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Israel/Lebanon

Under fire: Hizbullah's attacks on northern Israel

Introduction

On the morning of 12 July 2006, Hizbullah fighters (known as al-muqawama al-islamiyya, Islamic Resistance) crossed the border into Israel and attacked an Israeli patrol near the village of Zarit. A number of Israeli military vehicles and a tank got involved in the clashes, at the end of which Hizbullah fighters returned to Lebanon with two captured Israeli soldiers. Eight other soldiers were killed. At the same time Hizbullah carried out diversionary attacks along the border. Hizbullah officials told Amnesty International that no civilian was targeted on 12 July, although according to press accounts a number were injured in these other attacks.¹

Hizbullah named its "Operation True Promise" after a "promise" by its Secretary General, Hasan Nasrallah, to capture Israeli soldiers in order to exchange them for Lebanese prisoners in Israeli jails. Israeli Prime Minister Ehud Olmert declared Hizbullah's attack an "act of war" and promised Lebanon a "very painful and far-reaching response".

For the next month – until 14 August – a major military confrontation took place between Hizbullah and Israel. Israel's "Operation Change of Direction" involved widespread attacks across Lebanon from land, sea and air, killing some 1,000 civilians. Hizbullah launched thousands of Katyusha and other rockets on northern Israel, killing 43 civilians. Several hundred thousand Israeli civilians and approximately one million Lebanese civilians were displaced. UN Security Council resolution 1701 brought about a ceasefire and provided for the deployment of a reinforced UN peacekeeping mission in south Lebanon, one of several measures aimed at consolidating the end of the fighting.

The briefing that follows summarizes Amnesty International's assessment of and concerns about violations of international humanitarian law by Hizbullah in its attacks on northern Israel. It is based on first-hand information from visits to Israel and Lebanon; interviews with dozens of victims; official statements; discussions with Israeli and Lebanese military and government officials, as well as senior Hizbullah officials; information from non-governmental groups; and media reports.

¹ See, for example, Amos Harel, "Hezbollah kills 8 soldiers, kidnaps two in offensive on northern border", *Haaretz*, 13 July 2006, <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=737825>.

This briefing does not address Israeli charges that Hizbullah used the civilian population as a cover for its military activities and that it must therefore be held responsible for the harm caused to civilians by Israeli attacks. Specifically, Israel accuses Hizbullah of having bases in tunnels and other facilities within towns and villages; of storing Katyusha rockets and other weapons there; of firing Katyusha rockets from close proximity to civilian houses; and of having prevented civilians from fleeing their villages.

Hizbullah denies any policy of endangering civilians and accuses Israel of deliberating targeting civilians in Lebanon. Hizbullah officials deny that their fighters launched Katyusha rockets into Israel from populated areas or that they stored their rockets in such areas. They acknowledge that other weapons and facilities are present in towns and villages and argue that they are needed for their fighters to defend their communities against Israeli attacks. Hizbullah strongly denies that it prevented civilians from fleeing.

Amnesty International is conducting further research into these issues and intends to address them separately. It will also be addressing the issue of attacks by Israeli forces that Israel says were directly aimed at Hizbullah fighters and their bases and resulted in heavy civilian casualties, and the impact of such attacks on civilians in Lebanon.

Israeli attacks on the infrastructure in Lebanon were the subject of the briefing, *Israel/Lebanon: Deliberate destruction or "collateral damage"? Israeli attacks on civilian infrastructure*, AI Index: MDE 18/007/2006, August 2006.

This briefing highlights one aspect of the conflict, one of several that underline the need for an urgent and comprehensive international inquiry into the conduct of the hostilities by both parties.

During and after the conflict, Amnesty International conducted in-field research in both Israel and Lebanon. It has repeatedly appealed to both Hizbullah and the Israeli government to abide by the principles and rules of international humanitarian law. During the conflict, Amnesty International members and supporters around the world campaigned for a ceasefire, called for safe passage for trapped civilians, and have urged Israel and Lebanon to consent to a comprehensive investigation by an independent and impartial international body into the pattern of attacks by both Hizbullah and Israel.

