

**Mandates of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the human right to a clean, healthy and sustainable environment; the Special Rapporteur on the right to food; the Special Rapporteur on the human rights of internally displaced persons; the Special Rapporteur on minority issues; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Special Rapporteur on the human rights to safe drinking water and sanitation**

Ref.: AL ISR 23/2024  
(Please use this reference in your reply)

17 December 2024

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur in the field of cultural rights; Special Rapporteur on the human right to a clean, healthy and sustainable environment; Special Rapporteur on the right to food; Special Rapporteur on the human rights of internally displaced persons; Special Rapporteur on minority issues; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and Special Rapporteur on the human rights to safe drinking water and sanitation, pursuant to Human Rights Council resolutions 52/10, 55/5, 55/2, 49/13, 50/6, 52/5, 52/36 and 51/19.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **recent demolitions in and forced displacement of residents from Umm al-Hiran, an unrecognized Bedouin village in Israel's Negev/Naqab region, and the systematic threats to Bedouin communities in the region.**

Reference is made to the previous communications raised by the Special Procedure mandate holders, through the letters [ISR 6/2013](#) dated 10 August 2013, [ISR 10/2014](#) dated 14 October 2014, [ISR 6/2019](#) dated 1 May 2019, [ISR 7/2020](#) dated 12 October 2020, and [ISR 12/2022](#) dated 1 June 2022. We regret that the Government of Israel has yet to respond to these letters and to the concerns expressed therein on the issue of forced evictions targeting the Bedouin minority, as well as demolitions and destruction of Bedouin property.

According to the information received:

*Context with regard to Bedouin land*

Bedouin communities in Israel, particularly in the Negev/Naqab region, have long faced legal and administrative challenges related to ownership of and control over land. Despite historical ties to their ancestral lands, most Bedouin villages remain unrecognized under Israeli law. This lack of recognition excludes these communities from official zoning and planning frameworks, leaving their homes and infrastructure deemed "illegal." As a result, residents of these villages, including Umm al-Hiran village, face constant threats of

eviction and demolition, and they are also denied access to basic services including safe drinking water and sanitation as well as reliable sources of electricity. Over the decades, Bedouin lands have been confiscated for state development projects, with no adequate consideration for the communities' historical claims or rights to the land.

The 1950 Absentee Property Law and the 1953 Land Acquisition Act have enabled state appropriation of Bedouin lands, rendering communities vulnerable to forced displacement. The 1965 Planning and Building Law requires construction permits, which are unattainable for residents of many Bedouin villages due to their non-recognition in State zoning frameworks. Even recognized villages face restrictive planning processes amidst demolition orders enforced by the Southern Administration for the Coordination of Land Laws and the Yoav Unit, which allegedly is a paramilitary police force that operates under the Ministry of National Security and is tasked to execute demolitions and enforce land-use laws in the Bedouin villages. This police force is also allegedly accused of racial profiling and discriminatory practices against Bedouin communities.

In 2017, the 'Kaminitz Law', a section in the Israeli Planning and Building Law, gave executive authorities the power to issue penalties such as demolition and stop work orders, the confiscation of building equipment and vehicles, and arrests—all without referring to the judicial system. That law led to increased fines and expedited demolitions, disproportionately impacting Bedouin families who cannot obtain permits or rebuild after demolitions, deepening poverty and displacement.

Over 305,000 Bedouin citizens reside today in diverse settlement types in the Negev/Naqab region, including 7 government-planned towns, 12 recognized villages, and 35 unrecognized villages. Currently, 100,000 people reside in the unrecognized villages.

In 2023, the South Enforcement Directorate ordered the demolition of a number of infrastructures, specifically housing, along with land grabbing in the Bedouin villages.

In the first half of 2024 alone, over 2,000 homes and structures have been demolished across Bedouin villages, out of which 3 villages have been erased.

