

## **Appendix 2(i)**

# EXAMPLES OF FOOTAGE PHOTOGRAPHED BY THE IDF AND BY TELEVISION CHANNELS DOCUMENTING DELIBERATELY INDISCRIMINATE HEZBOLLAH FIRE FROM POPULATED AREAS (CD ATTACHED)

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1. During the second Lebanon war, much footage was filmed documenting rocket fire from populated areas, as well as Hezbollah's military infrastructure and operational activities in the towns and villages of south Lebanon. Attached to this appendix is a CD of selected examples from three sources: the Israeli Air Force, representatives of the IDF spokesman on the ground and television stations. The CD contains:

## **2. Israeli Air Force footage:**

### **a. A selection of footage showing rocket fire close to civilian structures:**

- 1) Rockets launched between two high-rise buildings in Saddiqin.
- 2) 302 mm rockets launched in Haboush (used to fire rockets at Afula).
- 3) A 220 mm rocket launcher between buildings in Haloussiyet al-Tahta (used to fire rockets at Haifa).
- 4) 122 mm rocket launchers hidden among buildings in Yater and Barashit.

### **b. Rocket launchers destroyed by Israeli Air Force strikes:**

The films document the destruction of rocket launchers, including some on trucks and one used to fire long-range rockets at Haifa. Close-ups of the launchers clearly show them positioned close to residential dwellings.

- c. **Rocket launchers mounted on vehicles find shelter among village buildings after a launch:** Vehicle in Barashit parked under a building.
- 3. **Footage filmed on the ground by representatives of the IDF spokesman:**
  - a. **A vehicle loaded with rockets near the mosque in the village of Marwahin:** The footage shows a vehicle loaded with weapons destroyed by IDF forces in the village of Marwahin on July 21. It can be seen parked near the mosque with the remains of rockets next to it. IDF forces reported that large quantities of weapons were found in the mosque basement.
  - b. **An improvised Hezbollah headquarters:** A room in a residential dwelling in the town of Meiss al-Jabal which served as a headquarters for Hezbollah operatives. There were maps on the wall, computer workstations, and listening and observation devices positioned near the windows.
- 4. **Television footage:**
  - A. Al-Jazeera TV interviewed a Hezbollah operative who fought in the village of Aita al-Shaab. He took the interviewer with him into a bunker beneath one of the houses in which Hezbollah operatives hid (Al-Jazeera TV, August 19, a program called “Open Discussion.”)
  - B. Al-Manar TV, Hezbollah’s TV station, broadcast footage of a Khaybar-1 rocket (302 mm, Syrian manufacture) being launched at Afula. The launcher is shown close to a residential dwelling (Al-Manar TV, July 17).
- 5. Attached is a CD of the above footage.

## **Appendix 2(ii)**

## TESTIMONIES OF THREE HEZBOLLAH DETAINEES ABOUT THE ORGANIZATION'S OPERATIONAL ACTIVITY WITHIN POPULATION CENTERS IN LEBANON (CD ATTACHED)

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1. Three Hezbollah detainees who were captured during the second Lebanon war described in detail how the organization carried out its military activity from within population centers in south Lebanon and the Shi'ite districts of south Beirut.
2. Personal details of the three follow:



**Maher Hassan Mahmoud  
Kourani**

Anti-aircraft operative, born in the village of Yater in 1976. In 1994 began working for Hezbollah's Support Committee in the village. In 1988 joined the organization's military wing. Participated in operations in the security zone against the IDF and the Israeli-backed South Lebanese Army. Underwent training in anti-aircraft tactics in Lebanon and Iran. Captured by the IDF in the village of Shihin.



## **Muhammad Abd al-Hamid Srou**

Anti-tank operative, born in the village of Aita al-Shaab in 1986. Joined Hezbollah in 2004. Participated in combat training and anti-tank courses in Lebanon and Iran. Took part in Hezbollah operational activity in south Lebanon. Captured in the village of Aita al-Shaab.



## **Hussein Ali Mahmoud Suleiman**

Anti-tank operative, born in the village of Nebi Othman north of Baalbek in 1984. A resident of the Bir Hassan district of south Beirut. Joined Hezbollah in 1998. Participated in various combat training courses in Lebanon, including command of anti-tank squads. Participated in a military training course in Iran. Took part in the attempted abduction of IDF soldiers in the village of Ghajar on November 21, 2005, and in the abduction of soldiers Ehud Goldwasser and Eldad Regev on July 12, which led to the outbreak of the second Lebanon war. Captured by the IDF in the village of Aita al-Shaab.

3. The three testified in detail about the activities of Hezbollah's military infrastructure located within civilian settlements, **focusing on three topics:**

- a. **The military infrastructure in south Lebanon**, including the storing of weapons in residential dwellings, the locations of offices, bases and the houses of operatives within towns and villages in south Lebanon (particularly in Y'atar and Aita al-Shaab). The three also gave information about Hezbollah behavior in the villages and the relations between Hezbollah operatives and local residents before and during the war (until their capture).
  
- b. **The Hezbollah military infrastructure in the Shi'ite districts of south Beirut**, especially Harat Hreik ("the security square"). The testimonies included information about Hezbollah bases and offices in Harat Hreik and the security surveillance in the district, which was the organization's command center.
  
- c. **The use of civilian vehicles for military actions**, including the types of vehicles used by Hezbollah operatives and the use of motorcycles on operative missions (flying white flags to prevent IDF attacks).

**4. For the main points of the testimonies, see the attached CD.**

## **Appendix 2(iii)**



# A SELECTION OF PUBLIC STATEMENTS MADE BY HEZBOLLAH LEADER HASSAN NASRALLAH AND ANNOUNCEMENTS APPEARING IN THE HEZBOLLAH-CONTROLLED MEDIA ABOUT ROCKET FIRE TARGETING POPULATION CENTERS IN ISRAEL

## Overview

1. During the second Lebanon war, Hezbollah made **no attempt to hide** the fact that **population centers** in Israel were the **main target** of their rocket fire. In fact, they often boasted of it.
2. In speeches given during the war, Hezbollah leader Hassan Nasrallah repeatedly boasted that hundreds of rockets hitting Israeli cities and towns in the north, including Haifa, Afula and Beit Shean. He also repeatedly threatened that Hezbollah rockets would hit the center of the country “beyond Haifa,” i.e., Tel Aviv and other cities in the most populated area of Israel.



The names of the Israeli population centers (in Arabic and Hebrew) threatened by Hezbollah (left) and those actually hit by the organization's rockets (right) as they appeared on Al-Manar TV. Left, already attacked: Safsoufa, Shomera, Avdon, Geshur Haziv, Cabri, Kiryat Shemona, Kfar Szold, Ma'alot Tarshiha. Right, planned for attack: Hadera, Netanya, Ariel, Petah Tikva, Tel Aviv-Jaffa, Ramat Gan, Ramat Hasharon, Rosh Ha'ayin.

3. Nasrallah boasted that Hezbollah rocket fire drove two million Israelis to leave their homes or stay in bomb shelters. He also boasted of the damage done to Israel's economy, its factories, commerce and tourist industry. His psychological warfare included a call to Israeli Arabs living in Haifa to leave the city because, he claimed, their presence made Hezbollah hesitate to bomb it...(which proved to be a complete fabrication.).

“...For more than 18 days, two million Israelis have been forced to leave [their homes] or to live in bomb shelters and the number will grow with the increase [of our rocket fire] when we start [firing rockets] beyond Haifa...”



**Hassan Nasrallah speaking (Al-Manar TV, July 29, 2006)**

4. Nasrallah's television appearances were accompanied by **Al-Manar TV video footage**. Al-Manar TV was a key Hezbollah tool for incitement and the transmission of propaganda supporting its terrorist activities. The names of Israeli cities and towns targeted by Hezbollah rockets were given and pictures of the destruction wreaked were shown. The footage was also shown during Hezbollah announcements about the attacks carried out.



**Left: Hezbollah’s threat to send its rockets “beyond Haifa,” i.e., to the center of the country. Right: Al-Manar TV broadcast of the destruction of part of an apartment building in Haifa (from the Al-Manar video broadcasts).**

## **5. Tables and inclusions:**

- a. A table summarizing the public statements made by Hassan Nasrallah about rocket fire at Israeli cities and town and one summarizing television footage about the rocket fire, with examples of Hezbollah announcements concerning the attacks against Israel.
  
- b. A CD containing a selection of examples of Nasrallah’s statements and Al-Manar TV footage dealing with the rocket fire.

## Statements Made by Hezbollah Leader Hassan Nasrallah

No.	Statement	Source, Date and Time
1.	<p>“Despite the lies told in the UN Security Council by the American Secretary of State and the Israeli Ambassador, what happened was that Israeli soldiers were captured and [for us] that was the end of it. The Israelis began attacking buildings and cities, and they bombed the southern suburb [of Beirut]. That is, they began attacking civilians, and <b>after that we bombed the settlements [sic] in the northern part of occupied Palestine.</b>”</p>	<p><b>Al-Manar TV</b>, August 12, 17:51 (5:51 p.m.)</p>
2.	<p>“During the rocket attack, the capability of the resistance remained the same as in the first days...Your sons and brothers, <b>the jihad fighters of the resistance, answered [Israeli prime minister Olmert] with 350 rockets which hit all the [military] bases and Zionist settlements in northern occupied Palestine...</b>That made a larger number of residents in those areas seek refuge in bomb shelters or flee their homes [in great numbers]. It also caused great damage to [Israel’s] economy and to property and individuals, damage the enemy is still concealing.”</p>	<p>Al-Manar TV, August 9, 20:55 (8:55 p.m.)</p>
3.	<p><b>“I have a special message for the Arabs of Haifa:</b> We have expressed our regret and</p>	<p><b>Al-Manar TV</b>, August</p>

	sorrow for the martyrs and wounded among you. <b>I request and appeal to you to leave the city</b> , and hope you will do so. Previously, your presence in the city and the harm inflicted on you made us hesitate to attack that city [i.e., Haifa], even though the southern suburb [of Beirut] and the Lebanese home front were bombed, whether Haifa was attacked or not. I hope you will ease our hesitation and avoid shedding your blood, which is our blood, and <b>leave the city.</b> ”	9, 20:55 (8:55 p.m.).
4.	“In addition, regarding missile launchings, despite what they Zionist enemy has said so far, bombing the settlements in northern Palestine and beyond Haifa continues to this day, at a faster rate and with upgraded missiles. On August 2 the Islamic resistance fired more than 300 missiles at settlements in the north and used [Syrian-manufactured 302 mm] Khaybar missiles to attack the settlement of Beit Shean and the city of Afula deep within Israeli territory beyond Haifa...The resistance bombed Afula and Beit Shean....”	<b>Al-Manar TV</b> , August 4, 20:231 (8:23 p.m.)
5.	“...not only did the Israeli Air Force not succeed in stopping the bombing of the [Israeli] settlements, <sup>1</sup> but using its full capabilities, [the resistance] launched	<b>Al-Manar TV</b> , July 29, 18:51 (6:15 p.m.)

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<sup>1</sup> *Musta'marat* in the original. The term means “colonies” or “settlements,” i.e., established on occupied land. It expresses Hezbollah and Iran’s non-recognition of the State of Israel and their view of it as occupied land. For that reason they call the Galilee “northern occupied Palestine.”