International humanitarian law and war crimes

International humanitarian law (the laws of war) governs the conduct of war. It seeks to protect civilians, others not participating in the hostilities, and civilian objects (all objects that are not military objectives).

Hizbullah is bound by a number of rules and principles of international humanitarian law. Some of these obligations, including the requirement to treat humanely at all times people taking no active part in hostilities, are contained in common Article 3 of the four 1949 Geneva Conventions. Other principles and rules specific to the conduct of hostilities have been accepted by the international community -- including Israel, Lebanon and most other states -- as binding on all parties to international and non-international armed conflicts. These rules are encapsulated in the Additional Protocol I of 1977 to the Geneva Conventions.

Some serious violations of international humanitarian law, including many of those addressed in this report, are war crimes and give rise to international criminal responsibility for the perpetrators. These crimes are subject to universal jurisdiction (they may be prosecuted by any state in its national courts) and fall within the statute of the International Criminal Court.

A core principle of the rules governing the conduct of hostilities is the principle of distinction. The rules require that combatants at all times distinguish between civilians, the civilian population and civilian objects on the one hand, and military objectives on the other.

Military objectives are those that: "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."² Objects that are normally considered "civilian objects" may, under certain circumstances, become legitimate military objectives if they are "being used to make an effective contribution to military action". However, in case of doubt, the object must be presumed to be civilian.

Directing attacks at civilians or civilian objects is a violation of international humanitarian law, and doing so with intent constitutes a war crime.

Indiscriminate attacks too contravene the principle of distinction and are also a war crime. Indiscriminate attacks include those that involve a method or means of combat that cannot be directed at specific military objectives and are therefore "of a nature to strike military objectives and civilians or civilian objects without distinction."

Parties to an armed conflict are required to protect civilians and civilian objects by adopting a number of precautionary measures in preparing and carrying out their attacks. In addition, combatants must not place themselves or other military objectives within the civilian population in an attempt to shield military objectives from attacks or to shield, favour or impede military operations.

² Additional Protocol I to the Geneva Conventions (Article 52).

Attacks against the civilian population or civilians or against civilian objects by way of reprisals are expressly prohibited by international humanitarian law and are widely held to be prohibited by customary international law.³ The fact that one party may have violated the laws of war cannot therefore serve as a basis for an opposing party to engage in such unlawful acts, whether as a deterrent to bring the offending party into compliance, or as a means of retaliation or retribution. Amnesty International believes that the prohibition on reprisals must be respected in all circumstances.

Hizbullah's bombardment of northern Israel

"As long as the enemy undertakes its aggression without limits or red lines, we will also respond without limits or red lines."

Hasan Nasrallah, Hizbullah's Secretary General, 16 July 2006

For more than four weeks, rockets launched by Hizbullah fell on northern Israel on a daily basis – usually more than 100 per day, as many as 240 one day towards the end of the hostilities. Many landed in heavily populated areas, damaging homes and killing and injuring civilians.

According to the Israeli authorities, 3,970 rockets fired by Hizbullah landed in Israel between 12 July and 14 August, 901 of them in urban areas.⁴ More than 1,000 landed in the Kiryat Shmona area, 808 in or near Nahariya, 471 in or near Safed, 176 in or near Carmiel, 106 in or near Acre, 93 in or near Haifa, and 81 in or near Tiberias. Almost a third of Israel's population – more than 2 million people – were within range of the rockets launched from south Lebanon.

The Israeli authorities reported that most of the rockets fired were Katyusha-type rockets with a calibre of 122mm and a maximum range of 20-40km. They said that a few hundred others were improved versions of Katyushas with a longer range and higher calibre. Those fired included rockets with warheads packed with thousands of metal ball bearings intended to maximize harm to people. Once the rockets struck, the ball bearings sprayed out, inflicting death and injury for 300 metres or more if in

³ According to the 2005 International Committee of the Red Cross (ICRC) study of customary international humanitarian law, "the vast majority of states have... committed themselves not to make civilians the object of reprisal." While noting that a few countries maintain that reprisal may be lawful under certain stringent conditions, the ICRC study concludes that there is "a trend in favour of prohibiting such reprisals."

