



# NEW YORK'S HIGH COURT RULES THAT HEZBOLLAH VICTIMS' CASE CAN GO FORWARD AGAINST LEBANESE BANK



In 2008, some two dozen Israeli, American and Canadian victims of Hezbollah's rocket attacks during the 2006 Lebanon War filed a federal suit against the Beirut-based Lebanese Canadian Bank alleging it knowingly facilitated the transfer of millions of dollars to the Hezbollah militant group. The plaintiffs argued that the bank used an account with the American Express New York branch to facilitate international transactions used to fund Hezbollah's rocket arsenal.

The court's decision found that New York courts had jurisdiction over the case because the wiring transactions in dollars had occurred repeatedly in the state, and therefore could be considered regular business dealings. The ruling stressed that the bank did not transfer funds "once or twice by mistake," but that it "deliberately used a New York account again and again to effect its support of Hezbollah and allegedly shared terrorist goals." The court added that use of the American Express correspondent bank allowed Hezbollah to transfer needed funds in order for it to carry out its 2006 rocket attacks.

According to Nitsana Darshan-Leitner, the director of Shurat HaDin – Israel Law Center, the Tel Aviv-based counter-terror group spearheading the lawsuit: "The bank originally argued that it could not be dragged into court in the United States because it did not have branches there. In this decision, the court ruled that the foreign bank indeed could be viewed as regularly conducting business in New York and therefore be sued under US anti-terrorism laws."

Attorney Darshan-Leitner added: "The court's decision is an important new tool in the fight against terrorism and terror financing. The fact that a foreign bank used an American correspondent bank to transfer several million dollars on behalf of Hezbollah, aiding terrorist rocket attacks injuring dozens of innocent civilians, is unfathomable. Every bank around the world, whether they have branches in NY or not, now knows that if they move terror money through the state they can be hailed into an American court and held liable by the terror victims."

In 2010 the Lebanese Canadian Bank was designated by the US Department of Treasury as a terrorist financial institution.

[Nov 2012 Decision by NY High Court \(http://www.scribd.com/doc/114004585/NY-High-Court-Nov-2012-Decision-on-Lebanese-Canadian-Bank\)](http://www.scribd.com/doc/114004585/NY-High-Court-Nov-2012-Decision-on-Lebanese-Canadian-Bank)

[2008 Complaint against Lebanese Canadian Bank \(http://www.scribd.com/doc/114004631/2008-Complaint-Against-Lebanese-Canadian-Bank\)](http://www.scribd.com/doc/114004631/2008-Complaint-Against-Lebanese-Canadian-Bank)

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