	<p>rockets beyond Haifa...When, brothers and sisters, throughout the entire Arab-Israeli conflict, were two million Israelis forced to leave [their homes] or to spend 18 days and more in bomb shelters, and <b>that number will grow as our attacks spread beyond Haifa</b>, since the bombing of Afula and the military base were the beginning of the next stage. There are many cities in the center [of Israel] which will be within range during the stage of attacks beyond Haifa, if the barbaric aggression against our country, our people and our villages continues.”</p>	
6.	<p>“...from the moment we bombed Haifa until now, the Israeli stock market has lost billions of dollars. So far, the direct damage to the north of occupied Palestine, and I refer only to the direct damage and not to the influence on the Israeli economy, is estimated at <b>\$100 million a day</b>. Lives have also been lost and economic damage has been inflicted.”</p>	<p><b>Al-Manar TV</b>, July 21, 02:00 (2 a.m.)</p>
7.	<p><b>“Northern occupied Palestine is at a standstill.</b> There are two million Israelis in bomb shelters or who have left the region, who were forced to flee. The entire northern economy is at a standstill. Factories, commerce, tourism...”</p>	<p><b>Al-Jazeera TV</b>, July 21, 01:40 (1:40 a.m.)</p>
7.	<p>. “...All the Israeli announcements about having hit 50% of our rocket capabilities and storehouses are untrue and nonsense. So far, they have not hit either, and I say this to you, the proof is that the resistance continues</p>	<p><b>Al-Manar TV</b>, July 21, 01:10 (1:10 a.m.).</p>

	<p>firing rockets, not regular Katyusha rockets which [only] reach the settlements on the front line. The resistance [i.e., Hezbollah] continues bombing Haifa, Tiberias, Safed and deep [inside Israel].”</p>	
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### Selected Al-Manar TV footage showing rocket fire at population centers

No.	Description	Source and Date
1.	<p><b>Video footage showing names of Israeli population centers hit by Katyushas:</b> Zarit, Safsufa, Shomera, Evron, Gesher Haziv, Kabri, Kiryat Shemona, Kfar Szold, Ma'alot Tarshiha, Meiron, Neveh-Ziv [<i>sic</i>], Nahariya, Hagoshrim, Hatzor Hagelilit, Rosh Pina, Shavei Zion, Safed, Acre, Amiad, Gadot, Carmiel, Eilabun, Kiryat Bialik, Kiryat Motzkin, Kiryat Yam, Kfar Bialik, Kfar Hittim, Haifa, Ramot, Shimshit, Tiberias, Tirat Hacarmel, Kiryat Atta and Nesher.</p> <p>The names of the civilian targets attacked were accompanied by the caption “<b>Depth of 20 kilometers, 176 settlements, 480,000 residents.</b>” Afterwards, the names of the <b>targets Hezbollah threatened to attack were displayed</b>, along with slogans reading “The coming promise,” “The next shrieking [rocket].” Among the civilian targets in the northern and central Israel mentioned were: Daliat al-</p>	Al-Manar TV, July 19

	Carmel, Ramat Yishai, Atlit, Afula, Kiryat Tivon, Migdal Ha'emek, Yokneam Illit, Zichron Ya'akov, Megiddo, Hadera, Netanya, Ariel, Petah Tikvah, <b>Tel Aviv</b> , Jaffa, Ra'anana, Ramat Gan, Ramat Hasharon, Rosh Ha'ayin, Givat Shmuel, Givatayim, Karnei Shomron, Kiryat Ono, Herzliya and Hod Hasharon.	
<b>2.</b>	<b>Video footage of targets for rocket fire, including civilian sites:</b> Haifa, Kiryat Shemona, Zarit, Nahariya and Hagoshrim. Slogans were also broadcast, such as "We are planning to fight" on the background of pictures of rockets and fuel reservoirs, and Hassan Nasrallah's slogan: "Believe us, beyond Haifa and way beyond Haifa."	<b>Al-Manar TV</b> , July 16
<b>3.</b>	<b>A short Hezbollah film showing the organization's ability to hit various locations in Haifa:</b> It has aerial photographs of targets in the Haifa area such as an airfield, fuel reservoirs, petrochemical plants and the coastline. They are followed by pictures of attacks and flames labeled "To Haifa" and "Beyond Haifa" and "Far beyond Haifa."	<b>Al-Manar TV</b> , July 23
<b>4.</b>	Video footage boasting about how Hezbollah put two million northern Israeli residents into bomb shelters and threatening that the number would grow as Hezbollah attacked further south. It was broadcast a few minutes after Afula was attacked. Its slogan was "Haifa – 20 kilometers = 2,000,000 Israelis"	<b>Al-Manar TV</b> , July 27



	in bomb shelter”. For the next stage “Beyond Haifa...”	
<b>5.</b>	In a video clip entitled “ <b>You will not succeed in defending the settlements</b> ” Hezbollah states that Israel will not be able to defend the northern “settlements” from attacks. It has pictures of the Israeli Defense Minister, rocket fire, a list of Israeli cities (including Tel Aviv, Ariel, Netanya and Ramat Gan), wounded IDF soldiers being evacuated to hospitals, etc.	<b>Al-Manar TV, July 30</b>
<b>6.</b>	A short video showing <b>an apartment house in Haifa destroyed by a Ra’ad-2</b> rocket (a 220 mm Syrian-made missile). The pictures were taken from Israeli Channel 10 broadcasts and from real-time videos of rocket attacks filmed by Israelis with their own cameras on July 17.	Al-Manar TV, August 5.

### **Selected Hezbollah announcements regarding the bombing of Israeli cities and towns**

<b>No.</b>	<b>Statement</b>	<b>Source, Date and Time</b>
<b>1.</b>	“Faithful jihad fighters of the resistance pound the settlements of Kiryat Shemona, Manara, Margaliot and Misgav Am with heavy volleys of rocket fire.”	Al-Manar TV, July 27, 19:30 (7:30 p.m.)
<b>2.</b>	“The Islamic resistance again attacks the settlements of Tiberias, Shomera, Ma’alot	Al-Manar TV July 27, 18:21 (6:21 p.m.)

	and Even Menachem.”	
<b>3.</b>	“In the name of Allah the all-merciful, O ye who believe! If ye will help (the cause of) Allah, He will aid you, and plant your feet firmly (Surah 47, Verse 7). At 10:00 the heroes of the resistance launched volleys of rockets at the settlements of Ma’alot, Kfar Veradim and Shomera.”	Al-Manar TV, July 27, 11:30.
<b>4.</b>	“In addition, regarding missile launchings, despite what they Zionist enemy has said so far, bombing the settlements in northern Palestine and beyond Haifa continues to this day, at a faster rate and with upgraded missiles. On August 2 the Islamic resistance fired more than 300 missiles at settlements in the north and used [Syrian-manufactured 302 mm] Khaybar missiles to attack the settlement of Beit Shean and the city of Afula deep within Israeli territory beyond Haifa...The resistance bombed Afula and Beit Shean....”	<b>Al-Manar TV</b> , August 4, 20:231 (8:23 p.m.)
<b>5.</b>	“The Islamic resistance is bombing the settlements of Ma’alot, Gush Halav, Kiryat Bialik, Gonen and Afikim.”	Al-Manar TV, July 26, 19:30 (7:30 p.m.)
<b>6.</b>	“Hezbollah is bombing Nahariya, Tiberias and the Hula settlement [sic].”	A subtitle which appeared on FTV, July 26, 14:10 (2:10 p.m.)
<b>7.</b>	“On July 26 at 13:10 our heroic jihad fighters pounded the settlements of Kiryat Shemona, Carmiel, Kfar Szold and Gonen with rockets.”	Al-Manar TV, July 26, 13:50 (1:50 p.m.)
<b>8.</b>	“At 13:50 the men of the Islamic resistance fired many rockets at the settlement of Nahariya. Victory is only in the hands of beloved and all-mighty Allah.”	Radio Nur (the Hezbollah radio station), July 26, 14:25 (2:24 p.m.)

<b>9.</b>	“The [Islamic] resistance bombed the settlements of Ramot Naftali, Kiryat Shemona, Gonen and Kfar Szold.”	Al-Manar TV, July 26, 10:19
<b>10.</b>	“The Islamic resistance is launching volleys of rockets at the settlements of Ilan [?], Carmiel, Ma’alot and Biria.”	News crawl on Al-Manar TV, July 25, 17:53 (5:53 p.m.)

# **Appendix 3**

# LOCATING ROCKET LAUNCHERS CLOSE TO RESIDENTIAL DWELLINGS BY INTERPRETING AERIAL PHOTOGRAPHS

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## Example No. 1

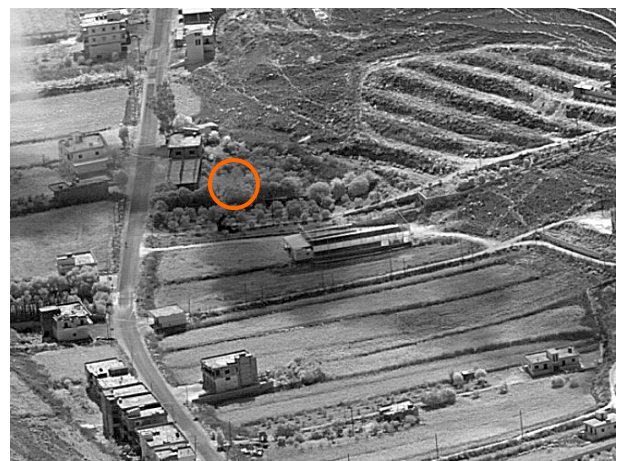
**Locating a rocket launcher in an orchard near buildings on the outskirts of the village of Aadshit, southwest of Nabatiyeh**



**An aerial photograph of the outskirts of the village of Aadshit. The circle marks the site of a long-range rocket launcher, August 11, 10:00. The launcher is 30 meters from two houses.**



**Enlargement of the rocket launcher within the orchard (circled)**



**Enlargement of the orchard where the launcher was found (circled)**

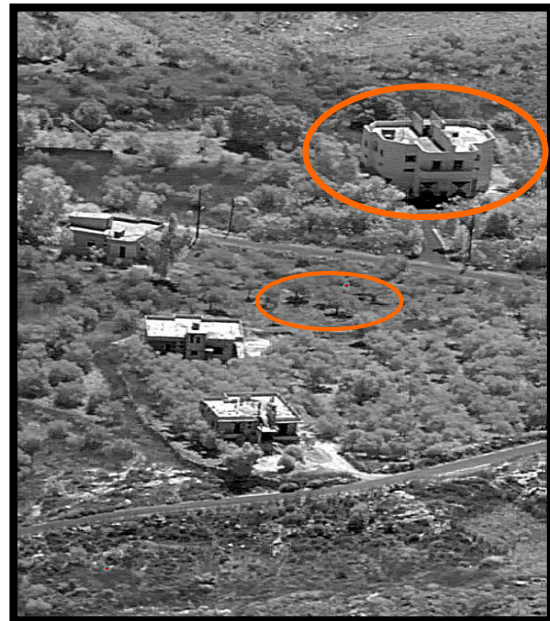
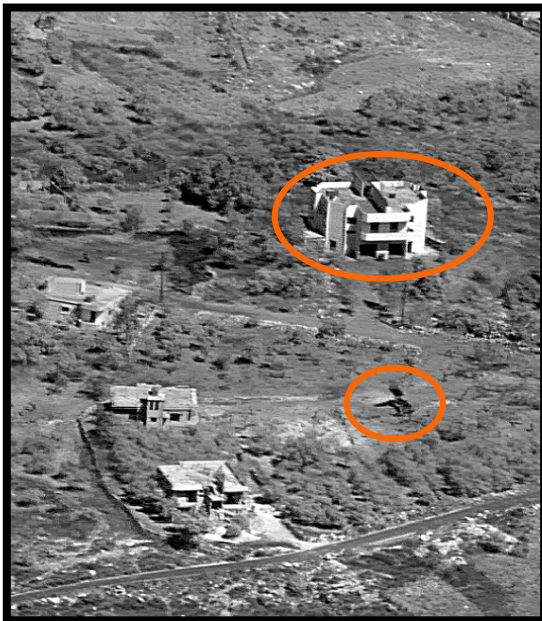


## Example No. 2

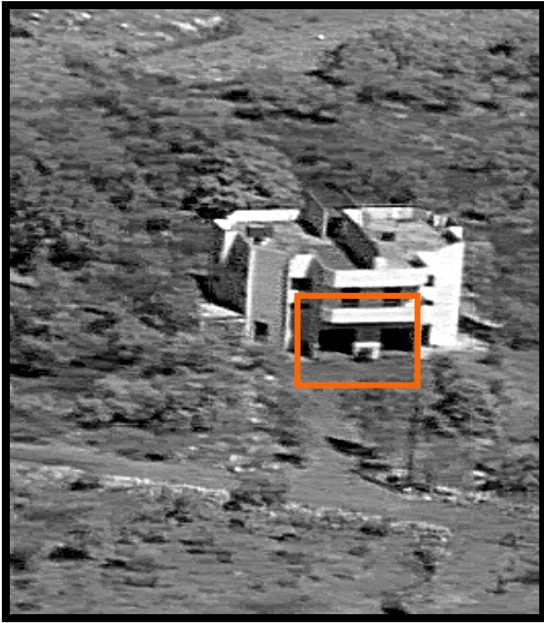
### Locating rocket launchers near buildings in the village of al-Qsaibe, north of the Litani River



