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Shadow Report to the Human Rights Committee (ICCPR)

(Occupied Palestinian Territory – West Bank)

Systematic Violations of the Civil and Political Rights of Palestinian Bedouin Communities in Area C

Submitted by:

Al-Baidar Organization for the Defense of Bedouin Rights
In cooperation with Lawyers for Justice

Reporting Period: 2025 – 2026

Geographic Focus: Area C of the West Bank



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Introduction

1. This report is submitted by the Al-Baidar Organization for the Defense of Bedouin Rights¹, in cooperation with Lawyers for Justice², to the Human Rights Committee in the context of its 145th session, in support of its mandate to assess the extent of the State of Israel's compliance with its obligations under the International Covenant on Civil and Political Rights (ICCPR) with respect to Palestinian Bedouin communities residing in Area C of the occupied West Bank. These communities constitute one of the most marginalized population groups and are exposed to policies and practices that directly affect their enjoyment of the civil and political rights guaranteed under the Covenant³.
2. The report focuses on a range of violations affecting the core of civil and political rights, particularly the right to non-discrimination and equality before the law, the right to life and bodily integrity, the prohibition of cruel, inhuman, or degrading treatment, the rights to liberty and personal security, freedom of movement, and respect for private life, family, and home, in accordance with Articles 1, 2, 6, 7, 9, 12, 17, 20, and 26 of the Covenant.
3. The report relies on direct field documentation conducted by Al-Baidar within dozens of Bedouin communities, including testimonies from affected residents and legal consultations, in addition to a review of reports issued by Palestinian and Israeli civil society organizations, United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the Office of the High Commissioner for Human Rights (OHCHR), and relevant UN agencies, as well as analysis of periodic reports submitted by the State of Israel and the Committee's concluding observations.
4. The documented evidence indicates that Israeli policies and practices in Area C do not constitute isolated incidents or temporary measures. Rather, they operate as interconnected elements within an integrated structural system based on discriminatory land-use planning, denial of recognition and services to communities, and extensive restrictions on movement, alongside escalating settler violence occurring in the absence of accountability, thereby creating a coercive environment that gradually compels residents to leave in practice⁴.
5. The report highlights a significant gap between the State party's official narrative, affirming respect for rights and the application of a single legal framework to all residents—and the reality documented through testimonies and data, which demonstrate entrenched patterns of discrimination in access to land, planning, infrastructure, and legal protection, as well as a systematic failure to provide effective remedies or accountability.
6. It should be noted that this report does not claim to provide an exhaustive account of all violations; rather, it focuses on the most persistent and serious patterns revealed by the documentation process, while acknowledging that movement restrictions and fear of reprisals limit victims' ability to provide testimony freely. Accordingly, the information presented should be understood as representing the minimum threshold of violations occurring on the ground⁵.

1 Al-Baidar Organization for the Defense of Bedouin Rights is a Palestinian civil society organization concerned with documenting violations against Bedouin and pastoral communities in the West Bank, particularly in Area C. It conducts field monitoring and advocates for the rights of these communities before national and international bodies.

2 Lawyers for Justice is a Palestinian human rights organization that works to strengthen the rule of law and protect human rights through legal representation, strategic litigation, documentation, and accountability efforts.

3 International Covenant on Civil and Political Rights (ICCPR), 1966.

4 See: reports of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) concerning the coercive environment and forcible transfer in Area C of the occupied West Bank, which indicate that demolition policies, planning restrictions, movement limitations, and the seizure of basic infrastructure create a coercive environment that pushes Palestinian Bedouin communities to relocate without formal eviction orders. <https://www.ochaopt.org>

5 Reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory documenting the shrinking civic space and the targeting of civil society organizations, journalists, and human rights defenders through raids, arrests, and harassment, which directly limits the ability to monitor and document violations. United Nations documentation from affected communities also notes reports of reprisals, with some victims or witnesses refraining from providing testimony or documentation due to fear of retaliation. Office of the High Commissioner for Human Rights (OHCHR), Human rights office: OPT conflict and threats severely undermine crucial work:

7. The report also gives particular analytical attention to the period following 7 October 2023, in light of the observed escalation in both the frequency and severity of violations, including accelerated demolition and eviction operations, the expansion of settler attacks, and intensified restrictions on movement and access. This has raised the level of insecurity among residents in Area C and increased the pace of displacement. Several international bodies have warned that this situation amounts to de facto forcible transfer and unlawful displacement prohibited under international law.⁶