⁴ Israeli Ministry of Foreign Affairs website, <http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+from+Lebanon-+Hizbullah/Hizbullah+attack+in+northern+Israel+and+Israels+response+12-Jul-2006.htm>. One senior Hizbullah official told Amnesty International that the number of rockets fired was around 8,000.

the open. Katyusha rockets cannot be aimed with accuracy, especially at long distances, and are therefore indiscriminate.

Other places affected by Hizbullah rocket attacks included Nazareth, Afula, Beit She'an and Ma'alot-Tarshiha. Dozens of settlements and agricultural villages were also hit. Hizbullah told Amnesty International that it had targeted military facilities, for example in Hadera and Meron.

Hizbullah's justification

Hizbullah's Secretary General Hasan Nasrallah and other senior leaders in the party or associated with it have asserted that the shelling of northern Israel was a reprisal for Israeli attacks on civilians and the infrastructure in Lebanon, and was aimed at stopping such attacks. Senior Hizbullah officials told Amnesty International that it is a policy of the party not to target civilians, and for that reason Hizbullah remains committed to an agreement reached in April 1996 aimed at sparing civilians while pursuing hostilities with Israel in south Lebanon.⁵ However, it is clearly also Hizbullah policy to resort to attacks against Israel's population centres, with the declared aim of forcing Israel to stop its attacks and return to a situation where civilians would be spared by both sides.

On 14 July, in his first broadcast address after the beginning of the hostilities two days earlier, by which time some 50 civilians in Lebanon and four Israeli civilians had been killed, Hasan Nasrallah addressed the issue of Hizbullah's attacks on northern Israel and threatened to hit Haifa:

“You wanted open warfare, and we are going into open warfare. We are ready for it, a war on every level. To Haifa, and, believe me, to beyond Haifa, and to beyond Haifa. Not only will we be paying a price. Not only will our houses be destroyed. Not only will our children be killed. Not only will our people be displaced.”⁶

⁵ The agreement ended another outbreak of hostilities and formally involved France, Israel, Lebanon, Syria and the USA. It prohibited attacks against civilians in Israel and Lebanon, stipulating also that “civilian populated areas and industrial and electrical installations will not be used as launching grounds for attacks”. As part of the agreement, a monitoring group was set up to adjudicate on complaints by either Israel or Lebanon that the agreement had been violated. The working group ceased to operate in February 2000 and Israel withdrew from Lebanon in May that year.

http://telaviv.usembassy.gov/publish/peace/documents/ceasefire_understanding.html. See also Adir Waldman, *Arbitrating Armed Conflict: Decisions of the Israel-Lebanon Monitoring Group*, Juris 2003, p.27.

⁶ Speech broadcast by *Al-Manar* TV station, Arabic text: *Ad-Diyar* website, 15 July 2006 pdf edition, English text: www.islamicdigest.net/v61/content/view/1870/0/ and www.aimislam.com/forums/index.php?showtopic=457.

On 16 July 2006, by which time more than one hundred civilians in Lebanon and 12 Israeli civilians had been killed, he said that Hizbullah had begun by targeting military objectives and avoiding hitting “any Israeli colony or settlement in occupied northern Palestine”. He accused Israel of targeting civilians and civilian infrastructure from the first day, and said that, despite this, Hizbullah had continued to focus its attacks on Israeli military facilities. “We were patient”, he said, and still did not feel compelled to “bomb civilian targets” and “therefore did not resort to bombing civilian targets”. However, he then added:

“Today we had no choice but to reject the pledge we had made to ourselves and proceeded to bomb the city of Haifa, knowing the importance and significance of this city... As long as the enemy undertakes its aggression without limits or red lines, we will also respond without limits or red lines.”