#### *Background on Umm al-Hiran*

Umm al-Hiran was home to members of the Abu al-Qi'an tribe, who have lived in the area for generations. The tribe was displaced multiple times by Israeli authorities. In 1948, the community was forced to leave its land during the establishment of the state of Israel. In 1952, they were forced to move again when the Israeli government seized their land for military use, and in 1956, they were relocated to the Wadi Atir area, in which the residents built homes and farmlands, creating a community now known as Umm al-Hiran.

In 2003, the Israeli government approved plans to build a Jewish settlement called Hiran (later renamed Dror) on the land where Umm al-Hiran stood. This decision led to the first demolition orders for the homes in the village. These demolitions were delayed by legal challenges from the residents, who argued that they had a right to stay on their land.

In 2015, the Israeli Supreme Court ruled against the residents, allowing the government to move forward with the evictions. Despite legal appeals and protests, the residents of Umm al-Hiran were then relocated to the nearby government-planned township of Hūrah, which was already overcrowded and lacked enough housing or basic infrastructure to support them, as well as agricultural land to continue with their agricultural and traditional livestock farming practices.

The residents of Umm al-Hiran suggested alternatives, including being allowed to stay and integrate into the new settlement of Hiran, but their proposals were rejected.

In 2017, the Israeli State began to actively and forcefully transfer people from the village of Umm al-Hiran 8 km northeast to the town of Hūrah. A member of the Bedouin community in Umm al-Hiran was killed by Israeli police during a demolition attempt.

#### *Housing Demolitions, forced displacement, and relocation*

In September 2024, residents of the village of Umm al-Hiran received yet another set of evacuation orders from Israeli authorities set for the 10<sup>th</sup> to the 24<sup>th</sup> of November 2024.

As of November 2024, the entire village of Umm al-Hiran has been demolished and evacuated, and the entire community, reportedly between 200 and 350 residents, has been forcibly displaced, with no shelter, no adequate housing alternatives, and no agricultural land provided by the Israeli government. All of the homes, approximately 35, in addition to the shelter, were demolished by the owners and residents themselves so as to avoid the substantial fines imposed by the Israeli authorities for non-compliance with the demolition orders. So-called “self-demolitions” – i.e. demolitions undertaken by the owner of the concerned housing structure, following the issuance of a demolition order – amounted to 100% of all demolitions in Umm al-Hiran. These self-demolitions are reportedly caused by a situation of pressure and fear, as owners prefer to demolish the houses themselves to avoid the trauma of being subjected to demolitions carried out by the enforcement agencies and the potential criminal and economic sanctions that may follow. There are no known plans to provide adequate alternative housing and resettlement for those forcibly displaced.

#### *Irreversible destruction of religious and cultural heritage sites and ways of life*

On 14 November, the Israeli authorities demolished the village mosque, the last remaining structure, marking the final destruction of the village. The

displacement and relocation of the Abu al-Qi'an tribe have also disrupted their traditional way of life, including agricultural and pastoralism practices and community-centered living.

#### *Arrests of community members*

On 14 November, the Israeli police have reportedly arrested the head of the village council, along with two other council members from Umm al-Hiran, for several hours before the final stages of the demolition of the Mosque.

#### *Lack of meaningful consultation with and adequate information to affected persons and communities*

Despite multiple efforts by the community to engage with the authorities, their proposals for alternatives were not considered, including their request for integration into the new settlement of Dror. The relocation process has also been criticized by the residents for failing to provide adequate information or guarantees to affected families, as residents were not provided with sufficient details regarding alternative housing options, compensation, or measures to address the long-term implications of their displacement.

#### *Ongoing threats to other Bedouin villages in the Negev/Naqab region*

Bedouin villages in the Negev/Naqab region are under significant threat of displacement due to infrastructure and development projects, which are framed as promoting general welfare but reportedly prioritize Jewish settlements at the expense of Bedouin communities. Bedouin villages Al-Mkimin and 'Awajan are directly impacted by the construction of the "Goral Railway Line", which will sever their access to land and resources. Similarly, Rakhamah is threatened by the "Dimona-Yerucham Railway" project, obstructing its residents' access to services, farmland, family connections, and restricting future development opportunities for Bedouin communities. The villages of Umm Ratam and Al-Zarnouq are at risk from railway expansion projects and proposed Jewish settlements, while Ghazzah and Al-Fur'ah face home demolitions and agricultural losses due to railway development projects and plans for phosphate mining. Khashim Zannah and Bir Al-Hamam villages are threatened by the "Railway 6" expansion which will reportedly displace between 2,500 and 3,000 residents and affect 400 building structures. Eviction orders have already been issued to residents of Al Buqea, Umm Badun, and Ras Jaraba, the latter of which is home to over 500 residents and is under a court directive to vacate by the end of 2024 to enable Dimona's eastward expansion.