2. General Context of Bedouin Communities in Area C

1. Palestinian Bedouin communities constitute one of the indigenous population components in the occupied West Bank, with a long-standing historical presence and a close connection to land and natural resources. The majority of these communities are concentrated in Area C, which comprises approximately 60% of the West Bank and remains under full Israeli administrative and military control pursuant to military orders⁷. Estimates by Al-Baidar Organization indicate that nearly 88% of Palestinian Bedouin communities live within this area.
2. Demographic estimates reveal a clear gap between available official data and civil society estimates. The United Nations Development Programme (UNDP) estimates the Bedouin population in the West Bank at approximately 40,000 persons (2017). In contrast, local organizations, including Al-Baidar, estimate the number at approximately 400,000 individuals living across at least 212 Bedouin communities. This discrepancy reflects the absence of any official census within these communities due to marginalization and access restrictions imposed upon them.
3. The roots of many of these communities are linked to forced displacement in 1948, when Bedouin families were uprooted from various regions of historic Palestine and later settled in the West Bank without receiving any stable legal status or formal recognition⁸. Since 1967, these communities have been subjected to a planning and administrative regime that does not recognize most of them and does not allow them to prepare planning schemes or obtain building permits, rendering their homes and basic structures permanently vulnerable to demolition and confiscation⁹.
4. This reality intersects with the ongoing expansion of settlements and settlement outposts around Bedouin communities and the accompanying restrictions on access to land, grazing areas, and traditional routes. This undermines the ability to maintain traditional livelihoods and weakens community stability. These communities also suffer from chronic shortages in essential services, including water, electricity, and education, as well as restrictions on infrastructure development and movement, resulting in fragile living conditions that disproportionately affect women, children, and the elderly.
5. Official maps and independent documentation show that Bedouin communities are spread across a wide geographic area extending from the northern Jordan Valley to the southern Hebron Hills and East Jerusalem. However, many of these communities do not clearly appear on

<https://palestine.un.org/en/270234-un-human-rights-office-opt-conflict-and-threats-severely-under-mining-crucial-work>
UN Secretary-General report on reprisals against persons cooperating with UN human rights mechanisms, A/HRC/42/30, para. 125:
<https://endreprisals.ohchr.org/sites/default/files/documents/AHRC42305152611S19VWXV.pdf>

- 6 Forcible transfer is defined as "the permanent or temporary removal of individuals, families, or communities from the homes or lands they occupy, against their will and without access to appropriate forms of legal or other protection."
- 7 The Oslo II Agreement (1995) divided the West Bank into Areas A, B, and C, with Area C remaining under full Israeli civil and military control. See also: OCHA reports (previously cited).
- 8 Ahmad Heneiti, Bedouin Communities in Greater Jerusalem: Planning or Forced Displacement?, Institute for Palestine Studies: <https://www.palestine-studies.org/en/node/198347>
- 9 Majdi al-Maliki, Settlement Violence and Spatial Fragmentation: The Judaization of the West Bank, Journal of Palestinian Studies, Fall 2025.

official or digital maps¹⁰, which reflects a gradual spatial erasure of their presence and deepens the institutional marginalization they experience.



3. Legal Framework and Applicability of the Covenant to Area C

Al-Baidar Organization and Lawyers for Justice affirm that the position of the State party regarding the applicability of the International Covenant on Civil and Political Rights (ICCPR) to the occupied Palestinian territory lacks legal basis. As stated in Israel's fifth periodic report (2019), the State maintains that the Covenant is "territorial in nature" and does not apply outside its borders¹¹. The Human Rights Committee has repeatedly rejected this interpretation, including in its concluding observations on Israel's fourth periodic report in 2014, confirming that the State party's obligations extend to the occupied Palestinian territory.¹² The Committee reiterated this position again in its concluding observations in 2022, considering that Israel's insistence on limiting the Covenant's application to its sovereign territory contradicts both the nature of the Covenant and the Committee's consistent interpretation of its scope.¹³

Relying on General Comment No. 31 concerning the nature of States parties' legal obligations, particularly paragraphs 10 and 11, the Committee emphasized that a State's obligations under the Covenant are not confined to its formally recognized sovereign territory but extend to all persons under its effective control, even when located outside its borders.¹⁴ The Committee further clarified that the absence of sovereignty over territory or the existence of a dispute concerning final status does not exempt a State from preventing violations and ensuring the enjoyment of rights for all individuals affected by its conduct.

This position was reinforced by the 2004 Advisory Opinion of the International Court of Justice concerning the legal consequences of the construction of the wall, which affirmed unequivocally that the Covenant, alongside other core human rights treaties, applies to the West Bank, including Area C, and that international humanitarian law does not displace or suspend human rights obligations but operates concurrently with them during occupation.¹⁵ The Court also stressed that Israel remains responsible for respecting human rights so long as it exercises effective control over the territory and population,¹⁶ which fully applies to Bedouin communities in Area C.¹⁷

Accordingly, Al-Baidar Organization and Lawyers for Justice consider that Israel's continued attempt to separate international humanitarian law from international human rights law, and to deny the Covenant's applicability in occupied territory, constitutes a systematic effort to avoid legal protection owed to the Palestinian population. The factual reality on the ground demonstrates effective control based on international law, including the authority to administer the territory, issue military orders, impose movement restrictions, regulate land use, and transfer settlers, all exercised in the absence of effective remedies. Together these elements amount to direct and effective jurisdiction and control, triggering the full application of the Covenant to the occupying power.

Accordingly, Al-Baidar Organization and Lawyers for Justice request that the Committee reaffirm, in its concluding observations, the applicability of the International Covenant on Civil and Political Rights to all territories under effective jurisdiction and control of the State party, including the occupied Palestinian territory, in accordance with the Committee's established interpretation and the opinions of the International Court of Justice. They further call on the Committee to require

10 Reports by 7amleh – The Arab Center for the Advancement of Social Media: <https://7amleh.org/msa/>

11 State of Israel, Fifth Periodic Report to the Human Rights Committee, 2019 (CCPR/C/ISR/5), paras. 22–25.

12 Human Rights Committee, Concluding Observations on the Fourth Periodic Report of Israel, 2014 (CCPR/C/ISR/CO/4), para. 5.

