



COUNCIL ON HUMAN RIGHTS

ORAL STATEMENT OF MR. JEAN ZIEGLER,

SPECIAL RAPPORTEUR ON THE RIGHT TO FOOD

4 October 2006

Monsieur le President, Ladies and Gentlemen,

I have the honour to present today the report on my mission to Lebanon as Special Rapporteur on the Right to Food. My mission took place from 11 to 16 September upon the invitation of the Government of Lebanon. I also requested authorization to visit Israel to investigate the situation of the right to food of the affected Israeli population, but I have not yet received any response from the Government of Israel. This report therefore covers only the situation in Lebanon, but I remain willing to visit Israel.

The mission followed the war that took place between 12 July and 14 August 2006 between Hezbollah and Israel, following Hezbollah's capture of soldiers in a raid across the border between Israel and Lebanon. The Israeli forces launched more than 7,000 air attacks during the 34 days of the war and conducted 2,500 attacks by sea as well as numerous artillery shellings. The war has had far reaching effects on the Lebanese population. According to the Government of Lebanon, the war resulted in 1,189 killed (mostly civilian), 4,399 injured, 974,189 displaced and between 15,000 and 30,000 homes destroyed.

During the war, a combination of destruction of road and transport infrastructure and repeated denial of safe transit by the Israeli armed forces made it very difficult for humanitarian agencies to transport food and other relief, especially to the approximately 22,000 people left trapped in the area south of the Litani River, the area of 38 localities under the control of UNIFIL. The forced displacement of a vast number of people from their homes and agricultural lands disrupted normal access to food and left tens of thousands dependent on food aid.

The war took place at the peak of the fishing and fruit harvest season, affecting the people who earn their livelihoods from these sectors both directly in terms of damage but even more importantly indirectly in terms of lost markets and revenues. Much farmland has been affected by bombing and will continue to be affected by unexploded bombs that are continuing to make access to many fields impossible. According to UN Mine Action Centre, hundreds of thousands of unexploded ordinances (UXOs), mostly cluster bombs (anti-personnel weapons that spray bomblets indiscriminately over a wide area) will need to be cleared before agriculture can be re-established. It was reported that more than 1.2 million cluster bombs were dropped by the Israeli Forces. About 90% were dropped in the last 72

hours of the war when the Israeli forces were already aware that a ceasefire was imminent. The destruction by the Israeli forces of infrastructure essential to the survival of the population, particularly agricultural, irrigation and water infrastructure will also have long term impacts on livelihoods and access to food and water. Fishing has been heavily affected and the coastal ecosystem almost totally destroyed by the massive oil spill due to Israeli bombing of the Jiyeh fuel tanks on 14 July 2006.

The long term impacts of the war on livelihoods are the key concern today. The right to food is not primarily about food aid, it is the right to be able to feed oneself through an adequate livelihood. I found that the livelihoods of a large part of the population have been disrupted by the war, and the process of reconstructing livelihoods has been slow. Loss of livelihoods and sources of income is the main threat for the future wellbeing of many thousands of families, particularly in rural areas.

In my report I offer a series of recommendations aimed to improve the realization of the right to food of the whole Lebanese population. In particular, I recommend that:

Violations of the right to food under international human rights and humanitarian law should be further investigated, including to determine whether they constitute grave breaches of the Geneva Conventions and Additional Protocol I and possibly war crimes under the Rome Statute of the International Criminal Court;

The International Humanitarian Fact-Finding Commission, established in accordance with Additional Protocol I, should be accepted by the Government of Israel and the Government of Lebanon to investigate violations of the right to food under international humanitarian law;

According to international jurisprudence, the Government of Israel should be held responsible under international law for any violation of the right to food of the Lebanese civilian population. Under international law, the Government of Israel has the obligation to ensure that all victims of violations of the right to food receive adequate reparation and compensation for the losses suffered during the war as well as for ongoing losses due to the disruption of livelihoods.

The Government of Lebanon, with bilateral and multilateral donors, should accelerate the clearing of agricultural fields from cluster bombs. The Government of Israel should provide the full details of its use of cluster munitions in order to facilitate the destruction of the UXOs and clearing of affected areas.

Thank you for your attention.