



# المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization (Rights) - PHRO

Member: Euro – Mediterranean Human Rights Network (EMHRN)

Member: International Federation for Human Rights (FIDH)



## *Lebanon Crisis ...*

# *Israel Severe Breaches to the International Law*

*July 12 - 27, 2006*

This report was prepared in light of Israel Assault on Lebanon that started on July 12<sup>th</sup> 2006.

It describes the current human and humanitarian situations in Lebanon, provide significant cases on Israel's actions in **Killing Civilians**, imposing a **Siege on Lebanon**, **Disproportionate Use of Forces**, **Using Prohibited Weapons** in addition to the **Collective Punishment**.

It as well introduces the **Breaches' Consequences** and their **Legal Implications** in addition to our **Conclusions and Recommendations**.

This report explains the breaches that took place from the beginning of the assault till **July 27<sup>th</sup>, 2006**.

On time being finalizing this report, July 30<sup>th</sup>, another war crime took place.

**2006 GENOCIDE IN QUANA AGAIN !!**

10 years from Quana 1996, however Israel's policy in violence, attacking and killing civilians has not been changed yet!

With pain, tears and confuse we are watching these breaches and with our belief, thoughts and duty we report on them and we call:

**STOP THIS VIOLENCE  
PUT AN END TO THIS CATASTROPHE  
SAVE HUMAN RIGHTS NORMS**

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## **I. PALESTINIAN HUMAN RIGHTS ORGANIZATION - PHRO**

The Palestinian Human Rights Organization (PHRO) is an independent volunteer-based NGO, registered under the number 36/AD, operating from Beirut-Lebanon and works on promoting, defending and protecting the rights of the Palestinian Refugees in Lebanon. PHRO raises the awareness of the Palestinian Refugees as to their rights in the international law and encourages the community to translate this knowledge into legitimate peaceful campaign to obtain recognition of civil, political, economic, social and cultural rights in Lebanon. PHRO works to raise the profile of the Palestinian Refugees, to address the discrimination against them and to raise the awareness of human rights principles amongst both the refugee and host communities. Its initiatives are carried out on local, national, regional, and international levels through six key areas: Monitoring and Documenting Human Rights Violations, Human Rights Education, Research, Advocacy, Dialogue and Legal Aid. PHRO is a staunch supporter of UN Resolution 194, and appeals for the international pressure on Israel until Resolution 194 is implemented and the occupation of the Palestinian territories ends.

## **II. INTRODUCTION**

On July 12<sup>th</sup>, 2006 and subsequently to the capturing of two Israeli soldiers by Hizbollah on the borders of the Lebanese territories with northern Israel, Lebanon entered into a new era in the world's history of war which bring with it lots of loss, disasters and human rights violations. Hizbollah declared that the captured soldiers are safe and they called for prisoners' swap, which was rejected by Israel who started its assault on Lebanon on the same day.

Without any previous alert to the citizens, Israel Military Forces (IMF) started to destruct the main essential infrastructure in Lebanon from bridges that connect the cities between Beirut and southern Lebanon "Quasmieh Bridge was the first to tackle" which caused a vast fear and panic amongst civilians who were passing the bridge at that moment where two of them were killed<sup>1</sup>.

Such shelling was not a serious destructive alert at all, Israel Military Forces (IMF) continued in bombing several villages in southern Lebanon which is considered highly populated in such times of the year "summer times" not only with the Lebanese families but also with Arab and Foreigner tourists.

The Israeli disproportionate military actions continued to take place against Lebanon and its residents with the attempt to isolate the southern villages from each others consequently leading to isolate the southern Lebanon. These disparaging attempts were not carried only on internal level, however the mode was escalating with the aim to isolate Lebanon from the external world which was embodiment by the harsh bombing to Beirut International Airport and its amphitheaters leading to the paralysis of the air navigation, moreover, the Israeli Military Forces severely continued through attacking the harbors along the sea shore from the

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<sup>1</sup> Assafir Lebanese newspaper. Issue dated July 13<sup>th</sup> 2006 [www.assafir.com/so/oldissues/20060713/front/1550.html](http://www.assafir.com/so/oldissues/20060713/front/1550.html)

South to the North passing through Beirut which lead to the stoppage of the trade steering at these harbors, consequently disconnecting Lebanon from the outside world, causing an air and naval siege on it.

Civilians especially children were non-neutralized target to the Israeli Military Forces, however and on the contrary, Israel was embattling them on the roads and bridges, in their homes, villages and even at the health care and civil defense centers, escorting to crimes against humanity.

Attaining such measures of war namely the principles of proportionality and distinction, indiscriminately killing civilians with the enormous numbers of children and callously demolishing the infrastructure, Israel is violating the main pillars of the International Humanitarian Law, threatening the humanity causing a severe catastrophe to Lebanon on the civil, political, social, economic and cultural levels.

The PHRO is deeply concerned about the catastrophic situation in Lebanon, which is highlighted by the crucial escalation on the level of human rights violations exerted by Israel namely the wide- scale killing of civilians, destruction of civilian property and infrastructure, methods of collective punishment, and the rapidly deteriorating humanitarian and security situation in Lebanon since July 12<sup>th</sup>, 2006.

The demur of the humanitarian situation in Lebanon is currently distressing the most basic survival needs of the population. Thus, an urgent and effective intervention for the international community represented by the UN Bodies especially the Human Rights Institutions is extremely important in order to assure the respect of the human rights stated in the international covenants and declarations especially the principles of the International Humanitarian Law. The PHRO accentuates the emergency and importance of putting an end to the attacks that are endeavouring the civilians and consequently an end to Lebanon's Humanitarian Crisis that started on July 12<sup>th</sup>, 2006. Moreover, the PHRO underlines that the perpetrators of such military commands and the executors of killing the civilians will be responsible for having committed war crimes, according to the international law.