13 Human Rights Committee, Concluding Observations on the Fifth Periodic Report of Israel, 2022 (CCPR/C/ISR/CO/5), para. 5.

14 Human Rights Committee, General Comment No. 31.

15 International Court of Justice, Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (9 July 2004), para. 111.

16 *Ibid.*, paras. 106–113 (affirming the concurrent applicability of international humanitarian law and human rights law).

17 *Ibid.*, para. 112 (Israel's responsibility for rights while exercising effective control over land and population).

the State party to cease its continued denial of the Covenant's applicability and to adopt concrete measures to ensure respect for the rights guaranteed therein for all Palestinians under its effective jurisdiction without discrimination, and to affirm its legal responsibility for violations arising from the acts of its official authorities or from the acts or assistance of private actors operating within its sphere of control, including settlers, in a manner that ensures accountability and effective protection for civilians.

3.1 The Right to Self-Determination (Article 1)

The right to self-determination constitutes the central pillar of the Covenant. Article 1 provides that all peoples have the right to freely determine their political status and to freely pursue their economic, social, and cultural development without external interference or coercion. However, the documented facts in Area C of the West Bank indicate that Bedouin communities are deprived of exercising this right, whether at the individual or collective level, particularly regarding effective control over their land, resources, and means of livelihood.

For more than five decades, Palestinian Bedouin communities in Area C have lived under a prolonged occupation marked by an integrated system that undermines the ability to exercise self-determination. Many of these communities trace their origins to families forcibly displaced in 1948 and resettled in marginal areas of the West Bank without receiving stable legal status, before facing today a renewed wave of spatial exclusion and land control, deepening their historical deprivation of the right to self-determination as an ongoing systematic process rather than a temporary condition.¹⁸

In its concluding observations on Israel's fourth and fifth periodic reports, the Human Rights Committee expressed concern regarding the extensive restrictions imposed on Palestinians' ability to administer their lands and resources in Area C and considered that these policies affect the essence of the right to self-determination. The Office of the High Commissioner for Human Rights and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) have likewise indicated that the denial of legal recognition to Bedouin communities, the near-total refusal of building permits, and the demolition of homes, schools, and infrastructure collectively disable community development and prevent residents from making decisions concerning their future within their lands.¹⁹

These practices cannot be separated from the broader context of creeping annexation policies implemented by Israel in large parts of Area C through settlement expansion, the legalization of settlement outposts, their connection to Israeli infrastructure, and the imposition of a planning and legal regime that excludes Palestinian residents. This approach fragments Palestinian geography and undermines territorial continuity, which constitutes a core prerequisite for the realization of self-determination, including the unity of territory and the capacity for independent administration.

The International Court of Justice further affirmed, in its advisory opinion issued on 19 July 2024, that policies and practices aimed at altering the demographic, legal, or territorial character of the occupied Palestinian territory, including settlement expansion and de facto annexation, constitute violations of the Palestinian people's right to self-determination. The United Nations General Assembly subsequently endorsed this position in its resolution adopted in December 2024, affirming the illegality of any measures intended to consolidate permanent control over the occupied territory.²⁰

18 Ahmad Heneiti, previous reference, indicating that approximately 70% of Bedouin communities in the West Bank trace their origins to refugees from 1948.

19 OCHA, previously cited reference.

20 International Court of Justice, Advisory Opinion on the Legal Consequences of Israel's Policies and Practices in the Occupied Palestinian Territory, 19 July 2024; UN General Assembly Resolution A/RES/ES-10/24 (December 2024), paras. 231–243.

Within the legal characterization of these policies, several international authorities including Special Rapporteurs on the situation of human rights in the occupied Palestinian territory²¹ and the United Nations Secretary-General²² have confirmed that Israeli policies relating to land use, planning, demolitions, and settlement expansion in Area C directly undermine the Palestinian people's exercise of their right to self-determination and create coercive conditions that may amount to forcible transfer or de facto displacement in violation of international law.

In light of the foregoing, the submitting organizations call upon the Human Rights Committee, in its concluding observations, to affirm that the continuation of policies aimed at altering the demographic, legal, or territorial character of the occupied Palestinian territory, including de facto annexation, contravenes the provisions of the Covenant, particularly Article 1 concerning the right to self-determination. The Committee is also urged to require the State party to rescind any measures or legislation amounting to effective annexation of any part of the occupied Palestinian territory and to review its policies and practices in accordance with the International Court of Justice advisory opinion of 19 July 2024 and the subsequent General Assembly resolutions affirming the illegality of permanent control over the occupied territory, and to enable Palestinian residents, including Bedouin communities, to effectively and non-discriminatorily exercise their right to self-determination.

3.2 Non-Discrimination, Equality, and the Right to an Effective Remedy (Articles 2 and 26)

Al-Baidar Organization and Lawyers for Justice assert that Israeli policies implemented in Area C constitute structural discrimination inconsistent with Articles 2 and 26 of the International Covenant on Civil and Political Rights. Despite Israel's claim that a single legal framework applies to all residents, UN documentation and field findings reveal a dual regime whereby settlements receive recognition, services, and infrastructure while Palestinian Bedouin communities remain subject to legal exclusion and deprivation of fundamental rights.