Later in the same speech, he confirmed that Hizbullah intended to continue targeting civilians as a form of reprisal:

“In the next phase we will continue this open war, as they have chosen. We will be very careful to avoid civilians unless they force us to [target them]. During the past period, even when we were forced to target civilians, we focused on the major settlements and cities. We are still capable of reaching any settlement, any village or any city in northern occupied Palestine, at the least, but we have preferred to use matters within the limits of pressuring the government of this enemy. Even in this context, when the Zionists act on the principle that there are no principles, no red lines and no limits to the confrontation, it is our right to act accordingly.”⁷

In further public statements on 29 July and 3 August, Hasan Nasrallah suggested that Hizbullah would continue to inflict destruction and force people to flee or take refuge in shelters for as long as Israel continued with its attacks on Lebanon. On 3 August he stated:

“If you bomb the city of Beirut, the Islamic Resistance will bomb the city of Tel Aviv... I would like to confirm that our shelling of the settlements, in the north or beyond Haifa or Tel Aviv, and since the issues are now clearer, is a reaction and not an action. If you attack our cities, villages and capital, we will react. And any time you decide to stop your attacks on our cities, villages and infrastructure, we will not fire rockets on any Israeli settlement or city.

⁷ Speech broadcast by *Al-Manar* TV station, Arabic text: *Ad-Diyar* website, 17 July 2006 pdf edition, English text [extract]: www.aimislam.com/forums/index.php?showtopic=457

Naturally, we would rather, in case of fighting, fight soldier to soldier on the ground and battlefield.”⁸

On 9 August 2006, Hasan Nasrallah publicly appealed to Arabs in Haifa to leave the city. Hizbullah officials told Amnesty International that this was a warning that could have been heeded by Israeli Jews as well. However, the appeal clearly implied that Hizbullah's continuing bombardment was targeted at Israeli Jews, and showed no concern for distinguishing between civilians and the military:

“To the Arabs of Haifa, I have a special message. We have grieved and we are grieving for your martyrs and wounded people. I beg you and turn to you asking you to leave this city. I hope you will do so. Over the past period, your presence and your misfortune made us hesitant in targeting this city, despite the fact that the southern suburbs [of Beirut] and the rest of the heart of Lebanon were being shelled, whether Haifa was being shelled or not. Please relieve us of this hesitation and spare your blood, which is also our blood. Please leave this city.”⁹

Other influential personalities close to Hizbullah made similar statements throughout the conflict. For example, on 21 July 2006 senior Shi'a cleric Sheikh Muhammad Hussein Fadlallah declared:

“The resistance is repelling the army which was said to be unvanquishable by dropping victorious blows onto its settlements and cities. This has driven the people there into shelters and paralysed economic and political activity.”¹⁰

Several statements broadcast on television or on websites and attributed to “The Islamic Resistance” also reiterated that rocket attacks were being launched deliberately on civilian areas in reprisal for Israeli attacks. For example, on 12 August the Hizbullah-backed television station *al-Manar* broadcast:

“In response to Zionist attacks against the southern suburbs [of Beirut] and the rest of the Lebanese territory throughout Friday, the Islamic Resistance this morning bombarded the city of Haifa with two rounds of rockets.”¹¹

⁸ Speech broadcast by *Al-Manar* TV station, 3 August 2006, English text: www.islamdigest.net/v16/content/view/1887/0/

⁹ 9 August 2006: speech broadcast by *Al-Manar* TV station, Arabic text: www.manartv.com.lb/NewsSite/NewsDetails.aspx?id=1002, English text: www.aimislam.com/forums/index.php?showtopic=457&st=40

¹⁰ Lebanese national news agency, 21 July 2006, www.ghaliboun.net/newsdetails.php?id=189.

¹¹ *Al-Manar* TV, 12 August 2006, www.manartv.com.lb/NewsSite/NewsDetails.aspx?id=1123.

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 Hizbullah's leader, show that Hizbullah 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.

The fact that Israel in its attacks in Lebanon also committed violations of international humanitarian law amounting to war crimes, including indiscriminate and disproportionate attacks, is not an acceptable justification for Hizbullah violating the rules of war, whether as a deterrent or as a means of retaliation or retribution.