This report reflects the humanitarian situations in Lebanon under the Israeli continuous Assault and provides a legal analysis to the International Humanitarian Law violations conducted by the Israeli Military Forces through its attacks on Lebanon which have severely irritated the humanitarian situations. The report will reflect as well the numerous losses in the civil population, civil property and infrastructure and will provide the recent available statistical figures about the deterioration in the humanitarian circumstances in the country.

This report aims to provide an overview about the current humanitarian crisis in Lebanon relevant to the Israeli violations to the International Human Rights Declarations and Conventions especially

the International Humanitarian Law with its four Geneva Conventions and their related protocols. It describes the military disproportionate actions used by the Israeli forces in its assault on Lebanon and the implications of such use of power against the civilians where extremely serious occurred incidents will be deliberated in addition to the consequences of these measures on the infrastructure and the vital means of survival in Lebanon.

The report will provide the Governments, UN, EU, local, regional and international human rights organizations and institutions with a tool that includes a legal analysis of the measures used by the Israeli Military Forces and introduces conclusions and recommendations about the urgent and emergency actions that should be addressed in order to halt the impunity and the ongoing violence that is utmost directed towards civilians, threatening them causing lots of humanitarian loss, expatriation and casualties.

### III. SUMMARY TO THE CURRENT HUMANITARIAN CRISIS AND OCCURRED CONTRAVENTIONS TO THE INTERNATIONAL HUMANITARIAN LAW

Started in July 12<sup>th</sup> 2006, Israel is continuing in its destruction to Lebanon's infrastructure and conduction to war crimes and collective punishment violating all the principles and conventions under the international humanitarian law which is leading to consecutive humanitarian and materialistic loss, affecting with such battering all the surviving conditions in Lebanon.

On 16<sup>th</sup> July 2006, day four of the Israeli assault on Lebanon, the Prime Minister of the Lebanese Government Mr. Fouad Siniora declared that "**Lebanon is torn to shreds**" and he pleaded for help to stop the "**callous retribution**" being inflicted by Israel.

Till the day of submitting this report, it is documented that:

- ∞ 510 individuals is the number of civilians killed<sup>2</sup> "as Minister of Health, Dr. Mohammad Jawad Khaliefieh declared"
  - 352 were identified
  - 58 were not identified because of deformation of their corpses
  - 100 are still under debris
- ∞ 2000<sup>3</sup> individuals is the number of civilians injured , where 1850 of them were treated in the Lebanese hospitals "as Minister of Health, Dr. Mohammad Jawad Khaliefieh declared"<sup>4</sup>
- ∞ According to Lebanese Internal Forces, 974,436<sup>5</sup> individuals is the number of civilians expatriated from southern Lebanon and southern suburb of Beirut

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<sup>2</sup> Annahar Lebanese Newspaper – July 28<sup>th</sup>, 2006 – Issue no. 22726 – page 12

<sup>3</sup> Assafir Lebanese Newspaper – July 26<sup>th</sup>, 2006 – Issue no. 10455

<sup>4</sup> Annahar Lebanese Newspaper – July 28<sup>th</sup>, 2006 – Issue no. 22726 – page 12

<sup>5</sup> Annahar Lebanese Newspaper issue dated July 22<sup>nd</sup> 2006

- ☞ According to the Director of the General Security of Lebanon, General Major Wafik Jizeeni, foreigners who left Lebanon between July 13<sup>th</sup> and 25<sup>th</sup>, 2006 reached 175528<sup>6</sup> individuals and they are distributed as follows
  - 3154 Palestinians - figures are only till July 20<sup>th</sup> 2006, since afterwards, Palestinian Refugees residing in Lebanon were prohibited from entering the Syrian territories"<sup>7</sup>
  - 69617 Syrians
  - 21988 - citizens of Arab Countries
  - 80769 - citizens of Foreign Countries
- ☞ 2.4 milliard USD is the approximate expected figure for the Materialistic loss in the infrastructure<sup>8</sup>
- ☞ More than 1.5 million USD is the loss occurred due to bombarding aeriels and TV stations<sup>9</sup>
- ☞ According to the General Director of the Ministry of Environment Dr. Burj Hatejian, 15,000 tons of fuel covered the seashores<sup>10</sup>

Most of the killed and injured civilians are from the children and women. Where as infrastructure destruction reached the bridges, international high ways that connect Lebanese territories with the Syrian ones, cross and vital points that connect the villages with the southern cities and Beirut, Beirut International Airport, 6 harbors along the Lebanese sea shore, fuel storage, electricity stations, a mosque, a church in addition to the cruel destroy to a wide area of the southern suburb of Beirut.

Heavy disproportionate weaponry is causing serious damage and trauma. Missiles and bombing are taking place through air strikes, warships and artillery. Civilians are getting attacked in every place "homes, streets, civil defense centers, Lebanese Red Cross Ambulances ..." and even with internationally prohibited weapons. [On July 19<sup>th</sup>, 2006 at hr 15:00, Blida Village was bombarded by hundreds of Cluster Bombs where Mariam Ibrahim (60 years) was killed. Also, cluster bombs fall on the lower floor where Ahmad Ali Family was using it as a shelter. Ahmad Ali Ibrahim (45 years) - used to work as a taxi driver - lost his legs and five of his children were injured: Mira (16 years), Fatemah (12 years), Ali (10 years), Aya (3 years) and Ola (1 year). Also his wife, Ekram Ibrahim (35 years) and her mother, Ola Mousa (80 years) were injured. Add to this that four of their cousins who were visiting them and who hold German nationality were injured as well: Mohammad ibrahim (45 years), his wife Fatemah (40 years), their son Ali (16 years) and their daughter Rola (13 years)]<sup>11</sup>.

