In First, Israel Files $2.3 Million Lawsuit Against Palestinian Terrorist’s Widow and Children

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The District Prosecutor’s Office in Jerusalem has filed a precedent-setting civil lawsuit against the widow and young children of a Palestinian terrorist for the financial damages incurred by the state following an attack in the city last January.

This is the first in a number of suits expected to be filed against terrorists’ families. The prosecutor’s office confirmed that a suit has also been filed against the family of another terrorist, and that additional suits are being considered.

The first of the suits was filed nearly two weeks ago against the estate of Fadi al-Qanbar, 28, who killed four soldiers in a truck-ramming attack in the Armon Hanatziv neighborhood on January 8.

Also named as defendants in the suit are Qanbar’s widow, Tahani, and his children, who are aged 1 to 8.

The state is seeking to have Qanbar’s widow pay the state an estimated 2 million shekels ($572,000) in compensation for each soldier he killed, including the cost of the soldiers’ headstones and reimbursement of benefits the state pays the soldiers’ families.

The soldiers died after Qanbar set out by truck from his home in the East Jerusalem neighborhood of Jabal Mukkaber and deliberately drove his truck into a group of soldiers from a cadets’ course who were just embarking on a tour of the Armon Hanatziv promenade. In addition, 13 soldiers were also wounded, three of them seriously. Qanbar himself was killed when soldiers and civilians at the scene responded by opening fire.

Shortly after the terror attack, the authorities took a series of punitive measures against Qanbar’s family. The house where he and his family had been living was sealed. Proceedings were also begun to strip 12 of his relatives – including Qanbar’s mother and his sister’s young children – of their residency status so they could be expelled to the occupied territories.

At the time, Interior Minister Arye Dery called the legal proceedings an indication of “a new era against terrorism,” adding, “From now on, anyone who plots, plans or considers carrying out a terrorist attack will know that his family will pay a heavy price for his deed.”

Now the lawsuit for compensation has also been filed.

The complaint states that Qanbar’s wife and children, as his legal heirs, are liable for reimbursing the state for its expenses – “which include compensation to the families” and burial expenses of 8,400 shekels for each soldier.

The state is also seeking the reimbursement of expenses related to the four soldiers’ loss of earnings and pension benefits, and for “the pain and suffering reflected in the cruelty of the acts, and the major suffering of each of those murdered.”

The suit was filed in conjunction with the Defense Ministry.

“The Qanbar family is experiencing a revenge campaign by the establishment after the terrorist attack carried out by a relative,” said Dalia Kerstein, director of the Hamoked Center for the Defense of the Individual, which is providing support to the family.

“Now a damages suit has been filed against the widow and four fatherless children of the perpetrator of the terrorist attack, claiming they are obligated to indemnify the state for damages and expenses due to this attack, [which is] in fact legal but is completely vicious, vindictive and ugly.”

Jerusalem District Prosecutor’s Office said in a statement: “This lawsuit, which stems from a terrorist incident in which soldiers were murdered, is designed to recover the expenses incurred in events of this kind to the state’s coffers, as well as sending a clear message that the state will also settle accounts on a civil level with the perpetrators of hostile acts.”

It added that the suit is seeking reimbursement for expenses based on 1950 legislation relating to compensation to families of soldiers who lose their lives, and a 1959 law relating to compensation and rehabilitation of those suffering disabilities.

“In light of the fact that the [terrorist] caused the damage, his legal heirs are the ones who need to bear it and indemnify the state for it,” the prosecutor’s office added.”