the Qana massacre

On April 18, 1996, the Israel Defense Forces (IDF) shelled a United Nations (UN) compound in Qana, Lebanon, killing over 100 civilians and wounding hundreds more. Approximately 800 civilians had sought refuge in the compound while their villages were bombed as part of the IDF's Operation "Grapes of Wrath." More than 10 years later, the victims have not been compensated and justice has not been done.

photo by Nicholas Blanford

Saadallah Ali Belhas lost 31 members of his family in the IDF attack on the UN compound in Qana, Lebanon.

where is Qana?

Qana is a village in southern Lebanon located 12 km north of the border with Israel. The village is home to about 10,000 people who are primarily Shi'a Muslims, although there is also a substantial Christian community in the village.

Qana is the site of a UN Compound, which houses the UN's Interim Force in Lebanon (UNIFIL). In 1978, Israel invaded southern Lebanon, occupying Lebanese territory up to the Litani River including Qana. The UN Security Council called upon Israel to withdraw its forces from all Lebanese territory and established UNIFIL in part to oversee the withdrawal of Israel from Lebanon.

what is the background of the Israel-Lebanon conflict?

Tens of thousands of Palestinians have fled to Lebanon where they have found refuge since the establishment of Israel in 1948. In 1970, the Palestinian Liberation Organization (PLO) established its head-quarters in Beirut, which is the capital of Lebanon.

In addition to the 1978 invasion of southern Lebanon, Israel undertook a full-scale invasion of Lebanon in 1982, reaching Beirut. One goal of Israel's invasion was to drive the PLO out of Lebanon. Hezbollah was formed in response to the 1982 invasion and opposed the Israeli occupation of southern Lebanon. Low-level conflict was an ongoing reality in this region, culminating in the 1996 IDF Operation "Grapes of Wrath."

what is the Qana massacre?

In April 1996, the IDF launched Operation "Grapes of Wrath," intended to pressure the Lebanese government to disarm Hezbollah. During the operation, the IDF bombed, strafed and shelled small towns and villages in southern Lebanon, forcing approximately 400,000 civilians to flee their homes.

On April 12, 1996, the IDF issued a warning on the radio to Lebanese civilians to evacuate southern villages. The IDF stated that civilians who remained in their villages would be considered connected to Hezbollah. As a result of this warning, over 800 Lebanese civilians sought refuge in the UN compound in Qana. Most of the civilians at the UN compound were women, children, and elderly people who were too poor or otherwise unable to get transportation out of the areas of shelling.

Just after 2:00pm local time on April 18, 1996, the UN compound came under artillery fire by the IDF. The IDF did not issue any warning to the UNIFIL. The IDF took no precautions to prevent civilian casualties. Thirteen high explosive shells directly hit the compound or deto-nated over it, eight of which were proximity fuse shells. These shells inflict death or bodily harm rather than material destruction, because they detonate above ground when closest to their targets, rather than explod-ing upon impact.

Over 100 civilians were killed in the deliberate attack, almost half of whom were children, and many more wounded, including Fijian UN personnel. The UN promptly investigated and denounced the IDF attack as violating the rules of international humanitarian law. The UN further concluded it was "unlikely" that the attack was the result of gross technical or procedural error, which the IDF had claimed.

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who is moshe ya'alon?

Moshe Ya'alon was a Major General and head of the Intelligence Branch of the IDF in April 1996. He participated in the decision to shell the UN compound in Qana. Ya'alon's command failed to warn UNIFIL of the impending attacks and deliberately attacked and killed the internally displaced civilians who had taken refuge there. Under his authority, the IDF continued to shell the compound even after it had been notified by UNIFIL that it was sheltering civilians there. Ya'alon retired from the IDF in June 2005. From 2005–2006, Ya'alon was a "Distinguished Military Fellow," at the Washington Institute for Near East Policy. He currently teaches at the Shalem Center in Jerusalem.

who are the victims?

Among the hundreds of families who lost their loved ones or experienced grave injury during the attack is the Belhas family. Saadallah Ali Belhas's wife and nine children were killed in the attack on the U.N. compound. He lost 31 members of his family altogether. His son, Ali Saadallah Belhas, lost his wife and three young children, including his newborn son, whom he saw decapitated. Ali Mohammed Ismail's wife and three children were also killed. Ibrahim Khalil Hammoud, Raiman Nasseeb Al Haja, Hamidah Sharif Deeb, and Hala Yassim Khalil each suffered disabling injuries, losing limbs or suffering other horrendous injuries. These families are Plaintiffs in a suit against Ya'alon brought by the Center for Constitutional Rights (CCR).

belhas v. ya'alon

On November 4, 2005, CCR brought a class action lawsuit against retired Lt. Gen. Ya'alon for his role in the 1996 massacre. The suit seeks damages for war crimes, extrajudicial killing, crimes against humanity, and cruel, inhuman or degrading treatment or punishment. These allegations arise from the intentional and indiscriminate shelling of the UN compound where civilians were knowingly taking shelter.

The case was filed in the U.S. District Court for the District of Columbia, pursuant to various laws, including the Alien Tort Statute (ATS), a 1789 statute giving non-U.S. citizens the right to file suits for customary international law violations in U.S. courts, and the Torture Victim Protection Act (TVPA), which Congress passed in 1992 to allow victims of torture or extrajudicial killing to seek redress.

Ya'alon filed a motion to dismiss the case in February 2006, stating that, among other things, he was entitled to immunity from the suit under the Foreign Sovereign Immunities Act. The Israeli Ambassador to the U.S. wrote a letter to the State Department urging dismissal, stating that "anything" Ya'alon did while with the IDF where actions of Israel and that, therefore, Ya'alon should be immune from suit. Plaintiffs opposed the motion, arguing that because Ya'alon's actions were violations of international law, the acts were outside the scope of Israeli law and could not be considered "official acts" of Israel entitled to immunity.

In December 2006, Judge Friedman of the U.S. District Court dismissed the case, relying heavily on the letter from the Israeli Ambassador. The decision threatens the very purpose of the TVPA, which allows for liability against individuals who act "under actual or apparent authority, or under color of law" of a foreign nation.

Plaintiffs appealed the dismissal to the Court of Appeals of the District of Columbia and urged the Court to find that Ya'alon is not entitled to immunity, since he acted outside the scope of his lawful authority in participating in the decision to violate international humanitarian law. The Court of Appeals affirmed the dismissal on February 15, 2008, ending their case against Ya'alon.

what is happening in Qana now?

After ten years without justice, the people of Qana again fell victim to an Israeli attack during the 2006 summer war. On July 30, 2006, Israel bombed a residential building in Qana, killing at least 28 Lebanese civilians, including many women and children. Human rights groups have called for an investigation into the attack.

help ccr seek justice for Qana massacre victims

We need your help to hold Moshe Ya'alon accountable for targeting the Lebanese civilians in Qana. International humanitarian law should never be compromised in the name of foreign policy.

educate yourself and others:
1. Share this information with others in your commu nity. Check out www.ccrjustice.org for more information.

demonstrate your dissent:
1. Write a letter to the editor of your local paper.
2. Join CCR's action list online to get updates.