**A oblique aerial photograph of the village of al-Qsaibe. The marked area indicates a long-range rocket launcher, August 10, 10:40. It is 20 meters from a residential dwelling.**



**A house in al-Qsaibe with a garage about 70 meters from the rocket launcher. The house was suspected being used to hide the rocket launcher (circled) after rockets were fired.**



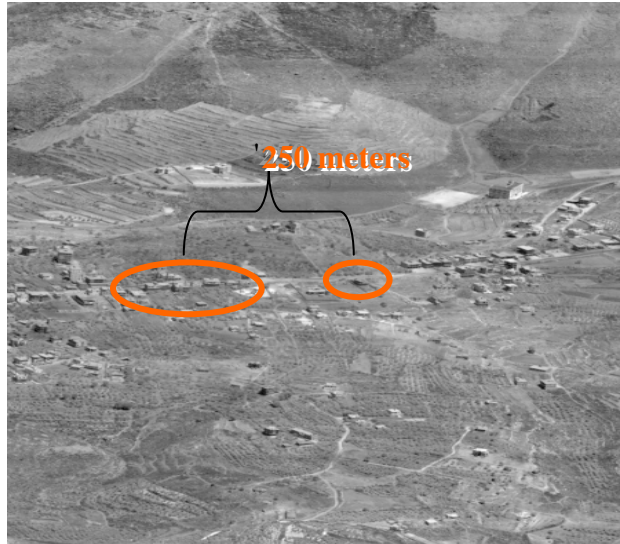
**Enlargement of the house. On the right the garage doors are closed, and on the left, open. In the left-hand photograph a vehicle suspected of carrying a rocket launcher can be discerned.**



**Another residential dwelling in the village of al-Qsaibe. A long-range rocket-launcher is clearly visible 20 meters from its front door (August 10). It is apparently the same launcher seen near the house in the previous picture; the distance between the two is approximately 70 meters.**

## Example No. 3

### Locating a rocket launcher close to buildings in the village of Yater in the central sector of south Lebanon



**Aerial photograph of the village of Yater. The larger circle is the region from which, according to radar tracking, ground-to-ground rockets were fired. The small circle is the place in which a vehicle suspected of carrying a launcher was located, August 5, 14:00 (2 p.m.). The distance between the two is 250 meters. The rockets were launched from between residential dwellings.**



**Enlargement of a vehicle suspected of carrying a 220 mm rocket launcher (the right-hand circle in the previous photograph). The vehicle is 50 meters from a residential dwelling.**

## Example No. 4.



## Locating a rocket launcher in the center of the village of Hanin, southwest of Bint Jbeil



**An aerial photograph showing a rocket launcher on the back of a pickup truck in the center of the village of Hanin. It was located on August 7 at 15:30 (3:30 p.m.) near a bombed building which served as local Hezbollah headquarters.**



**Enlargement of the pickup truck (circled) located close to Hezbollah headquarters**

## Example No. 5

### Locating a rocket launcher close to residential dwellings in the village of Hallousiyet al-Tahta, northeast of Tyre



**Aerial photograph showing a long-range 220 mm rocket launcher (circled) in the village of Hallousiyet al-Tahta. The launcher, hidden behind a residential dwelling, was located on the outskirts of the village on July 23, and was attacked the same day. The photograph was taken on July 25, 16:45 (4:45 p.m.).**



**Aerial photograph taken July 25, after the launcher was struck by the Israeli Air Force.**

## Example No. 6

### Locating a rocket launcher near a residential dwelling in the village of Aitaroun, east of Bint Jbeil



**Aerial photograph of the village of Aitaroun where a vehicle (circled) was located, suspected of carrying a rocket launcher. The picture was taken on August 3 at 09:50 (9:50 a.m.).**



**Enlargement of the house in Aitaroun close to where the suspicious vehicle was located.**

## **Appendix 4**

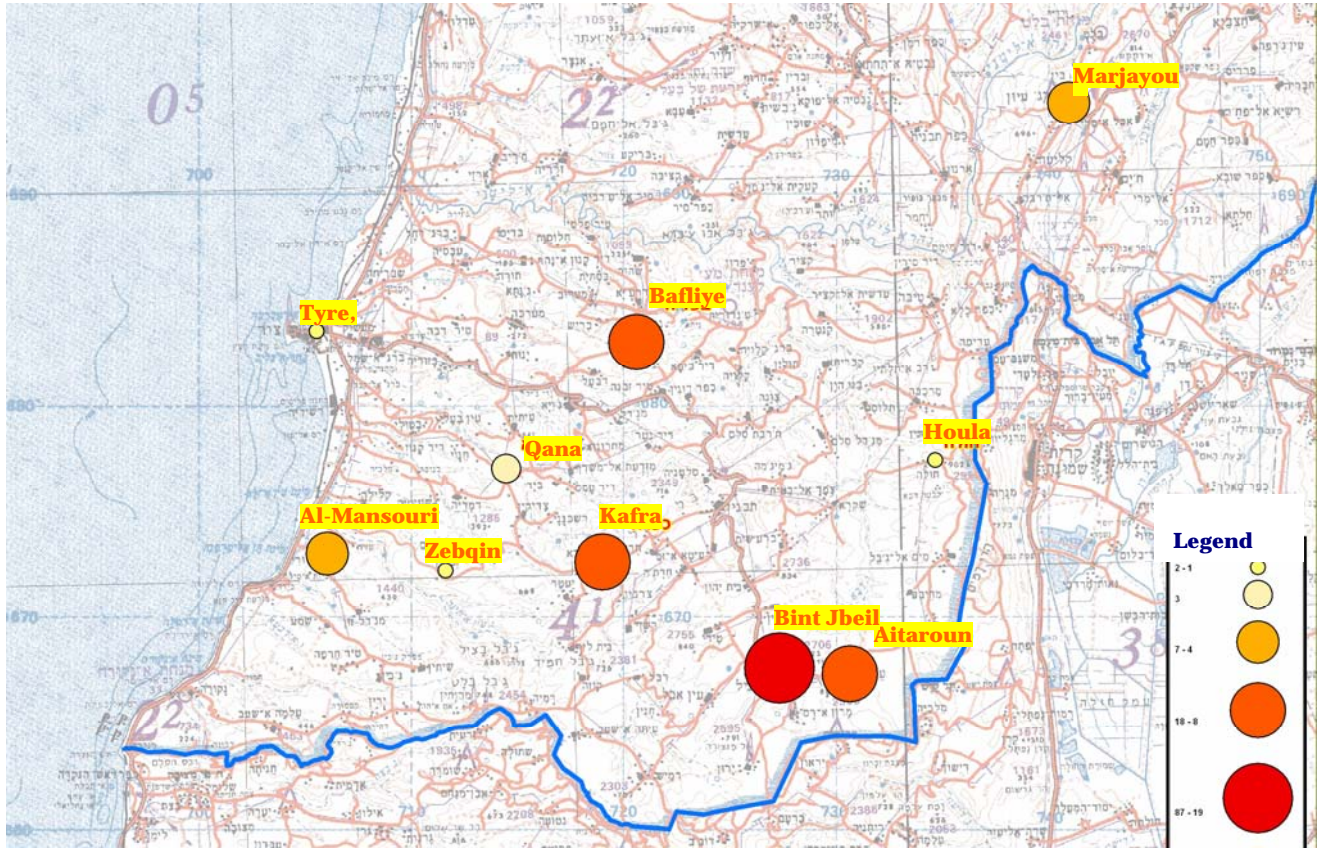
## ROCKET LAUNCHER LOCATIONS IN AND AROUND VILLAGES SOUTH OF THE LITANI RIVER TRACKED BY IDF RADAR

1. Summary of rocket launcher centers in and around the villages found by radar tracking:

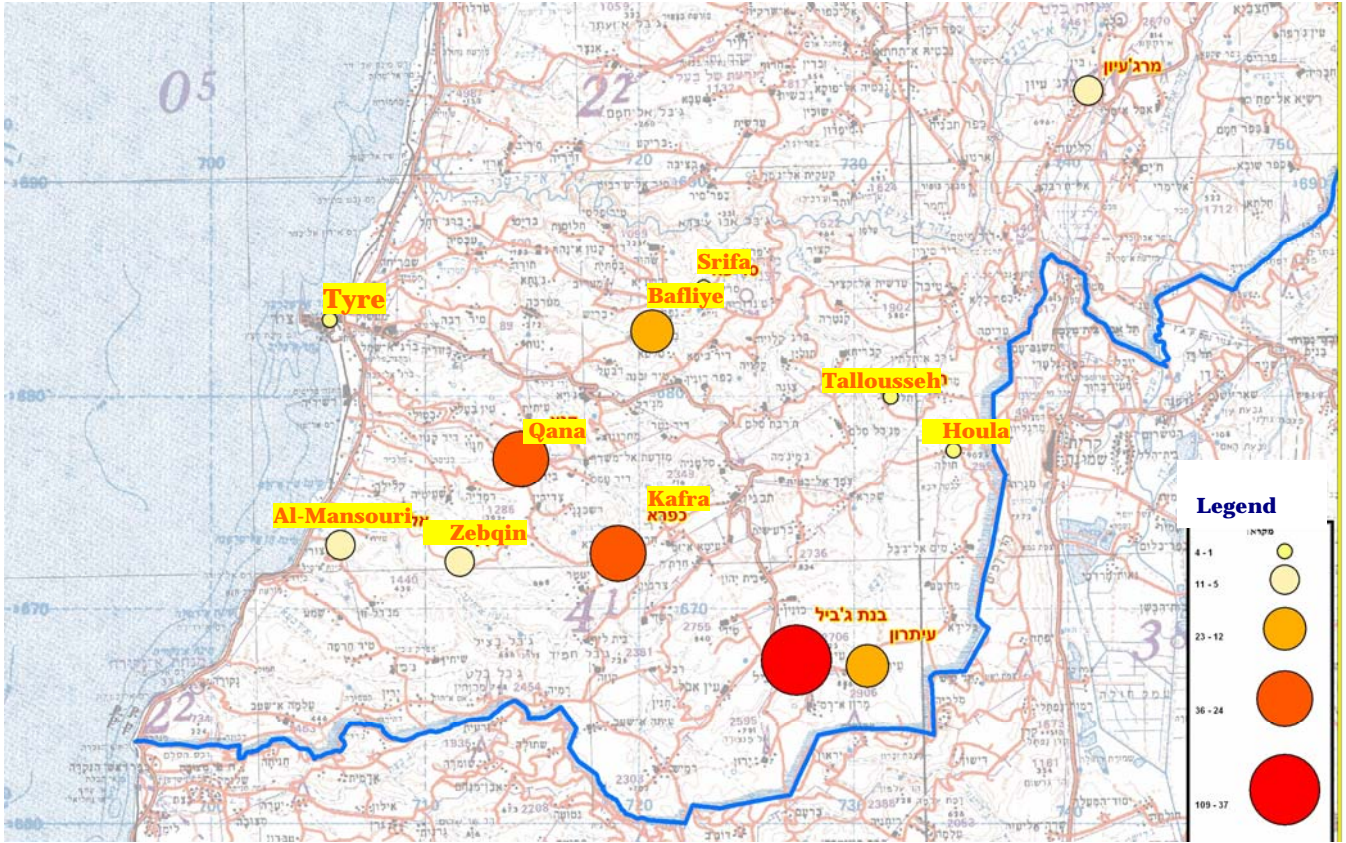
<b>Village</b>	<b>Number of launches from within village houses</b>	<b>Number of launches within a 200-meter radius of the village</b>	<b>Number of launches within a 500-meter radius of the village</b>
Al mansuri	6	11	23
Blida			1
Bint Jbeil	87	109	136
Baflie	13	19	20
Zebqin	2	7	23
Houla	2	3	4
Kafra	17	36	61
Marjayoun	7	11	11
Marwahin			1
Srifa		1	7
Aitaroun	18	23	54
Tyre	1	1	1
Qana	3	36	106
Tallousseh		4	24