This discrimination is particularly evident in the land-use and planning system, where nearly absolute restrictions are imposed on Palestinian development, building permits are systematically denied, and large areas are designated as "state land," "firing zones," or closed military areas. Data from the United Nations Office for the Coordination of Humanitarian Affairs indicate that over 98% of Palestinian building permit applications in Area C are rejected, while settlements continue to expand with governmental support and funding.²³ The Human Rights Committee expressed concern in its 2014 and 2022 concluding observations regarding this dual planning system and characterized it as discriminatory and incompatible with Covenant-protected rights.²⁴

The discriminatory impact also extends to access to essential services. Documentation by OCHA and the Office of the High Commissioner for Human Rights indicates that Bedouin communities are deprived of water, electricity, roads, education, and health services, and that structures are confiscated on the grounds of "lack of permit," while settlements are fully connected to infrastructure networks. The impact of this discrimination also extends to other areas, including public infrastructure,²⁵ creating a discriminatory living reality that cannot be interpreted except as a continuous inequality in the distribution of resources.

21 Reports of the UN Special Rapporteur on the situation of human rights in the occupied Palestinian territory describing land designation policies ("state land," "firing zones," and "nature reserves") as measures restricting Palestinian presence and creating coercive conditions potentially amounting to de facto transfer.

22 Report of the UN Secretary-General on the right of peoples to self-determination (A/78/261), 2023, noting that Israeli policies in the West Bank pose a serious threat to Palestinians' ability to exercise self-determination.

23 OCHA, previously cited reference.

24 Human Rights Committee, Concluding Observations on Israel: CCPR/C/ISR/CO/4 and CCPR/C/ISR/CO/5.

25 OHCHR, previously cited reference

This discrimination is further reflected in the absence of protection and personal security: attacks against Palestinians frequently occur in the presence of regular forces without effective intervention or accountability. Conversely, Palestinians are subjected to rapid coercive measures, including arrest, property confiscation, or the execution of demolition orders, reflecting selective enforcement of the law based on national identity. The Committee has repeatedly noted this duality and has called on Israel to ensure equal protection for all residents without discrimination. Discriminatory enforcement is also evident in the execution of demolition orders: United Nations reports confirm the systematic implementation of demolition orders against Palestinians, while similar actions are not taken in unauthorized settlement outposts. This confirms that the existing inequality is not incidental but rather constitutes an entrenched institutional policy.

This situation is closely linked to the systematic failure to provide effective remedies. The Human Rights Committee emphasized in its concluding observations that the right to equality and non-discrimination requires the availability of effective and accessible legal remedies. However, Bedouin communities in Area C face procedural and legal barriers that prevent them from accessing courts or obtaining effective redress. An administrative and judicial system legitimizes land confiscations, house demolitions, and settlement expansion, while victims are left without recourse under pretexts such as "lack of permit" or "absence of registration." General Comment No. 31 affirms that Article 2(3) of the Covenant obligates States parties to take effective measures to prevent violations, investigate them, and ensure accountability and reparations. The documented reality, however, reflects a persistent failure to meet these obligations.²⁶

One field testimony documented by Al-Baidar clearly reflects this pattern: a Bedouin resident submitted repeated complaints concerning settler attacks, yet no effective investigation followed, whereas he himself was detained under the pretext of entering a "closed area," in a clear example of victim criminalization rather than accountability of the perpetrator.

Based on these cumulative patterns, Al-Baidar Organization and Lawyers for Justice recommend that the Committee require the State party to adopt immediate and effective measures to guarantee equality and non-discrimination in the application of all Covenant rights, particularly in the fields of land-use planning, provision of basic services, and law enforcement, and to ensure equal protection for all persons under its effective jurisdiction. The Committee should further call on the State party to ensure the availability of effective and accessible remedies for Bedouin communities, including serious investigation of violations, prosecution of those responsible, and full reparations to victims, including compensation and restitution, in accordance with Articles 2 and 26 of the Covenant.

3.3 The Right to Life, Physical Integrity, and Freedom from Ill-Treatment (Articles 6 and 7)

Palestinian Bedouin communities in Area C are subjected to an interconnected set of practices that undermine the core of the rights protected under Articles 6 and 7 of the Covenant. Direct violence, lack of protection, deprivation of essential life-sustaining services, demolition of homes without alternatives, and related measures together create an environment of constant risk affecting residents' safety and daily life.

United Nations reports, particularly those of OCHA and the Office of the High Commissioner for Human Rights (OHCHR), indicate an unprecedented escalation in attacks targeting Palestinians in Area C, especially after 7 October 2023, including organized attacks carried out by armed settlers and civilian actors, often in the presence of Israeli forces or amid their deliberate failure to intervene. These attacks have resulted in numerous cases of serious injury, destruction of homes, and the displacement of entire families from small herding communities, without effective investiga-

26 Human Rights Committee, General Comment No. 31, previously cited.

tions or accountability of any responsible authority. This constitutes a direct breach of the State party's obligation to guarantee the right to life and provide protection from foreseeable risks.

Field testimonies further reflect the scale of danger threatening residents' lives. A nine-year-old child was shot by settlers with live ammunition near his home, leaving severe psychological trauma for him and his family and forcing them to avoid movement around the community out of fear of further attacks.

