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State of the World's Minorities and Indigenous Peoples 2012 - Israel and the Occupied Palestinian Territory

Israel

There are approximately 1.2 million Palestinian Arab citizens in Israel, comprising 20 per cent of the total population. Of these, 82 per cent are Muslim, while the remainder are roughly split between Christians and Druze. There is deep institutional discrimination against Palestinian Arabs in employment, education and property ownership. Palestinian women face further discrimination, both as women and as members of a minority. Though Israel's Knesset has passed highly progressive laws on anti-discrimination and legal protection for women and disabled persons, such legislation does not cover discrimination against the Arab minority on the basis of ethnicity. According to various UN and local statistics, over half of Palestinian families are poor.

Palestinian citizens of Israel are deprived of access to and use of their land under laws aimed at confirming state ownership of land confiscated from Palestinians. In 2011 Adalah, an NGO and legal centre for Arab minority rights in Israel, published a report that points to the lack of development and investment in Arab towns and villages. Palestinian Arab towns and villages in Israel suffer from severe overcrowding, with Arab municipalities representing only 2.5 per cent of the total area of the country. Since 1948, 600 new Jewish municipalities have been established, whereas no new Arab village, town or city has ever been authorized.

In March 2011, HRW reported that the Knesset passed a law authorizing 'admissions committees' in small rural communities to filter out applicants on the basis of vague 'social suitability' criteria. HRW estimated that approximately 300 Jewish-majority communities will fall within the law's definition, although the practice is already common in many others. While the law's sponsors added a non-discrimination clause, statements made at the time indicated their intention to target Arab Israeli citizens. HRW foresaw that other marginalized groups, such as Jews of non-European origin, will be affected.

About 200,000 Bedouin live in the Negev Desert, where they are an indigenous people – a fact which is not recognized by the Israeli government. Since 1948, Israel has built dozens of Jewish towns, villages and farms, confiscated Bedouin lands and attempted to move them into specific planned townships. Israeli governments have recognized only a few Arab villages in the Negev, even though many were established before the state of

Israel. Israel does not recognize Bedouin ownership rights. On 11 September 2011, the Israeli cabinet decided to go ahead with the controversial 'Prawer Plan' which will result in the demolition of thousands of houses in the Negev and force 30,000 Bedouin from their ancestral lands and into townships. The Israeli government sees the plan as an attempt to end the long-standing dispute between the state and its Bedouin population. But the plan has been drawn up without any consultation with Bedouin communities and will in effect extinguish Bedouin land claims without adequate compensation. An MRG report published in December condemned the government's policy towards Bedouin not only as discriminatory but also as a violation of international human rights law. At year's end, the Knesset was expected to consider the enabling legislation soon.

During 2011, the Knesset passed other legislation adversely affecting Palestinian citizens of Israel. One law will lead to fines being imposed on any government-funded institution, including municipalities, that commemorates the 'Naqba', the Arabic term for the destruction of Palestinian villages and the expulsion of their residents following Israel's independence, and any expression deemed to 'negate the existence of Israel as a Jewish and democratic state'. While the law will most clearly affect municipalities, it could also harm attempts by arts groups and other cultural organizations to build bridges between communities through educational programmes.

During January 2012, the Israeli Supreme Court upheld the country's controversial Citizenship Law. According to the legislation, which began as a temporary order in 2002, Palestinians who live in the Occupied Palestinian Territory (OPT) or citizens of Arab countries that are considered 'enemy states' are not eligible for Israeli residency or citizenship if they marry Israeli citizens. Thousands of Palestinian families are thus forced to live apart, move abroad or live illegally in Israel.

The West Bank

Following the 1993 Oslo Accords, the West Bank was divided into three administrative divisions. Area C, comprising 60 per cent of the West Bank, is the Israeli-controlled and administered area. Around 150,000 Palestinians live in this area, alongside approximately 500,000 Israeli settlers. Minority groups include Bedouin who number around 25,000 people in Area C and 40,000 in the whole of the West Bank. The Israeli government has put aside 70 per cent of the land in Area C for settlements, firing zones, the separation barrier, checkpoints and nature reserves, and this land is therefore 'off-limits' to Palestinians.