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<sup>6</sup> Assafir Lebanese Newspaper - July 28<sup>th</sup> 2006 - issue no. 10457 - page 12

<sup>7</sup> PHRO Press Release - Expatriated Palestinians ... Between the Shelling and Preventing Decisions

<sup>8</sup> Aljazeera News Corporation - July 26<sup>th</sup>, 2006

<sup>9</sup> Annahar Lebanese Newspaper - July 28<sup>th</sup> 2006 - Issue no. 22726 - page 8

<sup>10</sup> Assafir Lebanese Newspaper dated July 26<sup>th</sup>, 2006 - Issue no. 10455 page 10



<sup>11</sup> Human Rights Watch (HRW) <http://www.hrw.org/english/docs/2006/07/24/isrlpa13798.htm>

Due to the intense strike to the southern suburb of Beirut, three main hospitals were flawed "Al-Rasoul Al-Aa'tham Hospital, Bahman Hospital, Sahel General Hospital" and another minor Hospital named Burj Al-Barajneh Hospital. These hospitals were evacuated, and currently they only provide the essential first aid at the emergency room until transferring to another hospital become available.






Another level of the humanitarian crisis is the individuals who were forced to expatriate, leaving their homes to unclear and unknown future. Expatriation is taking place into different areas amongst Lebanon "Northern Lebanon, Bequaa and the mountains located in Northern East or Eastern Beirut. Others prefer to temporarily leave the country to/through Syria, however Palestinians and starting from July 20<sup>th</sup> were prohibited<sup>12</sup> from entering the Syrian Territories and without any prior circulated note through media corporations or common transport means.

The land, air and naval siege on Lebanon is hindering, to an extent that reaches preventing, the entrance and even distribution of foodstuffs, medicine, fuel and humanitarian assistance to the populations in their areas even through the relief humanitarian associations. Depletion of fuel will halt the pumping of water to households and the ability of local authorities to remove solid waste and sewage which will cause environmental pollution and infectious diseases.

With such overview, we notice that Israel is deeply violating the International Humanitarian Law especially:

-  *Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 and its related protocols*
-  *Declaration on the Protection of Women and Children in Emergency and Armed Conflict of 14 December 1974,*

... and carrying out crimes against humanity and breaching to:

-  *Resolution 1674/2006 on Protection of Civilians in Armed Conflict adopted by the Security Council at its 5430<sup>th</sup> meeting on 28 April 2006*
-  *Rome Statute of the International Criminal Court -17 July 1998*
-  *Convention for the Protection of Cultural Property in the Event of Armed Conflict - 1954*
-  *Convention (II) with Respect to the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 29 July 1899*
-  *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects. Geneva, 10 October 1980 and its three related protocols*

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<sup>12</sup> PHRO Press Release – Expatriated Palestinians ... Between the Shelling and Preventing Decisions

🚩 *Convention Related to the Respect of Laws and Customs of War on Land. La Haye, 18 October 1907*

🚩 *International Human Rights Norms "UDHR, ICCPR, ICESCR, CRC"*

## IV. VIOLATIONS - ISRAEL ASSAULT ON LEBANON

### A) ATTACKING CIVILIANS - SIGNIFICANT CASES

Israel is violating the International Humanitarian Law (IHL) and challenging the applicability of it especially the **Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949**, by attacking civilians disregarding the principles of non-discrimination, proportionality and war necessity.

Article 3 of the Fourth Geneva Convention relative to the protection of Civilian Persons outlawed violence against the persons and lives of all those who do not actively participate in military operations. It prohibited killing and mutilating the lives of all those who do not actively participate in military operations.

On time that attacks might only be directed against combatants, the vast majority of the victims are civilians. The Israeli Authorities announced that the air strikes are mostly targeting the Lebanese areas in which Hizbollah is present and active, while in most cases Israeli attacks are targeting civilian objects<sup>13</sup>, killing or injuring them and destroying their property.

A comparative case of killing civilians took place on Thursday July 13<sup>th</sup>, 2006 at Dwair Village where 12 civilians all from one family and including children were killed in an air strike that destroyed their house in the village, which is located in southern Lebanon.<sup>14</sup>

- ❖ Adel Akkash - Husband (41 years)
- ❖ Rabab yassine - Wife (39 years)
- ❖ Mohammad Baker Akkash - Son (18 years)
- ❖ Zainab Akkash - Daughter (13 years)
- ❖ Ali Al-Rida Akkash - Son (12 years)
- ❖ Ghadier Akkash - Daughter (10 years)
- ❖ Fatemat Al-Zahraa' Akkash - Daughter (7 years)
- ❖ Mohammad Hussien Akkash - Son (6 years)
- ❖ Sarah Akkash - Daughter (5 years)
- ❖ Batoul Akkash - Daughter (4 years)
- ❖ Nour Al-Houda Akkash - Daughter (2 years)
- ❖ Safaa Akkash - Daughter (3 months)

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<sup>13</sup> FIDH Press Release - Paris, 17 July 2006 - [www.fidh.org](http://www.fidh.org)

<sup>14</sup> Assafir Lebanese Newspaper - July 14<sup>th</sup> 2006.

<http://www.assafir.com/iso/oldissues/20060714/local/1620.html>



Another comparative case of killing civilians took place on Saturday July 16<sup>th</sup>, 2006<sup>15</sup> when a number of families fled the southern Lebanese village of Marwahin after being warned by the Israeli Military Forces to evacuate the village ahead of a threatened attack. On the road leading to the coast through Chamaa, Israeli missiles struck a convoy of the civilians. Maps of southern Lebanon show this road to be the only direct route for escaping the dangerous border area. Subsequent news reports placed the number of dead at 20, including 9 children. Eyewitnesses said that some of the bodies were completely burned and others cut-up, which were corroborated by photos of the scene. Most of the bodies were clustered around the pick-up.

At 9 a.m. on Saturday July 16<sup>th</sup>, 2006 approximately 100 residents from the village sought refuge and humanitarian assistance at a U.N. peacekeepers position situated 1.5 kilometers from the village. The residents informed the U.N. peacekeepers that the Israeli Military Forces had ordered them to leave the village and that they had no means to escape besides fleeing on foot. According to a UNIFEL spokesperson, peacekeeping officers contacted their liaison officers at the Israel Military Forces and the Lebanese army and did not receive confirmation of the evacuation order. Accordingly, the peacekeepers told the villagers to return to their village with the belief that this might be safer for them.