Additionally, plans to recognize Wadi al Na'am in a new location are expected to lead to demolitions, and the village of Tal Arad faces a similar fate, with eviction orders planned for 2025. Over 1,200 infrastructures across villages Wadi Al-Mshash, Wadi Al-Na'am, and Abu Tlul will reportedly be destroyed, and thousands will be displaced due to the privatized Ramat Beka military-industrial zone that has become a weapon-testing site as well.

Without prejudging the accuracy of the information received, we wish to express our serious concern about the discriminatory impact of home demolitions, forced evictions, lack of resettlement, lack of security of tenure, and arbitrary displacement of members the Bedouin community from their villages and productive lands in the Negev/Naqab region. Of particular concern is the irreparable damage these evictions may cause to the traditional ways of life of the Bedouins, their livelihoods, their specific cultural practices, their sense of community, and their relationship to their land. Further concerns are raised on the possible unbearable situation of homelessness and dispossession that could accompany the lack of housing security caused to the Negev/Naqab area residents including children, older persons, women, and other vulnerable groups. If these allegations were to be confirmed, they would amount to a violation of Israel's obligations under international human rights law.

In light of the multiple communications that Special Procedures mandate holders have sent to Israel expressing concern about forced evictions affecting the Bedouin minority in the Negev/Naqab region, we wish as well to express our concern that these allegations of forced evictions and threats of forced evictions constitute a pattern of illegal behavior which is prima facie incompatible with Israel's human rights obligations and may constitute criminal acts of domicile and persecution.

Concern is also expressed at the fact that the recent demolitions in Umm al-Hiran have resulted in the irreversible destruction of significant cultural and religious heritage. Furthermore, the experts are concerned about the recent reprisals, use of force, arbitrary arrests and detentions, for some incommunicado, of several Bedouin community members for what appears to be directly related to their legitimate exercise of their freedom of opinion, expression, association, and peaceful assembly and to their claims for respect for their rights to information and to participate meaningfully in public affairs, including by raising concerns and criticisms regarding the demolitions and forced displacement caused by these projects. While those arrested were released within hours, these arrests are perceived as an attempt to intimidate the community and deter resistance or advocacy.

We are also concerned that, according to the information received, Hūrah suffers from overcrowding, inadequate infrastructure, and limited access to essential services, leaving the displaced residents in dire conditions. The forced relocation disregarded the community's historical and cultural ties to Umm al-Hiran, as well as their traditional agricultural and livestock farming practices essential for their livelihood, hence, exacerbating social and economic marginalization, as well as leading to food insecurity and undermining the food sovereignty of the Bedouin community.

The allegations mentioned above underscore the alarming reality for people living in the Negev/Naqab region, who have also allegedly faced similar consequences for exercising their fundamental rights. Concern is also expressed at the lack of meaningful consultation with and adequate information to the affected persons and communities who reside in the Negev/Naqab region, including children, older persons, women, and other vulnerable groups. Moreover, we are concerned that the dispossession and displacement of Bedouin communities from their land severs their cultural, spiritual, and physical connection to their lands, territories and resources and

to what they consider to be “home”. This leads to a complex situation where inadequate housing conditions and homelessness, intersect with the mental despair caused by displacement. These imposed conditions, if confirmed, would be gravely infringing on the enjoyment and fulfilment of fundamental human rights of the Bedouin communities, including their right to an adequate standard of living, particularly their right to adequate housing, food, water and sanitation, land, and to a clean, healthy and sustainable environment.