The violations are not limited to direct violence but also extend to coercive living conditions that indirectly threaten life. International reports have documented repeated confiscation of water tanks, generators, and solar panels, as well as denial of access to water sources. These practices expose residents, particularly children and the elderly, to serious health risks. Residents also reported emergency medical situations that could not be treated in time due to the absence of nearby health facilities and the difficulty of reaching hospitals because of movement restrictions, including cases of childbirth and serious illness that could have been fatal without limited or delayed interventions.

In this context, the Human Rights Committee emphasized in General Comment No. 36 (2018) that the right to life does not only require refraining from killing or the use of lethal force but also imposes a positive obligation on States to address conditions that threaten life and prevent individuals from enjoying it with dignity. The Committee further indicated that deprivation of essential conditions of life, including adequate housing, vital services, and life-saving medical care, may constitute a direct violation of Article 6 and may amount to cruel, inhuman, or degrading treatment prohibited under Article 7 of the Covenant.²⁷

The gravity of violations affecting the right to life has been evident in documented cases of direct civilian killings. Elderly civilian Suleiman al-Hathaleen died in January 2022 after being struck by a police vehicle in Masafer Yatta while participating in a peaceful activity, without any effective investigation or accountability despite clear evidence and witness testimony.²⁸ In a separate incident, Awda al-Hathaleen was killed by a settler's gunfire in the gathering of Umm al-Khair; despite documented testimonies and video recordings, no serious investigative measures were taken and the suspect was later released on grounds of self-defense, further indicating a lack of willingness to apply the law equally.²⁹

Amnesty International has confirmed in its reporting that these incidents do not constitute isolated institutional failures but form part of a broader pattern of impunity that permits violent attacks against Palestinians and encourages their recurrence in the absence of accountability. This reality reflects a dangerous overlap between official violence exercised by state forces and the violence carried out by armed civilian groups operating within the protection framework provided by the occupying authority.³⁰

In light of these facts, Al-Baidar Organization and Lawyers for Justice consider that Israel is failing to meet its positive obligations to protect life and prevent cruel treatment for all individuals under its effective jurisdiction, whether the risk arises from the conduct of its own authorities or from actors operating within the territory under its control. The repeated pattern of violence, absence of legal protection, and lack of accountability demonstrate that the documented violations are not isolated incidents but the direct result of an organized policy that leaves Bedouin communities exposed to a permanent and severe threat. Accordingly, and pursuant to Articles 6 and 7 of the Covenant, the submitting organizations urge the Committee to call upon the State party to take

27 Human Rights Committee, General Comment No. 36 (2018), para. 26, noting that deprivation of essential conditions for life or life-saving healthcare may violate Article 6 and amount to prohibited ill-treatment under Article 7 of the Covenant.

28 Al-Jazeera English report on the killing of Suleiman al-Hathaleen (January 2022), citing OCHA: <https://www.aljazeera.com/features/2022/1/23/suleiman-hathaleen>

29 The Guardian report on the killing of Awda al-Hathaleen and lack of accountability (29 July 2025): <https://shorturl.at/53sJN>

30 Amnesty International, The killing of Awda al-Hathaleen requires accountability, 30 July 2025: <https://shorturl.at/vczeH>

urgent measures to halt attacks, ensure effective civilian protection, guarantee safe access to basic services and healthcare, and open independent investigations into all acts of violence and demolition, in line with the State's obligations under the Covenant.

3.4 Arrest and Arbitrary Detention (Article 9)

Documented facts indicate that Palestinian Bedouin communities in Area C are subjected to a recurring pattern of restrictions and practices that affect the core of the right to liberty and personal security guaranteed under Article 9 of the Covenant. These violations do not consist only of individual arrests but include repeated raids, night incursions, temporary detention, and coercive searches inside homes and in the vicinity of Bedouin communities.

Such interventions are frequently carried out without judicial warrants, without informing individuals of clear legal grounds, and without providing effective means to challenge their legality. These measures are not used as exceptional responses to emergencies but as routine tools of governance in the administration of Area C, particularly alongside demolition policies, grazing prohibitions, land confiscation, and surveillance of Palestinian presence in public spaces.

The violation is reinforced by Israeli judicial interpretations that do not consider military raids and incursions as exceptional restrictions on liberty but rather as part of the "operational powers" of the occupying forces. This approach has led to the systematic use of coercive measures that do not meet standards of necessity or proportionality and empty the guarantees of liberty and personal security of their practical meaning.³¹

This interpretation directly contradicts the position of the Human Rights Committee, which in its interpretation of Article 9 affirmed that arbitrary detention is not limited to detention without legal basis but includes any deprivation of liberty that lacks necessity or proportionality or is used as punishment, deterrence, or intimidation. The Committee also emphasized that any interference with personal liberty must be exceptional, clearly defined, and subject to effective judicial review.³²

Al-Baidar documented 345 cases of arrest of Bedouin community members during 2025. Field testimonies indicate that arrests and temporary detentions are repeatedly used during grazing activities or daily movement within communities, often under the pretext of entering "closed military zones" or "firing zones," even though such classifications frequently cover traditional lands long used by residents. In several cases, residents reported that after filing complaints about settler attacks they themselves were summoned, detained, or investigated, illustrating a pattern of victim criminalization rather than accountability of perpetrators.

