



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

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Lebanon: ICJ launches Expert Legal Inquiry into Violations of International Humanitarian Law in the armed conflict in Lebanon

The International Commission of Jurists (ICJ) has established an Expert Legal Inquiry to investigate whether and to what extent the Israeli Defence Forces and Hezbollah violated international humanitarian law and human rights law during the conflict in Lebanon.

“With the welcome cessation of hostilities we cannot just forget the scale of civilian deaths and physical destruction over the last month. Now there is an opportunity to move beyond confusion and misstatement, to clarify the facts surrounding the military operations of both sides and impartially apply international humanitarian law”, said Nicholas Howen, Secretary-General of the ICJ.

“There are consequences if one or both sides have violated the laws of war: those responsible must be held accountable, surviving victims have a right to reparation and should the conflict re-ignite, the military methods of those who have violated the laws of war must change”, added Nicholas Howen.

The ICJ Expert Legal Inquiry will consist of eminent legal experts in international humanitarian law and senior military officers with operational experience. The Inquiry will seek to travel to Lebanon and Israel and investigate the facts and law. It will focus initially on particular means and methods of war on both sides that have caused some of the greatest loss of civilian life, namely the Israeli air war in Lebanon and the rocket attacks by Hezbollah into Israeli territory. The Inquiry will produce a public report with recommendations for any further investigations and action.

This detailed ICJ inquiry will speak with witnesses, and visit the scene of attacks and will also seek to meet with senior Israeli military officials, representatives from Hezbollah and government officials from both Israel and Lebanon.

The ICJ also reiterated its call for an official United Nations Commission of Inquiry to investigate violations of international humanitarian law and human rights law by all parties to the conflict in Lebanon. The ICJ believes that the highest authorities of the UN should mandate an investigation. The Security Council has a responsibility to address and act on violations in the conflict and the UN Secretary General has the ability to launch and conduct an investigation and report back to UN bodies.

At its Special Session on Lebanon on 11 August 2006 the Human Rights Council set up an inquiry commission that will only examine reported violations by Israel. 27 members of the Council voted in favour, with 11 against and eight abstentions.

“When I spoke at the Special Session last Friday I announced that we have set up the ICJ Expert Legal Inquiry. I also said it is the duty of the Council itself to assess the situation

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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impartially, to investigate and act on violations that have occurred, no matter who or which party to the conflict has committed them”, said Nicholas Howen

“The Human Rights Council has mandated an investigation that is not impartial. Its scope must be expanded to examine whether both Hezbollah and Israel have violated international humanitarian law and human rights law”.

“The disappointing outcome of the Special Session underlines the urgent need for truly impartial and expert investigations into the conflict in Lebanon. The ICJ Expert Legal Inquiry will go ahead. It will cooperate with, and make its conclusions and analysis available to, any credible, high-level and impartial United Nations inquiry”, added Nicholas Howen.

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