Additionally, we would like to express our grave concern in regard to the health, safety, and environmental risks and hazards as well as the threats of demolitions and evictions accompanying the military-industrial zone that has been established across several Bedouin villages including Wadi Al-Mshash, Wadi Al-Na’am, and Abu Tlül.

Finally, we wish to reiterate our concerns about discriminatory laws and practices that undermine the housing and land rights of Bedouin communities in the Negev/Naqab region, thereby threatening their very existence in the Negev/Naqab region. Forced evictions, arbitrary housing demolitions, and forced displacement are contrary to both international human rights law and international humanitarian law, and we are concerned that the allegations described above may constitute an act of domicile (A/77/190). In our view, the evictions and demolitions faced by the Bedouin communities in Israel, particularly in the Negev/Naqab region, violate several human rights enshrined in the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the United Nations Declaration on the Rights of Peasants (UNDROP), and the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide any information about the planned evictions of the Bedouin community in the other villages, including detailed information about the disproportionately discriminatory impacts of these evictions on the Bedouins, why measures to avoid or reduce resettlement are not possible, when and how the concerned Bedouin communities were consulted and details concerning their planned resettlement (e.g. respective resettlement action plans), the provision of

long-term housing options, productive land and services provided at resettlement sites.

3. Please provide detailed information with regard to the arrests mentioned above and indicate the measures undertaken by the Israeli authorities to ensure the application of due process and the effective protection of the rights of the Bedouin communities before the law.
4. Please provide information concerning all measures that have been taken by your Government to ensure the effective protection and equal enjoyment by persons belonging to the Bedouin minority of their fundamental rights, including their right to an adequate standard of living, including the right to adequate housing and the right to food, the right to a clean, healthy and sustainable environment as well as their cultural rights.
5. Please clarify what measures were taken to identify feasible alternatives to the displacement of the affected communities, with due consideration for the traditional practices, including agricultural and farming practices, and food sovereignty of the Bedouin communities, why such displacement was considered unavoidable, and what measures were taken to ensure displacement was carried out in a manner that upheld the rights to life, dignity, liberty, security, and family life of those affected, in accordance with international human rights law and standards.
6. Please explain what measures your Excellency's Government has undertaken to ensure that no one is evicted into homelessness and that everyone receives an adequate compensation for any property or land lost, alongside all other relevant measures that have been taken or are envisaged to ensure durable solutions for those affected, including access to effective remedies and reparation for any human right violation experienced during displacement.
7. Please provide information on any specific measures taken by your Government to prevent the negative human rights impact of the evictions and home demolitions, including the rights of residents to adequate housing (both emergency shelter and long-term accommodation solutions), health, water and sanitation, food, education, cultural rights, and to not be arbitrarily displaced.
8. Please provide information on how the adequate right to remedies for those forcibly displaced has been sought to be ensured, especially including access to effective judicial remedies, and any steps taken to remove and amend the Kaminitz law to enable this.
9. Please clarify what measures were taken or are envisaged to provide protection and assistance to those displaced and evicted and ensure that they are resettled in conformity with international human rights law and standards, including alternative adequate housing, safe drinking

water, adequate food and medical services, other means of livelihood, and other forms of humanitarian and/or legal assistance.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Further, we would like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the present communication and the regular procedure.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

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## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to recall your Excellency's government's obligations under international human rights laws, norms and standards, as well as authoritative guidance on their interpretation.

The right of everyone to an adequate standard of living, including the right to adequate housing, the right to food, the right to water and sanitation, is protected under international law and is enshrined in article 25 of the Universal Declaration of Human Rights and article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Israel is a party since 3 October 1991. These articles must be read in conjunction with article 2.2 of the Covenant, which provides for the exercise of any right under the Covenant without discrimination of any kind, as well as article 17 of the International Covenant on Civil and Political Rights and article 16 of the International Convention on the Rights of the Child, which provide for protection against unlawful interference or attacks against one's home. Along similar lines, article 5 of the International Convention on the Elimination of Racial Discrimination requires States to ensure equality before the law, including with regard to the enjoyment of the right to housing and the right to own property alone as well as in association with others.

