

EXTERNAL

AI Index: MDE 15/91/97

This is a limited action. Please restrict appeals to 15 per Section.

EXTRA 138/97

Fear of imminent house destruction

17 October 1997

ISRAEL/OCCUPIED TERRITORIES At least 40 persons, including elderly persons and children, living in four houses in Asira al-Shamaliya in the northern West Bank

At least 40 people, including elderly individuals and children, are facing the imminent destruction or sealing of their homes because four male relatives, who have not lived in the houses for years, have been accused of involvement in recent suicide bombings. The decision on an appeal against this arbitrary administrative punishment is expected within a week.

On 12 October 1997, the Israeli Military Commander of Nablus District issued orders for the confiscation and complete destruction of two homes in Asira al-Shamaliya in the northern West Bank and for the confiscation and partial demolition or sealing of two other homes in the same village. The families of Yousef Shawli, Tawfiq Yassin, Mo'awiya Jarara and Bashar Sawalha, live in these buildings, as well as other people. The Israeli authorities accuse these four individuals of involvement in recent suicide bombings in Jerusalem in which large numbers of civilians were killed.

Yousef Shawli, Tawfiq Yassin, Moawiya Jarara and Bashar Sawalha have not lived in their families' homes for the past three years. At least 15 people, including young children, reside in the house where the Shawli family and another family live. Six people, including one elderly person, live in the Yassin family home. At least 13 people, including two elderly individuals and small children, reside in the Jarara family's house. The Sawalha family's home is occupied by six people, including two elderly individuals and young children.

The families' lawyer is currently appealing against the orders to confiscate and demolish or seal the four houses with the Legal Adviser to the Civil Administration and the Military Commander of the West Bank, who issued the orders.

BACKGROUND INFORMATION

Since 1967 Israel has destroyed or sealed, either completely or partially, more than 2,000 homes in the Occupied Territories. Israeli policy allows the confiscation, destruction or sealing of a home of a family if one member or a tenant is awaiting trial, under interrogation or "wanted" for a broad range of security offences. The measure is an administrative punishment, imposed without any due process.

Amnesty International opposes the destruction of houses when used by governments to punish suspected members of armed political groups or their families. Such measures violate a range of rights established in international standards, including the right to be presumed innocent until proven guilty according to law (Article 14 of the International Convention on Civil and Political Rights (ICCPR)), and the right not to be subjected to unlawful interference with one's privacy, family and home (Article 17, ICCPR).

These measures are also prohibited by international humanitarian law. Article 53 of the Fourth Geneva Convention of 1949 prohibits the destruction of property

except where absolutely necessary for military operations. Article 33 of the same treaty prohibits the punishment of a person for an offence which he or she has not personally committed, as well as collective penalties and reprisals against civilians and their property.

RECOMMENDED ACTION: Please send telegrams or faxes in English, Arabic or your own language:

- expressing concern at the punishment - by the confiscation and destruction or sealing of their homes - of at least 40 people, including elderly persons and children, who have not been found guilty of committing any offence;
- urging that the Israeli Government fully respect Articles 33 and 53 of the Fourth Geneva Convention of 1949, as well as the relevant provisions of international human rights standards;
- urging that the Israeli Government immediately cancel the planned confiscation and demolition or sealing of these four houses.

APPEALS TO:

General Yitzhak Mordechai
Minister of Defence
Telegrams: Defence Minister, Tel Aviv, Israel
Faxes: + 972 3 697 6218
Salutation: Dear Minister

Colonel Shimshon Arbel
Military Commander of Nablus District
Faxes: + 972 2 997 4605 (if voice, ask to send a fax)
Salutation: Dear Colonel Arbel

Colonel Shlomo Politis
Legal Adviser to the Civil Administration
Faxes: + 972 2 9977326
Salutation: Dear Colonel Politis

COPIES TO:

Palestinian Society for the Protection of Human Rights
and the Environment - LAW
POB 2987
Jerusalem
Via Israel
Faxes: + 972 2 5811072

and to diplomatic representatives of Israel accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 October 1997.