## 2. Locations of ground-to-ground rocket launchers within villages in south Lebanon

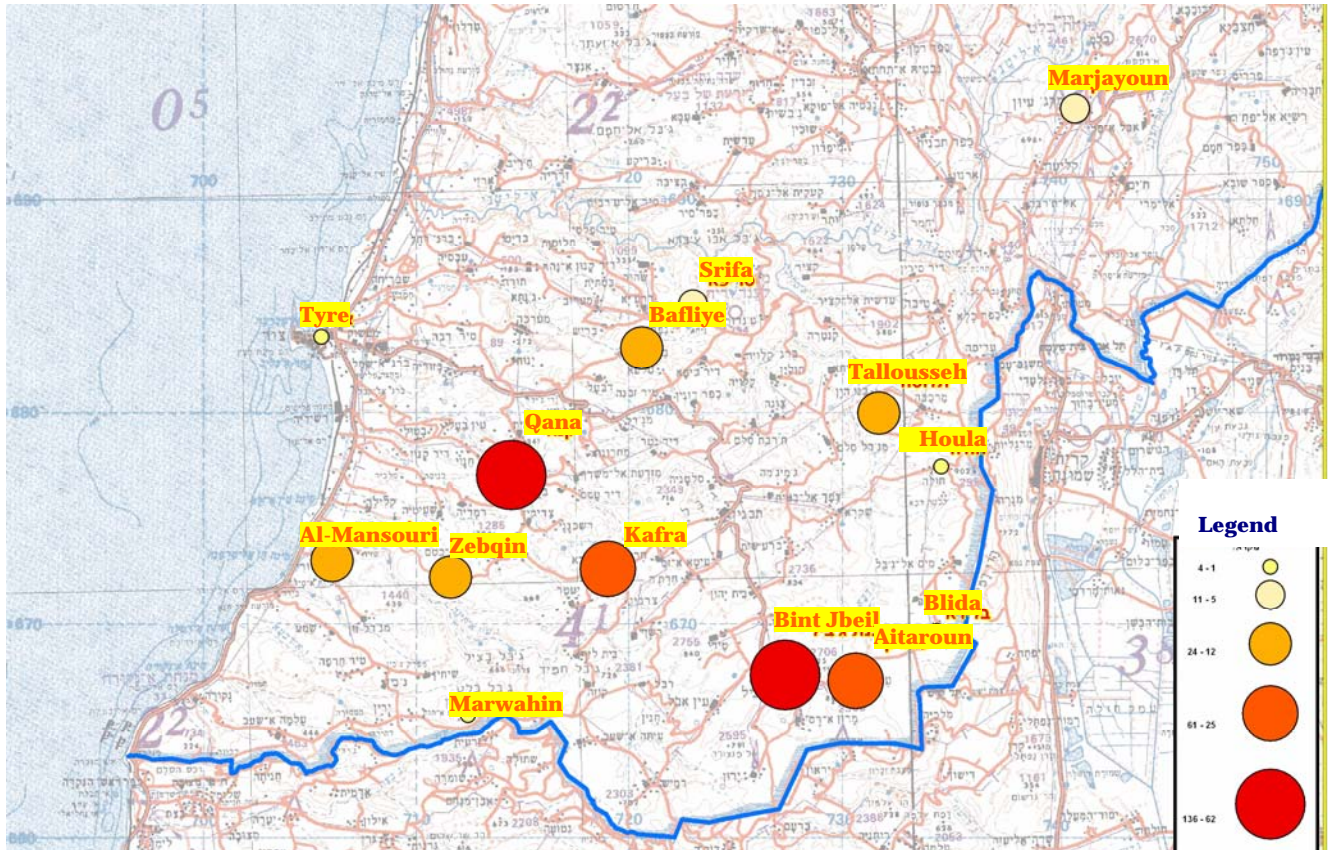


### 3. Locations of ground-to-ground rockets within a 200-meter radius of villages in south Lebanon





#### 4. Locations of ground-to-ground rockets within a 500-meter radius of the villages in south Lebanon





# **Appendix 5(i)**

# Personal information about the Israeli civilians killed by rocket fire<sup>1</sup>

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## Overview

During the second Lebanon war **53 Israelis** were killed by Hezbollah rocket fire on the home front, a third of the total 159 casualties. Most of the victims (41) were civilians (four of them children), and 12 were soldiers killed randomly when a rocket landed near the entrance to Kibbutz Kefar Giladi.

## Pictures and personal information about the victims



**Yehudit Itzkovich, 58. Killed by Katyusha rocket fire in Meiron on July 14.**



**Monika Adriana Lehr, 48. Killed by Katyusha rocket fire in Nahariya on July 13.**



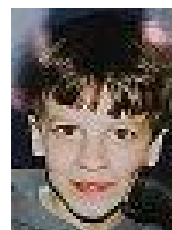
**Reuven Nitzo, 33. Killed by Katyusha rocket fire in Safed on July 13.**



**Reuven Levi, 46. Killed by Katyusha rocket fire in Haifa on July 16.**



**Asael Damti, 38. Killed by Katyusha rocket fire in Haifa on July 16.**



**Omer Pisachov, 8. Killed by Katyusha rocket fire in Meiron on July 14.**



**Shlomi Mansura, 33. Killed by Katyusha rocket fire in Haifa on July 16.**



**Nissim Elharar, 43. Killed by Katyusha rocket fire in Haifa on July 16.**



**Denis Lapidus, 24. Killed by Katyusha rocket fire in Haifa on July 16.**

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<sup>1</sup> Based on information provided by the IDF spokesman and the National Insurance Institution



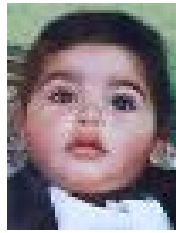
**David Feldman, 28. Killed by Katyusha rocket fire in Haifa on July 16.**



**Rafi Shimon Hazan, 29. Killed by Katyusha rocket fire in Haifa on July 16.**



**Shmuel Ben-Shimon, 41. Killed by Katyusha rocket fire in Haifa on July 16.**



**Rabi' Talouzi, 6. Killed by Katyusha rocket fire in Nazareth on July 19.**



**Muhammad Talouzi, 4. Killed by Katyusha rocket fire in Nazareth on July 19.**



**Andrei Zelinsky, 36. Killed by Katyusha rocket fire in Nahariya on July 18.**



**Du'ah Abbas, 16. Killed by Katyusha rocket fire in Maghar on July 25.**



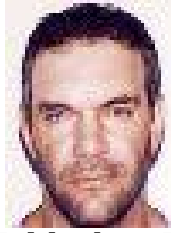
**Habib Awad, 48. Killed by Katyusha rocket fire near Haifa on July 23.**



**Shimon Glicklich, 60. Killed by Katyusha rocket fire in Haifa on July 23.**



**Shimon Zaribi, 41. Killed by Katyusha rocket fire in Acre on August 3.**



**David Lechuck, 51. Killed by Katyusha rocket fire in Kibbutz Sa'ar on August 2.**



**Foreign worker. Died of cardiac arrest when a siren was sounded in Haifa on July 26.**



**Shanati Shanati, 19. Killed by Katyusha rocket fire in Ma'alot Tarshiha on August 3.**



**Muhammad Fa'ur, 17. Killed by Katyusha rocket fire in Ma'alot Tarshiha on August 3.**



**Albert Ben-Abu, 41. Killed by Katyusha rocket fire in Acre on August 3.**



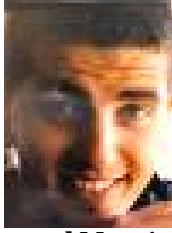
**Tiran Amos Tamam, 39. Killed by Katyusha rocket fire in Acre on August 3.**



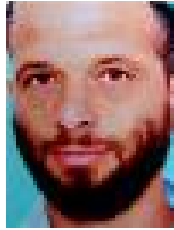
**Amir Na'im, 17. Killed by Katyusha rocket fire in Ma'alot Tarshiha on August 3.**



**Mazal Zaribi, 15. Killed by Katyusha rocket fire in Acre on August 3.**



**Muhammad Mana'a, 23. Killed by Katyusha rocket fire in Majdal Krum on August 3.**



**Baha Kraym, 36. Killed by Katyusha rocket fire in Majdal Krum on August 4.**



**Arieh Tamam, 50. Killed by Katyusha rocket fire in Acre on August 3.**



**Sultana Juma'ah, 33. Killed by Katyusha rocket fire in Arab al-Aramshe on August 5.**



**Gahaa Muna'a. Killed by Katyusha rocket fire in Majdal Krum on August 4.**



**Manal 'Azzam, 27. Killed by Katyusha rocket fire in Maghar on August 4.**



**Labiba Mazawi, 68. Killed by Katyusha rocket fire in Haifa on August 6.**



**Fadia Juma'a, 64. Killed by Katyusha rocket fire in Arab al-Aramshe on August 5.**



**Samira Juma'a, 36. Killed by Katyusha rocket fire in Arab al-Aramshe on August 5.**



**Sgt. 1st class Marian Berkovici, 31, from Ashdod. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Roni Rubensky, 30. Killed by Katyusha rocket fire in Haifa on August 6.**



**Hana Hamam, 62. Killed by Katyusha rocket fire in Haifa on August 6.**



**Captain Eliahu Elkriaf, 34, from Granot. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Master sergeant Danny Ben David, 38, from moshav Ahituv. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Warrant officer Yossi Karkash, 41, from Afula. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Master sergeant Shlomo Buchris, 36, from moshav Sde Yitzhak. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Staff sergeant Yehuda Greenfeld 27, from Ma'ale Michmash. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Master sergeant Ziv Balali, 28, from Kfar Sava. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Staff sergeant Shaul Shai**



**Master sergeant Re'i**

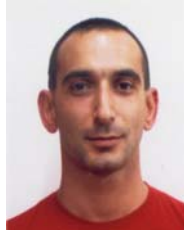
**Master sergeant Moti Butbul, 28, from Shelomi. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**

**Machlovich, 21, from Netanya. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**

**Ya'ish, 27, from Herzliya. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



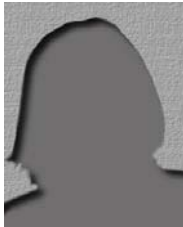
**Maryam Assadi, 25. Killed by Katyusha rocket fire in Deir al-Assad on August 10.**



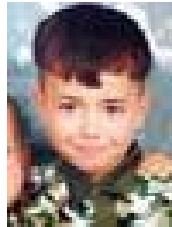
**Sergeant Gregory Aharnov, 34, from Or Akiva. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Warrant officer Shmuel Halfon 41, from Bat Yam. Killed by Katyusha rocket fire in Kibbutz Kefar Giladi on August 6.**



**Mahdi Hayat. Killed by Katyusha rocket fire in Deir al-Assad on August 11.**



**Fathi Assadi, 4. Killed by Katyusha rocket fire in Deir al-Assad on August 10.**

## **Appendix 5(ii)**



# An estimation of the ecological damage resulting from [rocket fire into Israel during] the war [in the North], Summer 2006

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[Ministry of Environmental Protection report]<sup>1</sup>



**State of Israel**  
**The Ministry for Environmental Protection**  
**Chief Scientist**

Jerusalem  
August 27, 2006

To the General Director:

Assessment of the Ecological Damage Resulting from the War in the North,  
Summer 2006

The following is the assessment of the ecological damage resulting from the war in the north, summer 2006

1. Forest fires caused and fires in open spaces caused by rockets

Planted forests (Jewish National Fund): During the war, approximately 400 forest fires burned 12,000 dunams of planted forests, about 7,000 dunams on the Naftali mountain ridge (about 70% of the forest) and about 2,000 dunams of the Biria Forest near Safed. The cost of extinguishing the fires was more than 20 million Israeli shekels (using planes and flame suppressants).

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<sup>1</sup> This report was originally written in Hebrew and posted on the Website of the Ministry for Environmental Protection ([www.environment.gov.il](http://www.environment.gov.il))

Natural scrubland and open areas: A total of 50 fires resulting directly from the war were fought in nature preserves and national parks. They destroyed 40,000 dunams. Of them, 5,500 were in the Golan Heights, 9,000 in the Upper Galilee (the fire on Mt. Meiron destroyed 1,200 dunams, 15% of the forest) and 500 dunams in the Lower Galilee. Principally Mediterranean growths and scrublands. Many remains of fauna hurt in the fires were found, especially reptiles, birds and young mammals.

The air temperature and the large area over which the fires took place caused them to burn fiercely. The greater the area, the more damage was done. Natural rehabilitation is slow and there is no nearby organic reservoir from which replacements can be taken.

A broad spectrum of flora and fauna was harmed, from the plants which suffered direct damage, lichen, mammal burrows, invertebrates, gastropods, reptiles, birds (particularly chicks and fledglings which could not escape through flight), young deer and sometimes adult mammals. The entire food chain sustained systematic damage.

