

PUBLIC

AI Index: MDE 15/053/2004

UA 176/04

House demolition

18 May 2004

ISRAEL/OCCUPIED TERRITORIES Palestinian civilians in Rafah refugee camp

The Israeli army has accelerated its demolition of houses in the Rafah refugee camp in the past few days, making over 1,000 people homeless. The army intends to demolish more houses in the camp.

Amnesty International delegates went to the areas where homes have been destroyed, and saw dozens of families fleeing with their possessions in anticipation of further destruction.

United Nations Relief and Works Agency (UNRWA) officials estimate that the Israeli army has destroyed more than 80 buildings in the Rafah refugee camp during the past few days, leaving some 1,100 Palestinians homeless. Israeli army officials have announced their intention to demolish more homes, and on 16 May the Israeli Supreme Court rejected a petition, filed by human rights organizations on behalf of Palestinian families living in the refugee camp, to stop the demolitions.

The army say this latest wave of destruction of Palestinian homes is intended to expand the no-go area (referred to as the Philadelphi Route) along the Egyptian border in the southern Gaza Strip. The Israeli authorities contend that the massive scale of house demolition is necessary to uncover tunnels used by Palestinians to smuggle weapons into the Gaza Strip from Egypt. The demolition plan was reportedly approved on 13 May by Prime Minister Ariel Sharon, Defense Minister Shaul Mofaz and other top officials.

The Rafah refugee camp, in existence since 1948, is very densely populated, with rows of houses separated by narrow alleyways. In late 2000 the Israeli army began the massive destruction of houses in the camp. Until then, houses had stood only a few meters from the border with Egypt: now houses are reduced to rubble for up to 300 meters from the border. The destruction has targeted row after row of houses, contrary to claims by the Israeli authorities that they only destroy houses used by Palestinians to attack Israeli soldiers patrolling the border, and houses used as cover for tunnels.

On 14 May, Israeli army Chief of Staff Moshe Yaalon reportedly said that "There's a process whereby the first row of houses is abandoned and used for digging tunnels for smuggling weapons and cover for shooting... We've been forced to destroy houses here in the past and apparently we'll have to destroy more houses in the future."

Article 53 of the Fourth Geneva Convention states that "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 massive destruction in Rafah refugee camp and elsewhere in the Gaza Strip cannot be justified on the grounds of "absolute military necessity," as the Israeli authorities claim, and constitutes a form of collective punishment against the tens of thousands of Palestinians who have been affected. Such measures are a violation of international humanitarian law, notably Article 33 of the Fourth Geneva Convention, which states: "No protected person [i.e. 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

More than 3,000 homes, vast areas of agricultural land and hundreds of other properties have been destroyed by the Israeli army and security forces in Israel and the Occupied Territories since September 2000. Tens of thousands of men, women and children have been made homeless or have lost their source of livelihood. Thousands of other houses have been damaged, many beyond repair, and tens of thousands are under threat of demolition.

In the Gaza Strip alone some 18,000 Palestinians, most of them refugees, have been made homeless by the destruction carried out by the Israeli army. The area where most homes has been destroyed is the Rafah refugee camp, where more than 1,000 homes have been destroyed and hundreds of others have been partially destroyed or very seriously damaged since October 2000.

Amnesty International has now issued a report on Israel and the Occupied Territories entitled *Under the rubble: House demolition and destruction of land and property* (AI Index: MDE 15/033/2004), in which it analyses the main patterns and trends of forced eviction, house demolition and destruction of property by the Israeli army and security forces in Israel and the Occupied Territories in the light of international human rights and humanitarian law.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Hebrew or your own language:

- calling on the Israeli authorities to immediately stop the demolition of houses in the Rafah refugee camp, which is in contravention of international humanitarian law;
- urging the Israeli authorities to provide reparation to those whose homes have been destroyed or damaged unlawfully.

APPEALS TO:

Ariel Sharon, Prime Minister
Office of the Prime Minister
3 Kaplan Street
P O Box 187
Kiryat Ben-Gurion
Jerusalem 91919, Israel
Fax: +972 2 5665737
E-mail: pm_eng@pmo.gov.il
Salutation: Dear Prime Minister

Shaul Mofaz, Minister of Defence
Ministry of Defence
Kaplan Street
Hakirya
Tel Aviv 67659
Israel
Fax: +972 3 691 6940 or +972 3 696 2757 or +972 3 691 7915
Email: sar@mod.gov.il or pniot@mod.gov.il
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 29 June 2004.