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## **Israel/Occupied Territories: Demolition of houses is an act of collective punishment**

Amnesty International today condemned the demolition of dozens of homes in Rafah, in the south of the Gaza Strip, as an act of collective punishment and a grave breach of international humanitarian law.

After four Israeli soldiers were killed on 9 January 2002 in an attack by *Hamas* on a military post on the border between Israel and the Gaza Strip, the Israeli Defence Forces (IDF) entered Rafah with tanks and bulldozers and demolished houses.

"Six hundred people, most of them children, were left homeless in this raid against quarters that had no relationship with the attack on the military post," said Amnesty International.

The demolition of houses is one of the acts considered a grave breach of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War which prohibits: "Any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations ... except where such destruction is rendered absolutely necessary by military operations."

According to Agence France Presse, yesterday the Israeli Prime Minister, Ariel Sharon, said that tunnels were used from Rafah to smuggle weapons and "we have to take all necessary steps to stop the smuggling of weapons".

"Over the past 16 months, at least 250 homes have been demolished in Rafah making more than 1,500 people homeless, the vast majority of them children," Amnesty International said, adding that in the past four days, in the middle of winter, hundreds more men, women and children have been forced to live in donated tents.

Today Foreign Minister Shimon Peres told the Knesset Foreign Affairs and Defense Committee that he, Prime Minister Ariel Sharon and Defense Minister Benyamin Ben Eliezar decided on Sunday to halt the policy of demolition of Palestinian homes in the West Bank and the Gaza Strip. On the same day as his statement, nine Palestinian homes in Isawiyeh in East Jerusalem were demolished by the Jerusalem municipality allegedly because they had failed to get planning permission.

"Israel should cease this policy which has been universally condemned," the organization added, recalling that the United Nations' Committee against Torture concluded as recently as last November that house demolitions may amount to cruel, inhuman or degrading treatment or punishment, in breach of the UN Convention against Torture.

## Background

IDF tanks and bulldozers entered Block O, in the area near the border with Egypt, around 2.30am on 10 January and demolished 56 homes without warning. The following night, at 1.35am on 11 January the IDF shot heavy tank shells on other Palestinian residential areas, Block J and Barahmeh, injuring eight people, and reportedly damaging more than 200 homes, many of which may now be unsafe for habitation.

Amnesty International visited many of the areas along the border between Rafah and Egypt where the IDF has been demolishing houses. Sometimes Palestinians, who have been given no notice of the demolitions, have been killed or wounded as their homes are destroyed. More than 250 Palestinian homes have been destroyed in Rafah since the beginning of the *intifada* at the end of September 2000; the families made homeless live with relatives or in tents. Over the past weeks the weather in the Gaza Strip has been extremely cold. A week ago, on 7 January, five Palestinian children aged between two and 11 from one family made homeless by the Israeli demolition of their home in Khan Yunis in the Gaza Strip died in a blaze caused by a candle in their tent.

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