

ICRC/Lebanon, Sabra and Chatila

[Source: *ICRC Annual Report, 1982*, p. 57]

LEBANON

The nature of ICRC activities in Lebanon changed substantially after the intervention of the Israeli armed forces in that country on June 6. [...]

[...]

With a view to the protection not only of the civilian population but also of the combatants captured by the various forces involved in the hostilities, on 7 June the ICRC appealed to the belligerents to respect their obligations under prevailing humanitarian law. Two days later the ICRC made another strong and solemn appeal to the Israeli authorities, requesting that all possible measures be taken to ensure that civilians of all nationalities were spared in the conflict. For its part, the Palestine Liberation Organization (PLO) officially announced that it had decided to respect the Geneva Conventions and Additional Protocol I of 1977. [...]

The massacres at the Palestinian camps of Sabra and Chatila led the ICRC to address an appeal to the international community on 18 September. In the wake of these massacres medical and, above all, protective measures were taken as soon as the ICRC was able to enter the camps on 18 September. [...]

MASSACRES AT SABRA AND CHATILA

The ICRC delegates had been in the habit of making daily visits to the southern suburbs of Beirut in order to provide assistance and protection for the civilian population until access to that zone, in which the Palestinian refugee camps were situated, was denied to them by the Israeli army with effect from 15 September.

By 17 September the delegates had been able to transfer the most serious cases being treated in the Gaza and Akka hospitals on the outskirts of the camps to other hospitals in the capital but they were not in a position to intervene until they were able to enter the precincts of the camps the following day, 18 September. (The massacres began on the 16th).

On that date, September 18, the ICRC addressed an appeal to the international community in which it

condemned the fact that, according to reports from its delegates in Beirut, "hundreds of women, children, adolescents and elderly persons have been killed in Beirut in the district of Chatila, the streets of which are strewn with their bodies. The ICRC is also aware that wounded persons have been killed in hospital beds and that others, including doctors, have been abducted". The ICRC further announced that its delegates had evacuated two hospitals and that hundreds of persons were seeking refuge at the delegation. The appeal ended with the words: "The ICRC solemnly appeals to the international community to intervene to put an immediate stop to the intolerable massacre perpetrated on whole groups of people and to ensure that the wounded and those who treat them are respected and that the basic right to life is observed".

At the same time, in a letter from President Hay to Mr Begin, the ICRC reminded the occupying authorities that, under the provisions of the Fourth Geneva Convention, it was their duty to restore and ensure public order and safety.

On September 18, the Gaza and Akka hospitals at Beirut were completely evacuated. Due to overcrowded conditions in the Beirut hospitals and the prevailing state of insecurity, the ICRC placed the Gaza, Lahoud, Amel-Moussaith and Najjar hospitals under its own control and protection for several days. About 5,000 persons seeking refuge at the ICRC delegation were given temporary shelter under its protection.

From 18 September the ICRC also organized and participated in the identification and interment of the victims of the massacres. To this end it received substantial help from the Lebanese Red Cross, whose relief workers took part in the operation with the utmost devotion to duty. ICRC medical personnel based in other parts of the country also came to Beirut to help.

Once this first phase was completed, the ICRC continued its daily visits to the camps in order to reassure the population through its presence. A permanent medical service was provided at the Akka and Gaza hospitals until October 11 and 13, respectively.

Due to the prevailing insecurity in southern Lebanon, the delegates made daily visits to the Palestinian camps from September until December in order to protect and reassure the population. [...]

Discussion

1. How would you qualify the armed conflict in Lebanon in the summer of 1982? Can the IHL of international armed conflicts be applied although Israeli forces were not fighting against Lebanese forces but mainly against the PLO? What was the status of PLO soldiers under IHL? Did Israel as an occupying power have any obligations with regard to Sabra and Chatila at the time of the massacre? (HR, Art. 42; GC I-IV, common Art. 2; GC III, Art. 4)
2. Were the inhabitants of Sabra and Chatila considered protected persons under Convention IV? (GC IV, Art. 4)
3. The massacre having been committed by the Lebanese militias:
 - a. Which provisions of Convention IV should they have respected? If Convention IV was not

applicable to the Lebanese militias, was their behaviour not prohibited by other provisions of IHL? (GC IV, Arts 3, 4 and 29)

- b. Could the massacre also be attributed to Israel as a violation of IHL? Even though those who actually committed it did not receive Israeli orders? Even if Israel was not aware of the militias' actions? (HR, Arts 42 and 43; GC IV, Arts 4 and 27)

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