This recurring pattern undermines the sense of personal security and transforms daily life into a permanent space of threat and uncertainty beyond any legitimate security justification. The absence of accountability for these practices also contributes to entrenching a coercive environment in which deprivation of liberty is used as a tool of social pressure and collective deterrence rather than a lawful individual legal measure.

Accordingly, the submitting organizations call on the Human Rights Committee to require the State party to cease using arrest as a means of deterrence and control in Area C, to ensure respect for fundamental procedural safeguards including the prohibition of arbitrary detention, to immediately inform detainees of the reasons for arrest, to enable them to challenge the legality of their detention before an independent judicial authority, and to guarantee accountability for any violations occurring in this context.

31 Report of the UN Special Rapporteur on the situation of human rights in the occupied Palestinian territory since 1967, Human Rights Council document A/HRC/49/87 (2022).

32 Human Rights Committee, General Comment No. 31 (previously cited).

3.5 Freedom of Movement and Choice of Residence (Article 12)

Israel uses restrictions on freedom of movement as a central mechanism for administering control over Palestinian Bedouin communities in Area C, transforming a right guaranteed under the Covenant into a systematically restricted privilege. Rather than constituting an exceptional security measure, this restriction functions as a permanent policy aimed at regulating population presence, controlling access to land and resources, and reshaping geographic space in a manner that serves the settlement project.³³

Although the State party justifies these restrictions on grounds of “security considerations” or “military necessity,” including the designation of extensive areas as firing zones or closed areas, United Nations reports and documentation from Palestinian civil society organizations, including Al-Baidar, indicate that these measures are applied selectively against Palestinians and do not meet standards of necessity or proportionality. The restrictions include the closure of traditional herding routes and access roads, the installation of checkpoints and mobile inspection points, denial of access to agricultural lands and grazing areas, and tying daily movement to a discretionary permit regime. In addition, modern road networks are designated for exclusive settler use, isolating Bedouin communities from their geographic and social surroundings and turning access to healthcare, education, and markets into daily risks dependent on the will of the occupying authority.

Field testimonies documented by Al-Baidar illustrate the practical impact of these policies: residents reported that roads they had used for decades were closed or that they were prevented from using them after they were later paved to serve nearby settlements, turning infrastructure into a tool of spatial exclusion rather than a public service. Other testimonies describe the restrictions as a constant daily reality rather than an emergency measure. For example, a Bedouin woman from Bardala stated that checkpoints open only for limited hours and, if missed, residents must take long alternative routes that often end at another checkpoint, making daily mobility unpredictable and undermining regular access to work, education, and healthcare.

The Human Rights Committee expressed concern in its concluding observations regarding the sweeping restrictions on movement in the occupied Palestinian territory, particularly Area C, emphasizing that any security-related restriction must be exceptional, time-bound, proportionate, and non-discriminatory and must not nullify the essence of the right or impair other Covenant-protected rights. In its General Comment No. 27, the Committee clarified that freedom of movement includes not only physical mobility but also the freedom to choose one’s residence and the effective ability to access livelihoods and essential services, warning that broad or indefinite restrictions may amount to a direct violation of Article 12 even in the absence of formal detention.³⁴

These restrictions cannot be separated from the broader context of territorial control and creeping annexation in Area C. Freedom of movement is used as a tool to impose de facto control over land, to connect settlements to one another, and to fragment Palestinian Bedouin communities, contrary to the claim of the temporary nature of the occupation. The International Court of Justice, in its 2004 Advisory Opinion on the Wall, affirmed that restrictions on movement in the occupied Palestinian territory, even when justified on security grounds, must meet tests of legality and proportionality, and that any measures resulting in isolating residents, disrupting their daily lives, or preventing them from exercising their fundamental rights constitute a breach of the State’s obligations under international law.³⁵

33 Al-Haq, *Ongoing Erasure: Forced Displacement and Widespread Transfer of Bedouin Communities in the Occupied Palestinian Territory* (2025): <https://www.alhaq.org/ar/FAI-Unit/26161.html>

34 Human Rights Committee, General Comment No. 27.

35 International Court of Justice, *Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (9 July 2004), previously cited.

In their cumulative effect, these restrictions do not only limit movement but also undermine the freedom to choose residence and contribute to coercive living conditions that gradually push communities off their lands. Accordingly, the comprehensive movement-control regime in Area C amounts to a direct violation of Article 12 of the Covenant and conflicts with the principles of equality and non-discrimination. It is used systematically to re-engineer demographic geography in a manner that serves prohibited settlement expansion under international law.

In light of this, the submitting organizations call on the Human Rights Committee to require the State party to lift sweeping and discriminatory restrictions on Palestinian movement in Area C, to ensure that any security-related restrictions are exceptional, necessary, proportionate, and non-discriminatory, to end the use of movement control as a mechanism of spatial fragmentation and population displacement, and to guarantee freedom of access to land, grazing areas, and basic services, including education and healthcare, in compliance with the Covenant as interpreted by the Committee and the International Court of Justice.

3.6 Privacy, Family Life, and Home (Article 17)

Interference affecting Bedouin homes in Area C is not merely the result of neutral enforcement of planning laws. Rather, it operates within an administrative and legal framework that keeps these communities in a constant state of precarity and renders housing a repeated target of forced intervention. The cumulative pattern of demolitions and confiscations demonstrates that interference with private life and home does not occur as an exceptional measure but functions as a standing mechanism of territorial administration.