Damage to flora, both short- and long-term, is most visible. The burned forest will slowly rehabilitate itself, and until it does, dense undergrowth will replace the adult forest. There will be a change in the types of plants, and the spiny broom and cistus will dominate at the expense of a wide variety of grassland plants. There is a high probability that invasive plants will take over the burned areas, such as blue-leafed wattle.

In the forested parks, where the trees are distanced from one another, the damage will be partial and encompass mainly shoots. Damage to flora in the shrublands is relatively small.

Physical damage: Bulldozing roads for the sake of extinguishing fires. Such roads were created in the Hula nature reserve. After the fires there will be erosion during the first winter, until a covering growth appears (Sources: National Parks Authority, JNF)

## 2. Construction debris

According to the assessment of the Ministry of Construction and Housing and the Property Tax Authority, 12,000 structures were damaged, 400 of them public buildings. According to the assessment of the Prime Minister's Office, 2,000 houses and apartments were totally destroyed.

### Waste to be crushed and/or turned into landfill

There are two estimates regarding the amount of construction waste created:

1. Minimum estimate: 100,000 tons, based on the 2,000 houses and apartments mentioned above with an average area of 100 sq.m. per home, or 200,000 sq m and an average amount of 50 tons of waste material per 100 sq.m. per home (according to research done by the National Institute for Construction at the Technion, 2004).
2. Maximum estimate: 700,000 tons, based on the 2,000 houses and apartments mentioned above with an average area of 100 sq m per home, or 200,000 sq m and an average amount of 3.5 tons of waste material per 1 sq.m. per home (according to a survey carried out in the Raanana area by the Raanana Environmental Unit in 2006).

One estimate of using the waste for landfill (including removal) is 50 shekels per ton. The potential sites are Jalameh in the Haifa district and Lagmon in the northern district.

Crushing would cost between 30 and 65 shekels per ton.

Assuming that 85% will be used as landfill and 15% of the waste will be crushed, the cost of removal would be 4.25 million shekels for landfill and 0.9 million shekels for crushing according to the minimum estimate, or 30 million shekels for landfill and 6.3 million shekels for crushing, according to the maximum estimate.

## 3. Damage sustained by asbestos structures

Dozens of structures made of asbestos were damaged by rockets which were launched from Lebanon and which hit Israel. The destruction of a structure made of asbestos-cement releases asbestos fibers into the air.

Twenty-five such structures were hit, among them factories, agricultural buildings and dwellings. The total area of asbestos structures damaged is 20,000 sq m. It should be noted that the information is partial, and in our assessment the damage is significantly greater than what is currently known.

1. The results of air specimens examined for the presence of asbestos fibers in structures which were destroyed by rocket fire or close to such structures showed high concentrations of asbestos.

For example, 2,300 fibers per cubic meter were found in a bedroom in Moshav Tal El.

2. Cost: The cost of professional treatment for every asbestos building damaged, including waste removal, suction, landfill, the destruction of contaminated equipment, etc., is estimated at tens of thousands of shekels.

#### 4. Sewage

Waste purification in Safed: A direct hit was sustained by the waste purification's compacting facility, the plant's measuring systems, pipes and by buildings in the vicinity. The compacting facility has shut down.

Waste purification in Nahariya: During the period of fighting the waste purification plant released:

1. Into the sea: About 13,600 cubic tons (110 tons of dry material) of excess sludge were dumped into the sea (authorized by the Ministry for Environmental protection on the grounds that because the area could not be protected [i.e., teams could not be sent to the area because of the Hezbollah rocket attacks], the treatment system could not be put into operation).

2. Into the atmosphere: About 70,000 cubic tons of (burned) biogas were released into the atmosphere, since the war prevented the completion of a biogenerator which would exploit the gas for energy.

Waste purification in Haifa: During the war, the waste purification plant in Haifa released about 700,000 cubic tons of (burned) biogas into the atmosphere in accordance with the Ministry's directives to avoid the accumulation of explosive gases.

Waste purification in Carmiel: During the war, the waste purification plant in Carmiel, in accordance with the Ministry's directives to avoid the accumulation of explosive gases, released the following into the atmosphere:

1. 80,000 cubic tons of burned biogas.
2. 18,000 cubic tons of unburned biogas (about 65% of which was methane gas, 12,000 cubic tons) (Information from the Water and Streams Authority, Northern District)

5. Hazardous materials:

During the war, there were reports of damage and leakage from cylinders of gas used for cooking, ammonia, Freon, pesticides, diesel fuel and unidentified hazmat, as follows:

<b>Material</b>	<b>Reported number of hits</b>
Gas used for cooking	15
Ammonia	1
Freon	1
Diesel fuel	1
Pesticides	1
Unidentified	2

In no instance was the evacuation of residents necessary because high concentrations of air pollution were not recorded (Source: Information Center)

6. Radiation and noise:

No damage was reported from radiation sources. The Radiation Department ordered that no radiographic tests be carried out in the north during the war, to avoid damage from being done [to investigative teams].

High levels of noise accompanied the fighting. No measurements were taken but many complaints were aired by the media lodged by civilians who suffered from excessive noise caused by the bombings. (Source: The Noise and Radiation Department)

7. Animals:

About 8,000 dogs (of the 80,000 who had masters) in the north received some kind of care, most of them in the streets, after it had been decided to temporarily suspend the enforcement of the rabies order. Some of them (500 to 700) were collected by various associations and by the local authorities.

A few dozen dogs died in the streets because care was not available for them, especially in smaller towns and villages, and a few died because they were tied or penned up .

Dr. Yeshaiahu Bar-or

Chief Scientist

CC: Deputy Directors General

Northern Haifa District Managers

[The Ministry of Environmental Protection spokesman]



# **Appendix 6**

## THE ISRAELI EFFORT TO PREVENT CASUALTIES AMONG THE LEBANESE POPULATION. IDF WARNINGS TO THE POPULATION IN LEBANON TO LEAVE AREAS OF HEZBOLLAH ACTIVITY AND IDF ATTACKS

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1. During the second Lebanon war, the IDF fought against Hezbollah's vast military infrastructure, which had been positioned in densely populated areas in south Lebanon and to the north. To avoid, insofar as was possible, harming the civilians behind whom Hezbollah operated, the IDF warned residents living in the areas where fighting was likely to take place. Such warnings go far beyond international legal requirements and endanger combat effectiveness.
2. Some of the warnings were general and referred to wide geographical areas, such as south of the Litani River or the southern suburb of Beirut. However, in certain instances the warnings were focused on the **specific locations** in which operations were due to take place.
3. The following are examples of focused warnings relevant to the IDF's operational activities:
  - a. On July 21, leaflets were dropped by airplane in the regions of Sidon, Tyre, Tibnin and Nabatiyeh, calling on the inhabitants to leave the region and go north of the Litani River.
  - b. On August 3, leaflets were dropped over the southern suburb of Beirut of Harat Hreik, the Hezbollah stronghold, and over the districts of Bir al-Abd, Hay al-Madi and al-Ruwis, calling on residents to immediately leave places where Hezbollah activity was being carried out.

4. **The main avenues for disseminating the warnings were:** massive leaflet air drops; telephone appeals to mukhtars,<sup>1</sup> mayors, heads of municipal councils; and appeals to civilians by an Arabic-language radio station broadcasting from Israel (Radio Al-Mashreq). Tens of thousands of automated voice mail messages were sent to telephone subscribers, and Lebanese radio programs were hacked into and interrupted (Lebanese's Voice of the People and Hezbollah's Radio Nur).
5. **Telephone calls:** During the first two weeks of the fighting (July 14-30) the IDF placed **more than 100 telephone calls** to the mukhtars of the various towns and villages in south Lebanon.
6. **Air drops:**
  - a. The IDF often dropped leaflets by airplane, especially during the first two weeks of the fighting, **calling upon local residents to distance themselves** from the main locations of Hezbollah activity. Most of the leaflets were dropped on Tyre, Sidon, Bint Jbeil, Nabatiyeh and Beirut (later on, it was widened to include other locations).
  - b. During the fighting in the villages in south Lebanon, leaflets were dropped explicitly instructing the residents of **villages south of the Litani River** (where Hezbollah had constructed its main military infrastructure). They were called upon to leave their villages and not to travel by truck, pickup or motorcycle, to prevent such vehicles from being used to transport terrorists and weapons.
  - c. On August 3, 10,000 leaflets were dropped calling upon the residents of the southern suburb of Beirut to leave their houses. They were dropped on the districts of Harat Hreik, al-Ruwis, Bir al-Abd and Hay al-Madi (where Hezbollah had its headquarters and bases).
7. **Al-Mashreq Radio:**
  - a. Radio al-Mashreq broadcasts in Arabic from the State of Israel to countries on the north of Israel, especially Lebanon. During the fighting, the radio broadcast to Lebanon on an average of 14-15 hours a

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<sup>1</sup> The head of the local government in an Arab town or village

day. Its signal was strong enough to ensure good reception in large areas of Lebanon as far away as Juniya and Baalbek.

- b. The IDF used the station to broadcast more than 50 warnings to the Lebanese population in accordance with Israel's operational needs and developments on the ground. The broadcasts included calls to evacuate villages or districts where the IDF was about to operate on the ground or in the air, and instructions regarding the movement of vehicles in areas where the IDF was active.

8. The warnings were quoted frequently and at length by the leading Lebanese and Arab media. There is no doubt that the Lebanese population internalized the message and that it contributed to the residents' motivation to leave the areas where the IDF was attacking Hezbollah targets. Thus the State of Israel was able to significantly minimize the extent of the damage inflicted on the Lebanese civilian population.

# PHOTOGRAPHS DOCUMENTING WARNINGS GIVEN BY THE IDF

## The original leaflet

### إلى السكان اللبنانيين

سيزيد جيش الدفاع الإسرائيلي من أعماله في لبنان ضد الأعمال الإرهابية المستمرة لحزب الله المطلق العنان بغية الدفاع عن مواطني دولة إسرائيل.

من أجل سلامتكم ولرغبتنا بمنع الحاق الأذى بالمدنيين غير المتورطين عليكم الامتناع من التواجد بالأماكن التي يتواجد فيها ويعمل منها حزب الله ضد دولة إسرائيل.

ما في ذلك:

- أماكن إطلاق الصواريخ باتجاه أراضي دولة إسرائيل
- أماكن تواجد مخازن الذخيرة والعتاد العسكري لحزب الله
- مراكز حزب الله في جنوب بيروت والمناطق التي تحت سيطرته في جنوب لبنان
- ضاحية بيروت الجنوبية مركز الإرهاب

يدعو جيش الدفاع الإسرائيلي السكان اللبنانيين والجيش اللبناني إلى الامتناع عن تقديم المساعدة سواء كانت مباشرة أم غير مباشرة لعناصر حزب الله

كل من يفعل ذلك سيعرض حياته للخطر.

اعلموا ان استمرار الإرهاب ضد دولة إسرائيل يمنع عنكم العيش بمستقبل أفضل.

دولة إسرائيل

**One of the 510,000 leaflets dropped over Sidon, Tyre and Beirut on the afternoon of July 16, calling for residents to leave locations of Hezbollah activity.**

## Translation

### **To the residents of Lebanon**

To protect the citizens of the State of Israel, the IDF will continue its operations in Lebanon against Hezbollah's unbridled and continuing terrorist attacks.

For your own safety, and because of our desire to prevent harm from coming to uninvolved civilians, you should avoid places where Hezbollah is located and from which it operates against the State of Israel.

Such places are:

- Locations from which rockets are launched at Israeli territory
- Storehouses of ammunition and military equipment belonging to Hezbollah
- Hezbollah centers in south Beirut and regions in south Lebanon under Hezbollah control
- Beirut's southern suburb [called "Dahiya"], which is the terror center

The IDF calls upon the residents of Lebanon and the Lebanese army to avoid extending direct or indirect aid to Hezbollah elements.

Anyone who does so endangers his own life.