We would also like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), ratified by your Excellency's Government on 3 October 1991. We recall in particular article 26, which states that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. Article 27 of ICCPR provides that in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, "to enjoy their own culture, to profess and practice their own religion, or to use their own language". This is strengthened by article 15 of the ICESCR, which recognizes the right of everyone to take part in cultural life. As stressed by the Committee on Economic, Social and Cultural Rights, article 15, paragraph 1(a), of "the Covenant also includes the right of minorities and of persons belonging to minorities to take part in the cultural life of society, and also to conserve, promote and develop their own culture. This right entails the obligation of States parties to recognize, respect and protect minority cultures as an essential component of the identity of the States themselves. Consequently, minorities have the right to their cultural diversity, traditions, customs, religion, forms of education, languages, communication media (press, radio, television, internet) and other manifestations of their cultural identity and membership". (General comment 21, para. 32).

We recall the concluding observations that the Committee on the Elimination of Racial Discrimination addressed to Israel in which concerns were expressed about house demolitions and the ongoing transfer of Bedouin communities to temporary locations, the absence of meaningful participation of and consultation with Bedouin communities in the formulation of such plans affecting their access to land and housing, as well as the substandard living conditions in both the unrecognized villages and the recognized townships (CERD/C/ISR/CO/17-19, 2020). We also recall the

concluding observations that the Committee on Economic, Social and Cultural Rights addressed to Israel in which concerns were expressed about, among others, the eviction of Bedouin people from unrecognized villages in the Negev Desert and their forced relocation to recognized Bedouin townships, as well the substandard living conditions in both the unrecognized villages and the recognized townships, which are characterized by very limited access to adequate housing, water and sanitation facilities, electricity and public transportation (E/C.12/ISR/CO/4, 2019).

We furthermore wish to refer to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the General Assembly in 2007, which elaborates upon existing binding rights in the specific cultural, historical, social and economic circumstances of indigenous peoples. These fundamental human rights include equality and non-discrimination, life and personal integrity, culture, health and property, all of which are recognized in the principal human rights treaties. Article 10 of the UNDRIP provides that “indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, and where possible, with the option of return”. Article 31 states that “indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions” and accordingly “in conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.”

We would also like to bring to your Excellency’s Government’s attention the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which refers to the obligation of States to protect the existence and the identity of minorities within their territories and to adopt the measures to that end (article 1), as well as to adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination and in full equality before the law, and to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop, inter alia, their culture, traditions and customs (article 4). Article 4.1 establishes that “States will take measures where required, to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law”. The declaration further provides that national policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities (article 5).

In its general comment No. 4, the Committee on Economic, Social and Cultural Rights has stated that the right to housing should not be interpreted in a narrow or restrictive sense by assigning to it a meaning of “merely having a roof over one’s head”, but it should rather be seen as the right to live somewhere in security, peace and dignity. The Committee has also underscored the State’s obligation to ensure security of tenure and legal protection against forced eviction, harassment, and other threats, “notwithstanding the type of tenure”, including (as the Committee has stated) “owner-occupation, emergency housing and informal settlements, including occupation of land or property” (paragraphs 7 and 8). In its general comment No. 7, the Committee concluded that forced evictions are “prima facie incompatible with the requirements of the Covenant” and are performed “against the will of individuals

families and/or communities” and “without the provision of, and access to, appropriate forms of legal or other protection” (general comment No. 7, paragraphs 1 and 3). Hence, forced evictions are a gross violation of the right to adequate housing and may also result in violations of other human rights, such as the right to life, the right to security of the person, the right to non-interference with privacy, family and home and the right to the peaceful enjoyment of possessions. Paragraph 15 of the same general comment provides that if an eviction is to take place, procedural protections are essential, including, among others, genuine consultation, adequate and reasonable notice, alternative accommodation made available in a reasonable time, and provision of legal remedies and legal aid. Under no circumstances should evictions result in homelessness nor vulnerability to the violation of other human rights (paragraph 16), and the State party must take all appropriate measures to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available to affected individuals, where they are unable to provide for themselves. We wish to underscore that, notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. Furthermore, evictions are only legitimate under international human rights law if they strictly comply with the Basic Principles and Guidelines on development-based Evictions and Displacement (A/HRC/4/18, annex).

The basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I), further state that urban planning and development processes should involve all those likely to be affected and should include: appropriate notice to all potentially affected persons that eviction is being considered and that there will be public hearings on the proposed plans and alternatives; effective dissemination by the authorities of relevant information in advance, including proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups; a reasonable time period for public review of, comment on, and/or objection to the proposed plan; opportunities and efforts to facilitate the provision of legal, technical and other advice to affected persons about their rights and options; and holding of public hearing(s) that provide(s) affected persons and their advocates with opportunities to challenge the eviction decision and/or to present alternative proposals and to articulate their demands and development priorities. Moreover, these Principles and Guidelines underscore that States must give priority to exploring strategies that minimize harm. Comprehensive impact assessments should be carried out prior to the initiation of any project that could result in development-based evictions and displacement, with a view to securing fully the human rights of all potentially affected persons, groups and communities, including their protection against forced evictions. The State must make provision for the adoption of all appropriate measures, to the maximum of its available resources, especially for those who are unable to provide for themselves, to ensure that adequate alternative housing, and resettlement, is available and provided.

We also recall the concluding observations that the Committee on Economic, Social and Cultural Rights addressed to Israel in which concerns were expressed about, among others, the eviction of Bedouin people from unrecognized villages in the Negev Desert and their forced relocation to recognized Bedouin townships, as well the substandard living conditions in both the unrecognized villages and the recognized townships, which are characterized by very limited access to adequate

housing, water and sanitation facilities, electricity and public transportation (E/C.12/ISR/CO/4, 2019).

We recall the explicit recognition of the human rights to safe drinking water by the UN General Assembly (resolution 64/292) and the Human Rights Council (resolution 15/9), which derives from the right to an adequate standard of living, protected under, inter alia, article 25 of the Universal Declaration of Human Rights, and article 11 of ICESCR. In its general comment No. 15, the Committee on Economic, Social and Cultural Rights clarified that the human right to water means that everyone is entitled to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. Furthermore, the UN General Assembly (resolution 70/169) and the Human Rights Council (resolution 33/10) recognized that water and sanitation are two distinct but interrelated human rights. In particular, we recall explicit recognition that “the human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity, while reaffirming that both rights are components of the right to an adequate standard of living”. In this regard, we would like to refer to the Special Rapporteur on the human rights to water and sanitation report, A/HRC/51/24, in which he recommended Member States to recognize in national legislation the existence of Indigenous Peoples within their borders and their collective rights to lands, territories and natural resources, including aquatic ecosystems, with legal communal ownership of the lands, resources and water rights in their territories.

ICESCR requires States to “take appropriate steps to ensure the realization of the right to food” (article 11.1). While article 11(1) is subjected to progressive realization to the maximum of States available resources, article 11(2), provides “the fundamental right to freedom from hunger and malnutrition”, which is of immediate application. In interpreting this provision, the Committee on Economic Social and Cultural Rights (Committee) stressed in its general comment No. 12 that the core content of the right to adequate food refers to the possibilities either for feeding oneself directly from productive land or other natural resources, or for well-functioning distribution, processing and market systems (para. 12). Thus, the right to food entails both economic and physical accessibility of food, as well as the sustainability of food access for both present and future generations (para. 7). Additionally, general comment 12 further underlines, the obligations to respect existing access to adequate food requires State parties and to refrain from taking any pressures that result in preventing such access. The obligation to protect requires measures by the state to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. The obligation to fulfil (facilitate) means the state must pro-actively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including their access to land in order to ensure their food security (para. 15.) Whenever an individual or group is unable, for reasons beyond their control, to enjoy the right to adequate food by the means at their disposal, States have the obligation to fulfil (provide) that right directly.