In 2011, the Israeli authorities continued its practice of house demolitions and forced evictions in Area C and East Jerusalem, violating its obligation to respect the right to adequate housing. The UN Relief and Works Agency (UNRWA) reported that as a result of escalated demolitions by the Israeli authorities in the West Bank, over 4,000 people were either displaced or otherwise severely affected by demolitions during 2011. The vast majority of demolitions were carried out in Area C. In February 2011, for example, Israeli forces destroyed 6 homes and 21 animal pens in Khirbet Tana near Nablus, displacing about 6 families and affecting over 100 people who rely on agriculture for their livelihoods. It was the third time since January 2010 and the fourth since 2005 that the community had experienced large-scale demolitions.

The Israeli authorities continued to revoke residency permits of Palestinians living in East Jerusalem, and in August 2011 the Israeli government approved the construction of 1,600 new Israeli settler homes there. The decision should be viewed against a diplomatic backdrop; it came just weeks before the Palestinian Authority moved to have the Palestinian state recognized at the UN.

In recent years, opposition to the eviction of Palestinians from East Jerusalem has coalesced around the Sheikh Jarrah neighbourhood, located to the north of the Old City. Approximately 60 people have so far been evicted, often with minimal notice, and 500 others remain at risk of displacement. In May, the NGO Avocats sans Frontières issued a report in which it highlighted a key issue, namely the expansion of Jerusalem's municipal boundaries into areas considered by Palestinians as well as the UN to be occupied

territory. Thus, the evictions violate the Fourth Geneva Convention which prohibits occupying powers from displacing civilians or transferring groups belonging to its own population into occupied territory.

The Israeli authorities are developing plans to forcibly relocate Bedouin from Area C in 2012. Initially, 2,300 people will be relocated to a site bordering Jerusalem's biggest rubbish dump. It should be noted that attacks by Israeli settlers can also cause displacement. UNRWA noted for example that 19 Bedouin families – 127 people – decided in July 2011 to move from their Area C homes under fear of further settler attacks, citing lack of adequate protection. The forced displacement undermines Bedouin livelihoods as well as their tribal identity. EU country ambassadors noted in a joint report that settler attacks have increased dramatically from 266 reported incidents in 2010 to 411 assaults in 2011.

Under a planning system condemned as discriminatory by the UN, Israeli authorities have allocated only 1 per cent of Area C for Palestinian development. It is virtually impossible for Palestinians to obtain construction permits, while Israeli settlements receive preferential treatment in the allocation of water and land, and approval of development plans. Settlements built on privately owned Palestinian land and which do not have building permits rarely face demolition.

Several human rights agencies have highlighted the lack of access to safe drinking water. In a report published in December, the UN's Committee on Economic, Social and Cultural Rights (CESCR) noted the continuing destruction of local civilians' wells, roof water tanks, and other water and irrigation facilities, which forces many civilian to leave their home areas.

The CESCR also reported on Israel's continued gross violations of housing and land rights, in particular noting that the Israeli-controlled separation barrier along and within the West Bank has prevented Palestinian farmers from accessing their land and natural resources, affecting their right to work. In 2011, the UN Office for the Coordination of Humanitarian Affairs (OCHA) produced a report on the impact of the barrier on Palestinian communities which has cut off land and natural resources required for agriculture, negatively impacting rural livelihoods. Of particular note is the so-called Seam Zone or area between the Green Line (the pre-1967 boundary between Israel and the West Bank) and the barrier. Access to the Seam Zone by Palestinian farmers is through designated gates and depends on a cumbersome 'prior coordination' system. In the Biddu area, for example, some Palestinian communities have been cut off from almost 50 per cent of their agricultural land in the Seam Zone near the Giv'at Ze'ev settlement. One essential agricultural activity that has suffered is the olive harvest. In October, OCHA reported that the Israeli authorities were denying thousands of Palestinian farmers access to their olive groves in the Seam Zone either due to security reasons or an inability to prove ownership of land. The Israeli authorities have also reportedly been destroying Palestinian crops. The situation has increased food insecurity and impoverished herder communities who have lost access to water, according to the UN Special Rapporteur on the right to food, Olivier de Shutter.

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