The underlying reason for the prohibition on reprisal attacks is plain: civilians and other non-combatants should not be made to pay the price for the unlawful conduct of armed forces. The very concept of violations as reprisal must be emphatically rejected, if the goal of containing the devastation caused by war on non-combatants is ever to be achieved.

The impact of the rocket attacks

"We do everything in fear. We eat in fear, we sit in fear. We shower in fear. We sleep in fear."

An occupant of a shelter in Nahariya, northern Israel, 6 August 2006

Casualties

During the conflict, Hizbullah's rocket attacks dominated the lives of the civilian population of northern Israel. In total, 43 civilians died as a result of rocket strikes.¹² Seven of them were children,¹³ of whom four were younger than eight years old. Some died in their homes, some in the streets, some in cars, one while riding a bicycle. At least 4,262 civilians were treated in hospitals. Of these, 33 were seriously wounded, 68 moderately, and 1,388 lightly. Some 2,773 were treated for shock and

¹² Israeli Ministry of Foreign Affairs website, <http://www.mfa.gov.il>.

¹³ Israeli Ministry of Foreign Affairs website, <http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+from+Lebanon-+Hizbullah/Israel-Hizbullah+conflict-+Victims+of+rocket+attacks+and+IDF+casualties+July-Aug+2006.htm>. Also, Jacob Blaustein Institute for the Advancement of Human Rights, *Israel Under Rocket Attack: A Profile of Destruction and Displacement*, August 2006.

anxiety.¹⁴ Twelve Israeli soldiers were also killed, all of them in a single strike, as they were about to enter Lebanon.¹⁵

The first reported deaths of Israeli civilians as a result of Katyusha rockets fired by Hizbullah occurred on 13 July. Monica Seidman, 40, of Nahariya was killed in her home and Nitzo Rubin, 33, of Safed, was killed on his way to visit his children.¹⁶

Amnesty International delegates in Israel heard from officials and inhabitants of towns and villages affected by the rocket attacks that the flight of many people from these areas and the protracted use by those who stayed of shelters and secure rooms contributed significantly to the relatively low casualty figures compared to the number of rockets that fell on populated areas. In places close to the border with Lebanon, there was virtually no time to sound the sirens between when the rockets were launched and when they struck.

Amnesty International delegates spoke to several people directly affected by rocket attacks. Terez Levy described the day when her husband Reuven Levy, 46, was killed by a direct hit on Haifa's railway maintenance depot. The attack, on 16 July, caused the highest civilian death toll of any single Hizbullah rocket. The rocket, which the Israeli authorities said was packed with steel ball bearings, killed Reuven Levy, chief mechanic, and seven other employees of Israel Railways -- Shmuel Ben Shimon, Asael Danti, Nissim Elharar, David Feldman, Rafi Hazan, Dennis Lapidos and Shlomi Mansura.¹⁷ Dozens more were reportedly injured. It was the first attack on Haifa during the war.

Mounira Saloum described what happened to her brother, Don (Hamudi) Saloum, a 40-year-old lifeguard. On 6 August he was standing by the family house on Caesarea Street in Haifa when the sirens went off. Simultaneously, a rocket fell on the house, which began to collapse. Hamudi Saloum tried to enter it to rescue his sister and mother, but as he did so domestic gas cylinders attached to the house exploded. He was severely burned and his leg was crushed (it was subsequently amputated). Weeks later he was still in a coma on a life support machine in hospital. Mounira Saloum said: "Everyone loses in war, on this side and over there."

¹⁴ Health Ministry cited in Eli Ashkenazi, Ran Reznick, Jonathan Lis, and Jack Houry, "The Day After / The War Numbers – 4,000 Katyushas, 42 civilians killed", *Haaretz*, 15 August 2006.

¹⁵ Israeli Ministry of Foreign Affairs website, <http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Terrorism+from+Lebanon-+Hizbullah/Israel-Hizbullah+conflict-+Victims+of+rocket+attacks+and+IDF+casualties+July-Aug+2006.htm>.