At 11 a.m., a group from the village of Marwahin left the town in the convoy that was subsequently hit at 12:25.

The U.N. peacekeepers should not have turned back the vulnerable group of people who sought shelter from imminent attack, and this is another violation to the protection of civilians, but this time it was a UN body who perpetrated it.

23 civilian victims were on the convey which was attacked, however only twenty of them were recognized, where as the other 3 are not known yet since their corpses were deformed.

- ❖ Ali Kamil Abdullah and his son Ali
- ❖ Sana' Muhammad Abdullah
- ❖ Subha Abdullah and the children: Hadi Muhammad Abdullah, Rym Ibrahim Abdullah, Kamil Abdullah, Hassan Kamil Abdullah, Muhammad Kamil Abdullah, Hussain Kamil Abdullah, Zahra Faris Abdullah
- ❖ Muhammad Musa Ghannam, his wife Suha, and their children: Qassim, Mustapha, Hussain, Zaynab, Da`a', Amina `Ali Ghannam.

Israel Military Forces did not neutralize Red Cross Ambulances. On July 24<sup>th</sup>, 2006 Israeli missile hit two Red Cross Ambulances while being in rescue mission<sup>16</sup>. The ambulance headlamps were on, the blue light overhead was flashing, and another light illuminated the

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<sup>15</sup> Human Rights Watch - <http://hrw.org/english/docs/2006/07/17/isrlpa13756.htm>

<sup>16</sup> The Guardian Newspaper - July 25<sup>th</sup> 2006. Al-Mustaqbal Lebanese Newspapers - July 25<sup>th</sup>, 2006 - Issue no. 2335 page 6

Red Cross flag, but all this did not prevent the Israeli Military Forces to hit the ambulances, which are internationally prohibited to target as per the International Humanitarian Law conventions. The first Israeli missile hit, shearing off the right leg of the man on the stretcher inside. As he lay screaming beneath fire and smoke, patients and ambulance workers scrambled for safety, crawling over glass in the dark. Then another missile hit the second ambulance setting a new deadly milestone. Six ambulance workers were wounded and three generations of the Fawaz family, being transported to hospital from Tibnin with what were originally minor injuries, were left fighting for their lives. Two ambulances were entirely destroyed, their roofs pierced by missiles.

<sup>17</sup>Israel Military forces attacks reached the UN Observers Base in Khiam. On July 26<sup>th</sup> 2006, an air strike hit UNIFEL's base causing the death of the four officers: Major Hanz Titer Lang - Austria, Major Do Jawio - China, Major Wolf - Canada, First Lieutenant Makeen - Finland. Spokesperson of UNIFEL in Lebanon Mr. Milosh Shtroger said: "other 14 incidents of shooting from the Israeli side took place, and shooting continued to take place during rescuing operations".

Afterwards, UNIFEL resorted to frighten the citizens who refuge to their place seeking protection with dogs - which is contrary to UN standards of protection and Human Rights.

These cases are only comparative and significant cases of Israeli violations to the **Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949**. The number of victims who were killed during the 15 days of war reached 510<sup>18</sup> civilians and who were injured reached 2,000<sup>19</sup>.

## **B) INFRASTRUCTURE DESTRUCTION - FREEDOM OF MOVEMENT**

Israel first strike to Lebanon took place on July 12<sup>th</sup> 2006 when Israeli Military Forces Jets hit Quasmieh Bridge which is considered one of the vital connectors between Tyre and Saida "both in Southern Lebanon". Early on July 13<sup>th</sup> 2006, Israel sent its Military Forces jets to bomb Beirut International Airport with its amphitheaters and fuel storage forcing its closure and diverting its arrival aircrafts to the nearest airports to Lebanon. Moreover, Israeli Military Forces smacked 6 harbors along the Lebanese seashore from the south to the north causing a paralysis in the marine navigation.

Now Israel is imposing an air, land, and naval obstruction on Lebanon, and its military Forces are continuing in destructing Lebanon's infrastructure as well the civilians' property.

Fifteen days of attacking the infrastructure by heavy weaponry beard Lebanon a vast and extraordinary cost of devastation reached equivalence to 2.4 milliard US Dollars.

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<sup>17</sup> Al-Mustaqal Lebanese Newspaper - July 27<sup>th</sup> 2006 - Issue no. 2337 - page 7

<sup>18</sup> Annahar Lebanese Newspaper - July 28<sup>th</sup>, 2006 - Issue no. 22726 - page 12

<sup>19</sup> Assafir Lebanese Newspaper - July 26<sup>th</sup>, 2006 - Issue no. 10455

Systematic Destruction included in addition to the airport and the harbors, the International High Ways that connect Lebanese Territories with the Syrian ones, cross and vital points that connect the villages with the southern cities and Beirut - including 55 bridges - fuel storage, electricity and power stations, mosques, a church in addition to the cruel destroy to a wide area of the southern suburb of Beirut and lots of buildings that includes civilian apartments and institutions.

Such organized demolition to the infrastructure aims at isolating Lebanon from the outside world (Airport, Harbors and international High Ways) over and above isolating it internally by separating the cities and the villages from each others causing the paralysis of transportation and consequently putting restrictions on the right to free movement.

On the contrary, Israel Military Forces has dropped leaflets requesting from the villages' and southern suburb of Beirut residents to leave their homes, villages... under the offensive of attack. However, Lebanon's articulations were attacked causing inconvenience in the movement, moreover, it was not safe or guaranteed against attacks, quite the reverse, and civilians were attacked on the roads while being in their cars trying to escape.

Bombing roads make it difficult to the humanitarian and relief organization, medical bodies and even civil defense to reach the catastrophied areas in order to provide the humanitarian assistance or even to extricate the corpses from under the rubbles of which lots of them have been there for several days now. The arrival of food, drinking water, fuel, and medical supplies and equipment to the residents especially in southern areas has become dangerous due to the destruction of all communication routes as a result of the Israeli bombardments, leading to the amplification of the disaster.