You should know that the continuation of terrorism against Israel will prevent you from having a better life in the future

The State of Israel

## Leaflets distributed by the IDF and quoted by the Arab media

**إلى سكان القرى الواقعة جنوب نهر الليطاني**  
 بسبب الأعمال الإرهابية التي تنفذها دولة إسرائيل من داخل قراكم  
 وبيوتكم  
 اضطر جيش الدفاع الإسرائيلي على الرد بشكل فوري ضد هذه الأعمال  
 حتى داخل قراكم.  
**من أجل سلامتكم!!!**  
**انكم مطالبون بإخلاء قراكم فوراً باتجاه ما بعد شمال نهر الليطاني**  
 دولة إسرائيل

**IDF leaflet calling on the residents living south of the Litani River to leave their villages immediately. More than 350,000 copies were dropped over Sidon, Tyre and Tibnin on July 21.**

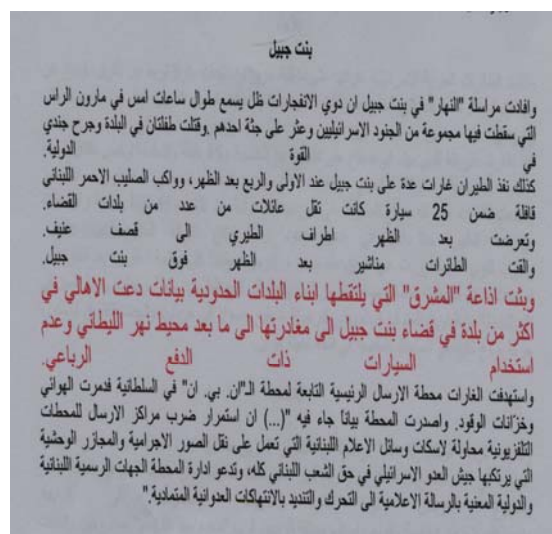


**Al-Arabiya TV reporting about the leaflets warning residents living south of the Litani River.**

**A Reuters article quoted on the Al-Ilf Website. It reports on the leaflets dropped by the IDF calling for the evacuation of the villages in south Lebanon.**



## Quotations from the IDF leaflets in Lebanon's widely-read daily newspaper, Al-Nahar



**Selections from an Al-Nahar article reporting that Israeli Air Force planes dropped leaflets calling upon the residents of a number of villages in the Bint Jbeil district to leave their houses and move north of the Litani River. The article mentions Radio Al-Mashreq, which is easily received by the residents of towns and villages near the border. The station broadcast the contents of the leaflets (Al-Nahar Website, July 24, 2006).**

## Lebanese civilians listening to warnings broadcast on Radio al-Mashreq



**A woman in a grocery store in the village of Shabaa in the eastern sector listens to a Radio al-Mashreq broadcast calling upon villagers in Shabaa and Shoba to leave because the IDF intends to operate against Hezbollah there (Al-Mustaqbal TV). Most of the villagers did heed the warning.**

**Appendices G:  
Legal aspects prepared by the  
International Department of the  
Military Advocate General's Corps**

## **APPENDIX G I**

# STRIKES ON TERRORIST TARGETS LOCATED WITHIN OR NEARBY CIVILIAN POPULATION CONCENTRATIONS - LEGAL ASPECTS

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## **A. Background**

In the course of the confrontation between Hezbollah and the Israel Defense Forces of July-August 2006, the IDF carried out strikes on a wide variety of terrorist targets inside Lebanon: command and control centers, weapons depots, missile launching apparatus and the like. Many of these targets were located in close proximity to, and in some cases, even in the midst of civilian population centers.

These strikes were carried out in exercise of Israel's right to defend herself and her duty to protect her citizens, given the failure of the Lebanese Government in acting against terrorist organizations operating from Lebanese territory and preventing the launching of missiles at Israel's population centers.

All IDF operations in Lebanon, including strikes on terrorist targets located near or amongst civilian objects, were carried out in full compliance with the international law applying to armed conflicts. This, in stark contrast to the murderous actions of terrorist elements constituting gross violations of international law, including the UN Charter, which compels respect for the sovereignty of states and their territorial integrity, outlaws the use of force and imposes an absolute prohibition on the deliberate targeting of civilians and civilian objects.

This paper sets out the relevant legal principles governing the recent IDF operations in Lebanon while focusing on the rules and limitations of armed conflict law relating to attacks on military targets located near to or among civilian objects.

## B. Introduction

Traditionally, it is customary to divide the body of Public International Law into two main categories: “Laws of Peace” regulating the relationships between states between whom a situation of armed conflict does not exist and “Laws of Armed Conflict” (known also as the “Law of War”) governing the relationships between states engaged in armed conflict. The laws of armed conflict can be divided in turn into two branches: the laws pertaining to the commencement of armed conflicts and the transformation of a situation from one of peace to one of armed conflict (*Jus ad Bellum*); and the laws applying during the armed conflict itself (*Jus in Bello*).

It should be noted that the laws pertaining to the armed conflict itself can also be divided conceptually into several branches. One of these is the Law of Belligerent Occupation governing the situation where territory of one party to a conflict is effectively under the control of the other party. However, this paper will focus on the branch of armed conflict law dealing with the conduct of hostilities.

The totality of legal norms making up the laws of armed conflict is drawn from various types of sources: norms which have crystallized as a result of state practice and have evolved into customary international law (binding all states); international covenants; as well as academic works primarily interpreting the relevant norms.

The laws of armed conflict stipulate what is permissible and prohibited during armed conflicts. Under the laws of armed conflict, parties to a conflict are not at liberty to act against one another in any way they choose – the actions they are entitled to carry out are limited by international law<sup>1</sup>.

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<sup>1</sup> Article 22 of the Hague Regulations states:

The foundation of armed conflict law is comprised of several fundamental principles. These principles have evolved over the years and are manifested in the various sources of international law, such as The Hague Regulations of 1907 and the Geneva Conventions of 1949. These principles are accepted worldwide and as such are binding also on the State of Israel; Following is an outline of these fundamental principles in whose light the legality of attacks on objects during an armed conflict should be examined.

1. **The Principle of Military Necessity** – states that the use of force is permissible as long as its purpose is the attainment of a military goal in the context of the campaign against the enemy. Attacks on objects whose purpose is destruction of property or inflicting casualties without these serving a military objective or whose purpose is to cause suffering or injury to the enemy population, are not permissible under the laws of armed conflict.
2. **The Principle of Distinction** – According to this principle, the belligerents are obliged to distinguish between military and civilian objects and to direct their attacks solely against “military objectives”; As we will show below, this definition encompasses both clear military objectives (such as weapons depots) as well as objects which are “civilian” in character but make an effective contribution to the military action of the enemy and whose destruction offers a definite military advantage. Deliberate attacks on civilian objects (as opposed to incidental damage to such objects resulting from an attack on a legitimate target) are absolutely prohibited.
3. **The Principle of Proportionality** – Further to the principle of distinction, this principle states that any incidental injury or damage to civilians or civilian objects resulting from attacks on legitimate military targets is not *per se* unlawful provided that the anticipated “collateral damage” is not excessive in relation to the military advantage expected to be attained from the attack.

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“The right of belligerents to adopt means of injuring the enemy is not unlimited.”

4. **The Principle of Humanity** – when attacking legitimate military targets parties must refrain from causing unnecessary suffering to enemy combatants. Most of the rules derived from this principle relate to the use of types of weapons and therefore will not be covered in this document.

These principles apply jointly and cumulatively and form the foundation for the rules stipulating which objects constitute legitimate targets for attack and the conditions under which such attacks may be carried out. We will outline these rules below.

## C. Rules Governing Targeting

As we have seen, the principles of Military Necessity and Distinction define a “legitimate” target, that is, an object which may be attacked under the laws of armed conflict.<sup>2</sup> The principle of Proportionality supplements these principles, setting out the conditions subject to which such a target may be attacked.<sup>3</sup>

It is a fundamental rule of armed conflict law that only military targets may be attacked. As stated, in this group are included all facilities of the enemy's armed forces – bases, command and control centers, training facilities, weapons depots etc. – and of course, the enemy combatants themselves.

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<sup>2</sup> Article 52(2) of the First Additional Protocol to the Geneva Conventions:

“Attacks shall be limited strictly to military objectives. In so far as objects are concerned, military objectives are limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.”

<sup>3</sup> Article 51(5) of the First Additional Protocol:

“Among others, the following types of attacks are to be considered as indiscriminate:

- (a) an attack by bombardment by any method or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects; and
- (b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.”



In addition, civilian objects being used for clear military purposes may become military targets which may be attacked in accordance with the principles of Distinction and Military Necessity. This transformation takes place when the nature, location, purpose or use of the object makes an effective contribution to the military actions of the enemy, such that its neutralization will offer a definite military advantage to the attacking party. For example, a school building functioning for all intents and purposes as a military base would be a legitimate target, while the party thus utilizing the building (in gross violation of the laws of armed conflict) will be prevented from claiming that the building was a civilian object immune from attack.

Many examples can be given of objects of this type in the service of Hezbollah during the recent conflict – in the town of Bint Jebayl, Hezbollah located gun placements and anti-tank rocket crews inside residential buildings and conducted attacks on IDF forces from within civilian homes. By so doing, Hezbollah rendered these buildings military targets. Additionally, the organization located weapons and ammunition storage depots in many of the town's civilian dwellings, such that these too became military targets on account of their being used for military purposes. In the village of Ita el Sha'ab, Hezbollah built an ammunition bunker underneath a civilian residence, access to which was via the house. In numerous cases, Hezbollah fighters deliberately stored weapons and ammunition inside private civilian homes (as opposed to buildings associated with the organization) with the object of protecting them in the event that the organization's facilities were to come under attack. In the village of Maroun al-Ras, Hezbollah made military use of surveillance and eavesdropping equipment installed on civilian communications antennae, etc.

Damage to targets of this sort, which serve the enemy during armed conflict, means damage to the enemy's military capabilities and is consequently permissible. Notwithstanding the fact that these are ostensibly "civilian" objects, their unlawful military use by the enemy

renders them military objectives under the laws of armed conflict, making them permissible targets for attack. Such attacks are subject to the principle of Proportionality which dictates the conditions under which legitimate targets may be attacked. We will return to this issue later.

A cardinal prohibition derived from the principle of Distinction is the prohibition on “indiscriminate attacks”, i.e. attacks directed at several them, among objects civilian of concentrations having objectives military in a way that fails to distinguish between military and civilian objects and without attempting to avoid damage to the latter.

The laws of war proscribe the location of military facilities, which in time of war become legitimate military targets, in the vicinity of, or in the midst of population concentrations specifically and civilian objects generally. This is to prevent danger to civilians which may result from attacks on military targets located among the civilian population. In cases where military objectives are nonetheless situated in the vicinity of civilian objects, the laws of war require that the former be appropriately demarcated and separated. In any event, it is forbidden to integrate military and civilian objects in such a way that makes it impossible to attack the military objective without causing damage to civilian facilities – such as location of command and control centers or weapons depots inside or underneath residential buildings.

These prohibitions are derived from the important fundamental principle of the laws of war prohibiting, under any circumstances, use the civilian population as “human shields”.

As can be seen from the main document, in a great many cases, Hezbollah made deliberate use of the civilian population as “human shields”. Hezbollah located large quantities of arms and ammunition in storerooms inside residential buildings (in many cases, without the knowledge of the owners – thereby turning them into involuntary “human shields”). Thus, for example, in the village of El-Hiam the organization

located an anti-armor and fire support base in a double storey building, underneath a residential apartment.

The question arises, therefore, regarding the legal situation of a military objective located, in defiance of the said prohibition, in the midst of the civilian population, particularly in those cases where deliberate use is being made of the population as “human shields”. If the use of “human shields” were to grant military targets immunity from attack, then those parties who committed war crimes by deliberately endangering their own populations would benefit from the situation, as their adversaries would be prevented from attacking them. On the other hand, ignoring the presence of civilian “human shields” (sometimes acting involuntarily) and allowing free reign to adversaries to attack military objectives while civilians are present, may result in widespread and excessive civilian casualties, which result would be irreconcilable with the primary purpose of armed conflict law – protecting the lives and safety of those uninvolved in the conflict.

Armed conflict law resolves this difficulty through the balancing of interests incorporated in the principle of Proportionality – This principle states that if a strike on a legitimate military target (including an ostensibly “civilian” object being used for military purposes) is liable to result in damage to civilians or their property, this fact does not in itself render the strike illegal, provided that the anticipated collateral damage will not be excessive in relation to the military advantage expected to be obtained by the attack. The operational significance of the above is that if military facilities of the opposing party are located in a civilian environment, they may be attacked as long as the incidental harm to civilians and civilian property will not be excessive in relation to the military advantage to be obtained from the attack.

