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Israel/Lebanon: War crimes without accountability

A year on from the start of the 34-day war between Hizbullah and Israel, Amnesty International today condemned the complete absence of any steps in the two countries affected or internationally to prosecute those responsible for war crimes and other grave violations committed during last summer's conflict.

"Without a full, impartial UN-led inquiry that includes provision for reparations to the victims, there is a real danger of history repeating itself. The total lack of political will to hold to account those responsible for the indiscriminate killing of civilians, more than one thousand of whom lost their lives, is both a gross betrayal of the victims and a recipe for possible further civilian bloodshed with impunity," said Malcolm Smart, Director of Amnesty International's Middle East and North Africa programme.

During and after the war Amnesty International investigated violations of international humanitarian law – including war crimes - committed by both Israeli forces and Hizbullah fighters and published its findings in three reports last year. In the face of the patent unwillingness by all concerned parties to investigate the violations, the organization called on the UN to establish a comprehensive, impartial and independent inquiry empowered to investigate the evidence of violations of international law by both Hizbullah and Israel, and to make provision for reparation for the victims. However, the international community has lacked the political will to take the necessary steps to set up such an inquiry.

Partisan politics and selectivity in bodies such as the UN Security Council - the main body with the authority to decide such matters without the agreement of the concerned parties - has effectively left the Lebanese, Israeli and other victims without recourse to justice.

By contrast, the Security Council's decision to establish a tribunal to prosecute those accused of responsibility for the assassination of former Lebanese Prime Minister Rafik Hariri and other political murders shows that where there is political will the mechanisms for establishing the truth can be created despite the opposition of some of the concerned parties. Amnesty International welcomes the establishment of the tribunal but continues to stress the urgent need for a comprehensive strategy to address past war crimes and human rights abuses in Lebanon, including those committed during the war in July-August last year.

In Israel the investigation carried out into the conduct of Israeli forces into the war was limited to military strategy and made no attempt to investigate violations of international humanitarian law, including war crimes committed by Israeli forces, or to establish a mechanism to bring to account those responsible for such violations. In Lebanon, no official investigation at all has been carried out. An inquiry appointed by the UN Human Rights Council was given a one-sided mandate, focusing only on evidence of violations by Israeli forces.

Israel, Lebanon and all other countries in a position to do so should investigate and prosecute those suspected of war crimes.

Although the conflict ended following a UN-brokered ceasefire agreed on 11 August 2006, its repercussions continue to weigh on the civilian population.

Scores of people have been killed or injured in south Lebanon as a result of cluster bombs, launched by Israeli forces mostly in the last 72 hours of the conflict after the ceasefire had been agreed but before it took effect. The United Nations Mine Action Coordination Centre (UN-MACC) has identified 922 sites over which unexploded but still lethal remnants of cluster bombs and other ordnance are scattered and estimates that the clearing will take a year or more. According to UN-MACC, from the time of the ceasefire up until 20 June 2007, 32 people - 24 civilians and eight de-miners - were killed and 210 people were injured in south Lebanon as a result of unexploded cluster munitions.

"Amnesty International repeats its call on Israel to hand over maps detailing the areas its forces targeted with cluster bombs. These are vital to assist bomb clearance and avoid further casualties," said Malcolm Smart.

The organization also calls on the Israeli government to impose a moratorium on the use of all cluster weapons and to provide maps of the locations of the land-mines its forces laid in south Lebanon in past years.

"The Security Council should declare and enforce an arms embargo on both Israel and Hizbullah until effective mechanisms are in place to ensure that weapons will not be used to commit serious violations of international humanitarian law," said Malcolm Smart.

Amnesty International continues to urge Hizbullah to provide information about the two Israeli soldiers its fighters captured on 12 July 2006 and allow them immediate access to the International Committee of the Red Cross.

Note to editors

For previous Amnesty International documents on the Israel/Hizbollah conflict, please see:
<http://web.amnesty.org/pages/lebanonisrael-documents-eng>

Public Document

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