### **C) AIR, LAND AND NAVAL ATTACKS: DISPROPORTIONATE USE OF FORCE**

Within its assault on Lebanon, Israel has been using heavy weaponry and internationally prohibited artillery as well. These include F-16 Fighter Jets, Apache Helicopter, Warships, Mercava Tanks, Cluster Bombs and other heavy artillery units. These weapons are known for being capable of attaining highly degrees of target precision, however, most attacks have hit civilian objects such as civilians of Marwahin village who were hit by Israeli missiles which killed twenty three civilians amongst them fifteen children on July 16<sup>th</sup> 2006 at 12:25 GMT.

Israeli Military Forces have used phosphorous incendiary bombs which form another violation for the International Humanitarian Law during this assault on Lebanon. Lebanese Information Minister Mr. Ghazi Al-Aridi said: "Israel is using internationally prohibited weapons against civilians", this was also assured by Dr. Bashier Sham - Member of the French Committee for

Heart Surgeons - who certified that Israel is using bombs with chemical structure<sup>20</sup>. Dr. Sham said: "corpses of Dwair and Rmaileh Massacre could suggest that they were burned, however, their darkness, bulge, antipathetic smell, without the hair being burned, all are conditions that advert that reason of death was not burn"<sup>21</sup>. He continued saying that: (only poisoning chemical substances "lead to rapid death without big bleeding"). Dr. Sham considered the possibility that these substances have entered the bodies through skin, or even the rockets included poisoning gases which caused the stoppage of the nerve system and the clot of the blood veins.

Israel has severely breached all the international standards and conventions of weaponry use in wars. It is documented that Israel Military forces have been using in its attacks prohibited weapons as Phosphorus Bombs, deflating bombs, Napalm Bombs, fissionable bombs and cluster bombs.

<sup>22</sup>Dr. Ali Mansour - Director of Southern Health Compound in Saida - said that a strong bad smell was emanating from the 8 corpses they received from Rmaileh, however non of them was bleeding. Corpses were not injured; no blood was on the blankets that covered the corpses. The emanating smell caused him constricted ability to breath at night.

Moreover, Israel has destroyed the basic infrastructure of Lebanon from buildings to bridges to high ways to electric power stations, fuel storage and harbors along the Lebanese sea shore, in addition to attacking Beirut International Airport. Consequently, Israel now is imposing a complete siege on Lebanon by air, land and naval.

Furthermore, fighter jets repeatedly and deliberately broke the sound barrier where Lebanese civilians, especially children, suffer severe trauma and shock from the frequent bombardment and sonic booms. Moreover, the MK Jet, has been having lots of Photographing Missions over Lebanon causing frightness to people, since such missions have afterwards new targets to hit.

#### **D) COLLECTIVE PUNISHMENT**

Subsequent to capturing the two Israeli soldiers by Hizbollah on July 12<sup>th</sup> 2006, Israel resorted to the collective punishment policy against the entire population of Lebanon using its disproportionate forces in attacking Lebanon in its population and infrastructure air, land and naval.

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<sup>20</sup> Assafir Lebanese Newspaper - July 18<sup>th</sup> 2006 -  
[www.assafir.com/iso/oldissues/20060718/local/2094.html](http://www.assafir.com/iso/oldissues/20060718/local/2094.html)

<sup>21</sup> Assafir Lebanese Newspaper - July 20<sup>th</sup> 2006 -  
[www.assafir.com/iso/oldissues/20060720/front/2336.html](http://www.assafir.com/iso/oldissues/20060720/front/2336.html)

<sup>22</sup> Assafir Lebanese Newspaper - July 20<sup>th</sup> 2006 -  
[www.assafir.com/iso/oldissues/20060720/front/2336.html](http://www.assafir.com/iso/oldissues/20060720/front/2336.html)

The Israeli Cabinet authorized "**severe and harsh** retaliation on Lebanon" ... **Israel's Chief of Staff, Lt. Gen Dan Halutz**, told Israel's Channel 10, "**If the soldiers are not returned, we will turn Lebanon's Clock back 20 years**"<sup>23</sup>.

**Prime Minister of Israel Ehud Olmert** declared the attack by Hizbollah's Military Wing an "**Act of War**" and **promised Lebanon a "very painful and far-reaching response"**.

Such declarations and promises fall under the section of collective punishment to Lebanon and its population. It is considered both arbitrary and retributinal. The previously mentioned violations within killing civilians, and restricting their right to freedom of movement, life and security are considered examples for what Israel Prime Minister Ehud Olmert has promised Lebanon with. Yet another examples became available when an air, land and naval siege was imposed on Lebanon causing the stoppage of its air and naval navigations and the expatriation of thousands of families and the bolt flee of tourists and foreigners.

## **V. CONSEQUENCES OF THE ISRAELI ASSAULT ON LEBANON**

The Israeli assault on Lebanon has several consequences and on different levels. Some of these consequences are considered direct, those of which are proceeding on time that the breach to the International Humanitarian Law is taking place. Other consequences are long term ones and will continue to take place for long periods even after the assault is over.

### **A. DIRECT CONSEQUENCES**

- ☞ Killing Civilians is the most severe humanitarian consequence that Lebanon is suffering from. It causes calamity and misery amongst Lebanon's Population and will stay as disgrace in the world's history of human rights violations. Until the day of publishing this report, 510<sup>24</sup> civilians were killed with a high proportion of children. Lots were buried without being recognized due to the corpses deformation and hundreds are still under debris. Several families have lost all its members and other may have lost their relatives, cousins, niece ...
- ☞ Civilians who were attacked but did not die are now suffering from cruel injuries, which need lots of medical care. Plenty of them need long term medication and special treatment such as disability cases, deformation, burns ...etc
- ☞ Fear and trauma amongst Lebanon's population "especially children, disabled people and elderly" due to the condensed shelling. Moreover, Israel photographing missions through the MK Jet is causing pessimism of the future days i.e. more shelling, more civilians killings, new areas to destruct ...etc
- ☞ The sonic booms have a great psychological effect on Lebanon's population especially children. The numerous effects include traumatic stress, disorder, nervousness, and exhaustion.