¹⁶ Israeli Ministry of Foreign Affairs website, see footnote 15.

¹⁷ Israeli Ministry of Foreign Affairs website, see footnote 15,

In Tel Aviv's Haim Sheba Medical Centre, Amnesty International delegates met distraught members of the Assadi family who had survived a rocket attack on their house. Ahmed Assadi described how on 10 August his home in the village of Dir el-Asad was directly hit by a Katyusha rocket while his family was eating breakfast. The blast killed his wife Mariam and their five-year-old son Fathi, and left his three-year-old son Faris with serious injuries, requiring amputation of his right leg below the knee.

Amnesty International also spoke to Linda Zaribi, whose family had been devastated by rocket attacks on the northern Israeli coastal town of Acre on 3 August. Her husband Shimon and 15-year-old daughter Mazal were killed, and her 17-year-old son Raz suffered shrapnel wounds. Three other civilians died in the attack. Linda Zaribi said that on the day of the attack her family and some neighbours had gone to a nearby bomb shelter after a siren sounded. After hearing rockets landing nearby, some of those in the shelter went to see what had happened. Soon after, more rockets landed. One of them killed five people, including her husband and daughter. She said: "[Their] bodies weren't so damaged. I saw them on the ground holding hands... I keep seeing in my mind the terrible images on the lawn that day."

The town of Maghar experienced two fatal attacks during the war. The first occurred at around 2pm on 25 July, when a Katyusha rocket smashed through the roof of the home of the Abbas family. Doaa Abbas, a 15-year-old schoolgirl who was sitting reading in a chair by the window of the family's living room, was killed instantly when the rocket ricocheted off the floor and hit her. Her mother Emtiyaz and sister Hana, who were sitting in the same room, received light shrapnel wounds. Wassim Abbas, Doaa's brother, told Amnesty International that the sirens only sounded several minutes after the rocket strike had happened.

The second fatal attack occurred on 4 August. Manal Azzam, a 28-year-old housewife, was at home with her daughter Kanar, aged six, and son Adan, aged two, when a Katyusha rocket hit a house immediately adjacent to hers and rebounded at an angle, piercing a wall of her home. She was struck in the head and died immediately. At the time, she had been waiting for her husband Shadi Azzam to return from the textile factory where he worked to take her and their children to the wedding of a relative in the town. The children were in their mother's arms when she died, having rushed to their mother when they heard the sirens. Both were lightly wounded by shrapnel.

Internal displacement

In a region with a population of about 1.2 million inhabitants, between 350,000 and 500,000 people fled their homes and became internally displaced. The towns north of Nazareth were described as ghost towns, inhabited only by the elderly, sick or those without the means to flee.¹⁸ Of those who stayed, many were too old, too ill or too poor to travel. Some left the area but returned after a few days or weeks when they ran out of funds. Those who remained spent much of their time sheltering in overcrowded basements or underground shelters.

In Kiryat Shmona, for example, only about 6,000 of its 24,000 residents stayed in the town.¹⁹ Many left through private arrangements, either staying with relatives in southern Israel or moving into hotel rooms as long as their financial resources allow them to. Others found places to stay through charitable initiatives by wealthy individuals or non-governmental organizations (NGOs).²⁰ Those who remained told Amnesty International delegates that most shops were closed, and those that were open soon ran short of supplies.

Some returned to find they had lost their home or business or both. Maurice Maman told Amnesty International delegates at his ruined home in September that he and his family left Kiryat Shmona on 14 July to stay with relatives in Tel Aviv, where they spent a week, before staying in hotels in central Israel. When they returned to Kiryat Shmona after the ceasefire, they found that their home had been hit by a Katyusha rocket. The office in the house, from which Maurice Maman operated a small business installing air-conditioning units, was destroyed.