We further wish to draw the attention of your Excellency's Government to CESCR's general comment No. 26 on land and economic, social and cultural rights,

which emphasizes the essential role of land in the realization of a range of rights under ICESCR. In fact, the secure and equitable access to, use of and control over land for individuals and communities can be essential to eradicate hunger and poverty and to guarantee the right to an adequate standard of living, including the right to food and to adequate housing, as housing is often built on land used for the purpose of food production. Without such access, people could be subject to displacement and forced eviction, which could violate their right to adequate housing. Additionally, the Committee underlines that agrarian reform is an important measure to fulfil such rights, as more equitable distribution of land through agrarian reform can have a significant impact on poverty reduction and improve food security, since it makes food more available and affordable, providing a buffer against external shocks (para. 36). Such redistribution of land and agrarian reforms should focus particularly on the access to land of young people, women, communities facing racial and descent-based discrimination and others belonging to marginalized groups and should respect and protect the collective and customary tenure of land. Therefore, States parties shall put in place laws and policies that allow for the recognition of informal tenure through participatory, gender-sensitive processes, paying particular attention to tenant farmers, peasants and other small-scale food producers (para. 39).

General comment No. 36 on the right to life adopted by the Human Rights Committee states that measures called for addressing adequate conditions for protecting the right to life include, where necessary, measures designed to ensure access without delay by individuals to essential goods and services such as food. The Human Rights Committee recognized that the right to life should not be interpreted narrowly, noting that it places not only negative obligations on States but also positive obligations to ensure access to the basic conditions necessary to sustain life. It has affirmed that measures that restrict access to basic and life-saving services, such as food, are contrary to article 6 of ICCPR that protects the right to life.

Furthermore, we would like to draw the attention of your Excellency's Government to provisions in the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), which Israel ratified on 3 January 1979. Article 1(1) of ICERD defines racial discrimination as "any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life." Article 5 makes clear that State parties must, in compliance with the fundamental obligations laid down in article 2 of this Convention, undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law.

We would wish to bring the attention of your Excellency's Government to the recommendations of the third session of the Forum on Minority Issues on "Minorities and effective participation in economic life" (2010). Recommendations include that Governments should review, with the full and effective participation of minority groups, the extent to which minorities have equal access to land and security of land and property rights. Furthermore, the Forum on Minority Issues recommended that strategies for improving security of land rights for minorities must be based on the principle of free, prior and informed consent to actions that would have an impact on

the rights of minorities.

In December 2018, the General Assembly adopted the United Nations Declaration on the Rights of Peasants (UNDROP). Article 6 of UNDROP guarantees peasants and other people working in rural areas the right to life, liberty, and personal security. This includes protection from violence, harassment, intimidation, and arbitrary detention, particularly when defending their rights, land, and resources. States are obligated to take measures to prevent and punish violence against peasants, including actions by private actors such as corporations or landowners. States must also ensure that peasants can safely exercise their human rights, including their right to peaceful protest, without fear of retaliation. In partnership with rural communities, states should adopt legal frameworks and policies that safeguard personal security and uphold the rule of law, ensuring that peasants and rural workers live free from threats and can fully participate in society. These protections are crucial to maintaining the dignity and safety of rural populations as they engage in the defence of their livelihoods and territories.

In addition, article 15 of UNDROP affirms the right of peasants and other people working in rural areas to land, water, and other natural resources essential for their livelihoods. This includes the right to access, use, and manage these resources sustainably and equitably, based on traditional practices and in ways that preserve the environment for future generations. States are obligated to protect these rights by ensuring that peasants are not arbitrarily deprived of their land or resources, preventing land grabbing, and promoting equitable land distribution. Article 15 also calls on states to respect customary land tenure systems, recognize collective land ownership, and provide legal protection against forced evictions and displacements. Additionally, states must support peasants in their efforts to sustainably manage natural resources, ensuring that land and resource policies align with the principles of equity, sustainability, and human rights. By securing access to land and resources, article 15 aims to promote rural development, food security, and the environmental stewardship of rural communities.