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<sup>23</sup> CNN [www.cnn.com](http://www.cnn.com) - Israel authorizes 'severe' response to abduction - July 12<sup>th</sup> 2006

<sup>24</sup> Annahar Lebanese Newspaper - July 28<sup>th</sup>, 2006 - Issue no. 22726 - page 12

- ☞ Israel appeal to the inhabitants to leave their homes and property under the offensive of being attacked without neutralizing the roads that civilians will normally use in order to respond to the orders of evacuation assisted in increasing the numbers of killed and injured civilians. Moreover, others who were afraid to go on the unsafe roads, were attacked at their villages where missiles targeted them at their homes.
- ☞ Evacuation Process was hardship due to crossings, roads, and bridges destruction.
- ☞ Restrictions on the right to freedom of movement: civilians are unable to freely move between towns, villages and cities, medical care organizations are not properly able to reach all places where victims are either injured or buried under debris.
- ☞ Lots of villages and cities - especially in Southern Lebanon - were isolated from each others and due to such disconnections, essential life needs "food, drinking water, fuel, milk for infants, medication ...etc" were/about to be consumed from the local stores. Relief organization who are providing purveyance are either facing complicated conditions in delivering their assistance, or are not able at all to reach these areas, in addition to the danger that stricken these missions.
- ☞ Expatriation: Until the day of publishing this report, the number of individuals who expatriated from Southern Lebanon and Southern Suburb of Beirut reached 974436<sup>25</sup>. Civilians have been forced to leave their homes under the pressure of the Israeli incessant shelling to their homes and property and the offensive of being attacked via leaflets asking the population living in the south to leave their houses and go to the north of Lebanon. Consequently, most of the population in the south left their villages, cities, and cultivated lands and became expatriates living in schools and public places as gardens.
- ☞ Air, land and naval siege on Lebanon caused the paralysis in all kinds of navigations and consequently affected the mutual trade between Lebanon and other Arabian and European Countries, the economical situation and tourism. As a result of such siege, Lebanon now is suffering a shortage in the storage of food, fuel, medical supplies and equipments.
- ☞ Israel disproportionate in using force caused Lebanon acrimonious cost. 2.4 milliard US dollars is the approximate loss in infrastructure. This figure does not include the occurred loss of burning the storage of fuel that exceed 15000 tons, or the demolition of houses and civilian property.
- ☞ Lack in power supply especially fuel is leading to environmental crisis. The pilling up of garbage and solid wastes on time that trucks used to gather these wastes are not doing their job within such circumstances since trucks were an intention to

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<sup>25</sup> Annahar Lebanese Newspaper issue dated July 22<sup>nd</sup> 2006

attacks, and the lack of power to turn on industries to deal with sewage are together causing diseases, gathering and development of insects.

- ☞ Air and seashore all along Lebanon became polluted with fuel which was burned especially in the airport, Jeieh Power Supply and the harbors. Decomposition of corpses still under the debris became another source of transmitting diseases.

## **B. LONG RUN CONSEQUENCES**

- ☞ Displacement of thousands of civilians
- ☞ Psychological implications on people - especially children - who suffered from witnessing the killing of their relatives and the calamity of this war
- ☞ Orphanage of hundreds of children and widowhood amongst hundreds of men and women will be taking place causing lots of social epidemics
- ☞ Proportion of Disabled people will increase
- ☞ Environmental crisis because of the high level of pollution caused by fuel storage burns, solid waste and sewage
- ☞ Wide range of time to re-build what has been destructed of infrastructure and private property
- ☞ Education: Schools are full with displaced people whose homes were destroyed, with regards to such situations, next scholastic year is not foreseen.
- ☞ Economical Inflation: The General Debt will increase which will consequently reflect itself on the economical situation.

## **VI. LEGAL IMPLICATIONS**

The Israeli Military Forces have committed wide range of aggression acts against Lebanese civilians and Lebanon's infrastructure. Within its assault on Lebanon, Israel has violated the international humanitarian law in several ranks, in addition to breaching other international conventions and regulations that stated within its articles rules of war and courses of treating and protecting civilians. These violations and breaches can be illustrated as follows:

### **FIRSTLY; INTERNATIONAL HUMANITARIAN LAW**

#### **A. Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949**

##### *i. Killing Civilians - Absence of Protection*

- ❖ Article 3 of this convention outlaws violence against the persons and lives of all those who do not actively participate in military operations. It prohibits killing, mutilating, torturing or otherwise treating them cruelty.
- ❖ Article 9 of the same convention requires the prosecutions and trial of those military personnel that commit or order the commitment of such crimes

- ❖ Article 27 states that protected persons “shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof ...
- ❖ Article 147 considers, at the very least, such incidents as war crimes

*ii. Wounded and Sick*

- ❖ Article 16 of Fourth Geneva Convention stated that "wounded and sick, as well as the infirm, and expectant mothers, shall be the object of particular protection and respect". It further stated that, "as far as military considerations allow, each Party to the conflict shall facilitate the steps taken to search for the killed and wounded, to assist the shipwrecked and other persons exposed to grave danger, and to protect them against pillage and ill-treatment.
- ❖ Article 17 of the same convention affirmed that "parties to the conflict shall endeavor to conclude local agreements for the removal from besieged or encircled areas, of wounded, sick, infirm, and aged persons, children and maternity cases, and for the passage of ministers of all religions, medical personnel and medical equipment on their way to such areas".

*iii. Collective Punishment: bombing of roads and relief and medical aid trucks, isolating villages and cities making it difficult for and even impossible for humanitarian organizations to get into villages for rescue or assistance, destroying civilian infrastructure including Private Fuel Stations and Food Producing Plants ...*

- ❖ Article 21 of Fourth Geneva Convention established that, "Convoys of vehicles or hospital trains on land or specially provided vessels on sea, conveying wounded and sick civilians, the infirm and maternity cases, shall be respected and protected ..., shall be marked with the consent of the State..."
- ❖ Article 33 of Fourth Geneva Convention states that such actions constitute collective punishment and in this case for Lebanese Civilians/ residents on Lebanese territories
- ❖ Article 53 of Fourth Geneva Convention clearly specifies: “Any destruction by the occupying power of real or personal property belonging individually or collectively to private persons, or to the state, or to other public authorities, or to social or cooperative organizations, is prohibited”.

