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Unprecedented Collective Punishment Measures against Palestinians in Jabal al Mukabir in East Jerusalem

15 January 2017

Jabal al Mukabir neighborhood in occupied East Jerusalem is being subjected to a campaign of collective punishment measures carried out by the Israeli occupation police, municipality, security forces and ministries. This includes the decision by the Israeli Minister of Interior to revoke the residencies of 12 members of the Al Qanbar family to-date, and delivering demolition notices for 81 houses in Al Qanbara neighborhood, on the pretext of building without a permit. Other punitive collective measures have unlawfully been targeting the entire population of Jabal al Mukabir, which included the closure of main roads resulting in the disruption of the movement of people and public transport. This has undermined the ability to provide medical aid in the area.

These measures come in an atmosphere of incitement perpetuated by Israeli officials against Jerusalem in general and the residents of Jabal al Mukabir neighborhood, especially after the operation in an illegal settlement in East Jerusalem on 8 January. The operation led to the death of four Israeli soldiers and the killing of the alleged attacker, Fadi Al Qanbar, who had carried out the operation alone.

As noted above, following the operation, 81 notices for house demolitions were issued. Both administrative and punitive home demolitions are prevalent in East Jerusalem. Recently, in response to the Israeli Supreme Court's decision to dismantle the Amona outpost, the Mayor of Jerusalem Nir Barakat stated that if the Israeli government carries out such move, the municipality will deliver hundreds of demolition orders in East Jerusalem. In another earlier statement, the deputy mayor and the head of the local planning and construction committee for the Jerusalem Municipality, Meir Turgeman, stated the intention of imposing collective punishment measures and “punishing” Palestinian Jerusalemites following an operation that took place in October 2016. Turgeman provided that all construction plans related to East Jerusalem will be “off the agenda” and that the carrot and stick policy pursued by the municipality with Palestinian Jerusalemites in the

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hope it “would help change their animal behavior” no longer works, as “there are no carrots left, only sticks.”¹

Measures taking place in Jabal al Mukabir neighborhood amount to collective punishment, and are a blatant disregard to international law. Article 33 of the Fourth Geneva Convention provides that “No protected person may be punished for an offence he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited.” Further, under customary international humanitarian law, occupying forces are prohibited from taking individual or collective retaliatory action targeting the protected population, even if it is under the pretext of seeking to enforce security and maintain public order.²

The Palestinian Human Rights Organizations Council demands an immediate halt of all Israeli collective punishment measures in Occupied East Jerusalem and throughout the Occupied Palestinian Territory (OPT). Statements by the Jerusalem municipality further reveal the falsity of its claims that Palestinian homes are demolished for planning and regulatory reasons. Instead, such measures are inspired and coordinated with Israel’s security agencies as retaliatory actions that generate more violence and threaten the rights of Palestinians guaranteed under international law. PHROC calls on all diplomatic missions operating in the OPT as well as international institutions and bodies to take all appropriate and effective measures to ensure the protection of the population living under Israeli occupation and hold perpetrators accountable for violations of international humanitarian law, which may amount to war crimes.

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¹ Hasson, Nir. “Calling Palestinians ‘Animals,’ Deputy Jerusalem Mayor Vows Retribution After Shooting Attack”. *Haaretz*. 10 October 2016. Accessed online: < <http://www.haaretz.com/israel-news/.premium-1.746987>>

² Rule 146. Reprisals against Protected Persons. Available at https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule146 Articles 20 and 51(6) of the Additional Protocol to the Geneva Convention of 1977

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