



PALESTINIAN CENTRE FOR HUMAN RIGHTS

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APPEAL FOR URGENT INTERVENTION: STOP GAZA HOUSE DEMOLITIONS

Dear Sir or Madam,

I am writing to bring to your attention a number of Palestinian civilian houses in the Gaza strip under immediate threat of demolition by Israeli occupying forces and to ask for urgent intervention to end Israel's house demolition policy and ensure Israel's respect for the Fourth Geneva Convention in the Occupied Palestinian Territories (OPT).

At the time of this writing, preliminary reports indicate that Israeli occupying forces have demolished 10 Palestinian houses and are continuing to destroy more, as well as razing agricultural land in the al-Mughraqa area in the Gaza strip, near the Israeli settlement of Netzarim. PCHR's field personnel are attempting to gather more detailed information at this time.

Two other groups of houses remain under immediate threat of demolition:

- Yesterday, at approximately 1300, Israeli occupying forces informed the owners a group of approximately 20 houses in the Abu al-'Ajin area near Deir al-Balah in the central Gaza strip that their houses would be demolished in 24 hours. The houses had been under threat of demolition last month but, after appeals from Palestinian human rights groups, the Supreme Court issued an order on 19 February temporarily halting the demolitions. Several days later, the Israeli State Prosecutor's office pledged that it would not demolish the houses without providing the families with an opportunity for appeal, while also reserving the right to destroy the houses immediately if Israeli occupying forces alleged that there was a "security need." On 9 March, Israeli occupying forces proceeded to demolish four houses in the area, one of which was explicitly covered in the Court proceedings, without any opportunity for appeal.
- Later yesterday, at approximately 2100, Israeli occupying forces surrounded a group of homes near the Palestinian Flour Company south of Deir al-Balah and informed the owners that they had two hours to evacuate their houses before demolition. PCHR filed an emergency appeal with the Israeli Supreme Court on behalf of owners of 7 of the houses. At 0030 this morning, the court issued a temporary order halting the house demolitions. The Israeli Supreme Court has scheduled a hearing for 17 March to rule on PCHR's appeal.



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Both groups of houses, near Abu al-‘Ajin and the Palestinian Flour Company, remain at high risk of demolition by Israeli occupying forces. The house demolitions of 9 March, carried out without opportunity for appeal, are only the latest demonstration of the fact that Israeli Supreme Court decisions by themselves are insufficient to guarantee the protection of Palestinian houses from demolition. For this reason, it is imperative that the international community clearly and unequivocally demand that Israeli occupying forces end their policy of wantonly demolishing Palestinian houses in the OPT, in violation of the Fourth Geneva Convention.

Israeli occupying forces have completely demolished over 500 Palestinian houses in the Gaza strip since 28 September 2000, rendering thousands of civilians homeless. They have also razed more than 15,000 donums of land, most of it agricultural (each donum is 1,000 square meters). Most of this destruction is carried out in areas near Israeli military bases, settlements, and bypass roads, despite the illegality of Israeli settlements in the OPT under Article 49(6) of the Fourth Geneva Convention and the illegality of the occupation, as expressed in numerous resolutions by the United Nations.

Extensive, unlawful, and wanton destruction of civilian private property not justified by military necessity is a grave breach under Article 147 of the Fourth Geneva Convention and thus constitutes a war crime. Moreover, reprisals against a civilian population are a form of collective punishment, in violation of Article 33 of the Convention. The international community, through two meetings of High Contracting Parties to the Fourth Geneva Convention and numerous UN resolutions, has repeatedly affirmed the applicability of the Convention to the entirety of the Occupied Palestinian Territories, as well as Israel’s legal obligation to respect the Convention.

Under Article 1 of the Fourth Geneva Convention, all High Contracting Parties are obligated to ensure Israel’s respect for the Convention. On this basis, PCHR asks that the international community act immediately to halt unlawful house demolitions, including the following steps:

1. To immediately and publicly demand that the government of Israel halt all house demolition operations and guarantee that the houses near Abu al-‘Ajin and the Palestinian Flour Company will not be demolished.
2. To immediately and publicly demand that the government of Israel apply the Fourth Geneva Convention in the OPT, de jure and de facto.
3. To suspend military aid to Israel if the above demands are not met and to prepare a graduated set of economic and diplomatic sanctions aimed at securing Israel’s respect for the Convention.
4. To remind Israel of its obligation under Article 146 of the Convention to investigate and prosecute those who commit war crimes (grave breaches of the Convention) or order them to be committed, and to assume the readiness to carry out this obligation themselves if Israel is unable or unwilling to do so.
5. To immediately and publicly demand that Israel ends its 35-year belligerent occupation of the Gaza Strip and West Bank (including east Jerusalem).



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Furthermore, PCHR reiterates its call for the international community to provide protection to Palestinian civilians in the OPT in accordance with their status as protected persons under the Convention.

If you require any additional information on this urgent matter, please do not hesitate to contact me. I look forward to your response.

Yours sincerely,

Raji Sourani
Director,
Palestinian Centre for Human Rights

Sent (with minor modifications) to:

Geoffrey Adams, UK Consul General, Jerusalem
Antoine Bernard, Executive Director, FIDH, Paris
Leo D'aes, Belgian Consul General, Jerusalem
Louise Doswald Beck, Secretary General, International Commission of Jurists, Geneva
John Dugard, UN Special Rapporteur for the OPT
Gianni Ghisi, Italian Consul General, Jerusalem
Irene Khan, Secretary General, Amnesty International, London
Catharina Kipp, Swedish Consul General, Jerusalem
Miloon Kothari, UN Special Rapporteur for Adequate Housing
Hanny Megally, Human Rights Watch, New York
Geir O. Pedersen, Norwegian Representative Office, Jerusalem
Denis Pietton, French Consul General, Jerusalem
Mary Robinson, UN High Commissioner for Human Rights
Terje Roed-Larsen, UN Special Coordinator for the OPT
Manuel Salazar, Spanish Consul General, Jerusalem
Ronald Schlicher, US Consul General, Jerusalem
Marc Shade-Poulson, Euro-Mediterranean Human Rights