While the State party maintains that demolition orders are executed on the basis of building violations, available data indicate that Palestinians in Area C are structurally denied any genuine legal possibility to obtain building permits due to the lack of recognition of Bedouin communities and the prohibition on preparing planning schemes. Consequently, "lack of permit" becomes a result of a closed system rather than an individual violation, producing a continuous interference with the home that can only be described as arbitrary.

Documentation from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) shows that most homes and structures in Bedouin communities, including tents, temporary shelters, and basic facilities, are subject to repeated demolition orders, leaving families in a permanent state of instability, undermining family life, and preventing any sense of security or privacy within the home.

The impact of these practices extends beyond material loss to direct intrusion into the private sphere of the family: demolition operations are often carried out in the presence of security forces and frequently at night, accompanied by confiscation of personal belongings and dismantling of essential facilities. This constitutes a coercive intrusion into private life that lacks pressing necessity and fails to meet the proportionality requirement.

In this context, a resident of one of the Bedouin communities stated in a documented field testimony that Israeli forces raided the house at night while the entire family was asleep, without prior notice or judicial order, causing panic among the children and leaving a lasting impact on the family's sense of safety inside their home.

The Human Rights Committee emphasized in its General Comment No. 16 that the concept of "arbitrary interference" under Article 17 is not limited to the absence of a formal legal basis, but includes any interference that is unreasonable, unnecessary, or disproportionate to a legitimate aim, even if provided for in domestic law. The Committee further affirmed that protecting the home and family life requires the State to refrain from repeated or excessive intrusions that empty this right of its substance.³⁶

36 Human Rights Committee, General Comment No. 16.

This conclusion is reinforced by documentation from independent human rights organizations, including a report by the Israeli human rights organization Yesh Din, which found that repeated demolition and confiscation policies in Bedouin communities do not merely cause material loss of shelter but lead to the fragmentation of family life and the erosion of security and stability, transforming the home from a space of protection and privacy into a site of constant threat and fear. The report further indicates that repeated forced intrusions into homes, accompanied by confiscation of belongings and prevention of reconstruction, produce deep psychological and social consequences, leaving families in a permanent state of instability and constituting ongoing arbitrary interference in private and family life that cannot be justified by administrative or planning considerations.³⁷

The Special Rapporteur on the situation of human rights in the occupied Palestinian territory, as well as the Special Rapporteur on adequate housing, likewise concluded that repeated demolition policies in Bedouin communities cannot be separated from a broader system of spatial control. The geographic scope and repetition of these measures turn housing into a pressure mechanism and undermine family stability.

Accordingly, Al-Baidar Organization and Lawyers for Justice request that the Committee affirm that repeated demolition, confiscation, and intrusion into homes in Area C constitute arbitrary interference prohibited under Article 17 of the Covenant; require the State party to halt these practices; guarantee effective protection of private and family life; and ensure the availability of effective remedies for affected families, including the right to challenge demolition decisions and obtain full reparation, in accordance with the Committee's consistent interpretation of Article 17.

4. Field Testimonies as Evidence of Structural Violations



The following testimonies are not presented as isolated individual incidents but as direct evidence of a coercive reality created through cumulative pressure that makes remaining on the land itself a daily risk without any explicit expulsion order. As one woman from the Jordan Valley summarized: "They don't tell us to leave; they tighten the pressure on us little by little until life becomes unbearable, and we leave our land ourselves."

Multiple testimonies confirm that this situation intensified markedly after 7 October 2023. A 40-year-old Bedouin woman from Fasayil stated: "After 7 October, the attacks increased in a way we had never experienced before. Settlers began targeting women and girls, and many stopped going to school or work."

In another testimony, a nine-year-old child said: "I was on my way to school when a settler stopped me and said if I didn't stop, he would shoot me."

A 66-year-old man from the northern Jordan Valley concluded: "After 7 October, they completely took away our freedom."

The escalation also includes raids and intimidation inside residential areas. A mother from al-Jiftlik (35 years old) stated: "They started attacking us at night with military dogs just to frighten our children."

In another account, a Bedouin woman from Al-Fasayil said: "The army is here almost every day." Testimonies from Masafer Yatta describe direct violence and collective intimidation. A 23-year-old woman reported: "The attack happened at dawn; women and children were beaten with sticks and rifle butts while soldiers were present and did not protect us."

37 Yesh Din, *The Impact of Israeli Occupation Policies on Palestinian Communities in the Occupied Palestinian Territory*, March 2025: <https://www.yesh-din.org/wp-content/uploads/2025/03/Kehilot-arb.pdf>

Movement restrictions also function as punishment affecting livelihoods. One resident stated: "We had to sell our sheep; roads are closed and feed trucks cannot reach us." A herder from Bardala added: "Even bread is now hard to obtain."

Educational impacts were also reported. A 21-year-old woman from Bardala said: "Settlers attacked the boys' secondary school and injured three students. After that no parents sent their children." A mother from Al-Jiftlik added: "My children suffer on the way to school because of checkpoints, and even the UNRWA school is raided."

