settlement and Conservation”, in Conservation and Mobile Indigenous Peoples, Displacement, Forced Settlement and Sustainable Development](#)”, Edited by Dawn Chatty and Marcus Colchester, Berghahn Books New York Oxford, Chapter 11, pp.202-211, (reproduced here with the author’s permission).

Temporary displacement due to rockets launched from Gaza

Temporary displacement due to rockets launched from Gaza

For years, inhabitants of the town of Sderot in southern Israel, and to a lesser extent other communities, have been the targets of rockets launched from Gaza by Palestinian armed groups, in particular by the armed wing of Hamas. Thousands of rockets have been launched since 2001, killing 15 civilians inside Israel (HRW, 20 October 2009). As of the end of 2009, Sderot continued to be the target of sporadic attacks from Gaza-based groups.

During the 22-day Gaza conflict in December 2008 and January 2009, rocket attacks from Gaza killed four Israeli civilians and injured hundreds of people. According to the report of the UN Fact Finding Mission on the Gaza Conflict, "That there have not been more casualties is due to a combination of luck and measures taken by the Israeli Government, including the fortification of public buildings, the construction of shelters and, in times of escalated hostilities, the closure of schools."

In May 2007, over 250 rockets were fired into southern Israel, killing two civilians and reportedly causing the temporary displacement of some 10,000 people from Sderot to other parts of Israel, such as Eilat and Tel Aviv (IRIN, 18 May 2007). Houses and other property were destroyed or damaged in these and similar attacks (AI, 1 June 2007). Local mental health workers set up a 24-hour emergency centre to treat Sderot residents suffering from panic and anxiety attacks (IRIN, 18 May 2007). The few who had the resources to do so have resettled elsewhere.

See also:

Ha'aretz, 10 March 2009, [Sderot opens heavily fortified indoor children's playground](#)

Ha'aretz, 6 July 2008, [More proof of Sderot's exodus: Fewer births and fewer kids in school](#)

Ha'aretz, 8 June 2007, [Anxiety and anger, by Dr. Rony Berger](#)

Haaretz, 17 May 2007, [State prepares partial Sderot evacuation, by Aluf Benn, Amos Harel and Mijal Grinberg](#)

IRIN, May 2007, ["We can't keep running for ever"](#)

Major temporary displacement in northern Israel during 2006 Israel-Hezbollah conflict

Major temporary displacement in northern Israel during 2006 Israel-Hezbollah conflict

In July and August 2006, Hezbollah fired thousands of rockets into Israel, hitting northern Israel, and in particular the cities of Haifa, Kiryat Shmona, Safed, Karmiel, Tiberias and Nahariya. 1.5 million Jews and Arabs live in northern Israel and 300,000 people from both communities fled their homes to escape rockets fired on their towns and villages (Brookings, August 2006).

The conflict began with a cross-border Hezbollah raid and shelling, which resulted in the killing of eight Israeli soldiers and the capture of a further two. Israel held the Lebanese government responsible for the attack and launched an air and naval blockade, airstrikes throughout Lebanon and ground incursions in southern Lebanon. Hezbollah continued to launch rocket attacks into northern Israel, most of which appear to have been aimed at civilian areas and hit pedestrians, hospitals, schools, homes and businesses. They killed over 40 civilians and wounded hundreds

(AI, 23 August 2006; Israel MFA, 23 August 2006). As a result of the rocket attacks, life in northern Israel came to a standstill and more than 6,000 homes were damaged. The Israel Foreign Ministry reported that more than a million people who remained in the north during the conflict were forced to live in crowded, stuffy and dirty shelters (JBI, 15 August 2006, p.10).

Most of those displaced left for the centre and south of Israel. In the absence of a government evacuation system, people who fled the north did so independently, finding refuge with relatives or moving into hotel rooms, or with the help of NGOs such as Midgal Or and Orot Yessed and the Jewish diaspora (JBI, 15 August 2006; Brookings, August 2006). Private individuals in Israel and Jewish communities around the world sent thousands of food packages and millions of dollars to help the displaced (IRIN, 6 August 2006).

According to news sources, 40,000 small and medium sized businesses in the north stood empty during the war, and an estimated 110,000 employees were absent from their jobs during the war. According to the Federation of Israeli Chambers of Commerce, businesses in the North lost revenues of \$1.4 billion. In the southern part of the country, many families that took in IDPs temporarily had to deal with the space constraints and financial burden (JBI, 15 August 2006, pp.13-14; p.18). While the Israeli Prime Minister's Office established an agency to deal with the crisis, the government primarily relied on NGOs to care for the displaced (Ha'aretz, 24 August 2006). Following the conflict, the Israeli Tax Authority settled some 35,000 claims to business and individuals who had suffered damages, and the Israel Government Coordinator for the Reconstruction of Infrastructures and Institutions in Haifa and the North, set-up to coordinate between government ministries and local council, worked to accelerate infrastructure reconstruction (UNGA, 2 October 2006; Israel Prime Minister Office, 26 December 2006).

Following the conflict, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Representative of the UN Secretary-General on human rights of internally displaced persons, and the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, visited Israel and Lebanon and recommended among other things that the government of Israel "take appropriate measures to investigate whether equal treatment of Jewish and Arab citizens of Israel, in particular regarding compensation for damaged or destroyed property, access to free medical services and the construction of new and the upgrading of existing shelters and alarm systems, is ensured" (UNGA, 2 October 2006).

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