**B. Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977**

- ❖ Article 48 specifies that in order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at times



distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.

- ❖ Article 85 (5) of this protocol states that "... grave breaches of these instruments - Geneva Conventions and their related protocols - shall be regarded as war crimes".

**C. Declaration on the Protection of Women and Children in Emergency and Armed Conflict of 14 December 1974**

- ❖ According to this declaration:

1. Attacks and bombings on the civilian population, inflicting incalculable suffering, especially on women and children, who are the most vulnerable members of the population, shall be prohibited, and such acts shall be condemned.
2. The use of chemical and bacteriological weapons in the course of military operations constitutes one of the most flagrant violations of the Geneva Protocol of 1925, the Geneva Conventions of 1949 and the principles of international humanitarian law and inflicts heavy losses on civilian populations, including defenseless women and children, and shall be severely condemned.
3. All States shall abide fully by their obligations under the Geneva Protocol of 1925 and the Geneva Conventions of 1949, as well as other instruments of international law relative to respect for human rights in armed conflicts, which offer important guarantees for the protection of women and children.
4. All efforts shall be made by States involved in armed conflicts, military operations in foreign territories or military operations in territories still under colonial domination to spare women and children from the ravages of war. All the necessary steps shall be taken to ensure the prohibition of measures such as persecution, torture, punitive measures, degrading treatment and violence, particularly against that part of the civilian population that consists of women and children.
5. All forms of repression and cruel and inhuman treatment of women and children, including imprisonment, torture, shooting, mass arrests, collective punishment, destruction of dwellings and forcible eviction, committed by belligerents in the course of military operations or in occupied territories shall be considered criminal.
6. Women and children belonging to the civilian population and finding themselves in circumstances of emergency and armed conflict in the

struggle for peace, self-determination, national liberation and independence, or who live in occupied territories, shall not be deprived of shelter, food, medical aid or other inalienable rights, in accordance with the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Declaration of the Rights of the Child or other instruments of international law.

**SECONDLY; RESOLUTION 1674 (2006) ON PROTECTION OF CIVILIANS IN ARMED CONFLICT ADOPTED BY THE SECURITY COUNCIL AT ITS 5430<sup>TH</sup> MEETING ON 28 APRIL 2006**

- ❖ Israel has violated the UN resolution no. 1674/2006 on protection of civilians in the armed conflict, which emphasized the importance of preventing armed conflicts and deliberately recalled that targeting civilians and other protected persons as such in situations of armed conflict is a flagrant violation of international humanitarian law. The resolution also reaffirmed the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The resolution as well demands that all parties concerned should strictly comply with the obligations applicable to them under international law, in particular those contained in Hague Conventions of 1899 and 1907, and in the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as with the decisions of the Security Council ...

**THIRDLY; ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT, 17 JULY 1998**

- ❖ According to Article 8 (2) (a) of Rome Statute, "war crimes" means: Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention: Willful killing; Torture or inhuman treatment, including biological experiments; Willfully causing great suffering, or serious injury to body or health; Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly ...

**FOURTHLY; CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT - 1954**

- ❖ This convention stated that cultural heritage should be protected during armed conflicts, moreover, states should lessen the consequences of during armed conflicts of armed conflict for cultural heritage and should take preventive

measures for their protection not only in time of hostility (when it is usually too late), but also in time of peace.

Within its battering, Israel military Forces has attacked several cultural properties " Asi Bridge, Bealbek, Rashaiya, ...", causing a damage to it, violating the principle of protecting cultural heritage.

**FIFTHLY; CONVENTION (II) WITH RESPECT TO THE LAWS AND CUSTOMS OF WAR ON LAND AND ITS ANNEX: REGULATIONS CONCERNING THE LAWS AND CUSTOMS OF WAR ON LAND. THE HAGUE, 29 JULY 1899.**

- ❖ Annex to the convention, Section II On hostilities - Chapter I - Article 25 specifies that the attack or bombardment of towns, villages, habitations or buildings, which are not defended, is prohibited.

**SIXTHLY; CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS. GENEVA, 10 OCTOBER 1980 AND ITS THREE RELATED PROTOCOLS**

- ❖ The preamble of this convention has prohibited the employment in armed conflicts of weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering. It as well prohibited the employment of means of warfare, which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment.
- ❖ Moreover, it confirmed the determination that civilian population and the combatants shall at all times remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience.

**SEVENTHLY; CONVENTION RELATED TO THE RESPECT OF LAWS AND CUSTOMS OF WAR ON LAND. LA HEY, 18 OCTOBER 1907**

- ❖ Article 23 (e): prohibits especially the use of weapons, bombs and armory that lead to unjustified casualties and pains
- ❖ Article 25 prohibits attacking and bombarding unprotected housings
- ❖ Article 27 states to assumption all the reservations to avoid attacking religious places, cultural, scientific, historical, heritage place, hospitals and locations where wounded are gathered.

**EIGHTHLY; INTERNATIONAL HUMAN RIGHTS NORMS**

**A. Universal Declaration of Human Rights - UDHR**

- ❖ Within its assault on Lebanon, Israel has violated the persons' right to life, liberty and security of person (Article 3 - UDHR)
- ❖ Also, it violated persons' right to freedom of movement and residence (Article 13 - UDHR)

**B. International Covenant on Civil and Political Rights - ICCPR**

- ❖ Article 6: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life ..."
- ❖ Article 9: "Everyone has the right to liberty and security of person ..."