The laws of armed conflict therefore contend with situations wherein a party to a conflict seeks to abuse the immunity granted to civilians with the object of protecting his troops or his military facilities, in an attempt to obtain a military advantage over his adversary. The laws of war recognize

that, notwithstanding the importance attached to the protection of the civilian population, those who seek to make unlawful use of civilians as human shields cannot be rewarded while an adversary intent on abiding by the rules of international law has his hands tied.

In this regard, the laws of war stipulate the manner in which military targets assimilated into a civilian environment may be attacked: They require that the attacking party choose the ordnance and the methods which will minimize, as far as possible, the collateral damage to civilians and civilian objects; they also require that, prior to the strike, the attacking party weigh-up the advantage expected to accrue from the strike as against the anticipated collateral damage – only if the action meets the requirement of proportionality (i.e. the damage is not excessive in relation to the benefit) – may the attack be carried out.

A further manifestation of this approach in international law can be found in the set of rules laying down special limitations with respect to attacks on objects enjoying special status. The increased protection granted to these objects in armed conflict law finds expression in the fact that, as a rule, they are immune from attack. However, these objects also lose their immunity if the adversary uses them for military purposes instead of for their original purpose. Thus, for example, medical facilities and religious institutions may not be attacked, even if at times they are used by the armed forces (such as a military hospital). However, if they function, in effect, as an enemy military base or position, or if they serve as a platform for hostile activity, they may be attacked, as may any other legitimate military target, subject to the limitations outlined above. As is evident from the main document, Hezbollah did not balk at using both medical facilities and religious institutions as platforms for military activity. Thus, for example, in the village of Maruhin, Hezbollah located a weapons depot in the cellar of a mosque (in violation of the absolute prohibition on using religious institutions for military purposes).

Finally, the laws of war relate also to the manner in which permissible attacks may be carried out. In keeping with the desire to minimize the potential harm to the civilian population, the attacking party is required to provide advance warning, to the extent that operational circumstances allow, to civilians who might be harmed as a result of the strike, this in order to allow them to distance themselves from the object to be attacked. In such a case, the party who is the object of the attack is under an obligation to allow civilians to leave the area.

Notwithstanding the above, in this context too, the laws of war are not impervious to the possibility that parties to a conflict may seek to exploit civilians in order to “immunize” targets, and for this reason, there is no obligation to provide advance warning of an attack if so doing would jeopardize the success of the operation: Thus, for example, if the target is a weapons depot situated in a residential area, advance warning to residents would allow enemy troops to remove the weapons, thereby frustrating the purpose of the attack. Hence, in such circumstances, the attacking party would not be obliged to give advance warning of the attack. Having said that, the execution of the strike will, of course, always be conditional upon the requirement of proportionality being met.

## D. Application to the Present Case

As stated, the provisions outlined above govern the operational activities of the IDF and they were applied, without reservation, during the recent conflict with Hezbollah. Their implementation was manifested in several areas:

Firstly, all strikes by the air force were directed exclusively at military targets – primarily targets identified with the Hezbollah organization, such as command and control centers, weapons depots and the ground-to-ground missile launching apparatus. At no stage during the campaign did the IDF deliberately attack targets not being used for military activity directed against Israel. It should be emphasized that all attacks were authorized on the basis of reliable intelligence information pointing to the military use of the targets.

In this regard, no indiscriminate or disproportionate attack was carried out on any target - a perusal of the main document shows that the IDF attacked buildings in the service of Hezbollah both accurately and surgically, in such a way so as not to harm adjacent buildings unconnected to the conflict. Thus, for example, the air force attacked a 15 storey tower which functioned as Hezbollah headquarters in Tyre, without destroying adjacent buildings surrounding the tower.

During the planning process, the anticipated collateral damage was weighed-up against the military advantage to be gained from neutralizing the target, and only those strikes in which the anticipated damage was not excessive in relation to the expected military advantage were authorized (on occasion, this process would lead to a change in the means or method employed for attacking the target or a change in the timing of the attack, for the purpose of achieving a similar military benefit while reducing the potential harm to civilians). **It should be emphasized, that many**

**planned attacks were shelved on account of high collateral damage estimates.**

In this context, one should recall the circumstances in which IDF operations were carried out against Hezbollah, the latter taking cynical advantage of Israel's commitment to refrain from attacks on civilians. In this regard, the organization deliberately operated and sheltered itself among the Lebanese civilian population, using the latter as "human shields" to facilitate its murderous activity, thereby exposing civilians to significant danger. In so doing, Hezbollah compelled the IDF to carry out operations in the heart of populated areas. Many examples are given in the main document of villages where Hezbollah conducted military operations against IDF forces from positions located in civilian homes, as well as firing from the rooftops of public institutions and from within residential buildings etc. In this way, Hezbollah sought to exploit the protection given to the civilian population, while forcing the IDF to return fire at ostensibly "civilian" objects.

Clearly, attacks directed at legitimate military targets ensconced in civilian population centers, pose an unfortunate yet unavoidable danger to civilians and every civilian casualty, even if unavoidable, is a tragedy and a cause for grief. However, the full responsibility for this danger lies exclusively with the terrorists who, in brutal violation of the protection afforded to civilians, carry out their murderous attacks while sheltering themselves behind the civilian population. As we have shown, the fact that a terrorist target lies in the heart of a civilian area does not render the former immune from attack. If this were not the case, terrorists would be at liberty to continue their heinous activities unchecked.

Additionally, prior to every attack and to the extent operationally possible, measures were taken with the object of distancing the civilian population from the target area, including the dropping of leaflets from the air and oral warnings through various channels. From intelligence material and from the testimony of Hezbollah detainees, presented in the main



document, we know that in most of the South Lebanese villages where fighting took place, the vast majority of civilians evacuated their villages further to the warnings received from the IDF.

Finally, it should be added that the planning and authorization of targets by IDF General Headquarters was carried out with the participation of legal advisers who were consulted on the classification of targets in accordance with armed conflict law as well as on the means and methods selected for attacking the targets.

## E. Summary

As we have seen, the laws of armed conflict do not rule out damage to the civilian population and installations under all circumstances. The fundamental principles of armed conflict law make provision for such damage, as long as its cause is an attack on a legitimate target (i.e. the damage to the civilian population is not caused deliberately) and as long as the intended result of the attack does not involve disproportionate civilian damage in relation to the military advantage.

In concrete terms, these principles find expression in the requirement that attacks on military targets located in civilian areas be carried out in such a way that the expected accompanying damage is minimized, by *inter alia*:

- Focusing attacks on the military targets themselves;
- Maintaining proportionality between the anticipated military advantage of an attack and the expected consequential collateral damage;
- Exercising special restraint in regard to attacks which are liable to result in exceptionally serious damage - even if not in the short term – to the civilian population (medical facilities, installations essential to survival and installations holding dangerous forces); and finally,
- Implementation of precautions designed to reduce the presence of civilians in the vicinity of intended targets.

Strikes on terrorist targets, carried out in accordance with the principles of armed conflict law, as expressed in the above rule and the four abovementioned requirements, are lawful, including in cases of consequential damage to the civilian population and facilities in the vicinity of such targets.

## **Appendix G ii**

# TARGETING OF INFRASTRUCTURE SERVING THE HEZBOLLAH MILITARY EFFORT – LEGAL ASPECTS

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## A. Introduction

During the campaign against the Hezbollah terrorist organization in Lebanon, the IDF attacked a number of targets being used by Hezbollah for its terror offensive against Northern Israel. Among these targets were installations which, in peace time, primarily served the Lebanese civilian population, yet during the conflict, were utilized by the terrorist forces. These installations were used by the terrorists to perpetrate their heinous acts and effectively constituted the logistical backbone for Hezbollah actions, both on the ground and for rocket fire.

Notwithstanding the general prohibition on intentional targeting of civilian objects, the international laws of armed conflict view objects serving both the civilian population as well as the enemy military effort as legitimate targets for attack. Following is an analysis of the legal rationale behind the characterization of these objects (here below: “infrastructure objects”) as legitimate targets for attack and the operational limitations imposed by international law with regard to such attacks.

Following are the four fundamental principles of armed conflict law in whose light the legality of attacks on objects during hostilities should be examined:

1. **The Principle of Military Necessity** – states, that the use of force is permissible as long as the purpose thereof is the attainment of a military objective in the campaign against the enemy. Attacks on targets whose object is to destroy property or

inflict casualties without such attacks having a military objective, are not permitted under armed conflict law.

2. **The Principle of Distinction** – according to this principle, parties to an armed conflict are obliged to distinguish between civilians and combatants as well as between military and civilian objects and to direct their attacks against combatants and military objectives only. As will be shown below, the term “military objectives” includes both clear military objectives (such as weapons depots) as well as objects “civilian” in nature, effectively serving the military activities of the enemy and whose neutralization will bring about a military advantage. Deliberate attacks on civilian objects (as opposed to incidental damage to such objects resulting from attacks on legitimate targets) are absolutely prohibited.
  
3. **The Principle of Proportionality** – further to the principle of Distinction, this principle states that harm to civilians or civilian objects, resulting from an attack on a legitimate military target, will not render that attack unlawful, provided that the anticipated accompanying damage to civilians or civilian property is not excessive in relation to the expected military benefit to be gained from the action.
  
4. **The Principle of Humanity** – In attacks on legitimate military targets, one is obliged to refrain from causing unnecessary suffering to enemy combatants. Most of the rules derived from this principle concern the legality of various weapon types, and will therefore not be discussed in this document.

From these principles are derived the definition of what constitutes a “legitimate” target, i.e. a target which may be lawfully attacked under

armed conflict law, as well as the conditions under which such a target may be attacked. We will now discuss these principles in greater detail, as well as the considerations behind them and the manner of their implementation with regard to “infrastructure objects”

## **B. What is a Legitimate Target?**

In a nutshell, a military objective is an object whose nature, location, purpose or use, contributes to the enemy’s military activity and whose neutralization will bring a military advantage to the attacker.

In the first group of objects falling under this definition are those objects identified with the military as such. These include enemy military bases, command and control centers, weapons and military equipment stores, artillery batteries, training grounds, munitions factories, military communications facilities etc. All these objects constitute legitimate targets on account of their military character and may be lawfully attacked, subject to the additional limitations imposed by the principles of Proportionality and Humanity mentioned above.

A second and no less important group of objects includes those facilities which are “civilian” by nature, yet during wartime are put to military use or serve a military purpose. These are so-called “dual use” objects (including “infrastructure objects”): Thus, for example, a bridge regularly serving civilian traffic may, in wartime, function as an artery for enemy military movements; a factory, normally manufacturing pots and pans, may have been adapted to make ammunition; and broadcasting facilities, usually serving public television, might also be used for military communications. Once an object serves a military purpose, or is put to military use, that object becomes a legitimate military target, which may be attacked, subject to the limitations mentioned above.

In this context, it should be recalled that armed conflict law imposes a strict prohibition on attacking targets not serving any military function. In this respect, the laws of armed conflict expressly provide that in case of doubt as to the classification of an object, the object is presumed to be civilian and consequently may not be attacked. This means that targeting of dual-use objects (including infrastructure objects) is permissible only on the basis of reliable intelligence information indicating the “military” nature of the target.

### **C. Why is Targeting of Infrastructure Objects Permitted?**

As we have seen, the laws of armed conflict prohibit deliberate attacks on civilian objects, even if the attacking party anticipates a military advantage from such an attack. On the other hand, there are occasions where the protection granted to objects of a civilian nature is lifted and they become legitimate military targets.

Lifting the protection of such objects is not contrary to the principles and aims of armed conflict law – whose primary purpose is the protection of civilians – but is rather derived therefrom. Were the laws of armed conflict to allow parties to a conflict to obtain “immunity” from attack by operating from civilian locations, this would supply a real incentive to use the civilian population as “human shields”. On the other hand, the opposing side would be left with no alternative but to attack enemy forces operating from civilian areas, while endangering the civilian population (since this would be the only way to defend oneself against the hostile actions of the enemy). The laws of war contend with this dangerous scenario by prohibiting parties to a conflict from “obtaining immunity” for their operations through the use of civilians or civilian property. Accordingly, the lifting of protection from ostensibly civilian objects effectively serving the hostile forces, weakens the motivation of belligerents to operate from among civilians



and to use them as “human shields”, while at the same time reinforcing the protection given to genuine civilian objects not serving the enemy military effort (since the party under attack will lack the motivation to blend into the civilian population and launch attacks from their midst).