The NGO Migdal Or evacuated 5,000 children from northern Israel.²¹ By 6 August, at least 23,000 children had been moved to emergency summer camps in central Israel.²² Oren Yirmiyahu, coordinator of the youth community centre of Kol Nidrei in Kiryat Shmona, told Amnesty International delegates:

“For young children, under six for instance, the experience was especially traumatic as this was the first time they experienced a massive

¹⁸ Jacob Blaustein Institute for the Advancement of Human Rights, *Israel Under Rocket Attack: A Profile of Destruction and Displacement*, August 2006.

¹⁹ Eli Ashkenazi, Ran Reznick, Jonathan Lis, and Jack Khoury, “The Day After / The War Numbers – 4,000 Katyushas, 42 civilians killed”, *Haaretz*, 15 August 2006.

²⁰ Jacob Blaustein Institute for the Advancement of Human Rights, *Israel Under Rocket Attack: A Profile of Destruction and Displacement*, August 2006.

²¹ Ruth Sinai, *Haaretz*, 8 August 2006.

²² <http://www.Jewishagency.org/JewishAgency/English/Home>

rocket attack. They are being treated by professionals. They exhibit symptoms of anxiety -- lack of sleep, sensitivity to noise, and crying out of fear.”

Life in shelters

Hundreds of thousands of people moved into basements or air raid shelters underground for days or weeks. Conditions in many were poor, with inadequate toilet facilities, and no facilities for food preparation. Shelters were often crowded, stuffy and dirty.²³

During the conflict, Amnesty International delegates visited two public shelters in Nahariya, where many of the city's residents had spent the previous 26 days mostly underground. In the first, most people spent the entire day there, when the majority of rockets were launched, but went home at night. In the second, there were around 40 people, including 10 children, most of whom had been living in the shelter around the clock since the first rockets hit Nahariya on the second day of the conflict. They said that because they were so close to the border, the sirens often went off after the bombs hit or simultaneously, which made many of them too afraid to step outside.

Damage to buildings

Hizbullah rockets damaged houses, apartment blocks, schools, kindergartens, synagogues, public buildings, factories and shops in towns and villages across northern Israel.

According to the estimates of Israel's Ministry of Building and Housing, and its Property Tax department, rocket attacks by Hizbullah damaged about 12,000 buildings, some 400 of which were public buildings.²⁴ Based on interviews in August and September 2006 with local administration officials and residents of a number of Israeli cities, towns and villages, as well as visits to dozens of affected buildings, Amnesty International understands that the figure of 12,000 includes the full range of buildings damaged. A small percentage received a direct hit from a Katyusha rocket and were seriously damaged, sometimes evidently beyond repair. Most were located in the vicinity of a building which was hit directly and suffered lighter damage, such as broken windows, shrapnel marks in the walls or cracked tiles.

Kiryat Shmona and its surrounding communities, for example, were hit by more than 1,000 rockets, of which 372 fell inside the town. The municipality said that

²³ *TV Channel 23, News*, 8 August 2006, cited in Jacob Blaustein Institute for the Advancement of Human Rights, *Israel Under Rocket Attack: A Profile of Destruction and Displacement*, August 2006.

²⁴ The Chief Scientist, Ministry of the Environment, "Assessment of the environmental damage caused by the war in the north, Summer 2006", 27 August 2006.

the rockets injured 25 residents and damaged 2,003 housing units and dozens of public buildings, including schools, factories, businesses, and synagogues.²⁵ In early September Amnesty International delegates visited a number of sites where rockets had fallen inside the town. These included several houses and apartment buildings which had received a direct hit and were seriously damaged such that they would require extensive structural repair work to render them habitable again. These also included the main high school, which had been hit by four rockets.

At least four hospitals were badly affected. A rocket hit a hospital in Safed, northern Galilee on 18 July, wounding eight people. The Western Galilee hospital in Nahariya was hit on 28 July, causing serious damage to the third floor but no casualties as all the patients had been moved to its fully equipped and purpose-built shelter. Rambam hospital in Haifa had to repeatedly move patients to unsatisfactory conditions in the basement because of rockets in the vicinity.

