

Statement by Ms. Louise Arbour

United Nations High Commissioner for Human Rights



**On the Occasion of the 2nd Special Session
of the Human Rights Council**

Geneva, 11 August 2006

Mr. President,

Distinguished Members of the Human Rights Council,

Excellencies,

Ladies and Gentlemen

I am grateful for this opportunity to address the second special session of the Human Rights Council. The accumulated and increasing toll of civilian deaths and injuries in Lebanon and Israel, the massive displacement of populations and the destruction of civilian infrastructure in Lebanon require the intervention of this Council to impress upon the parties to the conflict the urgent need to comply with their obligations under international human rights and humanitarian law.

Nearly a month from its beginning and worsening by the day, this crisis demands a firm and meaningful response from this Council. Such response should meet the requirements of the high mandate bestowed upon this body and the hopes of the people whose protection depends on its deliberations. It is imperative that we devote all our efforts to an immediate cessation of the hostilities, to save lives, and ensure justice for

the victims and accountability for violations of human rights and international humanitarian law.

Mr. President,

The most basic human right is the right to life: under no circumstances can anyone be arbitrarily deprived of his or her life. I, and many others, have repeatedly reminded all parties to the conflict that in carrying out military operations, they must distinguish at all times between civilians and combatants. Civilians must never be the object of a direct intentional attack. The anticipated incidental loss of civilian life and damage to civilian property must always be proportionate to the pursuit of a concrete and direct military objective. Indiscriminate attacks are prohibited and civilians must not be used to shield military objectives from attack.

While effective advance warning of attacks which may affect civilian populations must be given, compliance with this legal obligation does not relieve the parties from their other obligations under international law regarding the protection of civilians. These are some of the fundamental principles that all belligerents must adhere to.

When these legal obligations regulating the conduct of hostilities are violated, personal criminal responsibility may ensue, particularly for those in position of command and control.

Thus, I reminded all belligerents that war crimes and crimes against humanity may be committed even by those who believe, accurately or not, that their combat is a just one and their cause a worthy pursuit.

Yet, almost on a daily basis, information from the field indicates an alarming pattern in the scale and choice of targets by all sides in the conflict. The deaths of hundreds of civilians in documented and corroborated incidents, involving either random or targeted attacks on civilian vehicles or buildings, strongly suggest the indiscriminate use of force.

On 30 July, the world was shocked by the Israeli attack on the residential building in Qana that killed scores of civilians, including a large number of children, who had sought shelter there. Hundreds of people have died in Lebanon, while the survivors have endured and continue to endure large-scale destruction of critical infrastructure and

utter devastation. But, to date, Israeli attacks affecting civilians continue unabated.

Also unrelenting is Hezbollah's indiscriminate shelling of densely populated centers in Northern Israel which has brought death and destruction. There have also been repeated allegations of Hezbollah's systematic use of civilians as human shields.

Mr. President,

There is a clear and urgent need to bring clarity to a situation in which facts and allegations are now given the same credit but without the benefit of systematic, independent, thorough and credible scrutiny.

There have been pressing calls for a comprehensive, high-level inquiry into reports of serious violations of human rights law and international humanitarian law in Israel and Lebanon to be led by internationally renowned experts. The independence, impartiality and objectivity of such an inquiry must be guaranteed not only by the credibility of the panel members, but also by the scope and methodology of their mandate. Within a human rights framework, the inquiry should be primarily concerned with the plight of the victims. It should address

all violations by all parties, and lay the foundation for possible measures of reparation and accountability.

Mr. President,

Distinguished Members of the Human Rights Council,

After the destruction of the last bridge over the Litani River, I am particularly concerned by the humanitarian situation of the population remaining in the south of Lebanon. They are in dire need of food, water, and medical assistance, which humanitarian workers are no longer able to deliver.

The plight of displaced persons in the war zone and of refugees in neighbouring countries is also of grave concern. Their right to food, to health, to adequate housing, the right of their children to education must be respected.

The magnitude of the suffering of civilians under attack demands a full-scale commitment and concerted, decisive action by the international community as a whole. As far as this Council is concerned, its intervention should be directed to the people whose fundamental rights have been and continue to be violated, to those who have suffered the loss

of family and friends, who have been injured and displaced, who now endure hunger and severe deprivation because of the destruction of their possessions. The Council's commitment to exposing all human rights violations and to addressing the calls of all victims for reparation and justice will help those affected by this conflict to start rebuilding their shattered lives.

Thank you