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ISRAEL AND THE OCCUPIED TERRITORIES Palestinian civilians

In the past month Israel has intensified its policy of destroying Palestinian homes, apparently as a collective punishment for attacks on Israeli forces. Hundreds of people have been made homeless and had their possessions destroyed. The demolitions are set to continue.

The Israeli authorities have been destroying Palestinian homes and making families homeless as a punishment for attacks committed by family members on Israelis. In recent months they have continued this policy, but they are now destroying Palestinian homes apparently as collective punishment after attacks on Israel by Palestinian armed groups. They are now also demolishing buildings inside the area under the control of the Palestinian Authority, as well as the territory which remains under direct Israeli control.

In the latest incident, shortly after midnight on 2 May, IDF tanks and bulldozers forced their way into the Brazil Refugee camp near Rafah, in the Gaza Strip. Residents and their supporters tried to protect their homes, and in the gun-battles that resulted one man was killed and approximately twelve others, including several children, were wounded. The IDF destroyed 19 homes, leaving 149 people from 25 families homeless. They gave no warning, and the residents had no time to remove their possessions.

On 10 April IDF soldiers destroyed 30 houses in the Khan Yunes Refugee camp, leaving 500 people homeless. Four days later, IDF soldiers demolished 16 houses near the Salaheddin Gate in Rafah. Israeli military officials have stated that they were destroying buildings from which armed Palestinians had fired on IDF soldiers.

Article 53 of the Fourth Geneva Convention states:

"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, is prohibited, except where such destruction is rendered absolutely necessary by military operations".

Amnesty International believes that the circumstances of these demolitions of homes suggest that Israeli forces have acted in order to punish Palestinian civilians and not in the course of conducting "absolutely necessary" military operations. As such, these measures would constitute a form of collective punishment against the civilian population and a violation of international humanitarian law. Article 33 of the Fourth Geneva Convention states:

"No protected person [ie those living under foreign occupation] may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation...are prohibited...Reprisals against protected persons and their property are prohibited"

BACKGROUND INFORMATION

The Israeli authorities have also pursued a discriminatory policy in demolishing Palestinian homes built without a permit inside the Occupied Territories

including East Jerusalem. In April, they intensified this policy, demolishing in the space of a week more than 20 homes built in East Jerusalem and elsewhere in the West Bank said to have been built without planning permission. Amnesty International issued a report on house demolition in the West bank and East Jerusalem in December 1999 (*Demolition and Dispossession: The Destruction of Palestinian Homes*, AI Index: MDE 15/59/99) which addressed the Israeli policy of demolishing Palestinian homes built without a permit. This report also highlighted the discriminatory nature of Israeli laws relating to land confiscation and leasing of confiscated land.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in or your own language:

- urging the Israeli authorities to cease demolition of houses in contravention of international humanitarian law;
- urging the Israeli authorities to provide fair and adequate compensation to those whose homes have been destroyed or damaged unlawfully.

APPEALS TO:

Benjamin Ben-Eliezer
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Ministry of Defence
Kaplan Street
Hakiryia
Tel Aviv 67659

Fax: + 972 3 691 6940

Salutation: Dear Minister

Lieutenant-General Shaul Mufaz
Chief of General Staff
c/o Ministry of Defence
7 'A' Street

Hakiryia
Tel Aviv

Fax: + 972 3 691 6940

Salutation: Dear Lieutenant-General

Natan Sharansky
Minister of Construction and Housing and Deputy Prime Minister
Ministry of Construction and Housing
Kiryat Hamemshala
PO Box 18110
Jerusalem 91180

Fax: + 972 2 581 1904

Salutation: Dear Minister

COPIES 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 15 June 2001.