



Collective Punishment in Jabal al Mukabir

The Civic Coalition for Palestinian Rights in Jerusalem (CCPRJ) is deeply concerned about the residents of the Jabal al Mukabir neighborhood in occupied East Jerusalem. The neighborhood has been subjected to a campaign of collective punishment measures after one of its residents, 28-year old father of four Fadi al-Qanbar, drove a truck into a group of Israeli soldiers on the 8th of January. This led to the death of four Israeli soldiers and Fadi al-Qanbar himself, who was shot [dead](#) by Israeli soldiers and armed civilians.

A day after the attack the Israeli police established a [cordon](#) around the neighborhood of Jabal al Mukabir, including a concrete blockade at one of the main entrances and checkpoints at other entry and exit points, resulting in the disruption of the movement of people and public transport. The blockades effectively undermined the ability to provide medical aid in the area. Since then, 101 families in Jabal al Mukabir have received demolition orders on the pretext of building without a permit. 13 family members of Fadi al-Qanbar have been informed that they will lose their right to live in Jerusalem as permanent residents. Another 19 residents had their driver's license suspended that allowed them to drive a truck. Additionally, traffic inspectors issued an unprecedented amount of tickets to drivers, creating traffic jams. Lastly, shop keepers saw some of their products confiscated and a disproportional number of tax collectors visited the neighborhood to demand immediate payment.

As mentioned above, 13 family members of Fadi al-Qanbar received summons to the Population and Immigration Authority indicating the [revocation](#) of their residency status. The letter said they were "suspected of having connections to ISIS" and are a security risk "as long as they remain in Israel." [Until now](#), the only Palestinians who have been stripped of their status were alleged attackers who survived attacks, or their spouses who were in the process of applying for permanent residence and meanwhile had family reunification status. Interior minister Deri was [quoted](#) saying "let this be known to all who are plotting, planning or considering carrying out an attack, that their families will pay a heavy price for their actions and the consequences will be severe and far-reaching,".

Home demolitions, either punitive or under the pretext of building without a permit, are a common figure in occupied East Jerusalem. Demolitions of Palestinians homes have severely increased in 2016. On top of that Jerusalem mayor, Nir Barkat has [stated](#) that the High Court decision to remove the Amona outpost in the occupied West Bank would have implications for the city's east, 'where Arabs have illegally built on private or municipal land'. Such statements show the [real reason](#) behind the home demolitions, often disguised as part of municipal planning and regulatory reasons. Since it is made nearly impossible for Palestinians to get a permission to build in East Jerusalem, this statement poses a major threat to the livelihood of Palestinians who are already living in the city as second class citizens because of Israeli discriminatory policies against them.

[Responding](#) to the death of Fadi al-Qanbar, Security Minister Gilad Erdan has said that "his body will be buried but only by the security forces and in a place to which the family and his supporters will not have access." Israel has been carrying out a [policy](#) in which bodies of alleged attackers are not automatically returned to their family members for burial. Following an approach supported by the Israeli Cabinet, the Israeli Legal Advisor has stated that returning the bodies of [alleged] attackers might lead to incitement which could encourage incitement. Israel's refusal to return the bodies of the deceased Palestinians to their families is a violation of multiple provisions of international human

rights and humanitarian law, including clear violations of the human right to dignity, freedom of religion, and the right to practice one's culture.

Collective punishment measures amount to a violation of international humanitarian law. These measures are part of an atmosphere of incitement perpetuated by Israeli officials against occupied East Jerusalem in general and in this case against the residents of Jabal al Mukabir neighborhood. None of the people in the Jabal al Mukabir neighbourhood affected by the measures mentioned above were personally involved in the attack that caused the death of four IOF soldiers. [Article 33](#) of the fourth Geneva Convention states that no protected person [i.e. civilian] may be punished for an offence he or she has not personally committed. The Israeli practice of collective punishment has been condemned time and again. It has been brought to the attention of the international community in numerous [statements](#)¹ and submissions to international human rights bodies.

The lack of the international community and third state parties' action encourages Israel to continue its blatant violation of international law. The United Nations and its member states share responsibility for Israel's decision to impose collective punishment measures on the residents of Jabal al Mukabir who are protected persons under the fourth Geneva Convention.

CCPRJ therefore calls upon the international community to give a protective response by:

- Demanding an immediate halt to all collective punishment measures imposed by the Israeli authorities on Palestinians living in the occupied Palestinian Territory, including East Jerusalem;
- Condemning the decisions to impose collective punishment measures on the residents of Jabal al Mukabir and to call on Israel to immediately halt the procedure to revoke the residency of the 13 family members of Fadi al-Qanbar.

¹ Former Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Richard Falk addresses the issue of collective punishment in paragraphs 3 and 5.