Human Rights Council

Special session resolution S-2/1. The grave situation of human rights in Lebanon caused by Israeli military operations

The Human Rights Council,

Reaffirming the purposes and principles contained in the Charter of the United Nations,

Reaffirming also the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and recalling the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and other human rights instruments,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system,

Recalling General Assembly resolution 60/251 of 15 March 2006 in which the Assembly decided that the Human Rights Council:

(*a*) Should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon; and

(*b*) Shall respond promptly to human rights emergencies,

Guided by the Charter of the United Nations, relevant human rights instruments and international humanitarian law, in particular the Hague Conventions of 1899 and 1907 on the Laws and Customs of War on Land which prohibit attacks and bombardment of civilian populations and objects and lay down obligations for general protection against dangers arising from military operations against civilian objects, hospitals, relief materials and means of transportation,

Recalling the commitments of the High Contracting Parties to the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977,

Reaffirming that each High Contracting Party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) is under obligation to take action against persons alleged to have committed or to have ordered the commission of grave breaches of the Convention, and recalling the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity,

Emphasizing that human rights law and international humanitarian law are complementary and mutually reinforcing,

Stressing that the right to life constitutes the most fundamental of all human rights,

Condemning Israeli military operations in Lebanon, which constitute gross and systematic human rights violations of the Lebanese people,

Appalled at the massive violations of the human rights of the people of Lebanon by Israel resulting in the massacre of thousands of civilians, injuries, extensive damage to civilian infrastructure, displacement of one million people, and outflows of refugees fleeing heavy shelling and bombardment against the civilian population,

Strongly condemning the indiscriminate and massive Israeli air strikes, in particular on the village of Qana on 30 July 2006, and the targeting of United Nations peacekeepers at the United Nations observer post in southern Lebanon on 25 July 2006,

Taking note of the strong condemnation by the United Nations High Commissioner for Human Rights of the killing of civilians in Qana, her call to take measures to protect civilian lives and civilian objects and her reiteration of the need for independent investigation, with the involvement of international experts,

Noting the extreme concern expressed by the Representative of the Secretary-General on human rights of internally displaced persons, the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental

health, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and the Special Rapporteur on the right to food about the continuing adverse impact on the human rights and the humanitarian situation of the civilian population in Lebanon,

Emphasizing that attacks and killings of innocent civilians and the destruction of houses, property and infrastructure in Lebanon are a breach of the principles of the Charter of the United Nations, international law and international humanitarian law as well as flagrant violations of human rights,

Recognizing the urgent need to address the dire humanitarian situation in Lebanon, including through the immediate lifting of the blockade of Lebanon imposed by Israel,

Noting with concern the environmental degradation caused by Israeli strikes against power plants and their adverse impact on health,

Concerned at the targeting of the communication and media networks in Lebanon,

Outraged at the continuing senseless killings by Israel, with impunity, of children, women, the elderly and other civilians in Lebanon,

1. *Strongly condemns* the grave Israeli violations of human rights and breaches of international humanitarian law in Lebanon;

2. *Condemns* the massive bombardment of Lebanese civilian populations, especially the massacres in Qana, Marwaheen, Al Duweir, Al Bayadah, Al Qaa, Chiyah, Ghazieh and other towns of Lebanon, causing thousands of deaths and injuries, mostly among children and women, and the displacement of one million civilians, according to a preliminary assessment, thus exacerbating the magnitude of the human suffering of the Lebanese;

3. *Also condemns* the Israeli bombardment of vital civilian infrastructure resulting in extensive destruction and heavy damage to public and private properties;

4. *Calls upon* Israel to abide, immediately and scrupulously, by its

obligations under human rights law, in particular the Convention on the Rights of the Child, and international humanitarian law;

5. *Urges* all concerned parties to respect the rules of international humanitarian law, to refrain from violence against the civilian population and to treat under all circumstances all detained combatants and civilians in accordance with the Geneva Conventions of 12 August 1949;

6. *Calls upon* Israel to stop immediately military operations against the civilian population and civilian objects resulting in death and destruction and serious violations of human rights;

7. *Decides* to establish urgently and immediately dispatch a high-level commission of inquiry comprising eminent experts on human rights law and international humanitarian law, and including the possibility of inviting the relevant United Nations special procedures to be nominated to the Commission:

(*a*) To investigate the systematic targeting and killings of civilians by Israel in Lebanon;

(*b*) To examine the types of weapons used by Israel and their conformity with international law;

(*c*) To assess the extent and deadly impact of Israeli attacks on human life, property, critical infrastructure and the environment;

8. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all administrative, technical and logistical assistance required to enable the Commission of Inquiry to fulfil its mandate promptly and efficiently;

9. *Calls upon* the international community urgently to provide the Government of Lebanon with humanitarian and financial assistance to enable it to deal with the worsening humanitarian disaster, rehabilitation of victims, return of displaced persons and restoration of the essential infrastructure;

10. *Requests* the Commission of Inquiry to report to the Council no later

than 1 September 2006 on progress made towards the fulfilment of its mandate.

Adopted by a recorded vote of 27 to 11, with 8 abstentions
3rd meeting
11 August 2006

[Adopted by a recorded vote of 27 votes to 11 with 8 abstentions. The voting was as follows:

In favour:	Algeria, Argentina, Azerbaijan, Bahrain, Bangladesh, Brazil, China, Cuba, Ecuador, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Morocco, Pakistan, Peru, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Tunisia, Uruguay, Zambia.
Against:	Canada, Czech Republic, Finland, France, Germany, Japan, Netherlands, Poland, Romania, Ukraine, United Kingdom of Great Britain and Northern Ireland.
Abstaining:	Cameroon, Gabon, Ghana, Guatemala, Nigeria, Philippines, Republic of Korea, Switzerland.]