Many hospitals in the north moved some or all of their patients into basement areas, together with their respirators, oxygen tanks and IV drips. However, facilities underground were far from ideal, with some equipment unavailable, few curtains to provide privacy, and toilets located far from the beds.²⁶

Other consequences

According to the Federation of Israeli Chambers of Commerce, about 70 per cent of businesses in northern Israel closed during the conflict, losing revenues of 5.9 billion shekels (US\$1.4 billion).²⁷ About a quarter of the region's small businesses had to be saved from bankruptcy by emergency government support.²⁸ Much of the region's fruit harvest rotted on the trees because farm labourers could not go to work.²⁹ The Bank of Israel estimated the direct economic damage in lost tourism and industrial activity at 5 billion shekels (US\$1.14 billion).³⁰

Hizbullah rockets also severely damaged forests and open land, burning thousands of acres. Officials estimated that up to 12,800 acres of land had been

²⁵ Eli Ashkenazi, Ran Reznick, Jonathan Lis, and Jack Khoury, "The Day After / The War Numbers – 4,000 Katyushas, 42 civilians killed", *Haaretz*, 15 August 2006, and "Preparing to rebuild the north", *Ynet News*, 14 August 2006.

²⁶ Delphine Matthieussent and Matti Friedman, "Israeli Hospitals Working Under Fire", *Associated Press*, 7 August 2006.

²⁷ http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/middle_east/5257128.stm.

²⁸ <http://www.guardian.co.uk/international/story/0,,1850823,00.html>.

²⁹ <http://www.guardian.co.uk/international/story/0,,1850823,00.html>.

³⁰ *Reuters*, 14 August 2006.

burned by more than 450 fires ignited by rockets.³¹ One forest had reportedly lost about 75 per cent of its trees.³²

The need for an international investigation

Over the many years of conflict between Hizbullah and Israel, both sides have repeatedly committed serious violations of international humanitarian law without any accountability. The Israeli authorities have investigated a few incidents, and have stated that they are still investigating some of the incidents in the latest outbreak of hostilities, but the methods and outcomes of these investigations have never been properly disclosed. They fall far short of the standards required. No investigation into violations of international humanitarian law by Hizbullah is known to have been conducted by the Lebanese authorities or by Hizbullah commanders. If respect for the rules of war is ever to be taken seriously, a proper investigation of their violation by both parties to the recent conflict is imperative.

Amnesty International welcomes the visit to Lebanon and Israel in early September of four independent experts of the UN Human Rights Council to investigate the impact of the conflict on the right to life, health and housing, and the situation of the internally displaced. It also expects that the Commission of Inquiry created by the Human Rights Council in August 2006 and comprising three independent experts will look impartially at violations by both sides.³³ These investigations are important and should feed into a broader inquiry.

Amnesty International calls for a comprehensive, independent and impartial inquiry to be conducted by the UN into violations of international humanitarian law by both sides in the conflict. The inquiry should examine in particular the impact of this conflict on the civilian population, and should be undertaken with a view to holding individuals responsible for crimes under international law and ensuring that full reparation is provided to the victims.

Amnesty International has asked the UN Secretary-General to establish a panel of independent experts to conduct this inquiry. They should include experts with proven expertise in investigating compliance with international humanitarian and human rights law, in military matters, as well as in forensics and ballistics. The

³¹ The Chief Scientist, Ministry of the Environment, "Assessment of the environmental damage caused by the war in the north, Summer 2006", 27 August 2006.

³² Dina Kraft, "Dry Forests in Northern Israel Are Damaged as Hezbollah's Rocket Attacks Ignite Fires", *New York Times*, 8 August 2006.

³³ Amnesty International expressed deep regret that the resolution of the Human Rights Council setting up this inquiry was exclusively focused on Israel and did not address the conduct of Hizbullah (see *Lebanon/Israel: Human Rights Council members put politics before lives*, AI Index MDE 02/014/2006).

experts should receive all necessary assistance and resources. The outcome of the inquiry should be made public and include recommendations aimed at ending and preventing further violations.