Healthcare access is similarly affected. A woman from Al-Fasayil reported: "If there is a medical emergency, we must go to Jericho and it takes hours because of the siege." Another resident said: "We tried to establish a field ambulance clinic but the army prevented us." A cancer patient from Kardala stated: "I cannot receive treatment; checkpoints stop me every time."

Testimonies also reveal the use of the "lack of permit" argument as a coercive tool rather than a regulatory issue. A young woman (21 years old) stated: "They forced our neighbors to demolish the third floor of their house with their own hands." Other accounts describe a pattern of impunity: residents who reported settler violence were themselves detained while attackers remained free.

Taken together, these testimonies demonstrate that what is occurring is not a set of isolated incidents but an escalating coercive reality in which violence, movement restrictions, demolitions, and denial of services operate as interconnected tools undermining conditions of life and gradually forcing displacement without a formal expulsion order.

5. Structural nature of violations



The facts and testimonies in this report show that violations committed against Palestinian Bedouin communities in Area (C) of the West Bank cannot be understood as isolated practices or administrative irregularities. Rather, they form an integrated structural system of interrelated policies and practices implemented systematically and cumulatively, resulting in ongoing and effective erosion of the civil and political rights guaranteed under the International Covenant on Civil and Political Rights.

Each individual violation serves a defined function within a broader framework: demolitions, lack of planning and permits, movement restrictions, settler violence, repeated security interventions, and absence of legal protection and effective remedies together create a comprehensive coercive environment in which rights are emptied of substance and Palestinian presence becomes fragile and unsustainable.

In this context, the legal or administrative framework is not used as a neutral regulatory tool; rather, it becomes a mechanism of control and domination over the daily lives of Palestinians. The meanings of concepts such as "licensing," "security," and "public order" are redefined in a manner that makes legal compliance practically impossible, while this impossibility itself is used as a permanent justification for coercive intervention. Accordingly, the violation takes on a procedural appearance that does not diminish its arbitrary nature nor mitigate its material and human impact.

Field testimonies further indicate that these policies are not imposed through direct expulsion orders, but through a gradual and systematic process of daily pressure, whereby residents are pushed to leave their lands as conditions of fear, insecurity, and unlivability intensify. This pattern constitutes a clear form of de facto forcible transfer resulting from the cumulative and systematic interaction of violations rather than from a single formal decision.

Statements also point to a noticeable escalation in the severity of these practices since 7 October 2023, as violations have taken on a collective punitive character, manifested in the expansion of

settler attacks, the intensification of raids, the tightening of movement restrictions, and the obstruction of access to education and health care, in a context of an almost complete absence of effective protection, deepening the communities' vulnerability and exposing Bedouin communities to open spaces of violence and continuous threat.

This reality cannot be separated from the broader context of creeping annexation in Area (C), where these policies are used to entrench permanent control over land and to connect settlements with one another, fragmenting the Palestinian presence geographically and socially in contradiction with the temporary nature of occupation, and producing continuing effects that undermine the core of the right to self-determination.

Accordingly, the report concludes that what Palestinian Bedouin communities are subjected to constitutes a comprehensive system of structural violations of the rights guaranteed under the Covenant, particularly the right to self-determination, equality and non-discrimination, personal liberty and security, freedom of movement, and the right to housing and to an effective remedy. These violations create an ongoing coercive environment that cannot be justified by any legitimate security considerations. This reality also reflects the State party's continued disregard of the Committee's concluding observations and its failure to adopt effective corrective measures, thereby emptying its positive obligations of practical effect and leaving the population under its effective control without meaningful protection from recurring violations.

6. Recommendations

Based on the structural and systematic nature of the documented violations, Al-Baidar Organization and Lawyers for Justice request that the Committee:

- Urge the State party to take immediate and tangible measures to halt this system of policies and practices, including ending recurrent coercive interventions, stopping demolitions and sweeping discriminatory movement restrictions, ensuring effective protection for civilians against settler violence, and providing effective remedies and reparation.
- Require the State party to provide updated, detailed, and verifiable information, disaggregated to the extent possible, regarding demolition orders and their implementation and outcomes; permit applications; movement restrictions and road and gate closures; settler violence incidents; the number of complaints, investigations, follow-ups, and judicial outcomes; and measures taken to ensure protection and non-recurrence. It should also ensure the availability of regular, transparent official statistics and data concerning Palestinian Bedouin communities in Area (C) and their basic needs, in cooperation with independent bodies, so that compliance with the Covenant can be assessed on the basis of measurable indicators and accountability.
- Ensure the ability of Palestinian communities to remain on their lands and live with dignity and safety, free from direct or indirect coercion, and with measurable results within a defined timeframe.
- Ensure accountability of the State party for the continued violations documented against Palestinian Bedouin communities, including the opening of independent, impartial, and effective investigations into acts committed by its official forces as well as settler attacks carried out under its control or protection, and the prosecution of all those responsible, whether civilians or military personnel, in accordance with relevant international standards.
- Emphasize the need for prompt implementation of its previous recommendations and compliance with the advisory opinions of the International Court of Justice and relevant General Assembly resolutions, including rescinding legislation and policies that amount to de facto annexation of any part of the occupied Palestinian territory, ending the creation of a coercive environment produced by the deliberate interaction of violence, restrictions, and spatial fragmentation, and enabling Bedouin communities to exercise their rights.