We would also like to recall one of the latest reports of the current Special Rapporteur on the right to adequate housing dedicated to the Human Rights Council (A/HRC/55/53) in which the Special Rapporteur called upon States to “recognize in law, policy and practice that all human beings have a right to remain where they live and that, if they are forced to leave, they have a right to return, or, where return is not feasible or desired, a right to resettlement that is fully consistent with international human rights norms and standards”. Resettlement must be treated as a last option to be resorted to when it becomes unavoidable. Resettlement should never unlawfully restrict the freedom of choice of residence. Nobody should be forced to resettle in a particular location or community. Resettlement must comply with human rights standards, be proportionate, avoid recourse to force and ensure benefit-sharing through negotiated agreements with affected persons. In his second report on resettlement, the Special Rapporteur further noted that intentional displacement and the concomitant resettlement of communities in the name of development is no longer acceptable from a human rights perspective, and that resettlement should be permitted only in cases in which it is called for due to overwhelming and persistent threats to the survival of communities such as those resulting from conflict or climate change (A/79/317).

Moreover, we wish to underscore that the systematic or widespread destruction of housing, including of informal settlements, may amount to “domicide” if they form part of an attack directed against any civilian population. In the report on the right to adequate housing during violent conflict, the Special Rapporteur on the right to adequate housing established that the deliberate destruction of homes may also constitute a crime against humanity (A/77/190). He also called upon States to establish and enhance “participation mechanisms for affected communities and victims of housing rights violations, including ethnic or religious minorities” in order to “understand and address their distinct and unique vulnerabilities and risks.” He also called upon government officials and military and security forces to ensure that their actions “are compliant with international humanitarian law, international human rights law and international criminal law.”

In addition to the above, we would like to recall another report by the Special Rapporteur on the right to adequate housing on spatial segregation (A/HRC/49/48) in which the Special Rapporteur called upon States to “refrain and desist from actively pursuing segregationist policies and practices, resulting in the violation of the right to adequate housing and the prohibition of discrimination.”

In her 2012 mission to Israel and the Occupied Palestinian Territories, the former Special Rapporteur on the right to adequate housing raised concerns and reservations about the planning and zoning policies and she addressed, in particular, the situation of the Bedouin minorities, including in relation to dispossession, displacement and eviction, and, limitations on access to judicial review and remedies, as well as the issue of settlements (A/HRC/22/46/Add.1).

We also wish to refer to Human Rights Council resolution 48/13 of 8 October 2021 and General Assembly resolution 76/300 of 29 July 2022, which recognize the right to a clean, healthy and sustainable environment as a human right.

We would also like to bring to the attention of your Excellency’s Government the Framework Principles on Human Rights and the Environment as detailed in the 2018 report of the Special Rapporteur on human rights and the environment (A/HRC/37/59). The principles state that States should ensure a safe, clean, healthy and sustainable environment in order to respect, protect and fulfil human rights (principle 1); States should respect, protect and fulfil human rights in order to ensure a safe, clean, healthy and sustainable environment (principle 2).

States should ensure that they comply with their obligations to indigenous peoples and members of traditional communities, including by: a) Recognizing and protecting their rights to the lands, territories and resources that they have traditionally owned, occupied or used; b) Consulting with them and obtaining their free, prior and informed consent before relocating them or taking or approving any other measures that may affect their lands, territories or resources; c) Respecting and protecting their traditional knowledge and practices in relation to the conservation and sustainable use of their lands, territories and resources; d) Ensuring that they fairly and equitably share the benefits from activities relating to their lands, territories or resources (principle 15).

We would finally like to refer to the Guiding Principles on Internal Displacement of 1998 (E/CN.4/1998/53/Add.2), which establishes that every human being shall have the right to be protected against being arbitrarily displaced from his or her home, including due to serious violations of human rights, discrimination and fear of persecution (principle 6). Guiding principle 7(1), establishes that “Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether”. Guiding principle 7(2) also stipulates that “The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated”; and guiding principle 7(3) states that “(b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation; (c) The free and informed consent of those to be displaced shall be sought; (d) The authorities concerned shall endeavor to involve those affected, particularly women, in the planning and management of their relocation; (f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected. The Guiding Principles further state under guiding principle 9 that “States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.”