



# PAKISTAN

PERMANENT MISSION TO THE UNITED NATIONS

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STATEMENT

BY

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PAKISTAN'S PERMANENT REPRESENTATIVE

ON BEHALF OF THE ORGANIZATION  
OF THE ISLAMIC CONFERENCE

ON THE REPORT OF THE SPECIAL RAPORTEURS'  
MISSION TO LEBANON AND ISRAEL

AT THE SECOND SESSION  
OF THE HUMAN RIGHTS COUNCIL

GENEVA  
4 October 2006

OIC Statement at the Human Rights Council by Ambassador Masood Khan of Pakistan on the reports of the Special Rapporteurs' Mission to Lebanon and Israel, Geneva, 4 October 2006.

I am making this statement on behalf of the Organization of the Islamic Conference.

We thank you for persuading the Special Rapporteurs on extrajudicial, summary or arbitrary executions, health, internal displacement and adequate housing to visit Lebanon and Israel to assess the damages to lives, homes and livelihoods.

The OIC does not give full credence to the disclaimer that their mission was independent of the Commission of Inquiry established by the Human Rights Council on August 11. The Special Rapporteurs seem to have stretched their mandates to cover the remit of the Inquiry Commission in order to preempt and prejudge its conclusions. They acted post haste to give the impression that their findings were more "balanced". It was also not clear why they excluded their fellow Special Rapporteur on food from the mission.

The report is a one-sided narrative. It lacks internal consistency and cohesiveness. It appears to have been written by several authors and then pieced together. The analyses devoted to health, adequate housing and internal displacement seem to be relatively fair but they are not reflected in the recommendations.

The Rapporteurs pin the causality of war neatly on Hizbollah without reference to the contrary opinion widely published during and after the war. The indictment against Hizbollah is direct and forthright. Israel is given grace marks through the use of passive voice. Here is an example "Lebanon suffered air, sea and land attacks, and Hizbollah launched thousands of rockets on Northern Israel".

The document tries at length to understand the legal and military rationale of Israeli Defense Force's actions against civilian targets creating room for deniability. It does not give similar treatment to Lebanon. It does not make an effort to make any of these relevant to the Special Rapporteurs' primary mandates. They continue to dabble into the mandate of the Inquiry Commission.

The report has also used reductionism to dismiss concerns about loss of life. Here is an example": "Because the buildings, which would normally have housed between 30,000 and 60,000 persons, had been nearly entirely evacuated before they were struck, the loss of lives was limited". In instances where there is clear evidence, the report frequently hides behind inadequate data or inadequate time.

After a long catechetical inquiry, the report could not establish either the number of the cluster bombs or whether the great majority of these bombs were used in the final 72 hours, before the cease fire took effect. We refer the Special Rapporteurs to an article in *Ha'aretz* of 12 September which cites the exact figure of bomblets dropped and sources it to Israeli officials.

The report's conclusions and recommendations fall short of expectations. First, there is an artificial spatial balancing. Second, the report is deferential to Israel, condescending to Lebanon and accusatory towards Hizbollah. It thus loses objectivity. The so called legal opinions expressed by them are open to contention and interpretation. They are neither impartial nor definitive.

The OIC believes that in case of Lebanon the principles of distinction between civilians and combatants, prohibition against indiscriminate attacks and proportionality have been violated. Balance cannot be created, where none exists, through the prism of *realpolitik*.

The OIC as a whole and OIC Council Members have decided to distance themselves from the conclusions of the report which does not have any operative value, direct or indirect.

Mr. President, on the other hand, we find the report of Mr. Jean Zeigler, the Special Rapporteur on the right to food, firmly anchored in law and his mandate. It is non-interpretative. Giving a graphic account of the war, he points out how it had disrupted the supplies of food and relief, damaged agricultural, irrigation and water infrastructure, and adversely impacted livelihoods. His recommendations suggest several measures aimed at recovery and reconstruction as well as sustainable solutions to protect the right to food of the Lebanese people. The Special Rapporteur, we understand, has requested authorization to visit Israel to investigate the situation of the right to food of the affected Israeli population. He should be given a green signal to go there.

I thank you Mr. President.

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