Moreover, armed conflict law requires the defending party to distance his military installations from civilian objects or, at the very least, to demarcate and separate such installations, in order to minimize damage to the civilian surroundings in the event of an attack.

Regrettably, there are cases where defending parties make cynical and deliberate use of the civilian population or civilian property to defend themselves against attack. Armed conflict law expressly forbids this practice and in cases of “human shielding”, defines it as a war crime. However, it is clear that in such instances, the fact that civilians are liable to be harmed as a result of an attack on a military target, does not in itself rule out the attack, in spite of the potentially tragic consequences, subject to the Proportionality rule, otherwise the defending party would be benefiting from his crime. It should be emphasized that this rule applies not only to “classic” civilian objects such as residential buildings, but also to objects granted special protection by the laws of war – such as hospitals and religious institutions – which are liable to lose their “immunity” as long as they are being used for military purposes in deviation from their humanitarian purpose.

Similarly, in those cases where use of a civilian object for military purposes is not intended for “human shielding” purposes, but is rather a practical necessity, this fact does not render the object immune to attack. This is because armed conflict law recognizes that, sometimes, objects of a civilian character are transformed, during wartime, into military objectives, often no-less militarily or operationally important than “obvious” military targets. Thus, for example, strategic routes essential for troop movements may be of greater operational

significance than certain military bases in the enemy's rear and targeting the former may be of decisive importance. This is the case with infrastructure objects: the fact that an installation, road or building ordinarily serves a purely civilian purpose does not derogate from its military significance in cases where it is put to use by enemy forces in wartime. From that moment on, under the laws of war, the rationale differentiating between these and other military targets falls away. On the contrary, any other approach could eventually weaken the protection that armed conflict law strives to provide to civilian objects so remaining during wartime (as explained above).

For illustration, let us apply the aforesaid to several types of "infrastructure objects" which were attacked by the IDF during the campaign against Hezbollah.

- **Bridges, roads and railways** - constitute "dual purpose" objects in the event that they are used for enemy troop movements and transfers of munitions.
- **Fuel Depots and Refineries** – Since fuels and fuel products are used by enemy forces for transportation, generators, etc.), enemy fuel depots and refineries, as well as petrol stations in areas of enemy military operations, constitute dual-use facilities which may be targeted.
- **Telecommunications facilities** – Since enemy forces make use of telecommunications infrastructure to coordinate operations and communicate dispatches and orders, these facilities constitute legitimate targets for attack.

In all cases, targeting of "dual-use" objects, including infrastructure objects, is subject to the Proportionality principle (governing attacks on all legitimate targets). This principle imposes the obligation to examine the extent of potential damage to civilians or civilian property which

may result from an attack on a legitimate target and whether such damage would be excessive in relation to the military advantage expected to be gained from such an attack. As attacks on “dual-use” objects inevitably tend to involve a heightened risk to civilians or civilian property, the need to apply the Proportionality test in relation to such attacks is clearly crucial. It should be emphasized that all targets attacked by the IDF in Lebanon were assessed in accordance with the Proportionality principle, weighing the military advantage to be gained from neutralizing the target as against the anticipated collateral damage.

In addition, attacks on infrastructure objects highlight a further requirement of armed conflict law, namely, the obligation to give effective advance warning to civilians in the vicinity of an intended target, this with the object of reducing incidental harm to the civilian population (unless the warning would jeopardize the success of the operation). This requirement was also fulfilled by the IDF in the recent Lebanon campaign.

## **D. Summary**

Civilian objects serving enemy military operations during armed conflicts, become military objectives and may be legitimately targeted.

Clearly, attacks on such targets are not permitted under all circumstances: As is the case with every legitimate target, an infrastructure target may only be attacked if the anticipated incidental damage to civilians or civilian objects would not be excessive in relation to the military advantage to be obtained through its destruction or neutralization. In addition, armed conflict law requires that civilians in the vicinity of an intended target be given effective prior warning, enabling them to distance themselves from the area, unless

circumstances do not permit (such as where the warning would jeopardize the success of the operation).

During the fighting in Lebanon, the IDF carried out strikes on “dual-use” infrastructure serving the military activity of Hezbollah.

These attacks were carried out subject to the rules and principles discussed in this document, and under the conditions mentioned above. In this regard, the IDF took great pains to minimize harm to the civilian population: During operational planning, military necessity was continuously assessed as against potential collateral damage; effective advance warnings to civilians were given in all cases where so doing would not jeopardize operations. It should also be noted that military legal advisers were routinely consulted in the target authorization process.

## **Appendix G iii**

## HEZBOLLAH ATTACKS ON CIVILIAN OBJECTS – LEGAL ASPECTS

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On July 12, 2006, Hezbollah members attacked an IDF patrol vehicle on the Israeli side of the Israel-Lebanon border with the object of taking hostages. The attack was accompanied by a heavy barrage of short-range rocket fire on communities in the north of Israel.

In the days to follow, steep trajectory fire on Northern Israel increased dramatically, reaching massive proportions, with Hezbollah using rockets and missiles of various types and ranges. These attacks on Israeli communities, carried out in gross violation of Israel's sovereignty and her right to security and in clear breach of international laws of warfare, exacted a heavy toll, both in human casualties and in damage to property.

This document points to several of the violations of international law perpetrated by Hezbollah during the recent Lebanese conflict, all amounting to "war crimes" in the fullest sense of the term.

The most serious crime committed by the Hezbollah organization was its firing of steep trajectory weapons at civilian objects, with the clear intention of sowing death, destruction and terror among the Israeli civilian population. This, in clear **contravention of the Principle of Distinction** embodied in the laws of armed conflict, obligating parties to a conflict to distinguish between military objects and civilian objects and to direct their attacks against military objectives ("legitimate targets") only. In accordance with this principle, deliberate attacks on civilian objects with the sole purpose of causing casualties or suffering or applying pressure to the enemy's population, are absolutely prohibited by the laws of armed conflict.

In this regard, there can be no doubt that Hezbollah rocket fire, aimed at Israel's northern population centers, had no military purpose and that its

intention was to cause maximum damage to Israel's population and property, while sowing terror among civilians. It should be added in this regard, that international law contains an express prohibition on military actions whose purpose is to spread fear among the civilian population – even if so doing might indirectly serve a military objective. Accordingly, it is clear that Hezbollah actions were perpetrated in flagrant disregard of this fundamental prohibition.

Despite this, at various stages of the conflict, claims were made by Hezbollah leaders that the rocket fire was, in fact, aimed at IDF bases in Northern Israel, this in an apparent effort to answer accusations that Hezbollah was violating international law by deliberately attacking civilian objects. However, the facts at our disposal refute this contention completely – since according to information in the IDF's possession, Hezbollah was well aware of the nature of the locations being targeted by their rockets and made a deliberate effort to strike at Israeli communities unconnected in any way whatsoever with military activities.

Moreover, even if we were to assume, for the purpose of this discussion, that Hezbollah tried on several occasions to hit military targets, it did so in clear breach of the rule prohibiting “indiscriminate” attacks. This rule requires the attacking party to employ weapons accurate enough to enable distinction between military and civilian objects, and to reduce collateral damage that might be caused to civilian objects to a minimum. Hezbollah launched munitions against Northern Israel which, by their nature, are not capable of distinguishing between military and civilian objects: “Katyusha” rockets are extremely inaccurate weapons, which cannot be controlled during flight. In addition, the warheads of these rockets contained thousands of small ball bearings that were dispersed on impact up to a radius of about 300m. This fact demonstrates that the object of the rocket fire was to cause maximum casualties in the populated areas that were targeted, in a manner that made no distinction between civilians and combatants.

In addition, attacks of this nature contravene the Principle of Proportionality - another fundamental principle embodied in the laws of armed conflict, stating that incidental harm to civilians or civilian objects, resulting from an attack on a legitimate military target, is acceptable only where the anticipated collateral damage is not excessive in relation to the expected military advantage to be obtained from an attack. According to this principle, a party to a conflict is required, before attacking a target, to weigh up the expected military benefits of the attack against the potential collateral damage.

In the present case, steep trajectory fire towards civilian population centers, even had the intention been to strike military targets (which, as we have said, was **not** the case), caused widespread damage to civilians and their property, in blatant disproportion to any possible military benefit which might have resulted from a strike on a military target. Moreover, it goes without saying that Hezbollah made no effort to reduce or avoid damage to the civilian population. Accordingly, it is clear that Hezbollah attacks were disproportionate, and consequently in breach of international law (in addition to being indiscriminate, as discussed above).

The available data illustrates the extent to which this principle of international law was violated: In the course of 34 days of fighting (July 12 – August 14, 2006) approximately one third of the population of the State of Israel - ± two million people, were in striking range of the thousands of rockets launched indiscriminately by Hezbollah. Close to 4,000 rockets landed in Israeli territory, all over Northern Israel, many in urban areas. 53 civilians were killed by these rockets, four of them children. Many people required medical attention: 625 civilians were wounded (in various degrees of severity) and an additional 1,210 were treated for shock. The number of displaced people was estimated at between 350,000 to 500,000 while about 1,000,000 people were confined to bomb shelters.

Damage to property was also heavy: In total, some 12,000 civilian buildings were hit, among them about 400 public buildings, while about 2000 private homes and apartments were completely destroyed. In addition, six medical



facilities were hit, 23 schools, four kindergartens and two community centers were damaged (these being objects enjoying special protection from attack under the laws of war). Significant damage was also inflicted on infrastructure: A sewage treatment plant in Safed was closed down due to a direct hit; over 50km of roads were damaged; and finally 2km<sup>2</sup> of cultivated forest as well as 40km<sup>2</sup> of natural woodland were destroyed by fires caused by the rockets. All these constitute clearly civilian objects, protected from attack by international law and whose destruction served no military purpose whatsoever.

Over and above the abovementioned violations, Hezbollah perpetrated the crime of operating from within civilian buildings and population concentrations on the Lebanese side, using the local population as “human shields”. Hezbollah launched its attacks on the civilian population of Northern Israel from within built-up densely populated areas and civilian homes, while using residents as “human shields” (including a number of cases in which Hezbollah actively prevented civilians from evacuating) in gross violation of the laws of armed conflict, requiring parties to distinguish their military facilities from nearby civilian objects and prohibiting combatants from blending in with civilians. Accordingly, there can be no doubt that Hezbollah bears direct responsibility for the tragic civilian casualties and other accompanying damage sustained by the country of Lebanon as a result of Hezbollah’s criminal actions.

In this context, we will mention another claim aired by Hezbollah, whereby the organization’s rocket fire at Israeli communities was in reprisal for breaches of international law by Israel. Without discussing the substance of this claim, which in our view is baseless, it should be emphasized, that even if we were to assume, for argument’s sake, that the IDF violated the laws of war, armed conflict law prohibits reprisals directed at the civilian population. Thus, even the charge that Israel acted in contravention of the laws of war could not serve to justify the criminal attacks by Hezbollah against Israel’s civilians.

In light of all the above, it is clear beyond doubt, that in the recent conflict, the Hezbollah organization perpetrated grave breaches of the laws of armed conflict, both by deliberately attacking wholly civilian objects while attempting to maximize damage to civilians and civilian property, as well as by carrying out its attacks from inside civilian population centers, using civilians as “human shields” and civilian property for military purposes. It should be noted that all these acts are expressly defined as “war crimes” by the “Rome Statute of the International Criminal Court”<sup>4</sup>.

In conclusion, it should be noted that the Amnesty International organization, in its report following the recent conflict, termed Hezbollah actions “war crimes” and demanded their investigation by the appropriate international institutions. The words of the Amnesty report speak for themselves:

“The scale of the rocket attacks on cities, towns and villages in Northern Israel, the indiscriminate nature of the weapons used, together with official statements, specifically those of Hezbollah's leader, show that Hezbollah has committed serious violations of International Humanitarian Law. These include deliberately attacking civilians and civilian objects, and indiscriminate attacks, both of which are war crimes, as well as attacking the civilian population as reprisal.”<sup>5</sup>

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<sup>4</sup> Arts 8(2)(b)(i)-(v), (ix) of the Rome Statute of the International Criminal Court, 12 July 1999

<sup>5</sup> Amnesty International, *Under Fire: Hezbollah's Attacks on Northern Israel* (Sept. 2006, AI Index: MDE 02/025/2006)