**C. International Covenant on Economic, Social and Cultural Rights - ICESCR**

- ❖ Article 11: "... right of every one to an adequate standard of living for himself and his family, including adequate food, clothing and housing ...". In demolition of homes, damage to power, water and sanitation facilities incur serious implications on the enjoyment of the right to adequate housing.
- ❖ The damage occurred, fuel burned and thrown in the sea, incurred high rank violation to Article 12 of the ICESCR

**D. Convention on the Rights of the Child - CRC**

- ❖ Article 6: "... every child has the inherent right to life. State parties shall ensure to the maximum extent possible the survival and development of the child"
- ❖ Article 19 (1): "... to protect the child from all forms of physical or mental violence, injury ...."
- ❖ Article 24 (1): "... the right of the child to the enjoyment of the highest attainable standard of health and to facilitate the treatment of illness ..."

**VII. CONCLUSIONS - LEBANON CRISIS**

The Palestinian Human Rights Organization - PHRO is highly concerned about the deteriorations in the human rights and humanitarian situations in Lebanon as per the Israeli Assault, which started in July 12<sup>th</sup>, 2006.

Lebanon now is a catastrophied country. It is marked by the loss of civilians' life, sonic booms, entire siege, destroyed property and infrastructure, all causing a collective punishment.

What is deemed essential is putting an end to Israel's disproportionate use of force in order to halt the loss of civilians' lives to avoid further casualties. Moreover, assistance should reach the isolated areas in order to avoid the increase in the humanitarian crisis. Medical supplies are in great shortage and hospitals are full with wounded and sick people. Reserves of fuel at hospitals will not last longer especially on time that power supply stations were attacked and the storage of fuel was burned. Also, food stuffs, drinking water and milk for infants do not

meet the daily requirements for the inhabitants. Sewage and solid wastes need a quick treatment in order to avoid more environmental crisis and development of insects and consequently the increase in diseases and transition.

Also, Hizbollah should assure treating the captured war prisoners humanely and according to the Third Geneva Convention relative to the Treatment of Prisoners of War. Geneva, 12 August 1949. Moreover, Hizbollah should take in account all the consideration so civilians are not targeted during the military operations in addition to avoid shelling from places adjacent to inhabited regions.

Since number of expatriated Lebanese is almost reaching one million, we see that a poverty and displacement crisis is emerging. On time that lots of expatriated has lost their homes because of bombarding actions, human rights and humanitarian situations are rapidly getting worst and country's economical life is almost dead especially for people who used to wok on daily basis. Existing storage of food, fuel, medication, hygiene appliances... are not compatible with the daily needs in proportion to the consumers "expatriated, isolated, wounded ..." individuals.

The PHRO highly condemns the ongoing impunity of Israeli assault on Lebanon, which severely target the civilians causing hundreds of victims with a vast percentage of children where impacts will be prolonged which need as well a long time to be treated especially on physical and physiological rehabilitation, rebuild the infrastructure and private property, environment cleanup...

The PHRO extremely denounce Israel's severe and intensified measures in its assault on Lebanon which consequently is considered grave breaches to the Geneva Conventions causing the commitment of crimes of war and crimes against humanity. PHRO confirms that Israel's breaches were not only committed on the level of International Humanitarian Law, however, violations reached the international human rights treaties, in particular the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child.

Furthermore, PHRO express its grieve about the UN peacekeepers attitude in not receiving citizens who requested their protection, leaving them to face their destiny of being killed - Marwahin, July 16<sup>th</sup> 2006. Nevertheless, PHRO regrets attacking the UNIFEL Base - Khiam July 26<sup>th</sup> 2006 -- where four observer officers were killed, however, this does not justify not receiving citizens also afterwards which does not comply with UN standards of protection.

The PHRO expresses its sadness and regrets for the high numbers of civilians who were killed, wounded, expatriated and currently are humanitarianly suffering under severe circumstances, paid/paying collective punishment tax, and condemns the disproportionate use of force by the

Israeli Military Forces who are completely ignoring the principles of proportionality, distinction and military necessity, when attacking civilian areas and not directly engaged in the hostilities when they are get targeted.

### **VIII. URGENT INTERVENTION - RECOMMENDATIONS**

The Palestinian Human Rights Organization – PHRO with regards to Lebanon's human rights and humanitarian crisis due to the Israeli assault to it urgently requests:

From the international community "UN and EU" to:

- Use all means at their disposal to reach the decision of ceasing fire and put pressure towards implementing this decision in order to put an end for Israel destruction actions against civilians and property
- Plead and ensure the in order to avoid more escalation in the victims and materialistic loss the respect to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949

Also, PHRO call upon all parties to:

- Respect the International Humanitarian Law in assuring the protection of civilians according to Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949
- Assure the protection of the prisoners of war and the respect to their rights "medical treatment, not to be submitted to inhuman and degrading treatment ..." according to Third Geneva Convention relative to the Treatment of Prisoners of War. Geneva, 12 August 1949.
- Refrain from targeting military objectives when it is expected that such attacks would cause excessive harm to civilians

Moreover, PHRO calls upon the United Nations Security Council to promptly adopt a resolution in compliance with Chapter 7 of the Charter of the United Nations and in application of the resolution 1674/2006 on the protection of civilians in armed conflict. This resolution should:

- Condemn the severe violations of international humanitarian and human rights law, denounce the perpetrators of these violations and put an immediate end to all military operations ensuring situations' return to as they were before July 12<sup>th</sup> 2006
- Ensure the protection of civilians, the end of the armed struggle, and the deployment of medical and humanitarian aid
- Dispatch a fact finding mission to detect facts on the ground and take the necessary measures to ensure that such conduct and disregard of international law and human rights standards end, will not occur again.

- Call for legal action to the perpetrators of these severe violations of international humanitarian law and demand compensation from those responsible for the damage inflicted upon civilians and infrastructure.

Furthermore, the PHRO reminds the European Union that they should rely on the Association Agreements, which it has entered with the parties concerned in order to demand that human rights be respected. Article 11 of the Treaty on European Union (TEU) stipulates that the EU's Common Foreign and Security Policy aims to 'develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

At last but not least, the PHRO urges all governments, international and national human rights organisations to urgently take action to bring the ongoing Israeli violations to a halt.



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